BOARD OF
SUPERVISORS

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

A. CAMERON LENAHAN
North District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

GRACE E. MAWYER
Director of Finance and
Human Resources

AGENDA
NELSON COUNTY BOARD OF SUPERVISORS
AUGUST 11, 2026
THE REGULAR MEETING CONVENES AT 2:00 P.M. IN THE GENERAL DISTRICT COURTROOM AT THE COURTHOUSE IN LOVINGSTON

I. CALL TO ORDER
- A. Moment of Silence
- B. Pledge of Allegiance

II. PUBLIC COMMENTS

III. CONSENT AGENDA
- A. Resolution – **R2026-64** Minutes for Approval
- B. Resolution – **R2026-65** FY26 Budget Amendment
- C. Resolution **– R2026-66** FY27 Budget Amendment

IV. RESOLUTIONS OF RECOGNITION
- **A.** Animal Control Officer Jessee Johnson and Deputy William Brown **(R2026-67)**
- **B.** North District Planning Commissioner Philippa Proulx **(R2026-68)**

V. PRESENTATIONS
- A. VDOT Report
- B. NCSA Report – Wintergreen Wastewater Treatment Plant
- C. Nelson County Parks and Recreation – Jerry West
- D. DSS Building Project Update – PMA Architecture

VI. NEW & UNFINISHED BUSINESS
- A. Consider Rescheduling November Board meeting (**R2026-69**)
- B. Region 2000 Settlement Agreement (**R2026-70**)

VII. REPORTS, APPOINTMENTS, CORRESPONDENCE AND DIRECTIVES
- A. Reports
  1. County Administrator’s Report
  2. Board Reports
- B. Appointments
- C. Correspondence
  1. Planning Commissioner attendance
- D. Directives

VIII. OTHER BUSINESS (AS PRESENTED)

IX. ADJOURN AND CONTINUE – EVENING SESSION AT 7PM

EVENING SESSION
7:00 P.M. – NELSON COUNTY COURTHOUSE

I. CALL TO ORDER

II. PUBLIC COMMENTS

III. PUBLIC HEARINGS

A. Ordinance O2026-03 - Amendment to Chapter 4, Buildings, Article 2 Building Code

The purpose of these amendments is to increase the permit fees in Sec. 4-29 and update the language throughout the section.

B. Ordinance O2026-04 – Amendment to Chapter 6, Licenses, Permits and Business Regulations, Article I In General

The purpose of these amendments is to update the amusement device types and increase the amusement device inspection fees in Sec. 6-4. There is a new fee for re-inspections. These fees are to defray costs of administrative and enforcement activities performed by local government personnel including processing permits, inspecting amusement devices, posting inspection labels, etc. A definition for "amusement device" has also been added to this section.

C. Ordinance O2026-05 – Amendment to Chapter 9, Appendix A Fees

The purpose of these amendments is to increase the land-disturbing permit fees for Agreements in Lieu of E&S plans for up to two (2.0) acres of land disturbance in Appendix A and the addition of a new fee of $75.00 for site visits related to complaints.

D. Amendment of FY2026-2027 Budget That Exceeds the Statutory Limit of One Percent (R2026-71)

Consideration of a proposed FY2026-2027 Budget Amendment that provides for the 2026 Larkin Property purchase in the amount of $8,925,000, the optional re-financing of the 2022 Larkin Property purchase in the amount of $2,600,000, and the loan to Nelson County Service Authority for Wintergreen Wastewater Treatment Plant DEQ Consent Order Costs in the amount of $3,100,000. This total proposed budget amendment exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

IV. CLOSED SESSION PURSUANT TO §2.2-3711 (A)(1) PERSONNEL

V. OTHER BUSINESS (AS PRESENTED)

VI. ADJOURNMENT

III A

RESOLUTION R2026-64
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(March 10, 2026)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **March 10, 2026,** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

Approved: August 11, 2026

Attest:_____________________________,Clerk
Nelson County Board of Supervisors

Virginia:

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

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

Absent: None.

I. CALL TO ORDER

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

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

II. PUBLIC COMMENTS

Joanne Thompson Clarkson - Piney River. Virginia
Ms. Joanne Clarkson addressed the Board and expressed concern about the upcoming budget and tax rate, adding that residents also did not yet know what the Piney River water bills would be. Ms. Clarkson stated that she had read that the Commonwealth Attorney, School Board, and Sheriff's Office all want more space—and she asked if they were going to be move offices around in the courthouse, build new buildings or renovate existing buildings. She also mentioned that the state has proposed numerous taxes, and they did not know how they would affect individuals and businesses in the County, so they needed to make sure they didn't spend too much. She cited other concerns regarding a new playground, the cost of the land for the new DSS building, the cost of employee health insurance paid by the County, and the cost of the Gladstone Depot project. She suggested that each Supervisor host a town hall meeting in their district once the budget comes out, to allow citizens to ask questions about what is in that budget.

Michael Hevener – Faber, Virginia
Mr. Michael Hevener addressed the Board and said he is chair of the Nelson County Republican Committee, and he thanked the Supervisors for their service. Mr. Hevener stated that the public comment section was full and the Board members' email inboxes were likely full as well. He said that the Board would hear a great deal about fairness and leveling the playing field, and there would be discussion about whether elected officials should influence votes—even though all politicians, including the governor, were already doing so. He said there would be references to Texas and North Carolina even though the Board did not represent those states.

Mr. Hevener said that politics and the president would be part of the conversation, but the underlying message of the referendum was to disadvantage rural counties as a means to target the president—and the "real motive" behind the referendum should not be overlooked. Mr. Hevener stated that although he did not usually agree with Senator Lucas or Speaker Scott, he respected their honesty in acknowledging that the issue was entirely about Donald Trump. He said it was important to be clear for those who were just tuning in to the matter.
He stated that the referendum was not about fairness nor about the voters of Virginia or Nelson County. He said if the event were truly about Nelson County voters, their interests would be prioritized.

Mr. Hevener stated that in 2020, 71% of Nelson County voters supported a bipartisan redistricting committee, and it was rare for such a high percentage to agree on any political issue. He said the proposed amendment would ignore the will of the voters, and he questioned whether it was acceptable to temporarily harm Virginia and Nelson County voters simply to oppose Donald Trump. Mr. Hevener stated that if the referendum passed, the County would be "at the table asking for scraps" from other localities such as Harrisonburg, Staunton, Waynesboro, Charlottesville, Albemarle, Lynchburg, Roanoke, Salem, Montgomery County, and Radford. He said he was not okay with that, and he noted that 71% of Nelson County voters who participated in 2010 would also not be willing to accept it. He urged the Board to join with neighboring counties that had already passed similar resolutions and to vote in favor of a resolution opposing the referendum.

Lisa Saunders – Arrington, Virginia
Ms. Lisa Saunders addressed the Board and said she was opposed to the proposed US 29 corridor improvements from Route 655 to VA 56, which would impede business at Colleen Exxon and Colleen Feed and Seed, and potentially Colleen Drive-In if it were to open again. She stated that the proposed improvemetns would also cause more wrecks because traffic would be required to cross four lanes on 29 to make a U-turn upon exiting. She said that vehicles would have to cross two lanes of 29, the lane designated for turning into Blue Ridge Medical Center, and then enter the lane for making the U-turn; the same situation would occur when exiting Colleen Road. She said at Route 56, vehicles would be required to pull out of a curve and cross three lanes of traffic to make a U-turn, which would not be any safer.

Ms. Saunders stated that the problem is a failure to abide by the law, as drivers do not yield the right-of-way and do not remain stopped at the stop sign, nor do they reduce speed when required—and enforcing the 45-mph speed limit would make a significant difference. She stated that the installation of the stoplight in Lovington has caused traffic to become compacted, resulting in vehicles passing through all at once and leading to impatience, which ultimately leads to accidents. She said there is video evidence of accidents caused by impatient drivers pulling out in front of others or by drivers being unaware. She said that if these improvements were implemented, the drive-in building would be demolished because it has already been struck six times by trucks and trailers that are unable to navigate the area, despite currently being able to make a U-turn.

Ms. Saunders stated that if this is implemented, drivers will attempt to go straight across and then turn into the drive-in location, either trying to maneuver behind it, which is not physically possible, or attempting to cut in front of it, which would destroy the entire building. She said that all Arrington traffic would be required to go toward the Valero first, or more likely, most traffic would choose to bypass Arrington entirely if already traveling in that direction. Ms. Saunders said that drivers would use Diggs Mountain and proceed to Oak Ridge, resulting in significant traffic exiting Oak Ridge at the location where school buses travel in the mornings, and this could lead to additional accidents there. She emphasized that enforcing speed limits, stop signs, and yield regulations would address the primary problem in both areas.

Colin Ramirez – Faber, Virginia
Mr. Colin Ramirez stated that he lives past the Monroe Institute near the intersection of Adial Road and Route 6, where he bought his home more than 20 years ago. Mr. Ramirez said he is a former resident of Crozet, where Old Trail was originally presented to local residents on a much smaller scale but at least was in the Albemarle County designated growth area. By contrast, he said, Nelson County was considering allowing a 90-plus bed hotel-like center on agriculturally zoned land near the site of the much smaller current Monroe Institute—which would challenge the resources and the quality of life of his current bucolic area. He said there are many reasons why this expansion a terrible idea, and it's one that will drive him away from his beloved Nelson County.

Mr. Ramirez said since it is a month before the Supervisors' vote on this rezoning exception to the agriculture area, he wanted to alert all Nelson County residents that if this is allowed, no current rural Nelson area is safe from water-guzzling, traffic-clogging, life-altering developments that benefit very few—many of whom may not be local and even out of state. He urged the Board to look closely at the full ownership of the Monroe Institute, which has been challenging to figure out online, and determine how there can be hundreds of thousands of dollars invested when the limited information says Monroe is losing half a million dollars a year.

He urged all Nelson residents to urge all the Supervisors to vote no, because if they do not, their bucolic area that they think is a protected agricultural zone will be the next stop for a business venture on a large scale that will forever alter the nature of their life in Nelson County.

Richard Bell – Shipman, Virginia
Mr. Richard Bell addressed the Board and expressed concern about the "sanctuary policies" of Governor Abigail Spanberger that let illegals roam about and do crimes like the one that happened in Fairfax. Mr. Bell also said that Governor Spanberger is taking citizens' gun rights, so now they have to become a "sanctuary County" to keep their gun rights. He noted other localities were becoming sanctuary counties to keep gun rights. He said the government wants people's guns because of the extremists in this state, and now Virginia has a lieutenant governor who's Islamic and is protected by Islamic security. He said that they want the guns so they can do whatever they want to do and disarm the people so they will not be able to fight back if necessary. Mr. Bell said the Second Amendment is to protect their rights against tyranny in this country, and it needs to be protected.

John Harris – Lovingston, Virginia
Mr. John Harris stated that he is a retired Marine officer and retired federal government employee, and he moved to Lovingston four and a half years ago. He stated that he was before the Board to speak on the resolution in opposition to the congressional redistricting amendment, which he described as gerrymandering. He said gerrymandering has been bad for both sides and has been used to further those agendas. He said in 2020, Virginia established an impartial commission of both parties and civilians to determine the districts, which was less politicized. He requested that the Board approve the resolution opposing the congressional redistricting amendment. He stated that this impartial Board normally meets after the census, which occurs every 10 years;

there has not been a census since 2020 when they did the last redistricting, so it makes sense to not do a knee-jerk reaction to what the legislature wants localities to do. He also urged the Board to support the Second Amendment resolution, as it is important for citizens to have the ability to defend themselves in the event others cannot be there.

Stanley Milesky – Nellysford, Virginia
Mr. Stanley Milesky addressed the Board and stated that regardless of their personal feelings, Resolution R2026-18 concerning the April 21st special election for the redistricting amendment of the Virginia Constitution, is not an issue for which the Board should be taking an official position. He emphasized that their consideration of this incredibly divisive matter only serves to further divide their constituents, and there will always be people for and against their choices. He said that "adding fuel to this fire is reckless and unnecessary," and this is a moment where the Board might better consider what it can do to help bridge the widening chasm of disagreement among the people of Nelson County. He said what is needed most at this time is their leadership. He asked that the Board table further consideration of the resolution.

Paul Sullivan – Nellysford, Virginia
Mr. Paul Sullivan stated that he serves as chair of the Nelson County Democratic Committee and was before the Board regarding the redistricting amendment resolution R2026-18. Mr. Sullivan said voters in the Commonwealth are being asked a simple question, which is whether to allow the General Assembly to temporarily adopt new congressional districts to restore fairness in the upcoming elections. Mr. Sullivan said the Nelson County Board of Supervisors seeks as a legislative body to formally oppose the constitutional amendment that would allow for a temporary reapportionment of the 11 seats in the U.S. House of Representatives.

Mr. Sullivan said the vote on the constitutional amendment in Virginia is in response to the harmful and unprecedented actions by President Trump and the Republican legislators in Texas and other states to change Democratic seats to Republican seats in the U.S. House of Representatives; their partisan action in between the 10-year census and redistricting was done in Texas and other states without a vote of the people. Mr. Sullivan stated that the second point is a quote from the new governor, Abigail Spanberger, who said "Voters should know that Virginia's approach is different" because it is temporary and is directly responsive to what other states decided to do—and most importantly, it preserves Virginia's bipartisan redistricting process for the future.

Mr. Sullivan stated that the 71% vote that was mentioned earlier was people generally opposed to any type of partisan gerrymandering, especially when it happened in the past. He said he is here to oppose the resolution. He said the Board should table, withdraw, or otherwise defeat the resolution for the following reasons: The Board has no real authority in the name of the County to ask him or tell him or any other citizen how they should vote, but each Supervisor is free to voice a personal opinion as a private citizen yet not as a legislative body; the proposed resolution has no force in law, is not a County ordinance, and would have no legal teeth; the proposed resolution fails on the merits, and the special election allows the people of Virginia to vote on the constitutional amendment. Mr. Sullivan said this sacred act—voting in a free and fair election—must not be tampered with by anyone seeking to sow chaos and confusion in the election.

Mr. Sullivan said President Trump and Republican legislators improperly bypassed the will of voters in Texas and other states; in sharp contrast, Virginia legislators properly handed the decision to reapportion districts to the voters—and democracy is functioning well in Virginia by allowing citizens to vote. Mr. Sullivan said his fourth reason why the proposed resolution should die is that a Supervisor should not spend time on any non-local issue because that sets an ominous precedent, and said should the Board move forward with the resolution, then scores of state, national, and international issues will simply overwhelm the agenda. Mr. Sullivan said the alternative would be for the Board to promote voter registration and voting as a civic duty, and he asked the Board to let common sense prevail and to table this ill-advised resolution.

Ann Mische – Nellysford, Virginia
Ms. Ann Mische addressed the Board and said she had bragged on Nelson County to anyone who would listen since she moved here, which generally started with her pride in the Board. She said most of the Supervisors have run as independents, and she had been covering the Board for almost four years for the Democrats and puts out Board meeting summaries every month. She said the County has had the benefit of the Board's independent judgment after they consult with constituents and allow people to say their piece at Board meetings. Ms. Mische stated that she had never known the Board to frame any arguments in a partisan way and has been non-partisan—right up until today.

Ms. Mische said she was not there to defend the merits of the proposed referendum, and a lot of people have struggled over what they ought to do. She emphasized that the Board was outside of its jurisdiction and bailiwick with this, and using Supervisor status to speak for the rest of the County was offensive. Ms. Mische said that when she read the resolution, her first reaction was how dare they, how dare the Board assume it knows what she is thinking or what her vote would be, and how dare the Board lecture her on how she is supposed to vote. She stated that the net effect of all of that should be considered—as this is now a partisan meeting over what is a partisan referendum, and this is not the Board's job.

Ms. Mische said this is going to cause further hard feelings in the County. She stated that the Board should not stay silent about what it thinks about the referendum; they have First Amendment rights like everybody else. She said, however, that the Board should not tag the term "Board of Supervisors" next to their signature on this, as the Board does not speak for her and should speak only for themselves. She stated that they should mail postcards, write emails; and whatever they choose, they should exercise their right to vote. She stated that the Board is better than this referendum and this motion would make them. Ms. Mische said she has been so proud to be a part of this County and this government, and the Board should not disappoint her now.

Calvin Snell - Afton, Virginia
Mr. Calvin Snell addressed the Board and stated that his father had been the largest contractor in the state of Virginia, building schools and government buildings. Mr. Snell said that previous contractors at Rockfish School had made mistakes that had to be corrected, which the contractors should do at their cost instead of the taxpayers having to cover it.

Carlton Ballowe – Faber, Virginia
Mr. Carlton Ballowe addressed the Board and commended the Board for taking up these two issues—the referendum and the sanctuary status—which he said took courage. He stated that the 3% of the U.S. population that took up arms to overthrow British rule in 1776 did not have to do that either. He said he was drawing that corollary because, if one looks at these two things together, there is a formula for tyranny that has been used all over the world: to disenfranchise and to disarm. Mr. Ballowe said it's not true that the Board doesn't have a dog in this fight, as they deal with it both as individuals and as a County.

Mr. Ballowe stated that the Board is going to lose its Congressman, which has some consequences such as being lumped in with other communities that have less in common than what is present now. He stated that the Board is going to be underrepresented in Congress. Mr. Ballowe noted that currently, the bipartisan commission that was appointed to redraw districts some years ago did a good job, as the state is about 55-45 Democrat, and there is 6-5 Democrat versus Republican representation in Congress. He said that is entirely fair, much as he hates to say it or admit it, and now there is a proposal for a 10-1 split—which cannot be described as fair by any definition whatsoever. He asked the Board to vote to reaffirm the Second Amendment status, and to recommend or vote no on the referendum.

Claudia Van Koba – Amherst, Virginia
Mr. Claudia Van Koba stated that she bought land in the County in 1976 and moved here in 1982. Ms. Van Koba said she was sad to see resolution R2026-18 on the agenda, as this is a free country and each Supervisor can vote individually. She said she is not happy that the Nelson County Board of Supervisors took it upon themselves to have the authority in the name of the County to tell her how to vote. She emphasized that she is 76 years old and is not going to be told now how to vote or even suggest how to vote. Ms. Van Koba urged the Board to let this die on the vine, as everything else they have done has been exemplary.

Ridgely Harrison – Shipman, Virginia
Ms. Ridgely Harrison addressed the Board and stated that she has been concerned about the number of farms and wineries now in the area. She explained that back when they did the Nelson County Summer Festival, where they had wine tasting, patrons got a stamp on their left hand—which could be checked by the sheriff's department as people were leaving, before they got onto the highways. Ms. Harrison suggested that this is something they could require of farms, with their own onsite enforcement rather than the sheriff's department.

Cooke Harvey – Amherst, Virginia
Mr. Cooke Harvey stated that he loves the people and the idea of self-determined government, which is why he would like to be a representative of this district. He said they can see that partisan politics prevent them from moving forward as a united people, and he would like to be a third person on the ballot.

Don Heres
Mr. Don Heres stated that on December 7th, 1941, his dad was an 18-year-old Marine at Pearl Harbor when they were attacked. Mr. Heres stated that on September 11th, 2001, he was an assistant state fire marshal and assistant fire chief for a town in North Carolina. Mr. Harris said that he was also designated a team leader to go to New York should North Carolina send people there after the attack.

Mr. Heres stated that in 2019, he was standing at this podium with the rally outside in support of the resolution to be a sanctuary County for the Second Amendment. Mr. Heres said that today, the attacks are coming internally, and he does not believe what is going on in Richmond is either constitutional or morally or ethically correct. Mr. Heres stated that in 1773, there was a little party in Boston Harbor. Mr. Heres said that he does not think dumping the cargo of a ship of tea into the harbor had a real impact on the colonists there—but it did put forth one of the biggest optics that has ever been seen, 250 years later.

Mr. Heres said he is asking the Board to do the same, and while everything done here is not going to make that big of an impact, it will be an optic. Mr. Heres said the County should let Richmond see how the people feel. Mr. Heres stated that the Second Amendment is part of our history and part of our lifestyle. Mr. Heres stated that nothing that has been said or done justifies what the state is doing. Mr. Heres asked the Board to reaffirm support of the Second Amendment.

Wisteria Johnson – Shipman, Virginia
Ms. Wisteria Johnson said she is 75 years old. She stated that her family has been here forever, starting with the indigenous people. She said that she loves this County, but today she is very upset that she has to be here. Ms. Johnson said that she is questioning why they are considering even taking a position on the referendum. She stated that there may be some people who are seeing the truth with what is happening in this country.

Ms. Johnson said that there are three states that have already forced a decision on their state that has gerrymandering favoring the Republicans—but Virginia is coming to the people, not to local government. She asked the Board if their sense of power has gotten so big that dictatorship is now part of them, too. Ms. Johnson stated that if so, it is killing America, which you can see every day. Ms. Johnson stated that the party that is in control of this country is extreme Republicans, and a lot of the Supervisors ran under the Independent Party. Ms. Johnson stated that under the current federal administration, this country is dying, and we are losing our democracy. She said her recommendation is to stay out of it. She thanked them for their service to the County. Ms. Johnson wished happy birthday to Pat Sullivan.

Thomas Nelson – Roseland, Virginia
Mr. Thomas Nelson said he admired the president and believed the current administration was doing an outstanding job. He stated that the Democratic Party nearly destroyed the country under President Biden and expressed concern about what was happening nationally. He also noted that his fourth-great-grandfather had signed the Declaration of Independence, and from that moment, his family had loved and fought for their country. He said he fought in Vietnam himself and supported actions regarding the Second Amendment and redistricting, understanding the arguments behind them.

Mr. Nelson stated that decisions made locally influence Nelson County. He said Spanberger's resolutions were putting global issues back into schools and used the border as an example, questioning how anyone could support the current situation. He said the last administration opened the floodgates, resulting in ongoing challenges, and stated that anyone denying harm from the border situation was mistaken. He emphasized the need to pray for soldiers overseas, mentioning that losses had occurred, but believed that if the previous administration had let things go on, a nuclear weapon would be available to hit Israel and could eventually reach here. He asked why anyone would want to quit ongoing efforts if those terrible things could happen, urging continued prayers. He mentioned the American Legion and stated that he was the commander of the unit Post 17 in Shipman, encouraging veterans who were not involved with the American Legion to visit and noting that they put flags on seven cemeteries for veterans.

Mr. Nelson stated that he was not speaking for the Board of Equalization, but said many people were worried about the 26% increase on homes. He explained that the tax rate was decided by the Board and did not necessarily mean homeowners would pay 26% more. He clarified that the tax rate would start lower and increase based on the County's needs, and said property value increases over four years did not automatically translate to higher payments unless the tax rate was adjusted accordingly.

Heath Matysek-Snyder -Faber, Virginia
Mr. Heath Matysek-Snyder said he was born and raised in Nelson County and has served the community as a firefighter paramedic; he is also a property owner in the Newland subdivision in Faber, where he lives with his wife and two daughters. Mr. Matysek-Snyder said he was speaking to express his deep concerns regarding the Monroe Institute's proposed conference center, which comes up for a vote at their April 14th meeting.

Mr. Matysek-Snyder stated that regarding the Nelson County Comprehensive Plan, which the Board of Supervisors approved, Monroe Institute's proposal goes directly against the following elements of the Comprehensive Plan. He said this included number three, shaping community character, with the objective of protecting the rural character and the environment. Mr. Matysek-Snyder said this development will destroy sensitive resources, negatively affect the well-being and viewshed of the residents of the New Land community and neighbors, and increase strain on the community infrastructure and services. He said an expansion of this scale with its proposed 60 additional beds and a large conference hall equates to a hotel—which will not protect the rural character of this community and the neighboring properties. He said this proposed expansion will also greatly increase vehicular and pedestrian traffic on the community's roads. He said that the neighborhood is quiet and family-friendly, where large amounts of additional traffic, both vehicular and pedestrian, will pose very real safety concerns for families and in particular for the many young children in the New Land community.

Mr. Matysek-Snyder stated that number six includes the objective to protect valuable resources, protect the natural environment, and preserve rural character and heritage. He said element two of the Comprehensive Plan states that it will direct development and infrastructure away from the ecological cores, migration corridors, and environmentally sensitive areas. He said the New Land area is ranked as outstanding on the map in terms of ecological rankings. He stated that element 16 of the plan also states that it will direct development away from prime agricultural soils and suitable agricultural lands. He noted that at nearly 59,000 square feet, the proposed building is approximately nine times the square footage of the Devil's Backbone Brewery. He stated that this large-scale commercial structure will be built on a highly visible ridge in a rural subdivision on property zoned A-1 Agricultural. He said the proposed expansion will negatively impact the agricultural and visual character of this rural, bucolic community. He stated that with element 20, the proposed SUP site is situated on a prominent ridgeline which goes directly against the Comprehensive Plan which seeks to discourage ridgeline development to protect scenic viewsheds. He said the plan also states that Nelson will encourage new development in designated growth areas so that the existing infrastructure can be more efficiently used and rural lands will be protected from new development. He stated that the SUP site is not in a designated growth area. Mr. Matysek-Snyder commented that he knows many of them share the vision and goal of keeping Nelson rural, and this is the time for the Board of Supervisors to show exactly that.

Stephanie Matysek-Snyder – Faber, Virginia
Ms. Stephanie Matysek-Snyder addressed the Board and said that she speaks today to express her deep concerns regarding the Monroe Institute's special use permit for expansion. She stated that her hope is that the Board will agree that the Institute's plan for expansion is in direct conflict with the criteria used to evaluate special use permits (SUPs) in Nelson County, and it is also in direct conflict with the County's long-term Comprehensive Plan. Ms. Matysek-Snyder said that at 59,000 square feet, this represents a massive increase in scale and scope almost 10 times the current scale. She stated that a commercial business of this size simply does not belong on A-1 agriculturally zoned land in a rural residential area.

She also stated that the application does not satisfy criteria A and B of the conditions for special use permit. Ms. Matysek-Snyder said item A states the use shall not tend to change the character of the established pattern of development in the area or community in which it proposes to locate. She said that at almost 60,000 square feet, it could be one of the larger or largest buildings in Nelson County; by comparison, it is twice the size of the Lovingston Food Lion at approximately 32,000 square feet. She said for reference, it would be about five times the size of Bold Rock on 151, which is about 13,000 square feet, and the proposed building is comparable in square footage to the average large-scale big-box store such as Target or Best Buy.

Ms. Matysek-Snyder stated that it is decidedly out of place in character with the rural residences and landscape of New Land. She said that item B states the use shall be in harmony with the uses permitted by right in the zoning district and shall not affect adversely the use of neighboring property. She reiterated that the location of the expansion is zoned A-1 Agricultural. Ms. Matysek-Snyder stated that the intended use of an enormous conference center/café/gift shop with a massive increase in traffic waste and pollution is drastically out of harmony with a hayfield nestled in a rural area sprinkled with homes and farmland.

She emphasized that members of the Board have been elected by their constituents and entrusted to make important decisions that will shape the future of Nelson County, and some Board members have campaigned on keeping Nelson rural. She stated that together with the community, the Board has created a Comprehensive Plan to help ensure that Nelson thrives while still protecting the unique character of the County. Ms. Matysek-Snyder asked the Board to demonstrate to its constituents that it has their best interests at heart and vote against this proposal.

James Bibb – Arrington, Virginia
Mr. James Bibb stated that he is here to offer support for resolutions R2026-18 and R2026-R19. Mr. Bibb said that he is going to read an excerpt from one of his favorite documents—which is 250 years old this year—the Constitution of Virginia. He stated that inside of that is the Bill of Rights of Virginia, which was used very heavily for the creation of the United States Bill of Rights. He said that Article 1, Section 13, Militia Standing Armies Military Subordinate to Civil Power, states that a well-regulated militia composed of the body of the people trained to arms is the proper, natural, and safe defense of a free state. He stated that therefore, the right of the people to keep and bear arms shall not be infringed. He said that standing armies in time of peace should be avoided as dangerous to liberty; in all cases, the military should be under strict subordination to and governed by the civil power. He stated that each Board member has taken an oath to the Constitution of the United States, with the Second Amendment pulled directly from this Section 13 from the Virginia Constitution.

Mr. Bibb said regarding the resolution opposing congressional redistricting, they all know it's an absolute farce and political games, as they already know there's gerrymandering. He emphasized that they don't care what Texas does, what North Carolina does, or what California does—they care what Virginia does. He said Virginia makes stances and takes chances. He stated that they have already made the decision that they do not like political gerrymandering and so forth and have voted against it. He stated that he appreciates them bringing this to resolution, and he would appreciate all of their support on it.

Kathy Plunkett Versluys – Faber, Virginia
Ms. Versluys addressed the Board and stated that she has lived on Adial Road since 1987 and is a business owner. Ms. Versluys said she was deeply disappointed to hear that the Board was considering R2026-18 because it was not their business. She said it smacked of disinformation, and there was a whole lot of disinformation in this day and age. Ms. Versluys noted that misinformation was accidental information that was incorrect—but disinformation suggested someone was consciously trying to confuse people. She stated that R2026-18 was an issue for the people of Virginia on their own to vote on, and she is happy that Virginia was one of 50 states in the United States of America. She said she wants every American citizen in the United States to continue being able to vote, and it was up for grabs with the current president, as he has made it known that he did not think it was necessary to vote in the future. Ms. Versluys stated that he has suggested—and some people seemed to want to keep him forever. She said rather than that happening, every United States citizen should continue to be able to vote. She said Virginia was stepping up because certain states had been unjustly told that they were going to be redistricted, including Texas and others, in favor of increasing Republican districts. She said that it was not fair and that Virginia was taking a different stance; the people were being allowed to decide on that issue, and that would balance out the unjust extra seats in Congress. She stated that her request was for the resolution to be tabled and for the people of Virginia to decide, whatever they decided. Ms. Versluys stated that she wants Republicans and Democrats to continue being able to vote in the future, across the United States.

Justin Maimone – Faber, Virginia
Mr. Justin Maimone addressed the Board and stated that he was here to talk about the Monroe Institute expansion and how that would affect this family community. He said that there are families, couples, and the Monroe Institute—and all of them have lived in harmony for as long as it has been there. He stated that this proposed expansion would increase pedestrian traffic by three to four times, and with this, there would be more strangers staying for a week. He said that these are not people that live here and not people who are contributing to the County, they are people that are going to be staying amongst families.

Mr. Maimone stated that on this land, there is a lake that they all have access to; they can paddle on the lake, they can fish the lake. He gave an example of what happened to him and his family one day. He said that he and his children were canoeing on the lake and a few other people were at the lake as well. He stated that when they got to the dock, there was a gun on the dock. He said that his children were the first ones who were out of the canoe, and his two-year-old son went running up to this gun and was very curious about it. Mr. Maimone stated that he was okay with people having guns, but not okay with people being careless and just leaving their gun on a dock in a family community. He said that the man was screaming that it was his, and he came over and talked to them and was nice enough. He said that he had been told by the Monroe Institute that they do not allow people to have guns and they do not condone that—and all that this did was show him how little they truly know about their participants and what they are bringing to this rural community.

Mr. Maimone stated that a lot of these people are from the city or from other countries and are maybe a little bit nervous coming to a rural community and feel that they need to have ways to defend themselves. Mr. Maimone said that he would ask anyone, would they want three to four times increased people, strangers walking around their communities and walking around their children that they do not know. He added that that they do not form relationships with any of them; they do not get to know any of them. He stated that they are in and out and the next week there are another 70-90 people coming in with this proposed expansion. He said that what he has been asking the Monroe Institute is just to decrease this size. He stated that 59,000 square feet is just incredibly large for this tiny, beautiful, family community. Mr. Maimone emphasized that this is a global company that is not benefiting Nelson County.

Kimberley Maimone – Faber, Virginia
Ms. Kimberley Maimone stated that she is also here regarding the Monroe Expansion, as she and her family moved here for the rural community and also for the community in Nelson in general. She said with this permit, they wanted to build a huge building that is essentially in her backyard, which is not ideal—and if something like this were proposed to go through, it could happen anywhere. Ms. Maimone said she understood that they want to grow Nelson, but they need to be aware of how they grow it and be conscious of the citizens who live here; the people coming and going do not live here, do not go offsite, and do not spend money in the area. She said they are purely there for their experience and then they leave, but the community has to live with that.

Ms. Maimone said she had also worried that would decrease housing values, because the sight of a massive building would be a deterrent for people wanting to live in the middle of nowhere where they want to see the stars and enjoy nature. Ms. Maimone acknowledged that Monroe is trying to make the site aesthetically pleasing, but she fears that it’s not best for Nelson to put a building of this size in a small, rural community where they all want to live because of the remoteness of the community.

Stephen Bayne – Nellysford, Virginia
Mr. Stephen Bayne stated that as a Nelson County resident and in particular a resident of the Central District, he was shocked at the fact that the waste treatment plant at Wintergreen is overflowing and has been overflowing since before Christmas of 2024. He said from the minutes of the January 16, 2025 meeting of the Nelson County Service Authority, the equalization basin has been overflowing since before Christmas and continues to do so. Mr. Bayne said that he submitted an information request to the County, even though such public safety information should be transparently available to citizens without the requirement for a FOIA request. He stated that DEQ issued a notice of violation dated February 13, 2025 for unauthorized discharges.

Mr. Bayne reported that the following data points are for the period from December 30, 2024 to January 31, 2025: The Service Authority notified DEQ that the treatment plant was overflowing raw wastewater to the creek to Pond Hollow; DEQ received an anonymous complaint of sewage discharge to the environment at the facility; From an inspection DEQ observed evidence of overflows and overflowed frozen foam on the walkways from biological upset of the plant; From communication between the Service Authority and DEQ, the daily volume of the overflows was estimated to be 75 to 100 thousand gallons daily; The estimated volume of discharge was reported at 1.5 to 2 million gallons with the discharge ongoing. Mr. Bayne said that DEQ again issued a notice of violation dated February 6, 2026 regarding the unauthorized discharges, and on February 16, he submitted a formal complaint to the Virginia Department of Health. Mr. Bayne said that the Department of Health has authority regarding drinking water, and he is concerned that residents who back up to the creek and river have wells that are at risk from contaminants. He stated that in addition to E. coli bacteria, contaminants include ammonia, nitrates, and phosphates.

Mr. Bayne stated that this is a critical concern for many reasons: The overflow discharge is a serious health risk; It has been occurring for at least 15 months without resolution; Residents are unaware that the overflow discharge is and has been occurring; The County has not directly engaged the Service Authority to expedite resolution; The County has not initiated communication on this issue with transparency to residents particularly those who back up to the creek and river. He said that this certainly should have occurred during monthly Board Supervisors meetings in the Board Reports, as the Board of Supervisors is represented on the Service Authority Board. He stated that these actions should have been initiated by the County many months ago versus necessitating citizen complaint and/or whistleblowing occurring now.

III. CONSENT AGENDA

Mr. Rutherford **moved** to approve the Consent Agenda as presented. Mr. Parr **seconded** the motion. There being no further discussion, Supervisors approved the motion by roll call vote (5–0) and the following resolutions were approved:

A. Resolution – R2026-10 Minutes for Approval

RESOLUTION R2026-10
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF MINUTES
(December 16, 2025)

RESOLVED, by the Nelson County Board of Supervisors that the minutes of said Board meetings conducted on **December 16, 2025** be and hereby are approved and authorized for entry into the official record of the Board of Supervisors meetings.

B. Resolution – R2026-11 Budget Amendment

RESOLUTION R2026-11
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2025-2026 BUDGET
March 10, 2026

I. Appropriation of Funds (General Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 10,000.00	3-100-009999-0001	4-100-071020-8003
$ 4,350.00	3-100-002404-0016	4-100-031020-7051
$ 1,128.38	3-100-003303-0107	4-100-031020-1013
$ 1,314.50	3-100-001401-0002	4-100-031020-7017
$ 1,000.00	3-100-002404-0064	4-100-081020-7071
$ 17,792.88		

II. Transfer of Funds (General Fund Non-Recurring Contingency)

Amount	Credit Account (-)	Debit Account (+)
$ 4,350.00	4-100-999000-9905	4-100-031020-7051
$ 28,885.00	4-100-999000-9905	4-100-013010-1010
$ 850.00	4-100-999000-9905	4-100-013010-2001
$ 405.00	4-100-999000-9905	4-100-013010-3007
$ 2,250.00	4-100-999000-9905	4-100-013010-5201
$ 4,000.00	4-100-999000-9905	4-100-013010-5401
$ 14,000.00	4-100-999000-9905	4-100-013010-5413
$ 1,200.00	4-100-999000-9905	4-100-013010-5501
$ 500.00	4-100-999000-9905	4-100-013010-5503
$ 3,300.00	4-100-999000-9905	4-100-013020-1002
$ 252.00	4-100-999000-9905	4-100-013020-2001
$ 400.00	4-100-999000-9905	4-100-013020-3007
$ 170.00	4-100-999000-9905	4-100-013020-5201
$ 225.00	4-100-999000-9905	4-100-013020-5401
$ 175.00	4-100-999000-9905	4-100-013020-5503
$ 60,962.00		

C. Resolution – R2026-12 Creative Communities Partnership Grant

RESOLUTION R2026-12
NELSON COUNTY BOARD OF SUPERVISORS
VIRGINIA COMMISSION OF THE ARTS
FY26-27 CREATIVE COMMUNITIES PARTNERSHIP GRANT

BE IT RESOLVED, by the Nelson County Board of Supervisors that said Board endorses the County's submission of an application to the Virginia Commission of the Arts for 2026-2027 Creative Communities Partnership Grant funding (formerly Local Government Challenge Grant).

BE IT FURTHER RESOLVED, said application includes a local match of $4,500.00 to be confirmed upon formal adoption of Nelson County's Fiscal Year 2026-2027 Budget by the Board of Supervisors.

D. Resolution – R2026-13 Tax Refund

RESOLUTION R2026-13
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF PROPERTY TAX REFUNDS

RESOLVED, by the Nelson County Board of Supervisors that the following refunds, as certified by the Nelson County Commissioner of Revenue and County Attorney pursuant to §58.1-3219.5 of the Code of Virginia, be and hereby are approved for payment.

Amount	Tax Category	Payee
$12,124.32	Real Property	Tracy Cadora 2822 Rose Mill Road Arrington, VA 22922

IV. PRESENTATIONS

A. VDOT Report

Mr. Brown said there are some ongoing issues that the Board has called attention to and VDOT is currently working on. He stated that one is the pedestrian study in Nellysford, which is ongoing but on its way to completion. Mr. Brown reported that there have been concerns about truck traffic parking on 151 above Greenfield at Ashley's Market, with those pullovers basically blocking the through lane, and VDOT is working on a remedy for that. He stated that they took care of a drainage complaint on 617/Rockfish River Road. Mr. Brown said that they are continuing to make some major progress in replacing damaged pipes, poor pipes that are in bad condition, specifically in the Shipman Area Headquarters, as well as the primary headquarters. Mr. Brown said that hopefully with the snow and weather getting better, they can focus on machining some unpaved roads. He commented that they had started on machining those unpaved roads to provide motorists with a smoother ride.

Mr. Lenahan asked what they are doing on Route 6, as they are taking the markers out of the center lane.

Mr. Brown responded that it is a project to replace the snowplowable markers, and VDOT also has an upcoming safety project to widen the shoulders on the southbound lane. He said that would be a major improvement on Route 29 and will help reduce road departure crashes. He said while it will not provide room for motorists to get off the road, it will give them more of a paved shoulder and better recovery area to make corrections.

The Board took a brief recess at 3:16 p.m. and reconvened at 3:27 p.m.

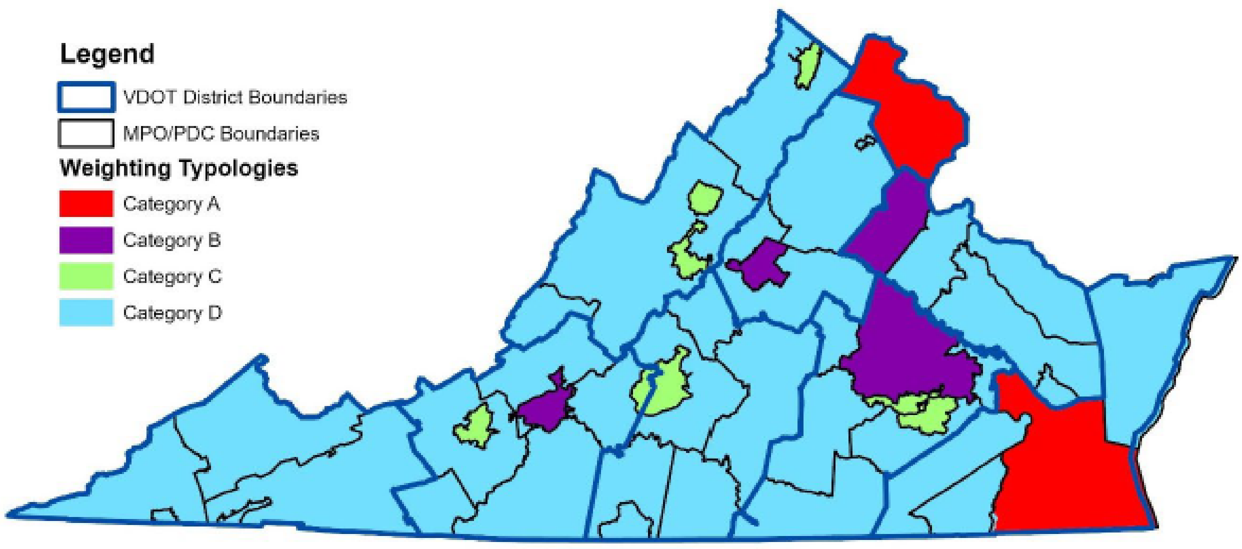
B. VDOT Smart Scale Pre-Applications – Carson Eckhardt

Mr. Carson Eckhardt addressed the Board and noted that they would be presenting the two (2) Smart Scale applications that VDOT is recommending for this round of Smart Scale. He noted that they are currently in the pre-application period, which is when they submit all of the preliminary information. He indicated that no action would be needed by the Board today as VDOT would return in May/June to ask for a resolution of support for both applications. Mr. Eckhardt explained that Smart Scale is an even year funding program maintained by the Office of Intermodal Planning & Investment (OIPI). He said that Smart Scale's goal is to fund the right transportation projects with a small budget. He indicated that projects allowed by Smart Scale were multimodal improvements, safety improvements, operational improvements and transit improvements. He reported that preapplications opened March 2nd and would run through April 1st.

Mr. Eckhardt explained that there were three pre-requisites for a Smart Scale application: needs to address a VTrans mid-term need; a VDOT or MPO/PDC study to support the recommended alternative; project sketch, cost estimate and resolution of support from the PDC, MPO or local government. He noted that VTrans was the Virginia Statewide Transportation Plan, which is 100% free to the public to use data set that shows the problems at intersections. He reported that there were two funding pots for Smart Scale – the District Grant Program, which is a district-wide competition and meant for primarily smaller scale projects, and the High Priority Program which is a state-wide competition for larger projects on a corridor or statewide significance or a regional network, and it must come from a STARS/Pipeline study that VDOT has been a part of. He reported that Smart Scale had no locality match tied to it, unless the county wanted to leverage funding into the program.

Mr. Eckhardt reviewed the stages of the application process, noting that there were two main sections of the process – the pre-application and the full application. He explained that the pre-application ran from March 1st to April 1st, and during this stage, all preliminary information is put into the application. He noted that the full application, from June 1st to August 1st, was where the pre-application materials were refined, finalized and included the application. He noted that the application scoring would be released the following January. He explained that all the MPO/PDCs were able to determine the typology. He noted that Smart Scale scored their projects based on the following categories: Safety, Congestion Mitigation, Accessibility, Land Use, Economic Development and Environmental. He showed the typologies and noted that as of this round, Nelson County had switched from Category C to a Category D, putting more emphasis into safety and economic development.

Figure 4.2 PDC and MPO Factor Weighting Typology Map



Mr. Eckhardt noted that Nelson County had been very successful in receiving funding through the Smart Scale program, noting that with every round, the County was able to get one project funded. He reported that the last round was for the Route 151 and Tanbark Intersection improvements, and in the prior round, Route 151 and Route 6 Intersection improvements, and the round prior to that, the US 29 and Oak Ridge Road land improvements. He noted that these three projects totaled around $34 million. He indicated that in continuing this strategy, VDOT was recommending the two projects being presented for the upcoming round of Smart Scale.

Mr. Eckhardt presented the first application, Route 151 and Rockfish School Lane turn lane improvements, which he noted was reapplication. He indicated that this project had screened out during the full application phase during the last round, due to not having any safety needs. He reported that using the last five years of crash data, there were two minor injury crashes, as well as one suspected injury crash, which now made it an eligible project. He explained that the improvements would include constructing right turn lanes on Route 151 and Rockfish School Lane.

Mr. Eckhardt then introduced the second application, which proposed US 29 Corridor Improvements from Route 655 to VA 56. He noted that this was not the final concept sketch as it was still preliminary. He explained that the proposed improvements included constructing two (2) restricted conflict intersections (RCIs) at Route 655 and VA 56, as well as a cul-de-sac at Stage Road to remove that access from US 29.

Mr. Eckhardt reported that in the past 5 years there have been three (3) fatalities, 14 severe injury crashes, 18 minor injury crashes and four (4) suspected injury crashes in this stretch of US 29. He noted that this project would score well in the High Priority Program due to safety scoring.

Dr. Ligon asked if there were studies on how RCUTs located by businesses affect business flow. Mr. Eckhardt indicated that the project was backed by a study that had been completed through VDOT's traffic engineering department. Dr. Ligon agreed that this stretch of US 29 was busy and said she had several close calls traveling through that area, noting that she did not doubt that improvements were needed.

Mr. Eckhardt introduced Tyler Marshall, who works with location and design, and was the engineer designing this improvement.

Mr. Tyler Marshall stated that he did not know if a specific study has been done on how exactly RCI improvements would impact local businesses, but in all the areas where they had been installed, there are businesses. He said at US 29 and Route 151 in Amherst where they have installed an RCI, there are gas stations on both sides, with very little impact perceived from the RCI. He noted that in many cases, people patronize these smaller gas stations out of routine or loyalty—so they will continue to do so. He said they are asking people to go an additional 300–500 feet down the road in some instances, which is not something that's going to keep someone from stopping at a place of business.

Mr. Reed asked if they had anything that relates to traffic coming and going from entrances and exits in that area, or if it was flow-through traffic.

Mr. Marshall responded that they do not show much in terms of vehicle traffic through those entrances, and most of it is just the collector roads coming to and from. He said if they get on the road from an entrance and used the median or U-turn, they would be collected—but if traffic came from Colleen and went into the gas station, then left out on the furthest south entrance and kept going south on 29, that data is probably not collected. He said they run most of the model off traffic counts that have been done along the corridor, so the impact was dependent on whether they are attached to the amount of traffic pushing through the traffic model for obtaining the operational impact of this configuration.

Mr. Marshall showed that the bulb-outs are all created for the U-turn movements, mostly for larger truck traffic. He explained that coming out of 56, they are now restricting the left-turn movement out, and any vehicle trying to go northbound on 29 would use the proposed U-turn just to the south of the intersection. He said passenger vehicles and smaller trucks would not need to use the bulb-outs, but an 18-wheeler would use this bulb-out to make its way northbound. He said the same would apply if coming out to go southbound on US 29, drivers would go north to the U-turn and then make their way south. Mr. Reed noted that if they happened to miss one, there would be another spot to turn around.

Dr. Ligon said she is curious as to why they didn't actually go to the next intersection down at Cooperative Way. Mr. Marshall explained that if they had done that, they would need to try and close the median at Blue Ridge Medical Center because a large truck is going to see the first crossover and try to make that turn. He said if they are going to skip an intersection, they will often close that crossover to ensure they are getting the impact on the operation of the traffic through the corridor as designed. He said this intersection at Blue Ridge is slightly different from standard, with a U-turn lane as well as just a left-turn lane, so there are four lanes total. Mr. Marshall noted that the intersection is exactly as designed at 29 and 151 RCUT/RCI and it has worked well there.

Mr. Marshall showed the added cul-de-sac at Stage Road noting that access is still provided to those private drives. He noted the reason for closing the access at US 29, was to provide for the bulb-out and the difference in grade at that location was going to need a retaining wall.

Mr. Eckhardt reiterated that these are the two projects they are recommending for the upcoming round of Smart Scale, and no motion or resolution is needed from the Board at this meeting. He said they will probably come back to the Board in May or June for a resolution of support.

Mr. Parr asked if these would be a package deal or two separate requests.

Mr. Eckhardt responded that counties do it differently; some do it as a bundled resolution of support, some do it as an individual resolution for both projects, and that is up to the Board.

Dr. Ligon asked what the speed limit through that would be.

Mr. Eckhardt confirmed that it would still be 45 mph as a caution or suggested speed.

Mr. Parr noted that in terms of the effect on motorist behavior, he has stopped using the Exxon in Clifford on 29/151 just because of the traffic flow. He said he can often jump over to go home from there, but he usually has to go all the way down 29 and make a U-turn and come all the way back up if he is going to use that station—so he just doesn't go there anymore.

Dr. Ligon agreed and said she used to stop there but now continues through that intersection to Amherst.

Ms. Bishop commented that part of the Smart Scale scoring criteria is economic development and land use, so the fact that those businesses were along those corridors would improve their final project score and competitiveness with other applications. She stated that they will also hold a public meeting that the County would lead and VDOT would support, at which they would notify the landowners in the corridor so they can get public feedback and input before coming back before the Board with a resolution.

C. Nelson SPCA FY27 Funding Request – Denise Merricks

Ms. Denise Merricks stated that she has held the position of Nelson County SPCA president since July 2025. Ms. Merricks stated that she had previously served as vice president, and there were two other board members present with her today —a treasurer and another director. She said the SPCA was founded in 1981 as a foster-based rescue; the adoption facility opened in 2004, and the SPCA has worked for over 20 years to rehome adoptable cats and dogs from Animal Control and owner surrenders. She stated that the organization is a 501(c)3 nonprofit and operates the Almost Home Pet Adoption Center north of Lovingston on Route 29.

Ms. Merricks said they are a private shelter subject to state laws, and all relevant Code of Virginia regulations apply. She stated that in 2025, they cared for 89 dogs and 267 cats. She said of those animals, 241 were adopted, 41 transferred, and 12 euthanized for untreatable medical reasons. She noted that they are the only community resource for cat assistance since Animal Control does not intake cats. She said the shelter is not an open intake shelter and, by law, only accepts owner-surrender cats, not strays. Ms. Merricks stated that they encourage the community to care for stray cats until they can be surrendered and help with rabies shots, usually covering the cost.

Ms. Merricks reported that they spent $143,000 on veterinary expenses in 2025, including $3,000 for heartworm treatment for a Great Pyrenees from Animal Control. She stated that they spayed and neutered 62 dogs and 179 cats in their adoption program, as required by law before adoption, except for young animals altered later through partner clinics. Ms. Merricks said they facilitated low-cost spay and neuter clinics for 123 community dogs and 196 community cats, and provided nearly $44,000 in financial assistance to community members in 2025. She said their fall newsletter reported $35,000 funded for community members, rising to nearly $44,000 by December.

Ms. Merricks reported that they budget by calendar year, with $420,000 in expected donations for 2026, and raised $270,000 in the winter fund drive, which covers only half of their $540,000 annual expenses. She said $115,800 is budgeted for direct veterinary care and $24,000 for community spay and neuter support, which likely will not be enough for low-income residents. Ms. Merricks stated that they would cover the costs for those residents. She reported that they received a $1,000 grant from the Virginia Federation of Humane Society to help offset expenses. She stated that they do not receive funding from County or national sources, only from small grants, and they are seeking more grants as most income comes from community donations.

Ms. Merricks reported that in January, the shelter invited all Supervisors and Sheriff Embrey for a shelter tour to build partnerships and seek support. She said it was suggested during those tours that they request funds from the County, as their work benefits all residents by reducing stray cat numbers and promoting rabies vaccinations. Ms. Merricks stated that they educate owners on proper care and vaccinations and aim to reduce the pet population in the County, and they will accept 14 puppies just this week. She stated that they work with owners on spaying and neutering, proactively reducing the pet population.

Ms. Merricks stated that the SPCA funding request is $60,000, and they hoped the County could provide support, emphasizing that their work benefits all Nelson residents.

Dr. Ligon asked what the average cost for an animal intake was.

Ms. Merricks responded that it is around $1,200 for puppies and $900 for adult dogs, which includes necessary, vaccinations, spay and neuter, and treatments for illness. She said they work with several different veterinary clinics in the surrounding area to get the best prices possible.

Dr. Ligon asked how many animals they took from Animal Control last year.

Ms. Merricks responded that last year was limited because Animal Control was closed multiple times for various reasons, so she did not have the exact number. She said she could get the prior year's information, and most of the dogs that came to them were owner surrenders that would have ended up in Animal Control or let loose in the County.

Mr. Lenahan asked if she would be happy if they were able to get $10,000 instead of the $60,000.

Ms. Merricks responded that anything helps.

Mr. Rutherford said that as part of his district, he appreciates them being there and being good neighbors. He stated that it was good to see the facilities improved and cleaned up from what he has seen historically. Mr. Rutherford said they would take this under advisement, and they will address this at their work sessions.

Dr. Ligon said she has also requested that Animal Control provide their numbers. Ms. Merricks noted that she would also follow up with the number of animals taken in from Animal Control last year.

D. FY27 Draft General Fund Budget Introduction

Ms. McGarry reported that their FY26-27 General Fund budget is balanced, with revenues equaling expenditures at $56,454,295. She said the FY27 introduced budget is based on the premise that annual expenditures are funded by revenues generated from general property tax rates set every four years in conjunction with the County's four-year reassessment cycle. Ms. McGarry said the County's real property tax structure continues to prioritize relief programs for agricultural land, the elderly and disabled, and veterans and their spouses. She noted that the budget maintains the practice of using prior year carryover funds, which are generated when end-of-year revenues exceed anticipated end of year expenditures. She stated that these carryover funds are used for non-recurring costs within the subsequent fiscal year. She noted that the budget maintains current operational service levels while absorbing inflationary increases, except for incorporating costs and revenues for a new after-school program within Parks and Recreation.

Ms. McGarry reported that funding priorities include public safety, emergency services, zoning ordinance updates, strategic planning, regional jail operations and facility renovations. She said the budget funds school division operations, sheriff's vehicle replacement, repairs and maintenance for facilities and equipment, cybersecurity and local election security compliance, employee compensation increases, support for agency partners with increases to the regional/local library, Nelson County Community Development Foundation, and Foothills Child Advocacy Center. Ms. McGarry reported that the budget would continue to utilize state and federal grants to advance local objectives. She stated that level funding of the Debt Service Fund is maintained in accordance with the current debt capacity strategy, which allows for taking on an additional $15 million in new borrowing without needing new revenue.

Ms. McGarry stated that the FY27 budget incorporates retainage of 16% of the overall 2026 reassessment increase in values at a Real-Property tax rate of $0.57 per $100 in value. She indicated that the real property tax rate would be set by the Board in April after a public hearing. She said no other contemplated revenue enhancements are included in the budget at this time. She said primary local revenues continue to be property taxes, supplemented by tourism-driven revenues (meals and lodging), sales and use tax, and interest earnings. She stated that ambulance transport revenues continue to support and offset two 24/7 career emergency services crews within the County.

Ms. McGarry reviewed the tax rates and fees. She said the real estate/mobile home tax rate of $0.57/$100 value is the adjusted rate that retains 16% of reassessment increases. She stated that the Board will set the tax rate in April. She reported that using the $0.57 rate, the 100% value of the penny in real estate tax equivalent is valued at $426,540 for FY27. She noted that a 99.9% value of the penny is $426,113. She stated that other tax rates remain unchanged: $2.79 per $100 for personal property, $1.25 per $100 for machinery and tools, 7% transient occupancy tax, and 4% food and beverage tax. She said the Virginia sales tax is 5.3%, for groceries the tax is 5% on non-food, and 2.5% on food. She reported that the business license is a $30 flat fee.

Ms. McGarry said local revenues for FY27 are projected at $45,458,289, a 10.7% increase from the FY26 amended budget and a 4.57% increase from the FY26 end of year projected budget. She noted that state revenues are expected at $5,373,116, which is a 2.74% increase from the FY26 amended budget and a 1.35% increase from the FY26 end of year projected budget. She noted that they had not budgeted for any other revenues at this time. She then reported that federal revenues were estimated at $1.2 million for FY27, which was a decrease of about 9.5% from the FY26 amended budget and an 8% decrease from the FY26 end of year projected budget. She noted that they were expecting to incorporate $4,350,888 in the year ending balance, which are funds that come from the General Fund Balance. She noted that the estimated year ending balance for FY27 was an 8.11% decrease from the FY26 amended budget, as well as an 8.11% decrease from the FY26 end of year projected budget.

Ms. McGarry reported that overall, local revenues were expected to increase 10.70% or $4,393,535 from the FY26 amended budget, and 4.57% or $1,987,622 from the FY26 end of year projected budget. She reiterated that an increase of 16.6% or $3,521,977 in Real Estate Taxes was incorporated due to retention of 16% of 2026 reassessment growth in values and a slight natural growth estimated in 2027. She noted that under this premise, the FY27 value of the penny in real estate tax at 100% collection was $426,540.

Ms. McGarry explained that given that FY27 real estate tax collections are comprised of the second half of the 2026 tax year collections and the first half of 2027 tax year collections, any value/tax rate adjustments made as a result of the 2026 Reassessment (effective January 1, 2026), would impact the FY26 anticipated real estate tax collection. She reported that retention of 16% of the 2026 increase in values at a tax rate of $0.57/$100 provides a one-time collection of additional Real Estate tax in FY26 of $1,531,956 over what was budgeted and an estimated increase in Real Estate tax revenue of $3,521,977 in FY27.

Ms. McGarry reported that the public service tax has been budgeted at FY26 levels at $1,246,446 until SCC data is received from the state. She indicated that an increase of 4.6% or $287,598 in Personal Property and Mobile Homes taxes over the budgeted FY26 amount is expected; however, a lesser increase of 1.69% or $107,654 over the FY26 projected budget amount is anticipated. She noted that 2026 Tangible Personal Property values were expected to remain flat overall and indicated that the Commissioner of Revenue's office expects to have actual 2026 vehicle valuation data available in early April, which could require an adjustment to the estimate.

Ms. McGarry reported that Local Sales and Use taxes were expected to increase 7.9% from budgeted or $184,487 and remain flat when compared to FY26 projections. She noted that these revenues may fluctuate depending on economic conditions throughout the fiscal year and will be monitored closely. She also reported an increase in Meals and Lodging taxes of 1.8% and 5.2% respectively is expected or $164,382 compared to the FY26 budget. She noted that FY27 maintains a level estimate as compared to the projected collection in FY26. She also commented that while anecdotal evidence suggested a decline in short-term rental bookings, the collected transient occupancy tax revenues continued to be strong. She indicated that these revenues fluctuated depending on economic conditions throughout the fiscal year and would be monitored closely. She showed a meals tax increase of $28,762 for FY27, and a lodging tax increase of $135,620.

Ms. McGarry reported that no increase in building permit fees had been incorporated into the FY27 budget with FY26 projections remaining at $365,000. She noted that this was a conservative estimate due to continued economic conditions which have level or slightly declining mortgage interest rates and high costs of building materials and labor, that in conjunction may inhibit new builds overall. She indicated that the projections did not currently include any permitting activity that may occur from the Renaissance Ridge development if that were to proceed with the first phase of construction in FY27. She noted that the projections did not include any adjustments to the permitting fee schedule for FY27.

Ms. McGarry reported that a decrease of 21.1% or $70,464 in Court Fines and Forfeitures was estimated for FY26 due to an overestimation of those revenues. She stated that for FY27, a slight increase of 5.6% or $14,000 from the FY26 projections of Court fines from traffic enforcement has been budgeted at $264,000. She then reported a conservative estimate of interest earnings of $1,276,000 reflected an expected increase in invested fund balance due to the incorporation of a 16% increase in real estate taxes form the reassessment expected in FY27 as compared to FY26 budgeted, and an 8% increase or $88,000 from the FY26 projected collection. She stated that interest rates are uncertain over the next year, and declines may offset the increase to the General Fund balance expected during the upcoming fiscal year. She noted that these revenues may also fluctuate depending on economic conditions throughout the fiscal year and will be closely monitored.

Ms. McGarry reported a projected increase of 19.1% or $161,098 in EMS Revenue Recovery fees for ambulance transports is anticipated in FY26 as compared to the FY26 budget. She noted that this is expected to remain at the same level of $1,005,098 in FY27. She commented that the new ambulance transport billing rates became effective in January 2025 and this revenue helps to offset the costs associated with having two 24/7 career EMS services crews who work in conjunction with the County's volunteer services. She also noted that other miscellaneous/irregular revenues varied widely from year to year and included grants and other accounts that are typically appropriated into the budget after its initial adoption.

Ms. McGarry reported that to begin FY27, state revenues were shown to be higher by 2.74%, or $143,539 from the FY26 amended budget and 1.35% or $71,484 higher than the FY26 end of year projections. She noted that this was typical as many state grants that are received in one fiscal year, are received or not received in the following fiscal year or are not budgeted until they are awarded or received during the fiscal year. She noted that the state General Assembly House and Senate conferees are working to reconcile the state budget bills for recommendation to the Governor, with the session set to conclude on March 14th. She indicated that the County's introduced budget included a 2% salary increase and $1,500 bonus for full-time employees of State supported local offices effective July 1, 2026, which means a commensurate increase in salary and benefits reimbursements from the State Compensation Board for their proportionate share of covered positions.

Ms. McGarry stated that a 0% increase in State reimbursements for level budgeted expenditures related to the Children's Services (CSA) is expected. She reported that the State share of these expenditures is 68.68% and local share is 31.32%. She stated that a slight decrease of 5.0% or $34,964 in FY27 is anticipated in reimbursement for Department of Social Service costs as provided by DSS. She noted that this is a 0.1% decrease or $956 from the projected FY26 expenditures. She said that the non-local portion of their budget is funded by 40% State funds. She indicated that a 2% salary increase for State supported local offices is included in the FY27 budget, noting that the State reimbursement for this salary increase will offset the associated increase in expenditures.

Ms. McGarry explained that Other Categorical Aid from the State includes grants received during the year which fluctuates between fiscal years, which includes Fire Funds, Four-for-Life funds, State appropriated project funds, Tourism and Economic Development grants, Library of Virginia grants, and other Sheriff's Department grants; which are typically appropriated within the budget when awarded or received. She noted that at the beginning of the new fiscal year budget for FY27, an increase is shown from FY26 budgeted of $200,821 or a 69.7%, and $9,513 or a 2% increase from FY26 projected amounts, mostly due to expected VA E911 PSAP grants funds of $150,000 that have not yet been received/appropriated and $350,000 in these same funds is estimated to be received in FY27.

Ms. McGarry reported that overall, to begin FY27, Federal revenues are shown to be lower by 9.4% or -$133,100 from the FY26 amended budget and similarly lower from the FY26 end of year projections. She commented that this was typical as many federal grants that are received in one fiscal year, are received or not received in the following fiscal year or are not budgeted until they are awarded or received during the fiscal year.

Ms. McGarry reported that a 5.0% or $53,876 decrease is anticipated in federal reimbursement for Department of Social Services costs due to slightly less estimated overall expenditures in FY27 as provided by DSS. She noted that a slight increase of 0.14% or $1,473 is estimated in FY27 as compared to FY26 projected reimbursements. She indicated that the non-local portion of their budget is funded by 60% Federal funds. She then reported that Federal grants related to the Department of Justice Adult Recovery Court grant and Victim Witness grant funds remain the same as FY26. She noted that net reductions in Federal Revenue are attributed to other grant reductions shown between FY26 and FY27 that may or may not be appropriated within the FY27 fiscal year.

Ms. McGarry reviewed other revenue factors, noting that to begin FY27, Other Revenues are shown to be lower by 0%, or $0 from the FY26 amended budget and -100% or ($21,138) lower from the FY26 end of year projections. She reported that other revenues have decreased from last fiscal year primarily because revenues from cancelled checks or other non-revenue receipts are not budgeted in the coming fiscal year, but rather are appropriated as received, due to their irregular natures. She noted that FY26 and FY27 do not include a transfer into the General Fund from other funds such as the Reassessment Fund, due to the conclusion of the 2026 Reassessment.

Ms. McGarry discussed the FY27 Year Ending Balance, which she noted they had estimated for the next fiscal year. She reported that the Year Ending Balance revenues of $4,350,888 are shown to be lower by -8.11%, or $383,824, from the FY26 amended and projected budgets. She explained that the Year Ending Balance fluctuates during the fiscal year as funds received from a previous fiscal year are utilized within the current year budget. She reported that the FY27 Year Ending Balance includes $878,733 of General

Fund Balance and FY26 Carryover funds of $3,472,155 (FY26 Projected Revenues of $54,910,693 are greater than FY26 Projected Expenditures of $51,438,538) consisting of:

- **$995,605 in FY26 projected net expenditure savings include:**
  - Departmental Operations: -$189,193
  - Non-Departmental Operations: -$305,558
  - Unspent Capital Outlay Funds: -$296,808
  - Unused Recurring and Non-Recurring Contingency Funds: -$204,046

- **2,476,546 in FY26 projected net increases in categorical revenue anticipated include:**
  - Local: $2,405,863 ($1,990,021 is attributed to incorporation of 16% of the increase in 2026 reassessment revenue.) Others include increases in Personal Property & Mobile Home Tax, Late Tax Penalty & Interest, and Interest Earnings and notable declines expected in Recordation Taxes, Real Estate Tax Sale Proceeds, and other irregular revenues.
  - State: $72,056 (State Shared Expenses & Grants)
  - Federal: -$22,511 (Misc. Grants)
  - Other: $21,138 (Insurance recoveries, cancelled checks, Reassessment Fund Transfer)

Ms. McGarry showed how the $4.3 million would be used on the expenditure side of the budget:

FY26 Year Ending Balance Utilized on the Expenditure Side of the Budget: $4,356,354

$2,441,673	Capital Outlay (Less $688,192 in Funding for EMS Vehicles from General Fund Balance)
$300,000	Non-Recurring Contingency
$730,482	Miscellaneous Carry Forward Revenue & Non-Recurring Costs
$3,472,155	**Total Use of FY26 Carryover**
$190,541	FT Employee Bonus $1,500 & PT Employee Bonus $500
$688,192	Portion of EMS Vehicles Cost in Capital Outlay
$878,733	**Total Use of General Fund Balance**
$4,350,888	**Equivalent to Total YE Balance (Revenues)**

Ms. McGarry reported that the Miscellaneous Carry forward and Non-Recurring Costs of $730,482 include:

- $100,000 unused ARPA -Local Assistance and Tribal Consistency Fund (LATCF) Funds
- $66,386 unused balance of Direct Opioid Settlement Funds
- $112,000 unused Solar Siting Agreement funds
- $128,138 unused ARPA Balance after NCHS Roof Funding Transfer to School Division
- $111,710 unused balance of Forest Sustainability Funds
- $212,248 Lovingston TAP Grant Local Match to be billed in FY27

She noted that the LATCF Funds of $100,000, $112,000 of Solar Siting Funds, and ARPA Funds of $128,138 have no spending restrictions. She indicated that LATCF and ARPA funds are both revenue replacement funds. She noted that the Solar Siting Funds of $112,000 would be available to benefit the Gladstone community at the Board's discretion.

Ms. Mawyer reported that FY27 General Fund Expenditures are $56,454,295, which is an increase of $4,020,152 or 7.67% over the FY26 amended budget. She said FY27 revenues are projected to match the increase from FY26, balancing the budget. Ms. Mawyer reviewed the new expenditures included in Employees Salaries and Benefits. She stated that new part-time positions proposed and are funded for the Parks and Recreation after-school program, including one childcare coordinator, two site directors, and two group leaders. She said that the wages and FICA for these new positions total $68,955. She then reported that a 2% COLA increase for all full-time and part-time employees adds $170,055; noting the 2% Compensation Board salary increase is in the current biannual budget effective July 1, 2026. She indicated that a one-time $1,500 bonus for full-time and $500 for part-time employees totals $190,541, noting that a $1,500 bonus for state-supported local employees is pending the Governor's approval.

Ms. Mawyer reported that there is a 7% health insurance increase for Key Advantage 250, Key Advantage 500, and the High-Deductible Health Plan, noting the increase costs $71,184. She stated that the overall VRS employer contribution rate is increasing from 10.77% to 10.87%. She said short-term disability rates increase from 0.74% to 0.79%, while group life insurance rates decrease from 1.18% to 1.06%. She stated that $6,000 is set aside for an estimated increase in the Worker's Comp Premium.

Ms. Mawyer reported on other expenditures and said there are incremental increases in utilities, fuel, mileage, postage, telecommunications, maintenance service contracts, and repairs and maintenance, and equipment. Ms. Mawyer reported that year four of Adult Recovery Court expenses is covered by a four-year federal Department of Justice grant at the direction of the Commonwealth Attorney's Office, with $192,000 for FY27. She said the regional jail operational increase is $286,820, including an increase of $252,478 in Debt Service for the renovation project. She reported that the total operational cost for FY27 is $1,746,800 and total debt service is $311,230. She said the County's five-year average census decreased from 16.32% in FY26 to 15.88% of the total. She noted that the five-year average census determines the percentage share for each member jurisdiction.

Mr. Lenahan asked what the County was paying on average per inmate in the regional jail. Ms. Mawyer noted that she would have to find out.

Ms. Mawyer reported that paid EMS increases by $123,658, including a cost of living increase and $6,000 for the community paramedic program. Ms. Mawyer reported that the increase to salaries and wages is $82,522; there is a 7% increase of $21,456 for benefits, an $8,000 increase for ambulance repairs, and a $10,000 increase for medical supplies as NEMS will be losing free oxygen access.

Ms. Mawyer said capital outlay is $2,676,290, covered by FY26 carryover funds from Year End Balance. She stated that capital outlay includes $262,000 for four law enforcement vehicles, $27,107 for a new building inspections vehicle, $74,000 for a skid steer, $115,650 for McGinnis building structural repairs, $180,000 for replacement of Emergency Communication Center furniture and floor tiles, $130,500 for the Larkin Water and Sewer capacity study, $95,000 for replacement of the Sheriff's Office mobile data computers, and $885,309 for emergency services vehicles. Ms. Mawyer said $688,000 of this comes from the Fund Balance.

Ms. Mawyer stated that most agency requests for FY27 are funded, except: the regional library increase of $31,442, Region Ten Community Services Board increases of $66,479, Health Department increase of $24,619, and Monticello Area Community Action Agency increase of $15,000. Ms. Mawyer said there is a level Transfer to Debt Service of $3,325,284, per the County's debt capacity strategy. She stated that the budget includes level funding of School Nurses as requested by the school division, and level operational funding of $19,918,914 is included for the school division. She said the School Division's additional request of $2,729,215 is not currently included. Ms. Mawyer stated that ARPA carryover funds of $128,138 are included, which was the balance not required for the high school roof project.

Mr. Lenahan said the school budget for the school nurses does have a 2% increase beside that line item in their budget, but it just says "level funding" in the budget documents.

Ms. McGarry explained that this is the amount they provided for school nurses for the past several years, and it hasn't changed on the County's side.

Ms. Mawyer reported that their recurring contingency is $4,121,977 and the non-recurring contingency is $300,000, which totals $4,421,977 for all contingency funds for FY27.

Ms. Mawyer noted that the next budget work session was scheduled for the following day, March 11, 2026 at 2 p.m.

Ms. McGarry mentioned that they have so many funds in contingencies because they put the increases in revenues in the Recurring Contingency funds, whereas the Non-Recurring comes from carryover—so the Board has ultimate discretion in how those funds get divided. She noted that staff only made changes to any of the agency requests the Board had already decided upon; most of the capital outlay in the agency requests are in as requested, so there's some room to go through and make some changes there if they chose.

Mr. Lenahan noted the level funding operation budget for school division at $19.9 million and additional request $2.7 million, and recalled that it had been $2.2 million.

Ms. McGarry responded that the $2.7 million includes the $600,000 for buses. She said this is a work in progress, so they will make tweaks along the way and that may be one of them, adding that she is not entirely sure the School Division asked for exactly $600,000 for buses.

Mr. Rutherford said that he and Dr. Ligon had discussed this and determined that it was $2.2 million including the buses, and he recalled that Assistant Superintendent Shannon Irvin had confirmed those numbers.

Ms. McGarry clarified that if this was the case, they will make the adjustment and shift any extra funds into contingency. Mr. Parr asked if the School Division had provided their line by line budget. Ms. McGarry noted that it had not been, but she understood that the School Board would be meeting the following evening to adopt their budget, so the County should be receiving that information by the end of the week. Dr. Ligon commented that $1.4 million and the $600,000 was about $2.3 million. Mr. Rutherford commented that the school buses had been included under transportation. Ms. McGarry said that last year they were putting the buses under transportation, but the County separated that out between recurring and non-recurring funds. She said they could potentially do that again if the Board preferred to use a one-time funding source for the buses and then reduce their operational transfer by that amount.

Mr. Rutherford commented that he believed that to be a good practice—treating the buses with non-recurring funds if possible.

Mr. Lenahan confirmed that it is $600,000 for four buses and is in the school budget.

V. NEW & UNFINISHED BUSINESS

A. Opioid Abatement Grant Application & Match Request – Susan Morrow, OAR (R2026-14)

Ms. Susan Morrow, Assistant Director at Offender Aid Restoration (OAR) in Charlottesville, addressed the Board and thanked the Board for letting them come here on such short notice. Ms. Morrow stated that OAR is planning to apply for an Opioid Abatement Cooperative Partnership Agreement Grant with Orange County acting as the fiscal agent. She said this grant would both sustain and support the rural recovery courts in the 16th District of Virginia. Ms. Morrow stated that these courts are Nelson, Fluvanna, and the Orange-Madison recovery courts, all of which are administered by OAR. She said all three programs began with federal grants and are now facing the prospect of losing their federal funding. Ms. Morrow stated that Fluvanna has already lost its federal funding. She said Orange-Madison will lose its funding in June of this year, and Nelson will lose its funding in September of next year. Ms. Morrow stated that none of these localities can financially sustain or support these programs alone, which is why new funding is needed and why they are applying for an opioid abatement grant. Ms. Morrow stated that eligible applications to the Opioid Abatement Authority (OAA) must either propose new programs or enhance existing ones, and their application will aim to enhance these existing programs in the 16th Judicial District.

Mr. Christopher Weidl addressed the Board and stated that he has been the coordinator for Nelson Recovery Court since it started in 2023. Mr. Weidl stated that recovery courts are enabled by the Recovery Court Act (§18.2-254.1), which allowed their implementation in Virginia. He said Nelson County Recovery Court began planning in 2021, and he was hired in May 2023, with the first participant entering in August 2023. He stated that the mission is to reduce recidivism and drug use in the community through evidence-based practices, including frequent drug and alcohol testing—two to three times per week. Mr. Weidl said the team collaborates in a non-adversarial manner with prosecutors, defense attorneys, treatment providers, and supervision, working together for participant success. He noted that potential participants are identified and processed quickly.

Mr. Weidl reported that the program provides access to a wide continuum of treatment, working with Region Ten in Nelson for individual therapy and Charlottesville for intensive outpatient care. He said success is measured through ongoing drug testing, and negative test results create a positive snowball effect. He said consistent, fair, and clinically appropriate responses to non-compliance and regular judicial interaction are promoted; participants appear before a judge frequently to review progress, with continual program evaluation and improvement. He explained that training is crucial, with foundational and follow-up sessions that include national and state drug court trainings, with added community partnerships for effectiveness. He said the goals of Recovery Court are to reduce substance use disorders among defendants, lower recidivism and re-arrest rates, ease substance-related workloads for the Commonwealth Attorney's Office, and increase personal, familial and societal accountability among defendants.

Mr. Weidl explained that substance abuse leads to isolation, and the program promotes effective planning among criminal justice and community agencies. He said participation is voluntary, targeting individuals facing jail sentences or convictions who choose the program to address substance use problems. He stated that only felony, drug-related cases are accepted, focusing on high-risk, high-need participants with moderate to severe substance use disorders. He said strict supervision involves intensive probation, with participants visiting the office two to four times per week for drug testing, and the program lasts a minimum of 14 months. Mr. Weidl stated that intensive treatment is required throughout the program, beginning with intensive outpatient care—about nine hours weekly—and stepping down over time, but remaining in treatment groups for the duration of the program.

Mr. Weidl reported that ongoing judicial monitoring is essential, with frequent reviews before the judge, an interaction that differs from typical court proceedings and often includes encouragement from the judge.

Mr. Weidl said recovery courts operate outside regular court structures and described the program as five phases, with phase one being most restrictive. He said requirements lessen with each phase, starting with weekly court appearances, nine hours of treatment, and four drug tests per week, gradually decreasing. He said employment is expected in phases two and three. He stated that the minimum duration is 14 months, dependent on sober time and individual progress, and incentives include reduced requirements and gift cards, while sanctions may involve jail time for extreme cases. He said honesty and accountability are emphasized, with less severe sanctions focusing on treatment, community service, and support groups.

Mr. Weidl stated that a best practices advisory committee, mandated by state code, meets quarterly to discuss program amendments, with Mr. Reed and Ms. McGarry as members. He said since August 2023, the program has had 12 participants, six current, five graduates, and one termination. He stated that a federal grant monitor provides training and ensures adherence to best practices, noting monitoring visits in July and August 2024. Mr. Weidl said the grant monitor interviewed team members, facilitated a day-long training, and provided feedback. He stated that the experience was positive. He said the program yielded 4,344 participant days, after subtracting 49 jail sanction days, resulting in savings of $861,067.68 at the ACRJ rate of $198.22 per day. He stated that transportation remains a major challenge, with limited funds and few ride options in rural areas like Schuyler.

Mr. Weidl said family counseling and reunification are needed, with substance abuse affecting all families involved. He stated that limited access to support groups—only one AA meeting in Nelson County—and the creation of a virtual group, with hopes to expand options. He said the lack of behavioral health and medication-assisted treatment, as well as sober living options, pose challenges, so funds go toward housing people in Charlottesville. He stated that ongoing support for program alumni is needed. Mr. Weidl said keeping graduates engaged is vital, and the grant focuses on building recovery capital—skills, support networks, transportation, housing, and community resources. He stated that future growth areas include family counseling, reunification, de-stigmatizing events such as a sober 5K, peer and alumni support groups, transportation assistance, and sober living support. He said a recent graduate participates in the Charlottesville alumni group and could help launch one for Nelson County.

Ms. Morrow stated that federal funding terminates on September 30, 2027, and Nelson County currently provides financial support for the recovery court through matching funds for the BJA grant, purchasing incentives approved annually by the Board, and in-kind contributions. She stated that Mr. Weidl has an office in the Nelson courthouse and noted that the Commonwealth Attorney's Office, the Sheriff, and others contribute significant time and effort to the program. Ms. Morrow said the OAA grant would require an annual match and, upon award, would begin July 1, 2026, and end June 30, 2031.

She said the family counseling and reunification programming would start as a pilot in Orange-Madison recovery court in years one and two, expand to Fluvanna in year three, then Nelson in year four, and by year five, all localities would continue services. She said Nelson will receive all benefits of the enhancements beginning in year one, but will need the full grant benefits and sustainment funding starting in year two, after federal funding ends, with that continuing through 2031. Ms. Morrow stated that Nelson must decide whether to participate in the grant and if a match can be provided.

Ms. Morrow referenced a page with county budgets, estimating the benefit to Nelson County and a sheet from the OAA showing Nelson's estimated settlement distribution. Ms. Morrow said that the green section under "no application to OAA" represents direct distribution funds sent to Nelson for opioid abatement activities, while the blue section is the individual distribution requiring an application to access. She stated that the green at the end is the gold standard incentive—a 10 or 15% bonus if Nelson agrees to always use OAA funding for approved activities. She said regional OAA representatives agree that the grant proposal aligns with opioid abatement activities and restrictions.

Ms. Morrow stated that a match could come from opioid abatement funds, and Nelson is allowed to use the individual distribution or the gold standard incentive. She said $22,000 has already been committed to ACRJ as part of another cooperative agreement grant, leaving $21,000 this year plus future years' funds. Ms. Morrow said that based on the individual distribution alone, Nelson will have $57,954 by 2031 if no other expenditures occur. She stated that the individual distribution is allocated for five years, and unspent funds are reclaimed. She said Nelson is in good standing because $22,000 has already been spent, covering the first couple of years.

Ms. McGarry mentioned that the resolution the Board has in their packets reflects the $50,000 of unallocated OAA individual distribution funds that could be used for the local grant match, and it also suggests committing $10,000 of this per year for the local match.

Mr. Rutherford commented that he has seen peers that he has grown up with come out of the Recovery Court program, which is a special thing, and he prays for their continued success.

Mr. Reed also commended Mr. Weidl for his leadership in this and said it has been instrumental in keeping the momentum and continuing its success.

Mr. Reed moved to adopt **Resolution R2026-14** and Mr. Rutherford seconded the motion.

Ms. McGarry noted that they needed to amend the motion to reflect September 30, 2027 and FY28.

Mr. Reed agreed to amend his motion; Mr. Rutherford agreed to amend his second. Supervisors approved the motion by roll call vote (5–0) and the following resolution was adopted:

RESOLUTION R2026-14
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF THE COUNTY'S PARTICIPATION IN AN OPIOID ABATEMENT AUTHORITY COOPERATIVE PARTNERSHIP GRANT TO PROVIDE CONTINUED FUNDING FOR THE RECOVERY COURTS OF NELSON, ORANGE, FLUVANNA, AND MADISON COUNTIES

WHEREAS, the Federal funding for the Recovery Courts of Nelson, Orange, Fluvanna, and Madison counties is expected to end September 30, 2027 (FY28); and,

WHEREAS, Offender Aid Restoration is applying for a multi-year Opioid Abatement Authority regional grant, for the purpose of funding the Recovery Courts and providing for "Recovery Capital" enhancements of the participants for 5 years beyond the end of federal funding; and,

WHEREAS, each participating locality is requested to provide an annual local match throughout the grant period, which can be funded with Opioid Abatement Authority –Individual Distribution funds, of which Nelson County currently has $50,000 unallocated through 2030, that could be applied towards our local match.

NOW THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby provide its approval for Nelson County's inclusion in Offender Aid Restoration's application for an Opioid Abatement Authority Cooperative Partnership Grant as herein described.

BE IT FURTHER RESOLVED, that the Nelson County Board of Supervisors also commits an annual local match of $10,000 as required for the application.

B. Request to Extend Piney River Water and Sewer – Jenny's Creek LLC (R2026-15)

Mr. Rutherford disclosed a conflict of interest, as he is under contract to purchase two parcels in the subject property area. He removed himself from the discussion and the meeting room until the voting was complete.

Ms. McGarry stated that Justin Shimp was not able to attend the meeting today, but he had provided a memo. Ms. McGarry read the following statement: "Jenny's Creek, LLC proposes to expand the County Water and Sewer systems in Piney River. A new Public Sanitary Force main of 631 feet, SDR-11 pipe, and a new Public Water Line of 639 feet of 2-inch SDR-11 connecting to the existing mains will be constructed. These new mains will serve seven (7) lots containing residential dwellings within parcel 65-A-45. In accordance with the Nelson County Ordinance Sec. 12-66 and 12-67, connections to sewer and water mains are required if buildings are within one thousand (1,000) feet of Public Utilities. A thirty (30) foot wide utility easement will contain public water and sanitary pipes and seven (7) water meters within the project."

Ms. McGarry reviewed an email from the Nelson County Service Authority stating that Mr. Shimp had shared his intentions of extending the 2-inch water line, 2-inch pressure sewer line from the 12-inch water main, and the 4-inch pressure sewer main located under Route 56 in Piney River for the Jenny's Creek subdivision. She said the Service Authority had confirmed that the existing consecutive waterwork system has the capacity to provide services as well as receiving domestic wastewater from the Jenny's Creek subdivision. She noted that the email was new as it was received after the meeting packets went out.

Ms. McGarry said with this system being owned by the County and operated by the Service Authority, the County must provide its approval of any expansions of the water-sewer utility infrastructure. She said they have provided a draft developers agreement that would be used to solidify this agreement, and once the infrastructure is completed, the ownership of it would be turned over to the County; the draft developers agreement also speaks to this.

Mr. Lenahan asked for confirmation that there was no cost to the County.

Ms. McGarry confirmed that there is no cost to the County; Mr. Shimp covers all the costs of installation and the subsequent connection fees.

Mr. Parr noted that there are six new connections with this project that will now be paying into the system. He asked if this project had gone through Planning and Zoning.

Ms. McGarry responded that it was awaiting approval from the County to satisfy the water and sewer requirement that Planning and Zoning needs in order to approve the subdivision.

Mr. Reed moved to adopt **Resolution R2026-15**, Nelson County Board of Supervisors approval of the expansion of the Piney River Water and Sewer System. Mr. Parr seconded the motion, which passed by unanimous voice vote (4-0) with Mr. Rutherford absent from the discussion and vote due to a conflict of interest, and the following resolution was adopted:

RESOLUTION R2026-15
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF EXPANSION OF THE PINEY RIVER WATER AND SEWER SYSTEM

WHEREAS, Jenny's Creek LLC is proposing to expand the County's water and sewer systems in Piney River, which requires the County's approval ; and,

WHEREAS, the proposed construction of a new Public Sanitary Forcemain of 631' SDR-11 pipe, and a new Public Water Line of 639' of 2" SDR-11 connecting to the existing mains will serve seven (7) new lots containing residential dwellings on parcel 65-A-45; and

WHEREAS, Sec. 12-66 and 12-67 the Code of Nelson County, connections to water and sewer are required if buildings are within one thousand (1,000) feet of public utilities; and,

WHEREAS, pursuant to Sec. 12-69 of the Code of Nelson County, the construction will be done at the expense of the applicant and in accordance with the water and wastewater ordinance with a developer's agreement in place between the applicant and the County,

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves the expansion of the Piney River Water and Sewer System as requested by Jenny's Creek LLC.

BE IT FURTHER RESOLVED that the Nelson County Board of Supervisors authorizes the County Administrator and the County Attorney to draft and execute a developer's agreement between the applicant and the County, with said agreement to outline the financial responsibilities, location and details of the necessary construction, deed transfers and easement considerations.

BE IT FINALLY RESOLVED that following the construction of the expansion, the County Administrator and County Attorney are authorized to execute the steps necessary for the County to accept the transfer of ownership of the new facilities to the County.

The Board took a brief recess.

C. Commonwealth Attorney's Funding Requests

1. Cellebrite Software for Digital Forensics (**R2026-16**)

Commonwealth's Attorney Daniel Rutherford addressed the Board and reported that this request is for Cellebrite, which was his request, but the Sheriff's Department had agreed that they would be handling and running it. He explained that Cellebrite was the system, the hardware, and the software used to crack into a criminal cell phone. He said he would not read the proposal verbatim but stated that Cellebrite is used on every piece of technology; his office obtains search warrants, takes laptops or cell phones, brings them in, and then needs something to break into them. Mr. Daniel Rutherford stated that Nelson County currently has no means to do this and said they rely on Virginia State Police, Albemarle County, Charlottesville, Augusta, Amherst, or Bedford. He emphasized that relying on others is problematic when there is a more intense criminal charge, and he limits relying on their personnel to do it for free whenever they are available, and he must rely on their goodwill to subpoena them—and those jurisdictions have their own emergencies and problems.

Mr. Daniel Rutherford stated that hopefully, after 7–10 months, they receive the item back and can begin building their case. He said they still have not received Ray Uttaro's phones back and are waiting for Child

Sexually Explicit Material (CSEM) to be processed, and they are still waiting on a host of phones. He said other jurisdictions do not consider it an emergency and are not required to help. He said this is a major problem and said when they do need to bring phones or laptops in, they encounter situations where one individual has multiple people sending explicit material, resulting in several counties analyzing different phones for the same victim. He said the situation is hampering their ability to prosecute cases effectively and gather necessary evidence.

Mr. Daniel Rutherford stated that in the Woods case involving the death of a six-week-old, they had to obtain text messages that relayed crucial information. He said obtaining those messages was critical and they had to ship the phones to others and plead for expedited processing—and their indictments were delayed for four months while they waited for the cell phones. Mr. Daniel Rutherford stated that the mother who killed her baby was out for four months while they tried to piece together the evidence and show who was responsible, and that evidence was obtained through the cell phone. Mr. Daniel Rutherford said this is the problem they are facing: lacking the mechanism, money, software, and trained personnel.

Mr. Daniel Rutherford stated that the Commonwealth does not fund budgets for this purpose, although these tools are used for serious cases such as murders, rapes, and CSEM (formerly referred to as child pornography). He stated they have also been used for kidnappings and other significant cases, and they have had cases of abduction with potential to file and used cell phones in those cases. He said this is not remote access but software for a physical phone obtained with a physical search warrant, which they then need to access for data.

Mr. Rutherford clarified that there is not a cost for each phone, and his funding request is for hardware ($1,922), software ($9,250), and training for two investigators ($4,845). He noted that the training is not annual but a one-time event, after which investigators are properly trained, and he needs the training for court purposes so investigators can be deemed experts when analyzing phone data. Mr. Rutherford also said there is a recommended standard laptop, as their current ones do not have the bandwidth or processing speed to retrieve data from cell phones without crashing, and a computer meeting the recommended requirements is necessary. Mr. Rutherford said that after the one-time fee, ongoing expenses and requests would be limited to software and hardware licensing fees. He said there is no further training needed and no need for additional laptops unless one breaks, in which case it will be handled through the general process.

Mr. Lenahan asked how many unlocks they can do on a license.

Mr. Rutheford responded that it is unlimited, and there is a specific skill set or amount of money needed to unlock certain iPhones, but they pay that individually and can do that through the Sheriff's budget or through his budget through asset forfeiture. He said with certain iPhones, you have to pay more to get in, and they have not had enough to justify putting it in; they can handle them as needed.

Dr. Ligon asked what the pricing summary is of the $36,000.

Mr. Daniel Rutherford explained that because of request number two, he never got through the first request and was just asking for the hardware, software, and training for two people. He said they are not asking for the Inuits, the Unlock 15, and the Cloud. He explained that the cloud allows him to watch what the deputies are doing when accessing the phones, noting that he did not need that as he only needed the end product. He clarified that the total request this year is $23,862; he noted that there would be subscription fees going forward and confirmed that the software is $1,922, and the hardware is $9,250.

Ms. McGarry noted that there is $11,172 ongoing, and she asked if Asset Forfeiture funds could be used for any of this.

Mr. Daniel Rutherford responded that he cannot unless it is drug-related, as Asset Forfeiture only pertains to those cases and can only be used for drug-related prosecution or drug training.

Dr. Ligon asked if these investigators would be police officers.

Mr. Daniel Rutherford responded that they will be from the Nelson County Sheriff's Office and have already been identified, which was why Sheriff Mark Embrey and Major Brad Metje were in attendance on behalf of the Sheriff's Office. Mr. Daniel Rutherford said a lot of the logistics fell on his department, which is why he is the one making the request. He explained that he would have three or four additional people subpoenaed because of everyone who handled the phone; they are trying to streamline that and then quickly get into the data. He emphasized that if they can get into the phone within the first 72 hours, there is a lot of information they can save and protect.

Mr. Reed said he had mentioned very egregious crimes they would use this for, and he asked if there is any limitation on the types of applicable crimes.

Mr. Daniel Rutherford responded that there is no limitation, because it's the search warrant that is applicable—although he will use his discretion on intense things versus minor things, and they don't have the bandwidth to do this on simple trespassing or assault. He added that when they take cell phones and run a search warrant, they have to justify why we need the data for it. He stated that they handle a lot of racketeering cases and use those phones to do that part because they are establishing a network of individuals who are trafficking kilos of methamphetamine or fentanyl.

Mr. Reed asked if he could make some of those recoverable.

Mr. Daniel Rutherford responded that they would need to prorate, which is challenging because you cannot supplant Asset Forfeiture for something else. He added that they do not get much Asset Forfeiture. He said he has $23,000 in his budget, but that's not every year; it's been accrued, and they just don't spend it. He said when something egregious comes up, they use that part because it stays, budget cycle after budget cycle. He reiterated that they are getting into a new realm of prosecutions and law enforcement in which they need to start having the tools to be able to do that, because eventually other jurisdictions are going to just say they can't help.

Mr. Reed commented that if there are no restrictions on how this can be used, he would hate to see the ability of this to be abused—similar to the flock cameras. He said they want to make sure it's being done for the intended purposes and not creating an opportunity where it can be used for other unforeseen uses.

Mr. Daniel Rutherford replied that he already has the ability to abuse it if he wanted to by going to Augusta—but he does not, which is why he loves his job and his citizens. He emphasized that they do things that are right and just because it is right and just.

Mr. Lenahan commented that he does not have any remorse for them cracking phones for dead babies, period.

Mr. Parr moved that they adopt **Resolution R2026-16**, Nelson County Board of Supervisors, Approval of Funding for Cellebrite Digital Forensics implementation. Mr. Lenahan seconded the motion, which passed unanimously (5-0) and the following resolution was adopted:

RESOLUTION R2026-16
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF FUNDING FOR CELLEBRITE DIGITAL FORENSICS IMPLEMENTATION

WHEREAS, the Nelson County Sheriff's Office, like all other law enforcement agencies across the country, is experiencing an increased amount of digital evidence during investigations and does not have the tools necessary to unlock, extract, or analyze these devices; and

WHEREAS, the Nelson County Sheriff's Office is currently having to send every device to the state lab or another outside agency for extraction, and long turnaround times prevent investigators from acting on key evidence in a timely manner, which in turn prevents the Nelson County Commonwealth Attorney from being able to prosecute cases in a timely manner; and

WHEREAS, in order to mitigate this issue, the Nelson County Commonwealth Attorney has requested $23,862.00 in funding for the Cellebrite software and equipment, which also includes training for 2 investigators and the purchase of a compatible computer for the program,

NOW THEREFORE BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves the funding request in the amount of $23,862.00 which includes Cellebrite InsEYEts hardware, Cellebrite InsEYEts software, Cellebrite Investigator Training, and a new computer dedicated to the use of Cellebrite for digital forensics.

2. Temporary Supplemental Pay Request

Mr. Daniel Rutherford reported that he would be out of the area for six months beginning April 1 and returning September 30, and he would outline the request to the Board and the reasons why. He explained that he is asking for $22,000 to help offload his caseload and increase the hours of their part-timers, with his other two full-time prosecutors taking his extra caseload until they can weave in schedules and continue things as needed. He said that he is seeking from the Compensation Board to be reimbursed, but they are not on the docket until March 16, at which time they would be asking for full reimbursement as was done and received in 2023. He indicated that the reimbursement from the Compensation Board was not guaranteed. He noted that he has three more years as a reservist. He also clarified that the request would cover two fiscal years, April through June for FY26, and then July through September for FY27.

Ms. McGarry noted that staff did not have time to prepare a resolution for this request, and they could handle the split administratively.

Mr. Parr moved that they **approve the funding request** for the Commonwealth Attorney's Office for a temporary office supplement beginning April 1, 2026 in the amount of $22,000. Mr. Lenahan seconded the motion, which passed unanimously (5-0).

D. Zoning Ordinance Work Order Amendment (R2026-17)

Ms. Bishop reported that in their packets, the Board has a proposed work order amendment from the Berkley Group. She said the intent is to compare the future land use map and current zoning map, identifying areas in conflict. She stated that it won't be parcel by parcel specific and will remain at a high level, examining how their future land use designations align with existing zoning districts, proposed district intent statements, density and permissible uses. She said the evaluation will include a memo documenting areas suggested for rezoning, along with recommended zoning ordinance text amendments that will align the maps without mapping amendments; their recommendations will be informed by map comparison.

Ms. Bishop noted that they would have two additional work sessions scheduled, and the total for this work order amendment is $10,800.40.

Mr. Rutherford commented that he was glad they were doing this and wondered how far they would be drilling down if they are not doing a hundred-foot view.

Ms. Bishop explained that they initially scoped out of the whole project in three phases, comprehensive plan, then zoning and subdivision—then they will work on the mapping. She said the reason for this approach is the need to update their 1977 ordinance for usability and state code compliance, since it's currently only about 50 to 70% compliant with state code currently. She noted that if you do the full mapping at the same time as the ordinance text update, it can derail the adoption process; this approach ensures that they start the mapping process with a strong and compliant ordinance, which will help guide their discussions on minimum lot size, appropriate locations for certain types of zoning, and what areas might need to be considered for rezoning. She said this will help guide some of the discussion for text updates.

Ms. Bishop stated that this kicks their timeline out a little bit, probably to October, before they have public hearings and open houses for the text amendments and then they would do another scope for the full mapping exercise. She noted that the timeframe was probably looking at 18 months to two years, similar to the timeline for the Comprehensive Plan and Zoning and Subdivision ordinance.

Mr. Rutherford stated that he is committed to seeing this through.

Dr. Ligon agreed.

Mr. Rutherford commented that he is grateful that they are at this point, and he hopes the Berkley Group gives this suggestion to other localities but was somewhat disappointed they had not said anything to Nelson about this.

Ms. Bishop said once everything comes out in the wash, you figure out better ways to do things.

Mr. Rutherford moved to adopt **Resolution R2026-17** approving the zoning work order amendment with the Berkley Group. Mr. Reed seconded the motion, which passed unanimously (5-0) and the following resolution was adopted:

RESOLUTION R2026-17
NELSON COUNTY BOARD OF SUPERVISORS
APPROVAL OF BERKLEY GROUP WORK ORDER AMENDMENT 6
MAPPING SUPPORT

BE IT RESOLVED, that the Nelson County Board of Supervisors hereby approves Berkley Group Work Order Amendment 6 in the amount of $10,800.40 to add mapping support to the zoning and subdivision ordinance update scope of work.

E. Opposition to Congressional Redistricting Constitutional Amendment (R2026-18)

Mr. Reed stated that he inquired about having Philip Payne here to advise the Board on how best to proceed on this or at least provide information that might influence the process.

Mr. Payne noted that Mr. Reed had wanted to know about the Dillon Rule.

Mr. Reed confirmed that this is what of his questions.

Mr. Payne explained that Dillon Rule is a legal principle that stipulates local governments can only possess powers expressly granted by the state constitution or the General Assembly. He cited an example that if the County wanted to ban motorcycles, they would have to find in the state code that counties can ban motorcycles—so it's a limitation of their power and ability to regulate. He stated that he cannot tell them it's a limitation on what they want to say; it's a limitation on what they can do.

Mr. Reed asked Mr. Payne if it was his interpretation that it's within the power of a governing body of the County to advise or encourage specific actions in a free and open vote.

Mr. Payne responded that he did think a local government could do that also. He said some good examples would be the local boards in Charlottesville or Alexandria telling the federal government what to do in the Middle East, which is beyond the scope of what local government is supposed to do. He said his opinion is that the best way to go about this would be for interested citizens to sign a petition or form a group together—it just doesn't seem like a local government function to issue a wish list to the central government of the state.

Mr. Reed asked if there were any other consequences or advice for the Board on something like this.

Mr. Payne responded that they can make resolutions all day long and send them to Richmond, but it doesn't do any good—and does it distract the Board from what they need to be doing.

Dr. Ligon said the Board had received several emails about how this resolution is affecting people's vote, apparently with an assumption that the Board is voting for them. She said how she reads this resolution as more of a statement of, "We feel this is going to change the representation," and she asked if he feels people's vote has been taken from them by this statement.

Mr. Payne said he has read the statement and did not find it objectionable in any fashion. He emphasized that this is just old-fashioned politics—trying to steal as many seats in a legislative body as possible, which has been going on since 1788 or so. He said if they have an opinion, it's their right to express it, and his only point is that this is really not a function of local government. He added that in Nelson County, people vote 200 ways Democrat and 200 ways Republican, and he asked if it was the sense of Nelson County that redistricting is wrong. He said he is really veering into his personal opinion rather than legal, and if they want to do it, they can do it—but why.

Mr. Rutherford said he can give some very serious "whys," and this is not a new precedent for local governments to be taking a position on something that may be on a referendum, and he can reference multiple jurisdictions that have taken similar actions. He said on this particular topic, all of their neighbors have already taken a very similar, if not exact, same resolution action. He said the same action is one that is pertinent to Nelson County residents, and when they look at counties such as Louisa or even Augusta, they are cut up into three different congressional seats, and that's nothing more than that partisan thing.

Mr. Rutherford said it has been happening since 1788, and it has been wrong ever since then. He stated it's a really good history to read up on gerrymandering. Mr. Rutherford said the guy who kind of got the earmark after himself when he drew it, he believes it was a salamander, and that's where the term was earmarked. Mr. Rutherford stated Nelson County is going to be included in many different metropolis areas. He said Harrisonburg, Charlottesville, Lynchburg, Roanoke, Salem, and Christiansburg.

Mr. Rutherford said when you look at that, you have to ask yourself, when it comes to representation, who that person is going to best represent. He stated that Nelson County does know this, and due to the fact that it's surrounded by a large metropolis area like Charlottesville, it will never have the numbers to be able to get representation that strictly represents it. He said when you have Charlottesville and Albemarle overlap, it's just a population number; with this particular scenario, it's grotesque. Mr. Rutherford stated that when you are assuming that all these people groups are of a like mind, like economy, have a lot of similarities, and it lays out in here how they believe that this should be a contiguous district.

Mr. Rutherford stated he also thinks it's remarkable—as they use the word "fair" and weaponize it—when they look at the question on the ballot and it says to make a more "fair" comparison. He said then it will go back to the original. Mr. Rutherford stated he thinks certainly it is of this Board's interest that they look out for the citizens in saying that there is nothing wrong for this Board taking a position in saying gerrymandering is wrong. He said he would take that position on a lot of different things.

Mr. Reed said he wouldn't mind supporting a resolution that said that, but he believes that any attempt by an elected board to influence the vote of the people is not in the best interest of the people. He asked who provided the template for this resolution.

Mr. Rutherford responded that it has been floated around by multiple different individuals amongst the community; this particular one was shaped by his interaction with the Mayor of Chatham, Will Pace, who assisted in drafting it. He said there may be pieces of it that need to be edited, but he has reviewed along with several others, then provided it to a few other Board members. He said the same thing happened with the 2A sanctuary resolution, which was modified by multiple jurisdictions.

Mr. Reed noted that the 2A resolution template was provided by the Virginia Citizens Defense League.

Mr. Rutherford said that was incorrect, and this one was largely modified by himself.

Mr. Reed said it was modified, and he was talking about the template.

Mr. Rutherford responded that he did not get the template from VCDL.

Mr. Reed said he was not accusing him of doing that; he was saying that the template for that was not created by this body.

Mr. Rutherford stated that he was largely the architect and someone who writes English a lot better than him.

Mr. Reed said he would like the people of Nelson to write this.

Mr. Rutherford stated that the people of Nelson will have the ability to vote on this, but localities like Nelson are being stripped of rural representation—and they should take a stance and say it's wrong.

Mr. Reed stated that there are certainly opposing opinions being put forth by the Commonwealth, and he is not going to list them or enumerate them and argue about them. He said the fact is that this is really a one-sided political resolution that would give him pause to consider wanting to even cast a vote on it.

Mr. Rutherford said this sounds like an accusation that they are influencing voters. He asked Mr. Reed if he was familiar that the executive branch, specifically Governor Spanberger, has used her office with the governor's seal and social media platforms to advocate to vote yes to this referendum.

Mr. Reed stated that he wasn't speaking about her; he was speaking about them—the Board.

Mr. Rutherford asked if he was holding the Board to a higher standard than the governor, as they need to take stances as local governments because a lot of those constituents who are really concerned about this are not able to make it here. He agreed that both sides of the discussion didn't get all the freedom to say everything they wanted to because of time limitations, but this is a big deal for his constituents. He said they are already used to being thrown into the metropolis area of Charlottesville, and this is going to take one more voice from the rural Virginian, the Nelsonian, off the table.

Mr. Reed said he appreciated his opinion but didn't appreciate that opinion being the opinion of a Board he is sitting on.

Mr. Rutherford commented that Mr. Reed had the freedom to vote no.

Mr. Parr moved that the Board adopt **Resolution R2026-18**, Nelson County Board of Supervisors Resolution in Opposition to Congressional Redistricting Constitutional Amendment. Mr. Rutheford seconded the motion.

Dr. Ligon asked Mr. Reed if Nelson County would be adequately represented as the map stands, including all issues that come with being rural—such as school funding. She asked if these little epicenters throughout Virginia would be equally represented.

Mr. Reed responded that his opinion is that everyone in the County has one vote to cast on whether this should pass or not, and it is not the job of the Board to draw conclusions for them about what that should be, or what their vote should look like. He said that's a question that every single voter should have to answer in their own way. He added that he doesn't feel his opinion should influence them in terms of what it is they're going to be voting on, or what they think about it.

Mr. Parr said the governor certainly feels it's her job to make her opinion.

Mr. Reed responded that he is not the governor.

Mr. Parr said they are not Texas either and pointed out that it's the same argument.

Mr. Lenahan reviewed the proposed map and asked how Roanoke City could know what was best for Afton, Schuyler, or Faber. He commented that a representative coming out of Christiansburg or Roanoke is not going to focus on the rural areas, they are going to focus on where they are from.

Mr. Parr said he had dinner with a group the previous evening, and a very intelligent, educated, and former fairly high-level Nelson County employee—now retired—approached him and stated that he was the person she needed to see because she had heard a rumor about something coming up for a vote and did not know what it was about. He said that early voting had already started, and there are people in the community who are confused about what is going on. Mr. Parr said the tipping point that made him more active in opposition was the ballot wording, "restore fairness." He stated that everyone wants fairness, and that wording made it very confusing for people. Mr. Parr said for him, it all comes down to fairness.

Mr. Parr stated that he received many comments and emails over the past 24 hours and was quite surprised at how rude and disrespectful some neighbors can be toward the Supervisors' positions in the County, as they are just trying to do what they think is best for their community. He stated that although it is not central to the issue, he often heard references to Texas, and today, he witnessed a non-local issue being raised. Mr. Parr said that people claim the resolution has no power, but if that is the case, he questioned why everyone is so worked up about it. Mr. Parr stated that he was elected to represent Nelson County and not Richmond, Fairfax, or DC.

Mr. Parr said he heard comments urging the Board not to tell people how to vote, and stated that he is not trying to tell anyone how to vote, but believes the voters of Nelson County need to understand what the referendum is trying to accomplish. He said that fairness should not be defined for the voters, and that putting the word "fairness" on the ballot defines what is fair and what is not, which he believes is wrong. Mr. Parr stated that this is why he opposes the referendum and thinks it is important for constituents to understand the issue. He added that the voters are confused, which he believes that was intentional. Mr. Parr stated that he is grateful to whoever rallied the community, as it brought greater awareness to the subject. He said residents and constituents need to understand what is happening. Mr. Parr stated that he will vote for Resolution R2026-18 and vote "no" on the ballot.

Mr. Reed thanked all the people who spoke on this. He said it was a really vibrant, interesting, civil, informative discussion—and in some ways inspiring. He said he had nothing to do with this resolution, which may be evident, and had no input in creating it. Mr. Reed emphasized that he had no prior knowledge of it or that it was going to be placed on the agenda, and he is certainly not going to support it.

Mr. Reed said he stands against any effort for people in power at any level, elected or appointed, to take actions that don't fully support the will of the people. He said he does not think it is dangerous for people to decide this on their own, and it is bad to send a message to concerned citizens that you only represent some of the citizens. Mr. Reed said if you truly represent the citizens, you honor their ability to be active and to act, and the fact that they are a government of people and a government of rules is essential to the core of the Constitution. He stated that defending the rule of law and the ability for people to vote on laws unconstricted by the opinions or whims of elected bodies is their right.

Mr. Reed said we live in desperate times when people in power take desperate steps to secure or increase their power, and this resolution follows a template created by people for the purpose of influencing the vote to their own ends and benefit. He said we should not be beholden to them. Mr. Reed stated if the Supervisors want to represent the will of their constituents and not just their own opinions, they should put it to a vote of the people, and fortunately, someone has already done that. Mr. Reed stated this will be decided by a popular vote of the people, not by the Board. He said he is sincerely grateful for that because he knows what the result would be otherwise.

Mr. Reed stated that he would like to make a motion.

Dr. Ligon said it has not sat very well with her for them to deal with this. She said she wanted to represent Nelson County and deal with Nelson County issues—and she has not felt great one way or the other with this resolution. She said that today, she got to see responses from both sides in a civil manner, and she is not sure she could have gotten that in any other way. She said she has learned in this position that they are the mouthpiece to higher-level government, and an essential part of this job is advocating for their County.

Dr. Ligon stated that knowing their representatives and being in close proximity to those representatives, she hopes they will be on top of them to deal with the issues of their locality. Dr. Ligon said when someone brought up that the representation of our County will change, she made her decision. She added that this document and this discussion will advocate more people to vote, and that discussion hopefully has created even more educated voters and they can go vote how they feel—and even if that's the only thing the document does, she thinks that is fair.

The motion to adopt **Resolution R2026-18** passed by roll call vote (4-1), with Mr. Reed voting no.

RESOLUTION R2026-18
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION IN OPPOSITION TO CONGRESSIONAL REDISTRICTING CONSTITUTIONAL AMENDMENT

WHEREAS, in 2020, a Constitutional Amendment was approved by the voters of Virginia creating the Virginia Redistricting Commission, also known as Article II, Section 6-A of the Constitution of Virginia; and,

WHEREAS, the Virginia Redistricting Commission was established to convene in 2020, and every ten years thereafter, "for the purpose of establishing districts for the U.S. House of Representatives, the Senate of Virginia and the Virginia House of Delegates" pursuant to Article II, Section 6 of the Constitution of Virginia; and,

WHEREAS, when proposed, the said amendment to the Constitution of Virginia received broad majority support across the Commonwealth of Virginia, with 2,287,091 Virginians voting in favor of the measure, including 6,243 Nelson County voters; and,

WHEREAS, the Virginia Redistricting Commission successfully put an end to partisan gerrymandering of the Virginia legislative districts for the U.S. House of Representatives, the Senate of Virginia and the Virginia House of Delegates thus creating compact and contiguous districts; and,

WHEREAS, a growing movement among state legislatures are attempting or have already redrawn Congressional Districts mid-decade creating districts that are neither compact nor contiguous; and,

WHEREAS, the Virginia General Assembly called for a Special Session during the last week of October 2025 to propose a Constitutional Amendment that would amend Article II, Section 6-A of the Constitution of Virginia by allowing the General Assembly to redraw the Congressional Districts contrary to the goals of the Virginia Redistricting Commission; and,

WHEREAS, the Virginia General Assembly passed HB 1384, which would force a vote on a Constitutional Amendment that would allow the Virginia General Assembly to redraw the congressional Districts in an overtly partisan manner that is against the current Congressional Districts that were approved in 2020; and,

WHEREAS, the Virginia General Assembly set the election date of the proposed Constitutional Amendment that would allow the partisan redrawing of the current eleven Congressional Districts for April 21 with early voting beginning on March 6; and,

WHEREAS, should the Constitutional Amendment be approved on April 21, Nelson County would be placed in the 6th Congressional District; and,

WHEREAS, along with Nelson County, the proposed 6th Congressional District would include Albemarle, Amherst, and Fluvanna Counties, parts of Augusta, Bedford, Buckingham, Montgomery, Rockingham, Roanoke Counties as well as the cities of Charlottesville, Harrisonburg, Lynchburg, Radford, Roanoke, Salem, Staunton, and Waynesboro; and,

WHEREAS, the proposed 6th Congressional District is neither as compact nor as contiguous as the current 5th Congressional District where Nelson County is currently included; and,

WHEREAS, the ballot language of the proposed Constitutional Amendment states that it would "allow the General Assembly to temporarily adopt new congressional districts to restore fairness in the upcoming elections" is anything but fair and in reality, unfair to the citizens of Nelson County.

NOW, THEREFORE, BE IT RESOLVED, that the Nelson County Board of Supervisors,

1. Expresses its support for the Virginia Redistricting Commission, and preserves legislative districts that are compact, contiguous, and comply with applicable law.
2. Expresses strong opposition to the proposed Constitutional Amendment that creates and promotes partisan gerrymandering.
3. Strongly urges the voters of Nelson County to oppose the Constitutional Amendment to be voted on April 21.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Nelson County's General Assembly delegation and to Governor Abigail Spanberger.

F. Reaffirmation of Second Amendment Support and Sanctuary Status (R2026-19)

Mr. Rutherford moved that the Board adopt **Resolution R2026-19**, Nelson County Board of Supervisors Resolution Reaffirming The County Supportive Second Amendment Rights Into a Sanctuary Status. Mr. Parr seconded the motion.

Mr. Reed stated that on December 10, 2019, this was before the Board similarly and passed at this time. Mr. Reed commented that there is no need to redo something that has already been done and in place and that they have already agreed to as Board of Supervisors. However, he said, since this has been brought back, he is going to replicate something and read the comments he gave back on December 10, 2019 when this first came before them:

"When I first heard of the Second Amendment sanctuary movement, I thought it was just a bunch of political propaganda. But I was wrong. It is much more than that. It's a dangerous and unprincipled exercise in taking power away from localities disguised as a motion that would seem to empower a community.

"Groups like the Virginia Citizens Defense League know that fear is a great motivator. Whether it's fear of being powerless, fear of having power taken away, fear of having an enemy, or fear of having a gun pointed at you, nothing stirs up emotions like fear. And with guns, you have fear motivating both sides of an issue. Once it is defined, it doesn't matter if it's right or wrong, true or false, real or imaginary.

"It creates moral chaos where there is really no middle ground. So I have empathy for everyone who spoke on this today and who have contacted a supervisor or a friend or expressed his or her comments about this. But just know that I'm not responsible for bringing this resolution today to the Board of Supervisors.

"This proposal is an irresponsible act that creates dissent and divides one person from another, people among the Board, among our county administration, among our sheriff and his deputies, among our neighbors, our families, and our friends. I sincerely believe that the purpose of this resolution is much more insidious than merely forcing a single interpretation of the United States Constitution on our country. This exercise is an attempt to take power away from people.

"The Virginia Citizens Defense League has taken it upon itself to put its interpretation of the U.S. Constitution into every elected body in Virginia at the most local level, in city and county governmental bodies, in their constitutional officers who enforce laws and prosecute offenders and many people in the county have jumped on the bandwagon. People have power when they work together to create the community that serves them all.

"A community is where people with diverse backgrounds, different beliefs, and who have varied and diverse experiences come together, work together, play together, celebrate together, and create community together. To turn that power over to an organization with an agenda which divides a community against itself is dangerous, wrong, and to me, unacceptable. There's no good outcome from a yes or a no or an up-and-down vote on this resolution.

"Supporters will be happy for the moment. Losers will be angrier and more fearful than they were when they rose out of bed this morning. We will be a people divided against ourselves, yet this resolution is of no real legal consequence.

"We have no power to implement what the resolution infers. Ultimately, this issue is determined, presented, argued, restructured, and argued some more and determined by state and federal bodies that are vested with the ability and the power to deal with problems of this scale. We are not.

"As a Supervisor, I will honor the Board on this, the will of the Board, but I have a serious issue with the process that has given rise to the situation. The rights of the citizens of the County have not been honored."

Mr. Reed said that turning back the clock, at the time that this statement was written, the citizens did not have sufficient public notice that this was going to be on the agenda; they were not able to see the proposed resolution before the meeting; people that arrived here before the meeting were denied the ability to speak because there were so many; many people were not even able to attend the meeting given the overflow crowd and limited seating.

He said they were not able to consult with the County Attorney prior to that meeting for his legal opinion on the content, the consequences, or the enforceability. He said he was also personally and as an elected official deprived of that right. He stated that the Board of Supervisors should not cherry pick which of the people's rights to enforce, and if this vote precedes it, they will be trampling the rights of citizens to participate in the County's public process, which is why he is not in favor of taking the vote on this resolution. He said that he had moved that they take no action on that resolution, which was R2019-49, and it never received a second so the motion died.

Mr. Reed stated that his thoughts and feelings on this have not changed in six years, and the only thing he would add is that back in 2019, when they did get the opinion of Mr. Payne, the County Attorney, he said the resolution was a hollow statement and was of no consequence that served no purpose. Mr. Reed said to take up the staff's time, the Supervisors' time, and the people's time to devote resources to do what is already done is more than just a waste of time—it is wrong and unwarranted.

Mr. Rutherford stated that people had been concerned about their 2A rights long before VCDL existed and he still stands in support of this resolution, just as he did when they first adopted it. He said that what is to come is very Un-Virginian and not Nelsonian, and he will continue to support this resolution. Mr. Rutherford said he did agree with Mr. Reed on the fact that the 2019 resolution should have been done in the evening, or on a different day in the evening, so that more people could have attended.

Dr. Ligon said there are other resolutions that come before the Board every year, so that is not a new concept.

The motion to adopt **Resolution R2026-19** passed by roll call vote (4-1), with Mr. Reed voting no and the following resolution was adopted:

RESOLUTION R2026-19
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION REAFFIRMING THE COUNTY'S SUPPORT
OF SECOND AMENDMENT RIGHTS AND 2A SANCTUARY STATUS

WHEREAS, the Second Amendment of the United States Constitution reads: "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed." and,

WHEREAS, Article 1, Section 13 of the Constitution of Virginia provides "that a well-regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to, and governed by, the civil power;" and,

WHEREAS, certain legislation publicly proposed for the 2026 session of the Virginia General Assembly could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution and Article 1, Section 13 of the Constitution of Virginia; and,

WHEREAS, the Nelson County Board of Supervisors is concerned about the passage of any bill containing language which could be interpreted as infringing on the rights of the citizens of Nelson County to keep and bear arms or could begin a slippery slope of restrictions on the Constitutional rights of the citizens of Nelson County; and,

WHEREAS, the Nelson County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Nelson County to keep and bear arms; and,

WHEREAS, the Nelson County Board of Supervisors wishes to express opposition to laws which would unconstitutionally restrict the rights of the citizens of Nelson County to keep and bear arms; and,

WHEREAS, on December 10, 2019, the Nelson County Board of Supervisors formally adopted a resolution declaring Nelson County as a Second Amendment Sanctuary County; and,

WHEREAS, the Nelson Board of Supervisors wishes to express its intent to reaffirm its stand as a Sanctuary County for Second Amendment rights to oppose, within the limits of the Constitution of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of the citizens to keep and bear arms, including through legal action, the power appropriation of public funds, and the right to petition for redress of grievances.

NOW, THEREFORE, BE IT RESOLVED, the members of the Nelson County Board of Supervisors proudly reaffirm their oath of office: To solemnly swear to support the Constitution of the United States and the Constitution of the Commonwealth of Virginia and to faithfully and impartially discharge all the duties incumbent upon us, to the best of our abilities, so help us God.

AND, BE IT FURTHER RESOLVED, that the Clerk is directed to send forthwith an attested copy of this Resolution to State Senator Creigh Deeds and Delegates Amy Laufer and Timothy Griffin.

The Board agreed to move the next agenda items from the afternoon to the evening meeting. Ms. McGarry confirmed that they could move it to Other Business under the evening agenda.

VI. REPORTS, APPOINTMENTS, DIRECTIVES AND CORRESPONDENCE

(Continued until Evening Session)

A. Reports
1. County Administrator's Report

2. Board Reports
B. Appointments
C. Correspondence

3. Board of Equalization
D. Directives

VII. OTHER BUSINESS (AS PRESENTED)
There was no other business presented.

VIII. ADJOURN AND CONTINUE – EVENING SESSION AT 7PM

At 6:04 p.m., Mr. Rutherford moved to adjourn and continue the meeting to 7 p.m. Mr. Parr seconded the motion, which passed by roll call vote (5-0) and the meeting adjourned.

EVENING SESSION
7:00 P.M. – NELSON COUNTY COURTHOUSE

I. CALL TO ORDER

Dr. Ligon called the meeting to order at 7:02 p.m., with all five (5) Supervisors present to establish a quorum.

II. PUBLIC COMMENTS

Edward W. McCann, Sr. - Massies Mill, Virginia
Mr. Edward McCann thanked the Board for taking the time and energy and for caring enough about this County to address the gerrymandering and Second Amendment items through the two resolutions adopted. He said being in a leadership position today is not easy, and he appreciates their work for the community and the country.

Stephen Bayne – Nellysford, Virginia

Mr. Stephen Bayne addressed the Board and urged them to not settle for a real estate tax rate advertised rate of 57 cents, which would result in a 16% increase to real estate tax dollars, compared to 50 cents, which would result in a 0% increase. He said there are many ways to get to or very close to a real estate tax rate of 50 cents, suggesting that regional agencies, while needed, are allocating a level of their indirect overhead cost to Nelson County, which is too high given the size of our County and demographics, particularly compared to Albemarle, Charlottesville, and other counties. Mr. Bayne said that every department must challenge themselves to only request what is really necessary, critically necessary, both operating and capital.

Mr. Bayne said the school system must tighten its belt significantly in light of continuing enrollment decline; the schools also need long-term strategic planning in conjunction with the Board of Supervisors, with regular communication. He said an admissions tax is also an option, and it is superior and preferable to any material increase in the residents' real estate taxes. Mr. Bayne stated that County staff should provide multiple scenarios to support their decision-making. He noted that he had met many generational families in Nelson County recently and knows they expect the Board's help to protect their affordability. He urged the Board to do everything they can to advertise and achieve a real estate tax rate as close to 50 cents as possible.

Clay Stewart – Arrington, Virginia
Mr. Clay Stewart stated that he is here to respectfully urge the Board to reconsider Resolution R2026-18, as the upcoming referendum on April 21st is a fundamental opportunity for the citizens of Virginia to have a direct voice in our electoral process. He said by attempting to formally oppose this measure before the voters have had their say, this Board is essentially telling the public that their opinion and their vote is less important than the Board's own policy preferences. He said regardless of how one feels about the specific mechanics of the proposed amendment, the beauty of our democracy is that people—not the Board—get to decide whether to change the Constitution. He asked that the Board trust the voters of Nelson County, a very purple county, to make their own informed decision at the ballot box next month rather than attempting to influence the outcome through this resolution.

Mr. Stewart also commented that notice of today's vote on R2026-18 was posted to the public at 5 p.m. on Friday. He said that under the Virginia Freedom of Information Act—which controls and governs how public hearings such as the Board of Supervisors are handled and operate—has requirements to meet this. He stated that it is a three-day rule, meaning that public notice on a regular meeting must be posted at least three working days prior to a meeting. He said the day of the meeting does not count at all, and one of those three working days, the day that was posted, even at 5:30 p.m. on Friday, does count. Mr. Stewart said that this concerns him not just for this one issue but for all issues, as his attorney or other attorneys could kill what the Board does simply because that does not keep the three-day rule, and Thursday needs to be the day they release their agendas. He thanked them for their service to the community.

III. PUBLIC HEARINGS

A. Proposed Ordinance O2026-01 - Amendment to Chapter 2, Article III, Sec. 2-74 Declaration of Local Emergency

Ms. McGarry reported that in February, the Board authorized a public hearing on Ordinance 2026-01, an amendment of the code of Nelson County, Chapter 2, Article 3, Section 2-74 (a), Declaration of Local Emergency. She said their state statutory authority is Section 44-146.21 of the Code of Virginia, 1950, as amended. She explained that the proposed ordinance is to amend Chapter 2, Administration, Article 3, Emergency Services, Division 1, Section 2-74, Declaration of Local Emergency. She said these proposed amendments to 2-74 (a) would align the County code with the Code of Virginia's Statute 44-146.21, allowing the Board of Supervisors to confirm a local emergency declaration at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first. She said if adopted, Ordinance 2026-01 will be effective immediately.

Ms. McGarry noted a change in the language of the ordinance, and instead of having the entire Board of Supervisors have a special meeting within five days of the declaration, the Board could have its next regularly scheduled meeting or have a special meeting within 45 days of the declaration, whichever occurs first. She offered to answer questions and said the request was to ask the Board to conduct a public hearing and then consider adoption of Ordinance 2026-01.

Dr. Ligon opened the public hearing. There being no speakers on the matter, she closed the public hearing.

Mr. Rutherford moved to approve **O2026-01, Amendment of Code of Nelson County**, Chapter 2, Article 3, Section 2-74 (a), Declaration of Local Emergency, amended as presented. Mr. Parr seconded the motion, which passed unanimously (5-0) and the following ordinance was adopted:

ORDINANCE O2026-01
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 2, ADMINISTRATION, ARTICLE III, EMERGENCY SERVICES, DIVISION I,
SECTION 2-74 DECLARATION OF LOCAL EMERGENCY

BE IT HEREBY ORDAINED, by the Nelson County Board of Supervisors, that the Code of Nelson County, Virginia, Chapter 2, Administration, Article III Emergency Services, Division I, Section 2-74 is hereby amended as follows:

Amend

Sec. 2-74. Declaration of local emergency.

(a) A local emergency as defined in Section 44-146.16(6), Code of Virginia, as may be declared by the director of emergency services with the consent of the board of supervisors. If the board of supervisors cannot convene due to the disaster, the director or any member of the board of supervisors, in the absence of the director, may declare the existence of a local emergency, subject to confirmation by the ~~entire board of supervisors at a special meeting within five (5) days of the declaration~~ **board of supervisors at its next regularly scheduled meeting or at a special meeting within 45 days of the declaration, whichever occurs first**. The board of supervisors, when in its judgment all emergency actions have been taken, shall take appropriate action to end the declared emergency.

(b) A declaration of a local emergency shall activate the response and recovery programs of all applicable local and interjurisdictional emergency operations plans and authorize the furnishing of aid and assistance thereunder.

(c) The director, following such declaration, shall notify the state department of emergency services that all local resources have been committed in the disaster and that assistance may be requested from the state.

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

IV. FY27 BUDGET WORK SESSION

A. 3/4/26 Work Session Follow-Up

Ms. McGarry stated there was no follow-up from the March 4, 2026 work session.

B. Agency Review

1. MACAA – Suzanne Bowers and Taneia Dowell

Ms. Suzanne Bowers, new Executive Director of MACAA, addressed the Board. Ms. Bowers stated that in October, MACAA submitted a proposal for the coming year, detailing what they were requesting funding for. She said they were removing the afterschool program from their funding request. She said she had spoken with Parks and Rec and Superintendent Dr. Hester on multiple occasions to ensure that Nelson County families were effectively served, and she did not feel MACAA was accomplishing that.

Ms. Bowers stated that they had faced many issues with student sign-ups and staffing, and MACAA was currently spending about $1,200 a month from reserve funds just to maintain the Tye River and Rockfish programs. She said they spoke with Parks and Rec in December, and they seemed interested and felt capable of taking over the program. She said that Parks and Rec does not have the same licensure requirements as MACAA, noting that MACAA has much stricter requirements.

Ms. Bowers said they contacted the County's Finance department at that point, informing them that MACAA was likely to relinquish that part of the program, and the Finance department said they would work to make the necessary adjustments. She stated that they also worked with Parks and Rec and provided them with copies of MACAA's financials to help in planning for the program takeover. Ms. Bowers said that she could not speak for Parks and Rec and could not confirm if they were definitely taking over, but stated that the paperwork required for early planning for the budget. She noted that the updated letter provided to the Board indicated MACAA would pull out of the program.

Ms. Bowers stated that one report provided covered Project Discovery, managed by Ms. Taneia Dowell who was present, and the other covered Community Services, which Ms. Bowers said she would address. She said that from July 1, the start of their fiscal year, through February 26, 2026, when she prepared the report, the Community Services program served 98 participants in 44 households in Nelson County. She stated that in they collected data on participants, many of whom contacted them for help with electric bills, rent, and transportation. She said they had served those families and not that she had become aware that the Board may not have known about MACAA's community services work in Nelson County.

Ms. Bowers reported that they requested $20,000 for emergency services in the current year which they received, and she thanked the Board for this support. Ms. Bowers stated that they were requesting the same amount for the new fiscal year. She said that the report detailed services such as case management, home repairs, emergency assistance, and job coaching, as well as a comprehensive wraparound program. She stated that 100% of the funds for programs allocated by the Board are provided to Nelson County. Ms. Bowers said they were present for emergency services, noting they were present every Thursday at the Heritage Center from 10:00

a.m. to 2:00 p.m., allowing walk-ins for assistance. She said if people needed help on other days, they could call or text their bills for assistance, and the process could be completed without waiting for Thursdays.

Ms. Taneia Dowell, director of CORE Project Discovery, stated that she loves what she does. Ms. Dowell said there are some great youth in the county who just need a little extra guidance, and she stated that the program provides that guidance. She said the program helps prepare students for life after high school, and she stated they generally encourage students to attend college but also understand college is not for everyone. Ms. Dowell stated that if college is not in a student's path, they help set them up with a career certificate or career path so the student can be successful.

Ms. Dowell said they meet at Nelson County High School and work closely with the guidance department and front office staff, and the staff provide space for the program each month. Ms. Dowell stated that their monthly sessions cover college and career readiness along with social and emotional support, and they find that students reach college but often struggle with emotional intelligence, so they try to offer comprehensive services. She said they are required by contract with Project Discovery of Virginia to provide extracurricular activities, and the best part is that first-generation and low-income students receive all services for free, with financial barriers removed so students only need to show up.

Ms. Dowell stated that they provide services to parents as well, as they aim for a whole family approach where families can attend work sessions to learn about financing and budgeting. She said they help prepare parents of first-generation students on what to expect and how to support their students, and they typically meet the second Thursday of each month. She said they do not yet have the participant numbers they would like, but in conjunction with the guidance department, they are currently at eight students with the numbers growing.

Ms. Dowell stated she appreciates the Board's support and looks forward to their continued support.

Mr. Parr asked if "first generation" meant first-generation American or first going to secondary education.

Ms. Dowell responded that it means the first generation going to secondary education, meaning that your parents have not received any education after high school.

Mr. Parr asked if their work with guidance includes coordinating scholarships that might be available through the school system.

Ms. Dowell responded that it does include that, and she works closely with the guidance secretary as well as coming in and working one-on-one with seniors to help them apply to college and look for scholarships. Ms. Dowell said the guidance secretary sends those students to her ahead of time so she can already have information on available scholarships based on what the students are interested in.

Ms. Bowers noted that MACAA was asking the Board for continued support for Project Discovery and Emergency Services. She reiterated that 100% of the funding for those programs stays in Nelson County.

Ms. Dowell also said they provide college campus visits for students so they get acquainted with the atmosphere and can compare schools.

Mr. Parr asked if the Community Services program was coordinated with the Department of Social Services. Ms. Bowers replied that it was. She said MACAA works with them very closely, and if MACAA cannot serve clients enough, they will contact other agencies on their behalf to coordinate and collaborate on services and resources, as well as wraparound services.

Ms. McGarry asked for clarification on the request for family and community services programs. Ms. Bowers confirmed that it is $20,000 for Community Services, for a total of $30,000 for both programs. She said she would be happy to provide more information or updated financials any time.

Ms. Dowell mentioned that they are at Nelson County High School the second Thursday of every month.

2. Blue Ridge Health District – Ryan McKay

Mr. Ryan McKay addressed the Board and said their total request for FY27 is $400,138, a $24,618 increase over FY26 funding. He said these three items make up the funding request for FY27. He said the first part of their funding is strategic investment in workforce through the Nelson County Health Department, with all staff supporting Nelson in ancillary ways. Mr. McKay said he is funded by all the localities because he serves all those localities and stated there are centralized staff supporting Nelson County on the Environmental Health side—including an Environmental Health supervisor who deals with the onsite program for well and sewage and a technical specialist who supports that program. Mr. McKay said they have similar positions across all of their services, and while these staff are located in Charlottesville on a day-to-day basis, they provide direct support. He stated for the workforce, there is a projected 3% salary increase from the General Assembly and while they had heard possibly 2% to 3%, he included 3% in the budget request so he would not need to come back in the fall if that amount differed. He said on the state side, there is an approximate $13,000 contribution toward the overall 3% increase, with all sources filling whatever expenditure needs there are for a 3% salary increase, including fringe benefits.

Mr. McKay stated that the other two things being addressed are specific to positions. He said that they were trying to stabilize federally funded positions. He said they have experienced a significant cut to several grants in the past year, including a $2.9 million grant for community health workers and epidemiologists. He said the first position is a disease investigation specialist, the only one in the district, specific for HIV and sexually transmitted infection response. Mr. McKay said the specialist connects the positive-testing individual to care and treatment, whether locally, through the UVA, Sentara, or a primary care provider (PCP). He explained that this specialist is also responsible for identifying close contacts and determining those who may have been exposed. He said the specialist assesses risk for exposure to HIV, syphilis, or other STIs and identifies ways for testing and treatment, and this is an incredibly difficult position to fill—and is now at risk of losing all federal funding. He said they already lost some federal funding in FY26 and are trying to stabilize funding for FY27 and beyond. He said the other position is a senior epidemiologist, an expert in disease control and investigations, including school-based cases, pertussis, flu outbreaks in long-term care facilities, and facility norovirus outbreaks. Mr. McKay said with the pandemic, the senior epidemiologist plays a technical role, and this person is relied on most to provide factual information about community experiences and what needs to be done to protect people from illness.

Mr. McKay said he would break down local funding for the two positions by locality and show Nelson's contribution compared to other localities in the district. He said the funding for the two positions is proportion based, and the bulk of funding for the two positions would come from Albemarle County, Charlottesville, and Louisa, which are the most populated localities and have larger budgets. He stated that Albemarle, Charlottesville, Fluvanna, and Louisa finance committees and administrators have recommended these increases for the specific positions, which have not yet been decided by elected officials. He noted that they had not yet heard back from Greene County. He said if funding is not received, hard choices would need to be made about cuts to other budget areas.

Position specific funding need by locality

Locality	Disease Investigation Specialist	Senior Epidemiologist	TOTAL
Albemarle	$25,500	$26,500	$52,000
Charlottesville	$19,500	$18,000	$37,500
Fluvanna	$9,000	$6,000	$15,000
~~Nelson~~ Greene	$9,000	$6,000	$15,000
Louisa	$18,000	$8,000	$26,000
Nelson	$9,000	$6,000	$15,000

Mr. McKay said that would largely require not filling other vacancies so they could use the cost savings to fulfill the funding needed for the two positions. He noted that would necessitate prioritization, where they would have to determine what is the resource that they cannot get or maintain if they do not have the funding. He said that they had to prioritize based on risk and the need. He said they would also have to consider what type of work needs to be done for individuals who may have been exposed or tested positive for diseases.

Mr. McKay said in FY25, their Ryan White funding was lost for HIV case management, access to treatment, care, and testing; in FY25, they also lost $60,000 for community HIV testing, which are position-based losses. He said they had incorporated the test kits and the cost for labs for those who do not have insurance, into their operating budget. He stated that last year, they lost $22,500 for the disease investigation specialist, and they are trying to shore things up because they project continued losses next year in the amount of $90,000. Mr. McKay said they asked the state for a shift in funding of about 20%, roughly $21,000, but he does not anticipate getting that shift. He said if funding is received, they can adjust the amount asked of the locality later, as the state budget and allocation do not typically come until August or September.

Dr. Ligon asked if they had the jobs before these grants existed.

Mr. McKay responded that the grants have existed long before his time, and the Public Health Emergency Preparedness (PHEP) grant, which funds the senior epidemiologist position, has existed since 2003 or 2004. He said the design of that grant was in response to the anthrax attacks in NYC and DC, understanding that local health departments didn't have the funding for epidemiologists and using it as a way to bolster local response. He said the DIS funding has been around for at least a decade, and there has been a gradual decline in federal funding given to states—which puts state and local governments in the difficult position of having to make choices around which activities and positions are funded. He noted that epidemiology means disease versus surveillance; HIV and STI prevention and risk mitigation are core to their obligations. He stated that while some of their 25 federally funded positions are not at risk, those such as family planning are projected to be cut each year but they are able to navigate those cuts, while the cuts relating to these positions are not something that they can navigate.

Dr. Ligon said if the state is unwilling to fund it, that is essentially them saying that it's not a worthy job—and she asked why localities should fund it if the state is not.

Mr. McKay responded that it was a fair question, but he did not know that the state feels that way; they have to make difficult choices across the board for all of these grants, so there are things they have to consider at the central office. He said for the health district, they feel that they cannot proactively support the community when it comes to disease outbreaks if they do not stabilize these funding streams, or they have to cut in other places. He said this might be nurses, environmental health specialists, and program positions that do more data analysis or long-term strategic planning. He emphasized that the state is finding it increasingly difficult to make tough choices when federal grants are being cut; the state agency has to weigh the pros and cons of all these decisions, which in turn means that at the local level, they have to weigh the pros and cons of these decisions to make cuts. He noted that last March when they lost $2.9 million, they had to let 14 people go overnight, and he does not want to be in that position again.

Dr. Ligon asked if the numbers were based on need and how they support the community, because Nelson has the lowest population of the whole group but is paying the same as others in the district.

Mr. McKay explained that it is not just based on population; it's based on the actual case rates. He said they are trying to level out as much as they can, and they can look at multi-year or other ways of supporting those if the funding is a reduced number. He stated that they have seen a 64% increase both in HIV diagnoses in 2025 and syphilis cases in FY25 when compared to FY24, so they are already adjusting resources to accommodate for that. He said they have trained staff to do rapid testing in the community and are adjusting some additional resources to increase STI clinics, and last year they hired a second nurse practitioner so they can increase the number of clinics offered in all localities. He said they have hired a specialized nurse who spends a lot of time in Nelson to do traditional public health but also to focus on community health.

Mr. McKay explained that the district came to the Board in October and November to provide an update on the community health assessment. He said they have reallocated a position to hire a community health worker, a position they lost last year due to those funding cuts. He said that person partnered with the district nurse and other clinical staff to go into areas where they did the door-to-door surveying so that we can identify those needs and how to support them. He added that they have made adjustments for these costs to increase and maintain capacity around testing and case management, and they just need to ensure they can stabilize these two positions as they move forward.

Mr. McKay reiterated that if they did not receive the position funding, they would utilize the funding from vacant positions and allocate it towards the two positions. He said the positions would then exist, but they would have to work over time to building up the funding to support those positions. He noted that he could continue to update Ms. McGarry on the status of the grants and the funding that they may or may not receive from the state. He indicated that later on, if needed, he could provide updates on where they are with adjusting funding for other positions and other programs to support these needs.

Mr. McKay stated that if he had one position to receiving funding for, it would be a difficult choice, but he would choose the disease investigation specialist.

Mr. Rutherford thanked and recognized the health department, on behalf of the homebuilding community, for the good work that they do, noting that his interaction with them is primarily through soil and water testing.

Mr. McKay thanked the Board for their time and consideration.

C. Admissions Tax Discussion

Ms. McGarry reported that Mr. Payne had prepared a draft ordinance in February, and they are allowed under state code to implement an admissions tax, including participatory sports, which wasn't always the case but now is. She said the purpose of the discussion was to get the Board's feedback on any desired parameters in a potential draft ordinance.

Mr. Lenahan commented that he would like to reduce the number from 2,000 attendees daily, or multiple consecutive days, to something lower, perhaps 100.

Ms. McGarry explained that the statute provides that, the classification of events to which admissions is charged can be "admissions charged for attendance at any event, the gross receipts of which go wholly to charitable purposes; admissions charged for attendance at public and private elementary, secondary, and college school-sponsored events, including events sponsored by school recognized student organizations; admissions charged for entry into museums, botanical or similar gardens, and zoos; admissions charged to participants in order to participate in sporting events; admissions charged for entry into major league baseball games and events at any major league baseball stadium, which has seating for at least 40,000 persons; and all other admissions."

She noted that Mr. Payne's draft ordinance from February has excluded admissions charged for attendance of a nonprofit event; gross receipts of which go to wholly charitable purposes; admissions charged for attendance at public or private elementary, secondary, college sponsored events, including events sponsored by school recognized organizations; admissions charged of $1 or less; or admissions charged to participants in order to participate in sporting events such as skating, skiing, and racing.

Mr. Reed said the question is more about draft Section 11-195, where it says "projecting more than 2,000 attendees daily," and he was wondering if there was any variation on that number allowable.

Ms. McGarry responded that it can be whatever they want, as she does not think those parameters had limitations. Dr. Ligon noted New Kent had 300 attendees in their admissions tax. Ms. McGarry noted a few others had 2,000.

Mr. Rutherford commented that they don't have any dollar/cent expectation of what a percentage equals on what they are taxing, but he thinks it would be a valuable exercise for some Board members, such as Mr. Lenahan, to work on this with the EDA and stakeholders—similar to how they approached the transient occupancy tax before they increased it. He said if they can fine-tune this first, when the time comes to vote on an admissions tax, they won't be dealing with a bunch of nuances and facing challenges with enforcement.

Ms. McGarry said they would have to discuss a lot of the logistics of what the parameters dictate.

Mr. Rutherford emphasized that enforcement is one of the important aspects, and if that is not figured out preemptively, implementation and participation will be inconsistent. He also clarified that this falls under the Commissioner of Revenue's purview, so they need to be looped in regarding the methodology for enforcement. He added that they should also work with stakeholders to evaluate potential impacts.

Mr. Reed noted that a public hearing had been held previously on an admissions tax and it was tabled. Mr. Rutherford commented that was correct because they learned they had a lot wrong. He said they needed to look at how it impacts stakeholders.

Mr. Reed commented that community buy-in is always good, and businesses matter as well as Wintergreen.

Mr. Rutherford recommended that they have a committee to work on the admissions tax and have Mr. Lenahan and Mr. Reed be the Board member reps. Mr. Reed and Mr. Lenahan were in agreement to participate.

Mr. Lenahan commented that this particular tax does not impact local citizens as much; it is for people from Charlottesville, DC, Virginia Beach, and other areas who come here and use the County's facilities.

Mr. Parr said he would disagree with lowering the number down to 100 attendees. He commented that he was going to suggest 2,500 attendees instead of 2,000. He said what they need to keep in mind is what opened this door to begin with—which was a result of the Seven Stars festival and its impact on the community. He said it seems now they are trying to tax everything they can, and that was not the original intent. Mr. Parr stated that it was a bad idea to tax sporting events, and they need to include wording about participatory sports.

Mr. Reed added that it also provides an opportunity for strategic planning with the EDA and tourism.

Mr. Lenahan said it also helps them get closer to the 50-cent tax rate.

Mr. Parr stated that the income this generates is "extra," and he is not approaching it from that angle but instead from concerns of citizens about an event that impacts the community. He said the discussion was offsetting those events with positive cashflow. He said if there are 100 people going to see Jacob Paul Allen at the Barrel

House, those people aren't from Charlottesville, they are local. He added that he did not think they should be discouraging anyone, regardless of location, from going to ski or play tennis, or any activity that requires an admission for a participatory sport.

Mr. Lenahan responded that they could manipulate those numbers accordingly.

Dr. Ligon stated that she has supported revenue diversification since day one, and an event that comes to mind is the Fall Festival at Blue Toad—where she only recognized three people out of 1,000. She emphasized that the County pays to truck the trash, keep the roads up, deal with DUIs, and other event impacts; in her mind, attendees deserve to pay $1 or $2 per ticket, as the cost for all these events is higher than the TOT. Dr. Ligon added that they have to keep up the aesthetics of the area and maintain its beautiful nature, which has a cost.

Mr. Rutherford suggested that they let the committee design it and figure out the enforcement mechanism.

Dr. Ligon asked how many months the committee will have to return something to the Board to vote on.

Mr. Parr responded that this is an FY28 issue, and he can't see this being part of this year's budget. He commented that they are planning their snow routes when it's already started snowing.

Mr. Rutherford added that it's going to take some meetings with the stakeholders.

Mr. Parr said going through that TOT situation is a perfect example.

Mr. Rutherford stated that he would put a timeline on this of about six months, and he was not exaggerating when he said the TOT took a year to get stakeholders, the Commissioner of Revenue, etc. to design something and figure out how to enforce it.

Mr. Reed commented that the pushback from community members when they don't go through a process like this is never good.

Dr. Ligon acknowledged the timeline but asked that the Board be kept apprised.

Mr. Rutherford said it could be included in their monthly Board Reports, as he and Mr. Reed had done with the TOT, and he suggested leaning on staff and Maureen Kelley for coordinating this. He suggested that the EDA could be brought in also.

Ms. McGarry agreed that Ms. Kelley would be very helpful once they have parameters on the types of events and size.

Mr. Reed said that Ms. Kelley's recommendation for participants will be essential. Ms. McGarry asked if the Board would like to include someone from the event community. Mr. Reed and Mr. Rutherford agreed that they needed to hear from all stakeholders. Mr. Rutherford also suggested Wintergreen.

Mr. Rutherford suggested that the Commissioner of Revenue be engaged sooner rather than later.

Mr. Reed said it might be good to have a preliminary meeting before looping in others.

V. OTHER BUSINESS (AS PRESENTED)

The Board finished up the Reports, Appointments, Directives and Correspondence items from the afternoon session as follows:

A. Reports

1. County Administrator's Report

Ms. McGarry provided the following report:

A. DSS Building Project: Coleman-Adams is finishing foundation walls/backfilling, stubbing data pipes and under slab utilities in preparation to pour the slab mid-March. Inclement weather has impeded progress, however not substantially. Once the slab is ready, Coleman-Adams expects the pace of progress to accelerate. PMA and Coleman-Adams are working through power design changes with CVEC and the building construction work group continues to meet twice per month with project coordination going well.

Department of Social Services: Advisory Board Members have completed training and an initial meeting is being planned by Director Deshong. Ms. McGarry noted that Ms. Deshong provided a monthly report for department services data.

B. 2026 Reassessment Board of Equalization: The Board of Equalization has set and advertised their meeting schedules with dates established on eight (8) days in the first two weeks of March, including three (3) evening sessions and seven (7) days in May with three (3) evening sessions. As of March 5, 2026, the BOE has held eleven (11) hearings and their dispositions are as follows:

Change: 2
No Change: 7

Pending: 2 (BOE requested additional evidence from appellant and we are waiting to receive photos from appellant. Another appeal is being reviewed by Assessor, Gary Eanes as BOE needed guidance before making a final decision).

The BOE will provide a formal report to the Board once their work has concluded. A special thank you goes out to the BOE members and Ms. Juliana Piedra for providing her administrative assistance in doing all of the scheduling and administrative work associated with the BOE, in addition to her regular duties in County Administration.

- Mr. Reed asked if there were any meetings with property owners pending. Ms. McGarry responded that the scheduling is ongoing.

C. Transfer Station Tipping Floor Replacement: The County received five (5) sealed bids on March 4th, with bids ranging from $90,000 to $387,920. Architectural Partners is evaluating the submitted bids in order to provide the County with their recommendation for project award. The construction period is expected to be sometime between April 1 – May 31.

D. Cover the Caboose Project: After receiving several initial quotes for construction over $30,000, the purchasing policy will require the project to be put out for bids in a formal solicitation. Jerry West will be working with the Finance Department to get this done as soon as possible; this method of procurement will establish a set timeline for completion.

- Mr. Parr asked if they had to have a concept of design to get to that point. Ms. McGarry responded that they would provide a scope of work, and there is already a concept that will be provided with the solicitation.

E. Wintergreen Wastewater Treatment Plant Meeting (DEQ): In mid-February I attended a meeting at the Regional DEQ office in Harrisonburg to discuss unauthorized discharges occurring at the Service Authority's new WWTP at Wintergreen, which had been occurring intermittently last winter and in late December through early February of 2026. In addition, Service Authority staff and 2 NCSA Board members were present along with the WWTP project engineer, and a host of DEQ central and regional office staff from compliance and finance divisions.

During the meeting, the operational issues with the new plant were discussed, including the various ways that the project engineer and plant operator had attempted to correct the issues, and what the short and long-term solutions could be. Resolution to the most immediate short-term issue of eliminating the discharges from the equalization basin was discussed as the primary concern, with the solution of pumping down of the EQ basin during peak flows being the most immediately viable option. How to do this while the upcoming membrane cleaning and performance testing was being done was also discussed, given that the EQ basin needed to be full during the testing period. It was discussed that long-term solutions would be predicated on the outcome of the membrane performance testing and would likely need to take place during the off-season (March-November) when the plant operates without discharges. DEQ asked for NCSA to report back on its evaluation of what they will do under the three testing outcomes:

1) the testing passes,
2) the testing fails and plant manufacturer cooperates to fix it, or
3) it fails and the plant manufacturer does not cooperate in fixing it.

- Mr. Lenahan asked how the testing turned out, as he thought that was the end of February. Ms. McGarry responded that she has not heard yet and does not think they have actually performed it yet.

It was noted that the performance testing was part of certification of substantial completion of the project and until the project was substantially complete, the DEQ construction loan could not be closed out. DEQ also asked NCSA to provide them with timelines for short and long-term action items so that they could develop a Corrective Action Plan based on these. It was noted that the discharge was partially treated wastewater, not raw sewage because most solids making it into the EQ basin were settled at the bottom of the tank. Testing of this discharge had not been done and NCSA agreed to immediately test samples at the point of overflow and several places downstream of the creek and to provide public notification of the discharges and the results of the testing. NCSA was to continue to provide 24 hr. and weekly operational reporting to DEQ compliance staff.

Following the meeting, NCSA implemented the temporary pump and haul solution; however, some discharge during peak usage times continued due to the inability to haul the discharge to a receiver over the weekends and wet weather that exacerbated the infill and infiltration at the plant. NCSA provided public notification of the discharge issues and performed the testing; notifying me that the results showed there was no concern for downstream property owners.

In late February, DEQ staff (Brandon Kiracofe and Noel Thomas) performed an in person compliance inspection and observed overflow discharge at the EQ basin while the plant manufacturer was on site performing the membrane cleaning for the performance testing. The DEQ inspection report states that "The overflowing wastewater from the EQ basin flows through a culvert under the EQ basin access road into a wooded area. The majority of the wastewater solids observed were dispersed in this wooded area with minimal amount of wastewater reaching the unnamed tributary to the South Fork Rockfish River at the time of inspection. At several locations between the point where the EQ basin overflow enters the unnamed tributary to the area just downstream of the WWTP outfall area, small pockets of light settled solids were observed as well as some minimal solids deposition on leaves in the stream." "The South Fork Rockfish River was observed at four locations downstream of the point where the un-named tributary enters the river. No evidence of wastewater solids was observed at any of these locations. The water was running clear with a large rock and gravel bottom. Their corrective action was for NCSA to "continue sending daily status updates for the system to include the overflow status information for the EQ basin and details on any pump and haul activities conducted for the same day. Noel Thomas and Brandon Kiracofe spoke with Massie Huffman during the inspection. Ovivo was on site and in the process of completing the membrane cleaning for the upcoming membrane reactor testing."

My understanding is that there was some delay in performance testing related to less than optimal levels of microorganisms present, which would impact the results. NCSA has advised they will provide an update on the timeline when they know more.

- Mr. Lenahan said he was up there Saturday and walked, and despite the statement that "they noted no evidence of wastewater solids observed," it is probably four inches deep in the woods. He presented a baggie of waste items that he had collected during his walk.
- Mr. Reed said that as of Friday, Ovivo wasn't ready to start the testing due to unspecified reasons. He said hopefully that's happening this week, but it's up to Ovivo because they're the ones doing the testing. He said it's up to their officials, and the Service Authority pays for it.

F. NCSA Lovingston Sewer Rehabilitation Project: County staff and NCSA reviewed an update to the project's Preliminary Engineering Report, which includes expansion of the scope of work and new cost projections to include 10 additional manholes that have now been located within the project area, as well as other issues identified through use of CCTV cameras of the system in May 2025. Two alternative scopes with probable costs of $4,115,000 and $5,545,000 have been provided with $2,235,000 being the estimated cost of the original project scope. Project engineers, NCSA staff, and County staff are working with USDA/RD on how best to address this, either within the original budget, completing the most critical elements or obtaining an expanded loan from USDA/RD. **Update: The NCSA Board has authorized NCSA to apply for additional USDA/RD loan funding in the amount of $1,880,000, which would provide full funding of the first alternative scope for $4.1 M. A strategy discussed at the staff and Engineer level was that NCSA could proceed with issuing a project invitation to bid including critical items in the base bid and the remaining as add alternates; which could be accepted as funding allowed.**

G. Tire Amnesty: The last County tire amnesty day was in 2017 and we are having trouble finding specifics on that; however, it was noted in the minutes that it was held. In July 2016, there were two tire amnesty days with the same 25 tire limit but for tires 20 inches or less in diameter. There was discussion on having a day for tires up to 25 inches, but it was noted those larger tires were commercial tires and they became too large and heavy for the staff to maneuver. There was a two-day amnesty in 2015, on two Saturdays (June 20th and 27th) for residents only (no commercial) with a limit of 25 tires per household, for tires not exceeding 22 inches in diameter. It was reported at a following meeting that 17 tons of tires were collected and it cost the County about $1,800 to dispose of them. We may be able to utilize DEQ litter funds to cover the cost of a tire amnesty. Section 10-19 of the County's Solid Waste Ordinance provides this authority. Please advise if the Board would like to authorize something for 2026; staff would need a little bit of lead time just to get the trailers set up.

- Mr. Rutherford commented that this is a very affordable way to get rid of a lot of pollution, and it's worth the cost; his only concern is for people to prove they are a Nelson County resident. He said the County could earmark $4,000 or so for this effort.
- Mr. Parr said he was pleasantly surprised to see that was $1,800, even though the grant was 2017. He said this is not only beneficial to residents, but it also sends a good message.

- The Board agreed that this could be done twice per year or even once; the important part was consistency. Mr. Lenahan recalled that the Ivy landfill did it once per year. Mr. Rutherford noted that there is a facility in Appomattox that uses recycled tires for septic systems. Mr. Parr said they are also used for playgrounds.

H. Rockfish Re-Use Shed Follow-Up: Mr. Brantley has noted there are no issues to report at the Rockfish re-use shed or at any of the other sites.

I. Meals and Lodging Tax Collection & Lodging Entity Tracking: See Attached Charts - # of Lodging Units went from 838 to 844. TOT taxes collected FY to date are $2,022,813 with four (4) months remaining.

Ms. McGarry commented that she has been a little bit conservative in her projections for the end of the year because it's looking like it could be a bit higher than what is budgeted.

J. Staff Reports: Department and office reports for February/March have been provided.

- Mr. Reed said he had a couple of notes on the reports: The Commissioner of Revenue received some money from the unpaid meals tax from Seven Stars, but there was a big ticket outstanding from last month, and they did not really get an update on how much is still outstanding, which is a good thing to monitor. There was also mention in Information Systems about the short-term rental software and services, and he would like to get more information on progress and what is actually going to be monitored, especially when he is asked by constituents.
- Dr. Ligon asked why court proceeds are down from ticketing, as she had been hopeful that it was going to increase with recent changes to the system. Ms. McGarry responded that it should with consistency, but the winter months might have been harder with the weather. She said she thinks they may have overestimated it also. Ms. McGarry clarified that the County does not recoup anything if a judge fails to impose any fines, and she did not know to what degree they did that.

2. Board Reports

<u>Mr. Rutherford</u>:

Mr. Rutherford reported that he had attended the TJPDC meeting, which was very good, and that building is currently getting renovated so they met offsite. He said they discussed the major power lines going across Louisa and Fluvanna, and they had some administrative staff changes. He stated that he had also had a meeting with the Lovingston Merchants Association and they have taken a social media poll to select a sign, which has been done. He said he would be meeting with Robert Brown of VDOT to assess the feasibility of the location of the two signs, and he should have an update for the Board in April or May.

<u>Mr. Lenahan</u>:

Mr. Lenahan reported that he and Mr. Reed had a meeting with their two school representatives; they discussed space needs and it seemed like they were on board with going into Tye River. Mr. Reed stated that he had suggested that if they could be more specific beyond just square footage, that would be helpful in terms of what their needs are and the best way to get that. He said they were receptive to that and other existing possible locations.

Mr. Lenahan said that they had the Early Retirement Incentive Program (ERIP) line items under substitute teachers, the superintendent, and other categories. Ms. McGarry explained that it may be that they are putting the ERIP money under the programs for which they are serving, such as retired teachers coming back and substituting, and getting paid with those dollars.

<u>Dr. Ligon</u>:

Dr. Ligon stated that she and Mr. Rutherford had a 2x2 meeting with Ceasar Perkins and Shannon Irvin, for which they had both submitted questions. Dr. Ligon said that Mr. Perkins felt they needed to negotiate more with the budgets and would like more back and forth instead of them asking and the Board allocating. She also said they felt that meeting more often would make their process better. Dr. Ligon said she had expressed hope that if a referendum happened, she would have their support in advocating for the sales tax vote via referendum—and they both seemed supportive of that. Dr. Ligon said they expressed concern about not having more sports for young kids, but she had thought Parks and Rec was stepping up in that regard. She said they also spoke somewhat superficially about the budget. Mr. Rutherford added that they also discussed the fact that the state is going to continue to provide less money, while the student population is going to shrink. Dr. Ligon said she did not want to talk with the School Board members too much about the budget without the whole Board, but she felt they did have consensus on the buses and that $600,000 would go to buses.

Dr. Ligon reported that the Planning Commission was the same evening, and they only ended up voting on two things, which the Board will see in April. She said the Planning Commission had a consensus that mapping during the zoning rewrite was a good idea, and they have a new chair—Gary Scott.

Mr. Reed:

Mr. Reed reported that the two new School Board members, Joe Kennedy and Stacy Rush, and Mr. Lenahan were all new to these things, so he tried to give a history of how they had gotten to where they were. He said they ended up talking about things like the Larkin property. He reported that he and Mr. Rutherford also had productive 2x2 meetings with Ms. Bishop and Cody Barker, and they discussed ordinances and other matters. He mentioned that the Front Street public hearing also happened right after their last meeting.

Mr. Reed reported that they also discussed Smart Scale at TJPDC, which they coordinate and plan in terms of funding and support. He said there is some financial reorganization for the TJPDC corporation which he is the chair of. He explained that it is the nonprofit arm of the TJPDC that provides pass-through money for organizations that don't have their own 501(c)3 status. He noted that it was used to help the Here to Stay Wintergreen get started through initial grants. Mr. Reed also reported that he was at the DEQ meeting with Ms. McGarry in Harrisonburg, who had put together a stellar information line on everything that's happened so far, and he was a bit dismayed at the public comments that were made earlier that had contrary information about what a lot of those things were.

Mr. Parr:

Mr. Parr reported that the main item coming out of the last Emergency Services Council meeting was a request for the County to step up the approval process, if they are committed to an 80-20 equipment replacement schedule. He explained that the way it works now, by the time a truck gets to them for approval, they're already about two years into the process and have to start building the truck. Mr. Parr stated that it would help them plan better if they can do approvals based on their ordering schedule, not the delivery schedule. He commented that agencies are able to get a better price if they are able to lock in sooner.

Mr. Lenahan asked if they had to put a deposit down, noting that from what he sees at Rockfish, the truck prices are increasing by $100,000 or $200,000 by the time they order, with fire trucks now costing around $1.5 million.

Ms. McGarry said she was fairly certain you had to put a deposit down, and there needed to be better coordination between the EMS Council for the order and bringing it to the Board.

Mr. Parr clarified that the Council is seeking confirmation that they are committed to that program as a county. He said he had a Wintergreen firefighter at his house on another issue, and that person had heard at the firehouse that the County is doing away with the 80/20 program. Mr. Parr said he told this gentleman that was not true and asked him to convey the information back to his source.

Ms. McGarry said she had a recent conversation with Curtis Sheets about the program in general, and he indicated that at some point, agencies would be fairly well caught up on replacing old, old equipment and there could be break in sight.

Mr. Parr commented that as long as they are still committed to that program, they need to coordinate so they can take advantage of the window.

Mr. Lenahan noted that Rockfish is going to do a re-chassing of Engine 50, and since they're not putting a pumper unit on the back, perhaps the County would entertain doing 100% on the chassis part of it, as that knocks a ton of money off of it. He suggested that they look at options where they could do 80-20 on a brand new unit, then in five or six years, they can do a re-chassing and pay 100% of that chassis—then do a 80-20 on the next new one.

Mr. Parr stated that Mr. Harvey was adamant, historically, that the purpose of this program was to replace old equipment with new and not replace old with old.

Dr. Ligon also noted the rising costs in oxygen and said they may want to shop around, noting that Roberts Oxygen in Waynesboro is the brother of their current provider, who recently sold out to a large corporation.

B. Appointments

Mr. Parr moved that they **appoint Mary Kathryn Allen to** the Board of Zoning Appeals, and **James Hall** to the James River Alcohol Safety Action Program as presented. Mr. Rutherford second the motion, which passed unanimously (5-0).

C. Correspondence

1. Board of Equalization

Ms. McGarry reported that they have some correspondence from the Board of Equalization requesting a restructuring of the compensation package. She said they are currently compensated at $75 per day, which has been the case since 2005; they are requesting $200 per day going forward and retroactively from the first meeting March 2. She said she had put together some numbers on salary, their advertised schedule, and the maximum additional money within the budget to accommodate the request—which totaled $5,920.50. She noted that the Equalization Board happens once every four years, and Amherst compensates at $200 per day. She noted that an increase may help to attract more members in the future. She reported that there were only three (3) members serving, which is the minimum. She noted that the range was three to five members. She complimented the three members serving had served previously and did a great job.

The Board agreed with an increase to $150 per day.

Mr. Rutherford moved to adopt **Resolution R2026-20**, with compensation set at $150 a day. Mr. Lenahan second the motion, which passed unanimously (5-0) and the following resolution was adopted:

RESOLUTION R2026-20
NELSON COUNTY BOARD OF SUPERVISORS
BOARD OF EQUALIZATION (BOE) COMPENSATION

WHEREAS, on June 14, 2005, the Board of Supervisors resolved, that the Nelson County Board of Supervisors does hereby compensate Boards, Commissions, etc. appointed by the Board of Supervisors currently being compensated $75.00 per meeting, and

WHEREAS, said compensation has applied to appointed Boards of Equalization since that time and the Board of Supervisors now deems it appropriate to increase said compensation,

NOW THEREFORE BE IT RESOLVED, pursuant to §58.1-3375 of the Code of Virginia, 1950 as Amended, the Nelson County Board of Supervisors does hereby fix compensation for the Board of Equalization at $150/per day for time actually engaged in the duties of the Board, and

BE IT FURTHER RESOLVED, this rate of compensation shall be effective beginning with the 2026 Board of Equalization and until such time as re-established by the Board of Supervisors and pursuant to §58.1-3375 of the Code of Virginia, going forward the Board of Supervisors may limit this compensation to such number of days as in its opinion is sufficient for the completion of the work of the BOE.

D. Directives

Mr. Reed stated that he would like at their next budget work session to cover the range of possibilities for more aggressive tax relief than they currently have. He said he is not sure what they can do that they are not doing already—such as elderly and disabled and veteran relief—but it would be good to know about any other options.

Mr. Lenahan said he would like to see more transparency on their website regarding their budgets for the last five-year period and continuing onward, including line items such as the Commonwealth Attorney's Office, Sheriff's Office, etc.

Ms. Mawyer stated that this level of detail is available on the "Finance and Budget" tab, and she would provide those links.

Mr. Parr gave a shoutout to Ben Golden.

VI. ADJOURN AND CONTINUE TO MARCH 11, 2026 AT 2:00 P.M. FOR A BUDGET WORK SESSION.

At 8:49 p.m., Mr. Parr **moved** to adjourn the meeting to March 11, 2026 at 2:00 p.m. and Mr. Rutherford seconded the motion. The motion passed unanimously (5-0) and the meeting adjourned.

III B

RESOLUTION R2026-65
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2025-2026 BUDGET
August 11, 2026

I. Appropriation of Funds (General Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 29,485.85	3-100-009999-0001	4-100-031020-5419
$ 10,000.00	3-100-002404-0064	4-100-081020-7071
$ 1,032.75	3-100-003303-0107	4-100-031020-1013
$ 40,518.60		

Adopted: _______________

Attest: ______________________________ , Clerk
Nelson County Board of Supervisors

EXPLANATION OF BUDGET AMENDMENT

I. **Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line. The General Fund Appropriations of $40,518.60** include requests of **(1) $29,485.85** request to reappropriate unused FY25 Sheriff's Asset Forfeiture funds for use in FY26; **(2) $10,000.00** appropriation requested for Virginia Wine Board Toast Virginia FY26 grant funds; and **(3) $1,032.75** appropriation requested for Sheriff's DEA Task Force Grant funding for June 2026. ***The total appropriation request for this period is below the 1% of expenditure budget limit of $1,013,697.04 for June. Following approval of these expenditures, the balance of FY26 Non-Recurring Contingency will be $262,371.75. The balance of FY26 Recurring Contingency will be $26,469.04.***

3-100-9999-0001
4-100-31020-5419

Forfeited Asset Sharing Program (FASP) Annual Certification Report and Sharing Agreement

This Report must be submitted by September 30, 2025 For Fiscal Year 2025 ending on June 30, 2025

Name of Agency:	Nelson County Sheriff's Office				
Contact Person:	Taylor Martin		**Email:**	tmartin@nelsoncounty.org	
Mailing Address:	P.O. Box 38		Lovingston	VA	22949
	(Street)		*(City)*		*(Zip Code)*
Phone #:	434-263-7054	**Federal ID #:**	54-6001441	**Fax #:**	434-263-7056

Summary of Asset Forfeiture Fund Activity

			Funds
1.	Beginning Asset Forfeiture Fund Balance ***Must agree to prior FY Annual Report's Ending Balance in line 10***	1	$33,190.66
2.	State Asset Forfeiture Funds Received from DCJS ***Must agree to total on Disbursal Amount Report***	2	$6,012.18
3.	State Asset Forfeiture Funds Received from DCJS as the Fiscal agent for a Task Force	3	$0.00
4.	Other Income (Transfers from other agencies) ***Attach itemized list***	4	$0.00
5.	Other Income (Auction Proceeds after one year, Forfeiture Proceeds under $500.00, etc.) ***Attach itemized list***	5	$0.00
6.	Interest Income Accrued ***Attach documentation***	6	$0.00
7.	Adjustment to income that was not reported on a prior fiscal year Certification Report ***Attach explanation***	7	$0.00
8.	Total Asset Forfeiture Funds (total of lines 1-7) **THIS ROW AUTO CALCULATES BY FORMULA**	8	$39,202.83
9.	**State Forfeiture Funds Spent (totals line L) DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA**	9	$9,716.98
10.	Asset Forfeiture Fund Balance. **(This amount must be in agreement with the balance of the locality's Treasurer's accounts at the end of the fiscal year.) This row auto calculates by formula.**	10	$29,485.85

Summary of Monies Spent: Keep invoices for your records and for audit purposes; *do not send to DCJS*.

a.	Total spent on salaries and contracted services (for details, see instructions) ***Attach itemized list***	a.	$7,550.00
b.	Total spent on informants and "buy money" ***Attach itemized list***	b.	$0.00
c.	Total spent on travel and training ***Attach itemized list***	c.	$0.00
d.	Total spent on communications, computers, and electronic surveillance equipment ***Attach itemized list***	d.	$1,576.00
e.	Total spent on firearms, weapons, body armor and protective equipment ***Attach itemized list***	e.	$00.00
f.	Total spent on matching grants ***Attach itemized list***	f.	$0.00
g.	Total spent on contributions to community-based organizations or expenditures to strengthen relationships ***Attach itemized list and***	g.	$104.03
h.	Total spent on buildings and improvements ***Attach itemized list***	h.	$206.57
i.	Total spent on other law enforcement expenses ***Attach itemized list***	i.	$281.38
j.	Total transfers to other law enforcement agencies ***Attach list of of recipients***	j.	$0.00
k.	Adjustment to Monies Spent that was not reported on a prior fiscal year Annual Certification Report ***Attach explanation***	k.	$0.00
l.	**Total of Monies Spent (totals equal line a-k) DO NOT POPULATE - THIS ROW AUTO CALCULATES BY FORMULA**	l.	$9,716.98

Supplemental Information

1.	Total forfeited amounts sent to the Virginia Literary Fund	1	$0.00
2.	Total forfeited amounts received from the Federal Equitable Sharing Program *See instructions for details*	2	$0.00

Certification

The undersigned certifies that the information on this report is an accurate account of funds received and spent by the law enforcement agency during this reporting period. The undersigned certifies that all monies received have been deposited and accounted for consistent with applicable state laws, FASP regulations, and court orders, and that all property transferred and all proceeds have been used to promote law enforcement and have not supplanted existing funds.

Mark E. Embrey		Candice McGarry	
Name	**Sheriff** Date: 8-13-2025	**Name**	**County Administrator** Date: 8/4/2025
[signature]		Candice W. McGarry	
Signature		**Signature**	
Neely Hull		Grace Mawyer	
Name	***County Treasurer*** Date: 8-5-2025	**Name**	***Director of Human Resources & Finance*** Date: 8/4/2025
Neely S. Hull		Grace Mawyer	
Signature		**Signature**	

Company No: 001 Account Number: 3100 2404 64 Period:

Date: 8/06/26 Virginia Wine Board Grant Time: 1641

Budget Amount	Year To Date	Encumbrances	Balance
$18,945.00-	$28,945.00-	$.00	$10,000.00

Date	Source		Reference Number	PO#	Amount	Period	Description
09182025	CS	1	20250918		$500.00-	202509	-TREASURER CASH REPORT-
04092026	CS	1	20260409		$500.00-	202604	-TREASURER CASH REPORT-
********			G/L Year-To-Date-		$1,000.00-		
********			Encumbrance-				
********			A/P Holding File-				
********			P/R Holding File-				
********			U/T Holding File-				
07242026	CS	1	20260724		$17,945.00-	202607	-TREASURER CASH REPORT-
08052026	CS	1	20260805		$10,000.00-	202608	-TREASURER CASH REPORT-
********			A/R Holding File-		$27,945.00-		
********			G/L Holding File-				
********			S/S Holding File-				
********			INV Holding File-				
08122025	BS	1	0000444		$17,945.00-	202508	FY26 VA WINE BOARD GRANT 05197
03102026	BS	1	0000453		$1,000.00-	202603	FY26 VA WINE BOARD GRANT 05273
********			Budget Amount-		$18,945.00-		

3-100-002404-0064

4-100-081020-7071

VIRGINIA WINE

Virginia Wine Board Marketing Office

Virginia Wine Marketing Fund Fiscal Year 2024/2025

Virginia Wine Board FY 2024/2025 Matching Grant Cover Page

PROGRAM NAME: Toast Virginia

LEAD PARTNER: Nelson County / Virginia Wine Coalition

Please provide a brief (one to two sentences) summary of your program: This grant will fund a vital counter-campaign against the neo-prohibitionist threat targeting Virginia's wine industry, primarily composed of vulnerable family-run businesses. We will develop compelling marketing materials, including high-quality visuals and engaging narratives, to showcase wine's integral role in Virginia's cultural, culinary, and social fabric.

BUDGET OF PROPOSED PROGRAM

Leveraging Funds Requested	$6,000.00
Partner's Matching Funds (**1:1 Match**)	$6,000.00
Total Budget for Program	$12,000.00

ANTICIPATED DATE OF PROGRAM COMPLETION: May 30th, 2026

Have you applied for other grants (private, state or federal) for the enclosed initiative?

- ☐ **YES**
- ☐ No

If so, when and what was the amount? As of March 15th, 2025, $10,000 of funding has been requested for the "Toast Virginia" Campaign from the Virginia Tourism Corporation. Funding decisions pending until April 2025. If approved, these funds will expand the amount of asset development possible and support additional industry engagement.

Grace Mawyer

From:	Neely Hull
Sent:	Tuesday, July 28, 2026 8:09 AM
To:	Sandy Neblett; Holly Henderson
Cc:	Grace Mawyer
Subject:	RE: July DEA reimbursement request sent today

(FY26)
3-100-3303-0107
4-100-31020-1013

JUL 27 2026

015 TREAS 310/MISC PAY RMR*IV*0501202[redacted]PI*1032.75\ NELSON CO

546001441151100

Amount: one thousand, thirty two dollars and seventy five cents $1,032.75

DEATF

From: Sandy Neblett <sneblett@nelsoncounty.org>
Sent: Thursday, July 2, 2026 1:23 PM
To: Neely Hull <nhull@nelsoncounty.org>; Holly Henderson <hhenderson@nelsoncounty.org>
Cc: Grace Mawyer <gmawyer@nelsoncounty.org>
Subject: July DEA reimbursement request sent today

The DEA request for reimbursement in the amount of $1,032.75 for the month of June was submitted today. Let us know once it is received - thanks

Sandy Neblett
Nelson County
Finance and HR Specialist
Payroll/Benefits Administrator
PO Box 336, Lovingston, VA 22949
(P) 434.2637137 (F) 434.263.7134
sneblett@nelsoncounty.org
www.nelsoncounty-va.gov

June 30, 2026

TO: Special Agent in Charge
Washington Field Division
Drug Enforcement Administration
800 K Street, NW, Room 500
Washington, D.C. 20001

From: County of Nelson
PO Box 336
Lovingston, VA 22949

Subject: Overtime Reimbursement for period ending May 28, 2026

Invoice number: 0501202[redacted]

In accordance with the current State/Local Task Force agreement, the Nelson County Sheriff's Office hereby requests reimbursement of $1,032.75 for overtime incurred from 05/01/2026 to 5/28/2026 for the below listed law enforcement personnel from the County of Nelson Sheriff's Office. The officer received payment for these hours on 6/30/2026. Federal ID# 54-6001441.

Officer's Name: [redacted] worked 27 Overtime hours at a rate of $38.25 an hour totaling $1,032.75.

Reimbursement should be made directly to: County of Nelson, PO Box 336, Lovingston, VA 22949

I certify that the funds requested are for overtime expenses incurred by personnel identified in the Task Force Agreement currently in effect.

Certified: ______________________ Date
Resident Agent in Charge

Certified: [signature] 7/2/2026
Sheriff of County of Nelson Date

Certified: Sandy Neblett 6/30/26
Payroll Verification Date

III C

RESOLUTION R2026-66
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2026-2027 BUDGET
August 11, 2026

I. Appropriation of Funds (General Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 324.11	3-100-001899-0017	4-100-031020-5803
$ 324.11		

II. Appropriation of Funds (School Textbook Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 208,317.02	3-206-009999-0001	4-206-061100-9401
$ 208,317.02		

III. Transfer of Funds (General Fund Departmental)

Amount	Credit Account (-)	Debit Account (+)
$ 68,882.00	3-100-002404-0009	3-100-003303-0036
$ 5,000.00	4-100-043020-5407	4-100-043020-5408
$ 600,000.00	4-100-093100-9205	4-100-093100-9203
$ 673,882.00		

IV. Transfer of Funds (General Fund Non-Recurring Contingency)

Amount	Credit Account (-)	Debit Account (+)
$ 1,232.60	4-100-999000-9905	4-100-011010-7002
$ 1,232.60		

Adopted: ______________ Attest: ______________________________, Clerk
Nelson County Board of Supervisors

<u>EXPLANATION OF BUDGET AMENDMENT</u>

I. **Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line. The General Fund Appropriations of $324.11** includes a request of **(1) $324.11** appropriation requested for Sheriff's Fundraising Account funds received in July 2026. ***The total appropriation request for this period is below the 1% of expenditure budget limit of $874,451.50 for August.***

II. **The School Textbook Fund Appropriation reflects an appropriation request of $208,317.02** in actual ending FY26 Textbook Fund balance that was higher than anticipated. This request appropriates the funds within the FY27 Textbook Fund as revenue (carryover) and to the School Textbook Payments-Instruction expenditure line of the Textbook Fund Budget. ***The total appropriation request for this period is below the 1% of expenditure budget limit of $874,451.50 for August.***

III. **Transfers represent funds that are already appropriated in the budget, but are moved from one line item to another. Transfers do not affect the bottom line of the budget. General Fund Departmental Transfers of $673,882.00 are requested as follows: (1) $68,882.00** transfer from Victim Witness federal funds to state funds to properly account for FY27 grant funding; **(2) $5,000.00** transfer from Maintenance Supplies line to Vehicle Upfitter Supplies line to establish budgeted expenditure line for the new Upfitter Position; and **(3) $600,000.00** transfer from Transfer to School (Buses) line to Transfer to School Fund-Operations line to remove restriction of those funds per Board vote during July 14th, 2026 meeting.

IV. **Transfers represent funds that are already appropriated in the budget, but are moved from one line item to another. Transfers do not affect the bottom line of the budget. Transfers from General Fund Non-Recurring Contingency in the amount of $1,232.60** are requested for **(1) $1,232.60** to cover the unbudgeted purchase of chairs for the Board of Supervisors. ***Following approval of these expenditures, the balance of Non-Recurring Contingency will be $410,067.40. The balance of Recurring Contingency will be $1,044,910.00..***

Company No: 001   Account Number: 3100   1899 17   Period:
Date: 8/07/26   Sheriff's Fundraising Account   Time: 1145

Budget Amount	Year To Date	Encumbrances	Balance
$23,213.09-	$23,553.40-	$.00	$340.31

3-100-1899-0017
4-100-31020-5803

Date	Source	Reference Number	PO#	Amount Period	Description
10072025	CS 1	20251007		$9,236.89-202510	-TREASURER CASH REPORT-
10102025	CS 1	20251010		$10.00-202510	-TREASURER CASH REPORT-
10162025	CS 1	20251016		$4,000.00-202510	-TREASURER CASH REPORT-
11072025	CS 1	20251107		$295.00-202511	-TREASURER CASH REPORT-
11132025	CS 1	20251113		$108.00-202511	-TREASURER CASH REPORT-
11212025	CS 1	20251121		$1,110.00-202511	-TREASURER CASH REPORT-
11252025	CS 1	20251125		$81.00-202511	-TREASURER CASH REPORT-
12042025	CS 1	20251204		$355.00-202512	-TREASURER CASH REPORT-
12102025	CS 1	20251210		$3,100.00-202512	-TREASURER CASH REPORT-
12112025	CS 1	20251211		$1,500.00-202512	-TREASURER CASH REPORT-
12172025	CS 1	20251217		$200.00-202512	-TREASURER CASH REPORT-
12302025	CS 1	20251230		$300.00-202512	-TREASURER CASH REPORT-
04242026	CS 1	20260424		$290.00-202604	-TREASURER CASH REPORT-
04302026	CS 1	20260430		$160.00-202604	-TREASURER CASH REPORT-
05052026	CS 1	20260505		$200.00-202605	-TREASURER CASH REPORT-
05072026	CS 1	20260507		$80.00-202605	-TREASURER CASH REPORT-
05142026	CS 1	20260514		$720.00-202605	-TREASURER CASH REPORT-
05202026	CS 1	20260520		$1,200.00-202605	-TREASURER CASH REPORT-
05282026	CS 1	20260528		$80.00-202605	-TREASURER CASH REPORT-
06052026	CS 1	20260605		$90.00-202606	-TREASURER CASH REPORT-
06232026	CS 1	20260623		$17.20-202606	-TREASURER CASH REPORT-
06262026	CS 1	20260626		$80.00-202606	-TREASURER CASH REPORT-
********		G/L Year-To-Date-		$23,213.09-	
********		Encumbrance-			
********		A/P Holding File-			
********		P/R Holding File-			
********		U/T Holding File-			
07062026	CS 1	20260706	$324.11	$276.91-202607	-TREASURER CASH REPORT-
07102026	CS 1	20260710		$20.00-202607	-TREASURER CASH REPORT-
07212026	CS 1	20260721		$27.20-202607	-TREASURER CASH REPORT-
08052026	CS 1	20260805		$16.20-202608	-TREASURER CASH REPORT-
********		A/R Holding File-		$340.31-	
********		G/L Holding File-			
********		S/S Holding File-			
********		INV Holding File-			
10142025	BS 1	0000446		$9,236.89-202510	FY26 SHER FUNDRAISING ACC05223
11132025	BS 1	0000447		$4,010.00-202511	FY26 SHERIFF FUNDRAISING 05233

NELSON PUBLIC COUNTY SCHOOLS

Nelson County Public Schools

July 20, 2026

Mrs. Candy McGarry
County Administrator
County of Nelson
84 Courthouse Square
Lovingston, VA 22949

Subject: Request for Adjustment to the FY 2026–2027 General Operating Budget Appropriation and Textbook Account

Dear Mrs. McGarry:

I respectfully request that the Nelson County Board of Supervisors adjust its appropriation for the Fiscal Year 2026–2027 General Operating Budget to provide for a total budget of **$33,658,514**.

The requested General Operating Budget is composed of the following anticipated revenue sources:

- Anticipated State Funding: **$6,480,313**
- Sales Tax Revenue: **$2,556,206**
- Federal Grants: **$2,351,990**
- Funds from Other Sources: **$751,091**
- County of Nelson Appropriation: **$21,518,914**

These funding sources total **$33,658,514**.

In an effort to develop a fiscally responsible budget while minimizing the impact on students, the School Board made significant reductions to its proposed FY 2026–2027 budget. These reductions include the elimination of three teaching positions and two custodian positions, as well as reductions to and, where necessary, the elimination of certain fringe benefit programs. Additional reductions have been made within the Division's Transportation, Maintenance, and Technology Departments, requiring those departments to continue providing essential services with fewer resources.

Despite these difficult reductions, we are grateful to be able to include a **3.5% cost-of-living adjustment (COLA)** to our salary scales for all staff members. This adjustment represents an important investment in the dedicated employees who serve the students of Nelson County each day. It will allow the Division to remain competitive with neighboring school divisions and other employers as we seek to recruit and retain highly qualified personnel and fill critical positions across the Division. In today's competitive labor market, maintaining competitive compensation is essential to ensuring that our students continue to receive the high-quality educational services they deserve.

These reductions and targeted investments reflect a careful effort to balance fiscal responsibility with the need to support students and employees. However, the loss of state funding attributable to the increased Composite Index has created financial challenges that cannot be fully addressed through expenditure reductions alone. We are especially thankful for your support and advocacy in working through this very difficult budget cycle.

In regard to the Capital Improvement Fund, we understand the Fund Balance to be $1,285,183 with funding derived from funds returned to the County from the Nelson County School Board relating to Carryover Funds from the 2024/2025 school year ($984,683) and funds previously set aside for future school division CIP needs ($300,500). These funds would be available for CIP projects approved by the Nelson County School Board with the understanding that 2 projects have currently been identified with exact pricing to be determined namely bus replacement and replacement of the RTU 2 HVAC Unit at Rockfish River Elementary School. The balance will remain in the fund for use for future CIP projects at the School Board's discretion.

In order to reconcile the previous appropriation made by the Board of Supervisors, the following adjustment would need to be made:

School Operating Budget reduced to $33,658,514 from $33,721,376	-$62,862
Composed of the following:	
Anticipated State Funding	$33,685
Sales Tax Revenue	- $73,589
Federal Grants:	0
Funds from Other Sources:	-$22,958
County of Nelson:	0

In addition to adjustments to our Regular Operating Budget, please adjust our Textbook budget by the difference between our Anticipated Beginning Balance and the Actual Beginning Balance. Previously we communicated to you that the anticipated FY 26 ending balance would be $24,000. Due to timing, and the use of All-in Funds instead of Textbook Funds to purchase instructional materials, our ending balance was actually $417,948.51 on a cash basis or $232,317.02 on an accrual basis. Please appropriate the remaining $208,317.02 balance on an accrual basis to the Textbook Fund.

Attached you will find our revised budget synopsis with a more detailed explanation of planned revenues and expenditures and a copy of our Textbook Account Spreadsheet and Bank Statement for June, 2026. Please let me know if you have any questions or would like to discuss this matter further.

Respectfully,

Dr. Amanda Hester
Division Superintendent

Enclosures:
Budget Synopsis
Capital Fund Breakdown
Textbook Account Bank Statement
Textbook Account Usage Fy 25/26

COMMONWEALTH of VIRGINIA

Department of Criminal Justice Services

Ashaki McNeil
Director

Harvey Powers
Chief Deputy Director

Washington Building
1100 Bank Street
Richmond, Virginia 23219
(804) 786-4000
www.dcjs.virginia.gov

FY27 Budget:
$68,882 (3303-0036) Fed.
26,967 (2404-0009) State
$95,849

June 26, 2026

Mrs. Candice McGarry
County Administrator
84 Courthouse Square
Lovingston,Virginia 22949

* Transfer $68,882 to State line *

RE: 564573-SFY2027 Victim Witness Grant Program (Non-Competitive)

Dear Mrs. Candice McGarry:

We are pleased to inform you that your organization has been awarded a grant under the funding opportunity listed above. Your DCJS grant award number is **27-O1105VW27** and was approved for a total budget of **$82,122**, through state funding. The project period is **7/1/2026** through **6/30/2027**.

Included with this letter is your Statement of Grant Award/Acceptance (SOGA), Special Conditions, Reporting Requirements, and Projected Due Dates. Please review these materials carefully. In addition, there may be Encumbrances, action items related to your grant award, that require your immediate attention. If applicable, these must be addressed and submitted through the On-line Grants Management System (OGMS) at https://ogms.dcjs.virginia.gov.

We are committed to supporting you throughout the life of your grant and are available to assist in any way to help ensure your project's success. To formally accept the award and its conditions, please sign the enclosed Statement of Grant Award/Acceptance (SOGA) and return it electronically within 60 days to grantsmgmt@dcjs.virginia.gov. If you have questions, contact your DCJS Grant Monitor **Kelly Carpenter** at **804-659-2750** or via email at **kelly.carpenter@dcjs.virginia.gov**.

Sincerely,

Ashaki McNeil

Ashaki McNeil
Director

FUND #-100 GENERAL FUND REVENUES

		FY/2023 REVENUE	FY/2024 REVENUE	FY/2025 REVENUE	ADOPTED FY/2026 BUDGET	AMENDED FY/2026 BUDGET	2026/06 ACTUAL	DEPT FY/2027 REQUEST	ADMIN FY/2027 RECOMMENDS	ADOPTED FY/2027 BUDGET
	***CATEGORICAL AID - FEDERAL									
003303-0016	Recreational Trails Prg (20.									
003303-0020	HUD Grant (Roof-Rockfish)									
003303-0021	Domestic Preparedness Grant									
003303-0022	Law Enforcement Terrorism Pr									
003303-0023	State & Community Hwy. Safet									
003303-0024	DOJ Recovery Ct Implementati		79,525-	110,869-	172,000-	172,000-	141,374-	172,000-	172,000-	172,000-
003303-0025	Sheriff's Byrne Grant (16.73			10,402-		17,640-	17,640-			
003303-0026	SCAAP (Federal Prisoners)	7,677-	176-							
003303-0030	TEA-21 (Trail)									
003303-0031	SAFETEA-LU High Priority (Tr									
003303-0035	Public Safety Interoperabili									
003303-0036	Victim Witness Program	59,165-	45,840-	43,585-	53,124-	68,882-	34,542-	68,882-	68,882-	68,882-
003303-0037	Miscellaneous Federal Revenu		2,122-							
003303-0040	Federal CARES Act Funding-CO									
003303-0041	Federal COVID Utility Assita									
003303-0042	Fed American Rescue Plan Act									
003303-0043	ARPA Tourism Recovery Funds		82,000-	38,000-						
003303-0044	Local Asst Tribal Consis Fnd	50,000-	50,000-							
003303-0045	DSS - COVID19 Federal Fundin	9,146-	10,886-	4,892-			6,016-			
003303-0046	Sheriff's Dept ARPA Federal		248,806-	43,185-						
003303-0050	VDEM Homeland Security CFDA			21,319-		10,891-	10,891-			
003303-0051	VDEM Public Assist Prog CFDA					15,449-	15,449-			
003303-0054	VDEM Homeland Security CFDA									
003303-0055	Homeland Security-EMPG-CFDA	7,500-	7,500-	9,193-						
003303-0056	ARPA - Law Enforcement									
003303-0057	CSA SSBG Federal									
003303-0100	Recovery Act BJA Byrne JAG G									
003303-0105	Treasury Forfeiture Fund 21.									
003303-0106	Federal Asset Seizure 16-DEA									
003303-0107	Federal DEA Task Force (Sher			17,304-		18,659-	14,741-			
003303-0200	FEMA-Disaster Relief									
003303-0231	DHCD Planning Grant (Federal									
003303-0240	USDA Specialty Crop Grant									
003303-0250	Rural Dev. Community Facilit									
	--TOTAL DEPARTMENT--	978,662-	1,415,612-	1,264,886-	1,310,121-	1,439,066-	1,185,034-	1,272,003-	1,272,003-	1,272,003-
	REVENUE FROM FEDERAL GOV'T	1,058,026-	1,500,019-	1,352,067-	1,310,121-	1,439,066-	1,185,034-	1,272,003-	1,272,003-	1,272,003-
004000	OTHER FINANCING SOURCES									
004101	***NON-REVENUE RECEIPTS***									
004101-0001	Insurance Recoveries	959-								
004101-0002	Sale of Land & Buildings									
004101-0005	Cancelled Checks - General	27-	9,286-	2,437-		21,242-	21,243-			
004101-0006	Cancelled Checks - VPA									
004101-0007	Cancelled Checks - School									
	--TOTAL DEPARTMENT--	986-	9,286-	2,437-		21,242-	21,243-			

Grace Mawyer

From: Jeff Brantley
Sent: Thursday, July 23, 2026 11:55 AM
To: Grace Mawyer
Subject: Re: New line item-Vehicle upfitter supplies

That should work great, thank you Grace!
Sent from my iPhone

> On Jul 23, 2026, at 11:25 AM, Grace Mawyer <gmawyer@nelsoncounty.org> wrote:
>
> Hey Jeff,
>
> I made a new line item in your budget for purchases associated with the Vehicle Upfitter position: 43020-5408
> Did you say you'd like $5,000 budgeted in the new line? If so, I can do a transfer from your regular maintenance supplies line.
>
> Grace

43020-5407 → 43020-5408

FUND #-100 ***BUILDINGS AND GROUNDS***

		FY/2023 EXPENSE	FY/2024 EXPENSE	FY/2025 EXPENSE	ADOPTED FY/2026 BUDGET	AMENDED FY/2026 BUDGET	2026/08 ACTUAL	DEPT FY/2027 REQUEST	ADMIN FY/2027 RECOMMENDS	ADOPTED FY/2027 BUDGET
043020	***BUILDINGS AND GROUNDS***									
043020-1001	Salaries & Wages	275,712	312,987	317,411	332,729	348,346	386,251	347,148	347,148	347,148
043020-1002	Overtime	953	951	5,463	3,000	3,000	4,307	3,000	3,000	3,000
043020-1003	Part-time Wages		86	107			3,485			
043020-1004	New Facility Custodial									
043020-1005	Emergncy Vehic Upfitter/Radi						6,265	101,109	101,109	101,109
043020-2001	FICA	20,607	23,654	24,250	25,683	25,683	29,981	26,786	26,786	26,786
043020-2002	Retirement-VRS	25,899	17,902	19,596	35,835	35,835	20,924	19,522	19,522	19,522
043020-2005	Hospital/Medical Plans	48,557	48,917	61,570	70,020	70,020	77,634	70,020	70,020	70,020
043020-2006	Group Insurance	3,722	3,728	3,708	3,926	3,926	4,458	3,680	3,680	3,680
043020-2009	Hybrid Disability VLDP	441	1,038	979	922	922	1,395	1,324	1,324	1,324
043020-2011	Worker's Compensation	3,313	4,896	5,420	5,420	5,777	5,778	5,777	5,777	5,777
043020-2013	VRS Retirement Hybrid Plan	5,957	14,005	16,620	4,360	4,360	23,412	24,078	24,078	24,078
043020-3005	Contracted Services	32,567	18,857	34,343	37,000	37,000	26,041	50,000	50,000	50,000
043020-3006	Maintenance Agreements	23,726	33,242	35,407	51,000	51,000	46,066	51,000	51,000	51,000
043020-3007	Maintenance-Health Care Faci									
043020-5100	Electrical Service	176,574	180,474	186,605	186,400	186,400	201,868	186,400	186,400	186,400
043020-5102	Heating Fuel									
043020-5103	Water and Sewer	12,610	12,127	17,624	17,000	17,000	18,262	17,000	17,000	17,000
043020-5203	Telecommunications	2,309	1,662	1,387	2,500	2,500	1,746	2,500	2,500	2,500
043020-5308	Insurance (Property/liabilit	30,246	31,075	30,761	32,000	32,000	33,209	33,209	33,209	33,209
043020-5401	Office Supplies									
043020-5403	Agricultural Supplies& Servi	22,031	23,610	31,557	32,000	32,000	37,382	32,000	32,000	32,000
043020-5405	Janitorial Supplies	14,299	11,862	8,388	13,500	13,500	15,651	15,000	15,000	15,000
043020-5407	Maintenance Supplies	46,440	21,949	26,554	41,000	41,000	34,637	41,000	41,000	41,000
043020-5408	Vehicle Upfitter Supplies									
043020-5410	Uniforms	2,433	1,765	2,256	3,000	3,000	3,397	3,000	3,000	3,000
043020-5423	Pest Control	4,850	3,370	3,630	5,400	5,400	3,945	5,400	5,400	5,400
043020-5501	Travel (Mileage)									
043020-5506	Education/Training		106		2,000	2,000	100	2,000	2,000	2,000
043020-7001	Machinery & Equipment	12,626	2,100	2,766	3,500	3,500	14,122	3,500	3,500	3,500
043020-8002	Rent/Lease	93,217	106,865	110,839	113,813	113,813	122,871	114,873	114,873	114,873
043020-8003	NMS Maintenance									
043020-8004	RVCC Maintenance									
043020-8005	Wayside Maintenance									
043020-8006	Snow Removal	17	780	1,027	1,500	1,500	1,500	1,500	1,500	1,500
043020-8007	UST Removal (NCHS)									
043020-8101	Repair/Replacement Insurance									
	--TOTAL DEPARTMENT--	859,106	878,008	948,268	1,023,508	1,039,482	1,124,687	1,160,826	1,160,826	1,160,826
	BUILDINGS AND GROUNDS	859,106	878,008	948,268	1,023,508	1,039,482	1,124,687	1,160,826	1,160,826	1,160,826
	-TOTAL FOR FUND	859,106	878,008	948,268	1,023,508	1,039,482	1,124,687	1,160,826	1,160,826	1,160,826
	- FINAL TOTAL	859,106	878,008	948,268	1,023,508	1,039,482	1,124,687	1,160,826	1,160,826	1,160,826

FUND #-100 GENERAL FUND EXPENDITURES

		FY/2023 EXPENSE	FY/2024 EXPENSE	FY/2025 EXPENSE	ADOPTED FY/2026 BUDGET	AMENDED FY/2026 BUDGET	2026/06 ACTUAL	DEPT FY/2027 REQUEST	ADMIN FY/2027 RECOMMENDS	ADOPTED FY/2027 BUDGET
093100	***TRANSFERS***									
093100-0121	Transfers to Emerg.Serv. Loa									
093100-9101	Transfer to Reassessment Fun	85,000	85,000	100,000				105,000	105,000	105,000
093100-9110	Transfer to Capital Fund							984,683	984,683	984,683
093100-9114	Transfer to Broadband Fund									
093100-9201	Transfer to VPA Fund	1,590,126	2,111,079	2,111,235	2,111,235	2,111,235	2,111,235	2,144,252	2,144,252	2,144,252
093100-9202	Transfer to School (Nursing	164,935	164,935	164,935	164,935	164,935	164,935	164,935	164,935	164,935
093100-9203	Transfer to School Fund-Oper	15,493,034	22,037,013	19,369,419	19,918,914	19,918,914	19,918,914	20,753,979	20,753,979	20,753,979
093100-9204	Transfer to Debt Service Fun	6,341,318	3,325,284	3,325,284	3,325,284	3,325,284	3,325,284	3,325,284	3,325,284	3,325,284
093100-9205	Transfer to School(Buses)				600,000	600,000	600,000	600,000	600,000	600,000
093100-9206	Transfer to School (Capital)									
093100-9207	Transfer to Pin.Riv.Water/Se	76,442		350,000		72,000				
093100-9208	Transfer to Piney River 3 Pr									
093100-9209	Transfer to Courthouse Proje									
093100-9210	Transfer To Street Light Fun									
093100-9215	Transfer to School (Civil Ri									
093100-9503	Transfer to CDBG Fund									
	--TOTAL DEPARTMENT--	23,750,855	27,723,311	25,420,873	26,120,368	26,192,368	26,120,368	28,078,133	28,078,133	28,078,133
	TRANSFERS	23,750,855	27,723,311	25,420,873	26,120,368	26,192,368	26,120,368	28,078,133	28,078,133	28,078,133
094000	CAPITAL PROJECTS									
094100	***LIBRARY EXPANSION***									
094100-3002	Bond Issuance Expense									
094100-3003	Testing and Inspection Servi									
094100-3140	Architectural Services									
094100-3141	ASA-001 Site Analysis									
094100-3142	ASA-002 Boundary Survey Libr									
094100-3143	ASA-003 Bid Alternate MEP Sp									
094100-3144	ASA-004 Bid Alt Surge Suppre									
094100-3160	Construction Services									
094100-3161	Inspection Services									
094100-7002	Furnishings									
094200	***COUNTY OFFICE BUILDING***									
094200-3002	Bond Issuance Exp (DSS BAN20		43,929							
094200-3003	Testing and Inspection Servi		6,293							
094200-3004	Bond Issuance Exp (NCHS BAN2		43,929							
094200-3140	Architectural Services	96,033	112,641							
094200-3160	Construction Services									
094200-7002	Furnishings									
	--TOTAL DEPARTMENT--	96,033	206,792							
	CAPITAL PROJECTS	96,033	206,792							
095100	***LARKIN PROPERTY BAN***									

Grace Mawyer

Subject: FW: new chair options for BOS

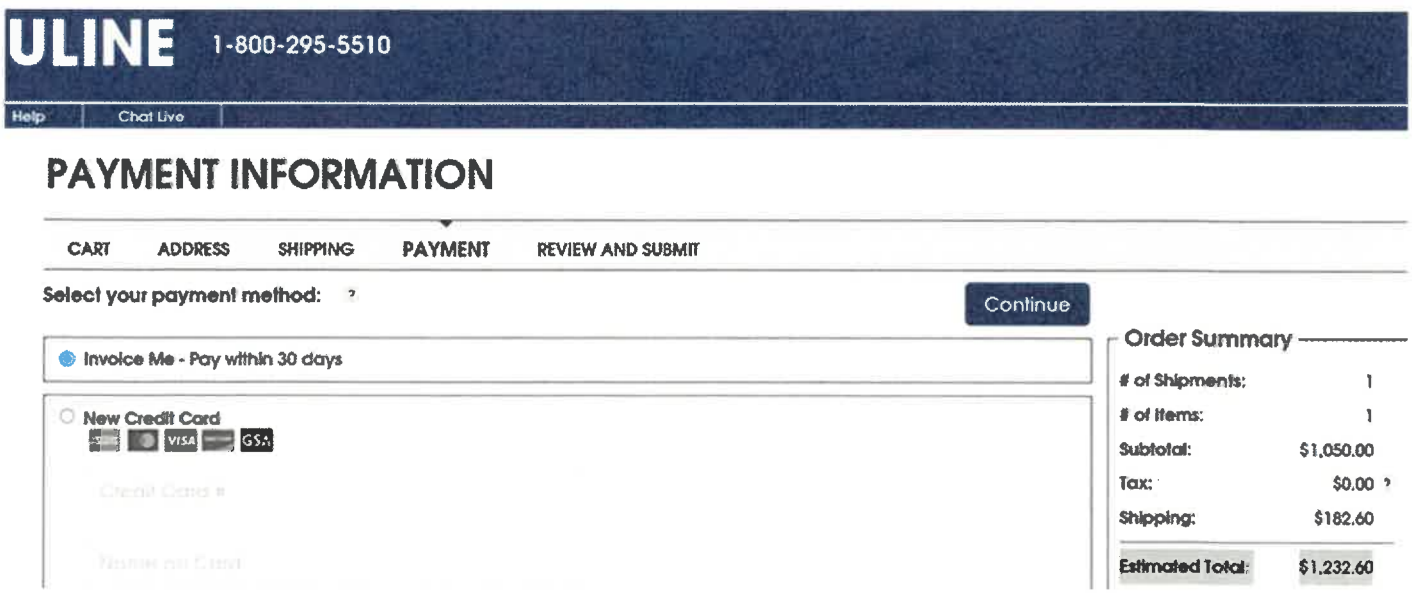
From: Candy McGarry <CMcGarry@nelsoncounty.org>
Sent: Thursday, July 16, 2026 9:47 AM
To: Juliana Piedra <jpiedra@nelsoncounty.org>
Cc: Grace Mawyer <gmawyer@nelsoncounty.org>
Subject: RE: new chair options for BOS

Yes please on credit card and we should have Grace add a furniture and fixtures line to the BOS budget 11010-7002 and then have this money appropriated from Non-recurring contingency in the August budget amendment. Thank you!

From: Juliana Piedra <jpiedra@nelsoncounty.org>
Sent: Thursday, July 16, 2026 9:35 AM
To: Candy McGarry <CMcGarry@nelsoncounty.org>
Subject: RE: new chair options for BOS

Candy,

Would you like to me use your county credit card or invoice for this purchase? The Estimated Total: $1,232.60 for 6 chairs. What expenditure line should I use?



Thank you,
Julie

From: Amanda Spivey
Sent: Wednesday, July 15, 2026 3:05 PM

RESOLUTION R2026-67
NELSON COUNTY BOARD OF SUPERVISORS
RECOGNITION OF ANIMAL CONTROL OFFICER JESSEE JOHNSON AND SHERIFF'S DEPUTY WILLIAM BROWN

WHEREAS, in April 2026 a Nelson County family's worst fears occurred when their nonverbal four-year old with autism eloped from their home in Faber, despite having multiple security measures in place; and

WHEREAS, off-duty Animal Control Officer Jessee Johnson was traveling on Route 6 in Faber when he astutely spotted the young child near the roadway, over a half-mile from home; and

WHEREAS, Officer Johnson's decisive actions allowed him to safely secure the child in his vehicle, and his keen attention to detail led him to notice the child's Project Lifesaver bracelet; and

WHEREAS, Officer Johnson immediately contacted Sheriff's Deputy William Brown, who in his specialized training and dedication to Project Lifesaver, was able to quickly identify the family based on the bracelet color; and

WHEREAS, due to the exemplary coordination and rapid response of Officer Johnson and Deputy Brown, a young boy was safely returned home to his family in less than ten minutes;

NOW THEREFORE BE IT RESOLVED by the Nelson County Board of Supervisors that Animal Control Officer Jessee Johnson and Deputy William Brown are hereby formally recognized and commended for their heroic and life-saving actions; and

BE IT FURTHER RESOLVED that this Board extends its sincere gratitude to the Feasey family for sharing their story, ensuring that Officer Johnson and Deputy Brown's outstanding public service could be formally recognized.

Approved: August 11, 2026　　　　Attest:_____________________________,Clerk
Nelson County Board of Supervisors

IV B

BOARD OF
SUPERVISORS

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

A. CAMERON LENAHAN
North District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

GRACE E. MAWYER
Director of Finance and
Human Resources

RESOLUTION R2026-68
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION HONORING PLANNING COMMISSIONER PHILIPPA PROULX FOR THIRTY-THREE YEARS OF EXEMPLARY PUBLIC SERVICE

WHEREAS, Philippa Proulx began her first term on the Nelson County Planning Commission in May 1993, embarking on an extraordinary tenure of civic leadership; and

WHEREAS, Commissioner Proulx served our county continuously for thirty-three years, providing a steady hand through decades of growth, preservation, and rural transformation; and

WHEREAS, she evaluated hundreds of special use permit applications, requests for rezoning and development projects, while balancing economic opportunities with the careful protection of Nelson County's natural beauty and historic landscape; and

WHEREAS, her profound institutional knowledge, integrity, and rigorous preparation elevated the standard of public deliberation and county planning; and

WHEREAS, she consistently championed long-term sustainability, agricultural preservation, and the public interest; and

WHEREAS, her dedication leaves an indelible, positive mark on the County's physical layout, zoning frameworks, Comprehensive Plan and quality of life in Nelson County; and

WHEREAS, Commissioner Proulx has been a generous mentor to new commissioners and a trusted advisor to staff and elected officials alike;

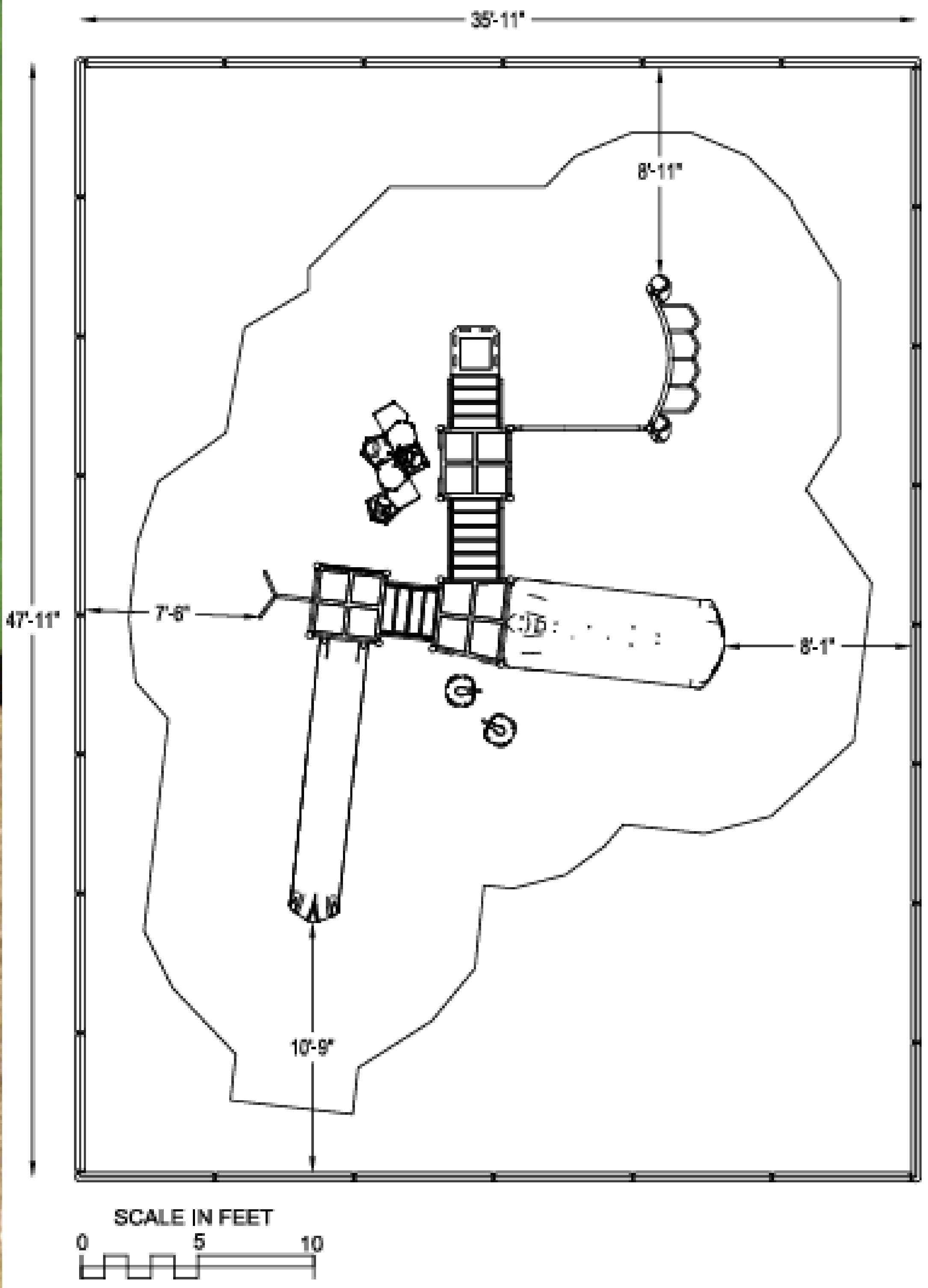
NOW, THEREFORE, BE IT RESOLVED that the Nelson County Board of Supervisors officially extends its profound gratitude to Philippa Proulx for her historic devotion to public service.

Approved: August 11, 2026 Attest:____________________________,Clerk
Nelson County Board of Supervisors

V C

NELSON COUNTY PARKS & RECREATION

Lovingston Playground Project



NELSON COUNTY PARKS & RECREATION

Lovingston Playground Project

Site #1

Front St Lot

Located next to Planning & Zoning

Pros

Property owned by Nelson County

Close to Lovingston Village

Large Lot

Cons

Positioned right on Front Street

Would require fencing around the peremeter

Limited parking

NELSON COUNTY PARKS & RECREATION

Lovingston Playground Project

Site #2

Nelson Center

By the back picnic pavilion

Pros

LOCATION
Families at field events
Pavilion users
Library groups

Lots of parking

Cons

Property owned by
The Nelson Center

Smaller available footprint
(still enough)

Would have to remove a maple tree

Lovingston Playground Project

Additional Sites?

Open to suggestions

Able to speak with local community
groups to gain feedback onsite locations.

NELSON COUNTY PARKS & RECREATION

What To Look For In FY27

Planning The Future of Recreation in Nelson County Recreation Master Plan

Allowing us to properly:

- Plan department growth
- Analyze current programming offerings vs future trends
- Develop community needs programming
- Analyze current facilities
- Develop a plan of current facility status for upgrades
- Develop a plan of future recreation facility needs

What To Look For In FY27

Bike Nelson Survey

Collaborating with NCHS Senior
Mr. Cole Roudabush - Senior Capstone Project
Gathering data on mountain biking in Nelson

Will use data to:
Assist in potential new trails
Better promote current trails
Develop new community events
Organize trail volunteer work crews
Survey can be found at www.nelsoncountyrecreation.com

Thank You

Thank you for your continued support and trust of Nelson County Parks and Recreation

We strive to make the county a better place for all!

V D

PMA ARCHITECTURE

M E M O R A N D U M

Date: August 6, 2026 Project: 2214

To: Ms. Candice McGarry, County Administrator
County of Nelson

From: Jeff Stodghill, Architect, PMA Architecture

Re: Progress Report on Social Services Building Project

The construction project for the Nelson County Department of Social Services is approximately 50% complete as of this date. The construction is moving forward smoothly and has experienced very few issues during the construction process.

I have attached an updated budget sheet for the project dated 8/4/26 (see attached). The overall approved budget for the project is $8,270,212 (4/4/25). Currently the projected project cost to finish the overall project appear to be $7,928,234, including remaining contingency funds of $150,926.

The projected project cost to finish includes the following change orders for items which have come up during construction and been resolved. The majority of the cost for change orders have been related to the cost to connect to the CVEC power system and NCSA water systems which are included in B) below.

A) Roof Sheathing was changed to gypsum before construction began to comply with code official requirement under Change Order #1 for an amount of $27,394.
B) Utility connections for electrical and water service are the majority of the cost in Change Order #2. This change order also includes adding a computer workstation for the building security system and a pressure reducing valve to the interior domestic water system. The total of Change Order #2 is $114,430.68
C) Change Order #3 included adding a filtration system for domestic water inside the building, demolition of the existing sign on the property and cleanup from a water main break that occurred through no fault of the contractor. Change Order #3 totals $8,625.35
D) We will be preparing a fourth change order to include a retaining wall needed around one of the electrical transformer pads and additional furring strips needed on the mechanical well area of the roof. These items are $15,029 for the retaining wall modification and $7,391 for the additional furring strips. We will be preparing a change order for this soon.

10325 WARWICK BOULEVARD • HILTON VILLAGE, VIRGINIA • 23601
PHONE: 757.596.8200 • FAX: 757.596.6598

The project has passed the procurement phase and most materials have been purchased and it appears that we are past the early concerns over tariffs at this point. The soils work on site has progressed as originally envisioned and while we have not exhausted the soil remediation allowance of $150,000 (included in the construction contract), there is some additional soils work which will be needed when the parking lot is installed. The current estimate is that this allowance will likely be sufficient to handle this work. It is the opinion of the contractor that the remainder of this allowance will be necessary to complete the work.

The contractor has indicated that they are running approximately two months behind the original schedule and anticipate that the building will be complete in March 2027. Delays associated with weather during the winter and early spring are the primary reasons for this delay. The contractor has indicated that they would like an extension of the completion date, but will not be requesting additional general conditions costs associated with this.

Nelson County Social Services Building Project - 37 Tanbark Plaza

Aug 4, 2026 - Prepared by PMA Architecture

Budget Update at Mid-Point of Construction

	8/4/2026 *Budget at Mid-Point of Construction*
Architect and Engineering Fees	**$1,197,151**
Building & Site Design Cost Estimate (10.6%)	
Bidding costs	
Road Design Cost Estimate	
Security System Design	
Design Team Construction Administration Allowance	
Road Construction Administration Allowance	
Fire Sprinkler Design	
Hazardous Materials Survey	
Construction and Inspections	**$6,204,860**
Social Services Building Construction	$5,684,799
Site Costs	included in bldg. contract
Road Cost	
Retaining Wall	
Quality assurance testing	$35,000
Furniture	$305,192
Acoustic Treatments	included in bldg. contract
Security System	included in bldg. contract
Equipment & Furnishings - Window treatements	included in bldg. contract
Special Inspections - Structural - Allowance reduced per Addendum #9	$5,000
Geotechnical Onsite Observation - Allowance reduced per Addendum #9	$2,000
Total Change Orders and PCOs	$172,869
Change Order 1 - Roof sheathing change to gypsum	$27,394
Change Order 2 - Electrical Serivce, sprinkler services & workstation	$114,430
Change Order 3 - Sign demolition, water filtration, sediment cleanup	$8,625
Proposed Change Order #9 - Additional furring strips at mechanical well	$7,391
Proposed Change Order #10 - Modify a transformer pad to add retaining wall	$15,029
Other	**$375,297**
Property Purchase (assigned to project)	$355,297
Moving costs	$20,000
Electrical Service **estimated*	n/a
Demolition Cost to remove building - Tanbark Plz - New Const.	included in bldg. contract
Telephone, IT & Network Communication	included in bldg. contract
Contingency	**$150,926**
Soils Contingency	$75,000
Stormwater Contingency	n/a
Construction Contingency	$75,926
Escalation Contingency	included in bldg. contract
Hazardous Materials Removal Contingency	included in bldg. contract
Total Project Cost Anticipated	**$7,928,234**
Approved Budget	$8,270,212

VI A

RESOLUTION R2026-69
NELSON COUNTY BOARD OF SUPERVISORS
RESCHEDULING OF NOVEMBER 2026 REGULAR MEETING

WHEREAS, the Nelson County Board of Supervisors hereby establishes that an alternate date for the Board's regular monthly meeting on November 10, 2026 is necessary due to the attendance of some members of said governing body at the annual conference of the Virginia Association of Counties through November 10, 2026;

NOW THEREFORE BE IT RESOLVED, by the Nelson County Board of Supervisors pursuant to §15.2-1416 (Regular meetings) of the Code of Virginia that the regular meeting of the Board on **Tuesday, November 10, 2026** be and hereby is rescheduled to **______________________, 2026.**

Approved: __________, 2026

Attest:____________________________,Clerk
Nelson County Board of Supervisors

P.O. Box 336 • Lovingston, VA 22949 • 434 263-7000 • Fax: 434 263-7004 • www.nelsoncounty-va.gov

§ 15.2-1416. Regular meetings

A. The governing body shall assemble at a public place as the governing body may prescribe, in regular session in January for counties and in July for cities and towns. Future meetings shall be held on such days as may be prescribed by resolution of the governing body but in no event shall less than six meetings be held in each fiscal year.

B. The days, times and places of regular meetings to be held during the ensuing months shall be established at the first meeting which meeting may be referred to as the annual or organizational meeting; however, if the governing body subsequently prescribes any public place other than the initial public meeting place, or any day or time other than that initially established, as a meeting day, place or time, the governing body shall pass a resolution as to such future meeting day, place or time. The governing body shall cause a copy of such resolution to be posted on the door of the courthouse or the initial public meeting place and inserted in a newspaper having general circulation in the county or municipality at least seven days prior to the first such meeting at such other day, place or time. Should the day established by the governing body as the regular meeting day fall on any legal holiday, the meeting shall be held on the next following regular business day, without action of any kind by the governing body.

At its annual meeting the governing body may fix the day or days to which a regular meeting shall be continued if the chairman or mayor, or vice-chairman or vice-mayor if the chairman or mayor is unable to act, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting. Such finding shall be communicated to the members and the press as promptly as possible. All hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

C. Regular meetings may be adjourned from day to day or from time to time or from place to place, not beyond the time fixed for the next regular meeting, until the business before the governing body is completed. Notice of any regular meeting continued under this section shall be reasonable under the circumstances and be given as provided in subsection E of § 2.2-3707.

D. The governing body shall provide members of the general public with the opportunity for public comment during a regular meeting at least quarterly.

E. Notwithstanding the provisions of this section, any city or town that holds an organizational meeting in compliance with its charter or code shall be deemed to be in compliance with this section.

Code 1950, § 15-241; 1950, p. 8; 1954, c. 286; 1958, c. 291; 1960, c. 33; 1962, cc. 218, 623, § 15.1-536; 1964, c. 403; 1980, c. 420; 1994, cc. 371, 591;1997, c. 587;2004, c. 549;2017, c. 616;2020, c. 1144;2023, c. 536.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

VI B

MEMORANDUM

To: Members, Board of Supervisors

From: Candy McGarry, County Administrator

Subject: Agenda Item VI. B. Region 2000 Litigation/Settlement Agreement

Date: August 11, 2026

BACKGROUND:

Since March 2026, the Board, Staff, and Legal Counsel have resumed working towards and have reached an acceptable "Settlement Agreement" with Campbell County in resolution of ongoing Region 2000 litigation. Lynchburg has signed their agreement, Appomattox County has had a change in legal counsel, and their Board will be considering their agreement at their August 24th meeting – they have been working with Campbell County to resolve provisions related to their water supply. Nelson in support of Appomattox County's position, has waited to publicly consider signing our "Settlement Agreement". The proposed **Resolution R2026-70** includes a caveat that our agreement becomes null and void if Appomattox does not have satisfactory resolution to this issue via signature of their agreement by August 31, 2026. All "Settlement Agreement" terms are predicated on Campbell County's approval of the Livestock Road Facility Lateral Expansion dated July 29, 2024 (Expansion Proposal) and its survival of any litigation arising from that approval. Campbell County has indicated in its letter dated March 17, 2026, its commitment to move expeditiously toward consideration of a landfill expansion.

NELSON COUNTY SETTLEMENT AGREEMENT TERMS:

- Upon execution of the "Settlement Agreement" Nelson is allowed but not required to haul its waste to the Livestock Road landfill at the same tonnage rate as Campbell County

- Upon landfill expansion, Nelson may use the facility at a rate not to exceed 120% of the rate paid by Campbell County, known as the "Cost of Service Rate" (Exhibit C)

- Upon meeting the dependent conditions following approval of the landfill expansion, Nelson, Appomattox, and Lynchburg City will effect their withdrawal from the currently constituted Authority with the SCC

- Upon SCC's acceptance of Nelson's, Appomattox's, and Lynchburg's withdrawal from the Authority, steps will be taken to enable Campbell County's Board of Supervisors to constitute the "new" Authority Board (Exhibits A & B)

- Upon SCC acceptance of Nelson's, Appomattox's, and Lynchburg's withdrawal from the Authority, Campbell County will take ownership of all assets and liabilities of the Authority and assumes full responsibility for management, operation, funding, and support of the Authority

- Upon SCC acceptance of the County's withdrawal from the Authority, Nelson will receive a one-time payment of $250,000

- Within 30 days of the SCC's acceptance of Nelson's, Appomattox's, and Lynchburg's withdrawal from the Authority, actions will be taken by all parties to mutually dismiss lawsuits and claims

- Exhibits: A – Draft Amended Articles of Incorporation
  B – Draft Authority Bylaws
  C - Annual Calculation of Cost of Service

STAFF RECOMMENDATION:

Staff and Legal Counsel recommend favorable consideration of **Resolution R2026-70 Agreement to Resolve the Region 2000 Landfill Litigation.**

BOARD OF
SUPERVISORS

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

A. CAMERON LENAHAN
North District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

GRACE E. MAWYER
Director of Finance and
Human Resources

RESOLUTION R2026-70
NELSON COUNTY BOARD OF SUPERVISORS
RESOLUTION DIRECTING STAFF TO EXECUTE
AGREEMENT TO RESOLVE THE REGION 2000 LANDFILL LITIGATION

WHEREAS, Campbell County and the City of Lynchburg instituted that certain lawsuit styled as County of Campbell & City of Lynchburg v. Region 2000 Services Authority, et al., Campbell Circuit Court Case No. CL20002216-00; and

WHEREAS, Nelson County and Appomattox County instituted that certain lawsuit styled as County of Nelson & County of Appomattox v. Region 2000 Services Authority, et al., Nelson Circuit Court Case No. CL22000180-00, which was transferred to be heard in the Campbell County Circuit Court; and

WHEREAS, the parties to said lawsuit have conferred through legal counsel and Region 2000 Services Authority Board representatives concerning the resolution of the issues raised in both lawsuits; and

WHEREAS, a framework which resolves all issues in both lawsuits and the future of waste disposal for Nelson County has been devised, and which proposal the Nelson County Board of Supervisors deems appropriate and in the best interest of the County; and

WHEREAS, a settlement agreement (hereinafter the "Settlement Agreement") attached contains the material drafted by agreement of all parties following review by the County Attorney for Nelson County and by the County Attorney for Campbell County; and

WHEREAS, the enforcement of the "Settlement Agreement" is conditioned upon the result of the Region 2000 Regional Landfill – Livestock Road Facility Lateral Expansion dated July 29, 2024 (Expansion Proposal) and if granted, the time allowed for contesting has elapsed or if contested, concludes successfully for Campbell County.

NOW, THEREFORE BE IT RESOLVED, the Nelson County Board of Supervisors does hereby direct the County Administrator to execute the attached "Settlement Agreement", releases, and other legal documents to effectuate the purposes herein described, and

BE IT FURTHER RESOLVED, this executed "Settlement Agreement" will be considered null and void if final resolution between Appomattox County and Campbell County via signed Settlement Agreement is not achieved by August 31, 2026.

Approved: ________________ Attest: ____, Clerk
Nelson County Board of Supervisors

On motion of Board member ______________________ to adopt the Resolution and carried by the following recorded vote:

Ayes: _______________

Nays: ___________

Absent: _________

SETTLEMENT AGREEMENT AND RELEASE

This SETTLEMENT AGREEMENT AND RELEASE (hereinafter "Settlement Agreement") is made this 8th day of May, 2026 by and between the **COUNTY OF NELSON, VIRGINIA, a Political Subdivision of the Commonwealth of Virginia** ("Nelson") and the **COUNTY OF CAMPBELL, VIRGINIA, a Political Subdivision of the Commonwealth of Virginia** ("Campbell"); collectively, the "Parties."

RECITALS

A. The City of Lynchburg ("Lynchburg"), and the Counties of Appomattox ("Appomattox"), Campbell, and Nelson formed the Region 2000 Services Authority (the "Authority") to collectively manage the collective municipal solid waste needs of the localities, and executed a Member Use Agreement as well as a First Amendment to the Member Use Agreement (collectively the "MUA") to control and guide the management and use of the facilities of the Authority.

B. Dispute has arisen concerning the payment of funds designated as "Excess Revenue" under the MUA, and about the payment of funds pursuant to a certain set of Fiscal Policy Guidelines adopted by the Authority on June 17, 2015 ("Financial Policy")

C. In furtherance of the resolution of the dispute concerning the Excess Revenues, Campbell and Lynchburg instituted that certain lawsuit filed and pending in the Campbell County Circuit Court as Case No. CL20002216-00 ("Campbell Lawsuit").

D. In furtherance of the resolution of the dispute concerning the Financial Policy, Nelson and Appomattox instituted that certain lawsuit filed in the Nelson County Circuit Court as Case No. CL22000180-00 and now pending in the Campbell County Circuit Court collectively with Case No. CL20002216-00 ("Nelson Lawsuit").

E. In furtherance of providing a framework within which the issues of the various lawsuits and disputes may be resolved, there has also been proposed a certain expansion of the facilities of the Authority pursuant to that certain document entitled "Region 2000 Regional Landfill – Livestock Road Facility Lateral Expansion" dated July 29, 2024 ("Expansion Proposal");

F. The Parties desire to enter into this Settlement Agreement in order to resolve the issues related to the Campbell Lawsuit, the Nelson Lawsuit, the Expansion Proposal, the MUA and any other matters between them which exist as of the date of this Settlement Agreement.

NOW, THEREFORE, WITNESSETH: for and in consideration of the foregoing and of the mutual agreements, promises, covenants, and general release set forth below, the sufficiency of which is mutually agreed, and for and in consideration of the terms set forth below, the Parties agree as follows:

1. Consideration of the Region 2000 Regional Landfill – Livestock Road Facility Lateral Expansion Proposal. The currently constituted Board of the Authority is expected to make application to the Community Development office of Campbell County for a rezoning and special use permit for an expansion of the Livestock Road Landfill owned and operated by the Authority ("Landfill") on such land use-related terms as are stated in the Expansion Proposal. The Campbell County government shall take all such steps as are required to lawfully consider the Expansion Proposal. If following the required processes, including all public hearings, the Campbell Board of Supervisors votes affirmatively to grant the rezoning and special use permit on such land use-related terms as are stated in the Expansion Proposal ("Rezoning"), and the time for contesting such decisions has elapsed, or if contested, having been concluded successfully for Campbell County, the Parties shall commence to take such actions as are required by Paragraphs 3 through 8 of this Settlement Agreement. The Parties specifically agree that the provisions of the remainder of this Settlement Agreement are conditioned specifically upon the provisions of this Paragraph. If the provisions of this Paragraph are met, meaning the Campbell Board of Supervisors votes affirmatively to grant the Rezoning, the Parties shall be bound fully to the terms of this Settlement Agreement. If the provisions of this Paragraph are not met, meaning the Campbell Board of Supervisors does not vote affirmatively to grant the Rezoning, this Settlement Agreement shall automatically terminate, shall be of no further effect, and shall not be admissible as evidence in either the Nelson Lawsuit or the Campbell Lawsuit, or both. Assuming Campbell votes affirmatively to grant the Rezoning, it shall also file whatever documents may be necessary to state to the Virginia Department of Environmental Quality that Campbell has no objections to the expansion of the Landfill.

2. Joint Settlement Proposals Expected. Campbell is, at the same time as it negotiates this current Settlement Agreement with Nelson, negotiating similar agreements with Appomattox and Lynchburg. Nelson agrees and accepts that it is not a party to nor signatory on those collateral agreements, and understands that Nelson shall have no rights under those agreements. Nelson recognizes that the counterpart agreements entered into with the other parties to the lawsuits are expected to be executed prior to the final hearing on the Rezoning, and that each agreement is inter-dependent such that the failure to reach an acceptable agreement with all parties to the lawsuit will result in the termination of this Settlement Agreement.

3. Withdrawal of City of Lynchburg, Nelson County, and Appomattox County. Appomattox, Campbell, Nelson, and Lynchburg shall each enact a resolution requesting and effecting the withdrawal of Lynchburg, Appomattox, and Nelson as Member Jurisdictions of the Authority and effecting the withdrawal of such jurisdiction's Authority Board members from the Authority's Board within thirty (30) days of (i) the issuance of a valid zoning permit for the expansion of the Landfill pursuant to the Rezoning, and (ii) the successful conclusion of litigation contesting the foregoing conclusion, following the action taken by Campbell pursuant to the terms of Paragraph 1. Said resolutions shall also direct the representative of each jurisdiction's Authority Board Member to call a meeting of the Region 2000 Services Authority's Board directing such Member to attend and to vote affirmatively to adopt amended Articles and Bylaws substantially in the form of the documents attached as Exhibits "A" and "B", with the effect that the Campbell County Board of Supervisors Members shall become the seven Members of the Authority's Board immediately upon acceptance of the resolutions of withdrawal by the Virginia State Corporation

Commission. Further, upon the acceptance of said resolutions of withdrawal by the Virginia State Corporation Commission, which acceptance all parties jointly agree to pursue in good faith, the following terms shall take effect, as of the effective date of said acceptance:

a. Lynchburg, Appomattox, and Nelson shall have no right, title or interest in the management, control, or ownership of the Authority or its property.

b. Except as otherwise stated herein, and to the extent allowed by applicable law, all liabilities, including all debt, as well as closure and post-closure liabilities, connected to the Authority, shall become the responsibility of the Authority, and Nelson shall be held harmless for any liabilities of the Authority.

c. Campbell shall assume full responsibility for the management, operation, funding, and support of the Authority.

d. Nelson shall be allowed, but not required, to haul all acceptable waste (as that term is defined in the Authority's governing documents) generated within Nelson to the Landfill from the date of the execution of this Settlement Agreement until the opening of the new landfill cells contemplated by the Expansion Proposal. Prior to the opening of the new landfill cells contemplated by the Expansion Proposal, Nelson shall pay the same tonnage rates paid by Campbell, which shall be calculated under the FY2026 Region 2000 Services Authority Pro Forma Budget developed and adopted by the Authority, or in the pro forma amount recommended by a qualified third party consultant chosen by Campbell, the increase in which shall not exceed the FY2026 Region 2000 Services Authority Pro Forma Budget by more than the annual increase in the Chained CPI-U, as it is published from time to time;

e. Nelson shall be recognized as a preferred hauler to the Authority's Landfill, and shall be charged a rate not to exceed 120% of the tonnage rate charged to Campbell (the "Cost of Service Rate") from the opening of the new landfill cells contemplated by the Expansion Proposal until December 31, 2053 or the date of the closure of the Landfill contemplated by the Expansion Proposal, whichever is later. If events beyond the control of any party make the Landfill unusable prior to December 31, 2053, Campbell shall be relieved of its obligations hereunder this subparagraph 3.e. Upon the opening of the new landfill cells contemplated by the Expansion Proposal, the Cost of Service shall be calculated as shown in the attached Exhibit "C".

4. Payment to Nelson. At the first meeting of the Board of the Authority following the date of the acceptance of the withdrawal of Lynchburg, Appomattox, and Nelson from Authority Membership by the State Corporation Commission, the re-constituted Authority Board shall consider and affirmatively vote to distribute the sum of $250,000.00 to Nelson.

5. Application for DEQ Approval. The Parties shall take all actions to seek Virginia Department of Environmental Quality ("DEQ") approval of the expansion as outlined in the Expansion Proposal as soon as reasonably practicable. The parties agree to seek approval in good faith, and each party shall provide all information and take all such reasonable and lawful actions as may be required to satisfy DEQ requirements for permitting the Landfill described in the

Expansion Proposal.

6. Application for Solid Waste Management Plan Approval. The parties shall take all actions to seek DEQ approval of an amended Solid Waste Management Plan documenting the change in Authority management as soon as is reasonably practicable. The parties agree to seek approval in good faith, and each party shall provide all information and take all such reasonable and lawful actions as may be required to satisfy DEQ requirements. To the extent that the parties seek a joint Solid Waste Management Plan, the costs of said application shall be shared.

7. Asset Management. Prior to the date of DEQ approval of the Expansion Proposal as outlined in paragraph 5, all assets of the Authority shall only be applied to the purpose of the operation, management, and maintenance of the landfills managed by the Authority, which shall include all costs reasonably necessary to seek the DEQ permit and related tasks. In default of the approval by DEQ of the Expansion Proposal, all assets of the Authority shall only be applied to the expenses listed in the previous sentence or to closure/post-closure expenses of the Authority. The provisions of this paragraph shall apply regardless of whether the Authority is under the active management of all four current member localities or under the sole management of Campbell.

8. Dismissal of Lawsuits. Within thirty (30) days of the acceptance of the withdrawal of Lynchburg, Appomattox and Nelson from Authority Membership by the State Corporation Commission, the Parties shall take all action needed to mutually dismiss the Campbell Lawsuit and the Nelson Lawsuit, and all claims therein in either case, *with prejudice*.

9. General Mutual Release. Upon execution hereof, and upon confirmation of receipt of all payments, and contemplated consideration as stated herein, and except for the right to enforce the terms and provisions of this Settlement Agreement, the Parties, individually and on behalf of all of their heirs, personal representatives, estates, survivors, descendants, insurers, attorneys, administrators, successors, lienholders, and assignees, hereby fully and finally release, acquit, and forever discharge one another from and against any and all claims, demands, liabilities, damages, actions, or causes of action of any kind and every nature whatsoever which either has, or has ever had, or ever will have, whether known or unknown at the date of this Settlement Agreement, resulted from, arose out of, or connected with, directly or indirectly, and related to the creation, operation, or management of the Authority or any of the properties or facilities owned and or operated by the Authority, including any matters set forth or which could have been set forth in the Campbell Lawsuit or the Nelson Lawsuit, or both.

10. Unknown Acts. It is expressly understood and agreed by the Parties that this Settlement Agreement and the General Mutual Release set forth above is intended to and, save for what may be stated in the amended governing documents of the Authority, covers any and all losses, injuries, damages, demands, liabilities, and claims of every kind and nature whatsoever related to the creation, operation, or management of the Authority or any of the properties or facilities owned or operated by the Authority, and which were caused by the Parties or any of the Parties' agents, successors, assignees, insurers, attorneys, and any persons or entities possibly responsible to the Parties claiming by or through the rights of the Parties, whether direct or indirect, known or unknown, suspected or unsuspected, by the Parties. The Parties acknowledge that any of them may hereafter discover facts different from, or in addition to, those which are now known to be or believed to be true with respect to the matters set forth herein, and each Party agrees that this Settlement Agreement and the General Mutual Release contained herein shall be and remain effective in all respects, notwithstanding such different or additional facts and the subsequent discovery thereof, forever.

11. Costs: Each of the Parties will pay for all their own respective costs, expenses and attorney's fees which were incurred by each in reaching this settlement, which may be incurred in the future in order to carry out the terms of this Settlement Agreement, and in relation to the Campbell Lawsuit and Nelson Lawsuit, except as otherwise expressly provided for in this Settlement Agreement.

12. No Representations. The Parties each admit that no statement of fact or opinion has been made by any other person or entity to induce execution of this Settlement Agreement, other than as expressly set forth in this Settlement Agreement, and that this Settlement Agreement is executed freely and upon advice of counsel.

13. Warrant of Capacity to Execute This Settlement Agreement. The Parties each represent and warrant that:

a. Each has the right and authority to execute this Settlement Agreement and to receive the considerations specified in it;

b. No other person or entity has or will have any interest in the claims, demands, obligations and causes of action referred to in this Settlement Agreement;

c. None have sold, assigned, transferred, conveyed or otherwise disposed of any of the claims, demands, obligations and causes of action referred to in this Settlement Agreement; and

d. There are no other persons or entities who now have or may hereafter acquire the rights of the Parties to proceed against any other of the Parties on any action, claim, demand, cause of action or controversy arising out of or relating in any manner whatsoever to the documents at question herein and any of the claims, demands, obligations and causes of action referred to in this Settlement Agreement.

14. Binding Effect. This Settlement Agreement shall be binding on and inure to the benefit of the Parties and their respective successors, purchasers, assigns, heirs and survivors.

15. Complete Agreement. This Settlement Agreement constitutes and represents the entire agreement and supersedes all prior and contemporaneous agreements, negotiations, representations, warranties and understandings of the Parties with regard to the Authority or any of the properties or facilities owned and/or operated by the Authority and the subject matter set forth within this Settlement Agreement.

16. Supplements, Modifications, Amendments, and Waiver. No supplement, modification, or amendment of this Settlement Agreement shall be binding unless executed in writing by all of the Parties. No waiver of any provisions of this Settlement Agreement shall be deemed to or constitute a waiver of any other provision, whether similar or not similar; nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless set forth in writing signed by the Party making the waiver.

17. Severability. If any provision of this Settlement Agreement is held to be invalid or unenforceable on any occasion or in any circumstance, such holding shall not be deemed to render this Settlement Agreement invalid or unenforceable, and to that extent the provisions of this Settlement Agreement are severable; provided, however, that this provision shall not preclude a court of competent jurisdiction from refusing to sever any provision if severance would be inequitable to one or more of the Parties.

18. Interpretation and Construction. Should any provision of this Settlement Agreement require interpretation or construction, this Settlement Agreement shall be interpreted and construed according to the laws of the Commonwealth of Virginia, but this Settlement Agreement will not be construed against any of the Parties, irrespective of who may have drafted the same.

19. Advice of Counsel: By signing this Settlement Agreement, the Parties indicate their acceptance and agreement to the terms and conditions set forth herein and their intent to be legally bound hereby, and acknowledge that they have read and conferred with counsel concerning this Settlement Agreement, and that they have entered into it knowingly and voluntarily. Each represents that they have been fully advised as to their respective rights and responsibilities and have been advised of the terms and effects of this Settlement Agreement.

20. Counterparts: This Settlement Agreement may be executed in one or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

21. Enforcement: If any action or other proceeding is brought for the enforcement or interpretation of this Settlement Agreement, or because of an alleged dispute, breach, default or misrepresentation in connection with any of the provisions of this Settlement Agreement, the successful or prevailing Party shall be entitled to recover reasonable attorneys' fees and other costs incurred in that action or proceeding, in addition to any other relief to which the Party may be entitled.

22. Purpose: It is understood and agreed that this Settlement Agreement is the result of a compromise to avoid further litigation.

23. Further Assurances: The Parties shall and will at any time or times, make, execute and deliver any and all such further assurances, papers, documents or instruments in writing as the other Party shall reasonably require for the purposes of giving full force and effect to this Settlement Agreement and to the covenants, conditions, provisions, and agreements herein contained.

WITNESS the following signatures and seals:

(Signatures on pages 7 and 8)

COUNTY OF CAMPBELL, VIRGINIA

By:____
Francis J. Rogers, IV, County Administrator of the County of Campbell, Virginia
Pursuant to authority granted by Resolution of the Campbell County Board of Supervisors

STATE OF VIRGINIA,

COUNTY OF CAMPBELL, to-wit:

The foregoing instrument was acknowledged before me this 8th day of May, 2026, by Francis J. Rogers, IV, County Administrator for Campbell County, Virginia pursuant to a duly authorized resolution of the Campbell County, Virginia Board of Supervisors, which said resolution is attached hereto and incorporated herewith, on behalf of the County of Campbell, Virginia.

____
Notary Public

My commission expires: September 28, 2028
Notary Registration No.: 7657827

ELIZABETH REYNOLDS WORTH
NOTARY PUBLIC
COMMONWEALTH OF VIRGINIA
REGISTRATION #7657827

Approved as to Form:

____
F.E. "Tripp" Isenhour, III, County Attorney

COUNTY OF NELSON, VIRGINIA

By:______________________________________
Candice W. McGarry, County Administrator of the County of Nelson, Virginia
Pursuant to authority granted by Resolution of the Nelson County Board of Supervisors

STATE OF VIRGINIA,

COUNTY OF NESLON, to-wit:

The foregoing instrument was acknowledged before me this ___ day of May, 2026, by Candice W. McGarry, County Administrator for Nelson County, Virginia, pursuant to a duly authorized resolution of the Nelson County, Virginia Board of Supervisors, which said resolution is attached hereto and incorporated herewith, on behalf of the County of Nelson, Virginia.

____
Notary Public

My commission expires: ______________________
Notary Registration No.: ______________________

Approved as to Form:

____
Phillip D. Payne, IV, County Attorney

Exhibit "A"

REGION 2000 SERVICES AUTHORITY

AMENDED ARTICLES OF INCORPORATION

ARTICLE 1. The Region 2000 Services Authority (the "Authority") is hereby created and established as a body politic and corporate in the Commonwealth of Virginia. The principal office of the Authority shall be located at 361 Livestock Rd., Rustburg, VA 24588, in Campbell County, Virginia.

ARTICLE 2. The name of the locality participating in the Authority is the County of Campbell, Virginia.

ARTICLE 3. The Authority shall consist of a board of seven members, the "Board", who shall be the members of the Campbell County Board of Supervisors, or their designees. Each Board member, or their designee, shall serve for terms coincident with the term of said Campbell County Board of Supervisors member.

ARTICLE 4. The Authority is created and established under the provisions of the Virginia Water and Waste Authorities Act, Chapter 51 of Title 15.2 (Section 15.2-5100 et seq. of the Code of Virginia) (the "Act"). The Authority shall have all powers and duties set forth in the Act, as the same may be from time to time amended. The initial project of the Authority shall be to own and operate as a regional entity to accept municipal solid waste generated within each of the participating jurisdictions (and from outside the jurisdictions if approved by the Authority) in those landfills in accordance with a Member Use Agreement to be approved by the Board of the Authority.

ARTICLE 6. All members of the Board shall serve without compensation but may be reimbursed by the Authority for their actual expenses incurred in the course of their duties.

ARTICLE 7. Existing members of the Authority may withdraw from membership, and other localities may join the Authority, as provided in Section 15.2-5112 of the Code of Virginia, as amended. In the event other localities join the Authority, they will be asked to reimburse the County of Campbell for a fair share of the development costs of the Authority.

The initial Articles were adopted by the initial members of the Authority on December 28, 2007, and amended by a vote of the sole remaining member of the Authority on ________________, 2026.

County of Campbell, Virginia

Attest:________________________

By:____________________________

Printed Name:________________

Its:____________________________

Title:__________________________

Title:__________________________

Exhibit "B"

REGION 2000 SERVICES AUTHORITY BYLAWS

ARTICLE I – THE BOARD

1.1 Description. The Region 2000 Services Authority (the "Authority") was created by an agreement by and among the Authority and its initial members, the Virginia counties of Nelson and Campbell and the Virginia cities of Bedford and Lynchburg. The Virginia county of Appomattox became a member at a later date. By resolutions of the governing bodies of the Virginia counties of Appomattox and Nelson and the Virginia cities of Bedford and Lynchburg, those localities resigned and terminated their membership. The current and only member of the Authority is the County of Campbell.

1.2 Membership. The powers of the Authority shall be exercised by a Board of the Authority (Board) as set forth in the Member Use Agreement to be adopted by the Board, including alternates.

ARTICLE II – OFFICERS

2.1 Chairperson. The Board shall select a Chairperson from among its membership. The Chairperson shall preside at all meetings of the Board. The Chairperson shall appoint from time to time such committees as he or she may deem appropriate, and shall have such other powers or duties as may be prescribed in these Bylaws.

2.2 Vice-Chairperson. The Board shall also select a Vice-Chairperson from among its membership. The Vice-Chairperson shall preside at all meetings of the Board when the Chairperson is not in attendance, and shall have such other powers or duties as may be prescribed in these Bylaws.

2.3 Secretary. The Board shall select a Secretary, who need not be a member of the Board, to assist in keeping the minutes of the Board.

2.4 Treasurer. The Board shall select a Treasurer, who need not be a member of the Board, who shall have responsibility for reviewing the financial activities of the Authority.

2.5 Terms. Following the initial selection of officers of the Board, officers of the Board shall be elected at the regular meeting of the Board in June of each year, or at such other meeting as determined by the Board. All officers of the Board shall serve for a one-year term beginning on July 1 and ending on the following June 30. Officers of the Board may be re-elected to more than one term. Officers of the Board will remain in office until their successors are selected.

2.6 Vacancies. Vacancies in any office shall be filled by the Board when they occur.

2.7 Alternate Chairperson. In the event neither the Chairperson or Vice-Chairperson is in attendance, then the next senior officer in attendance shall preside over the meeting.

ARTICLE III – MEETINGS

3.1 Quorum. Four members of the Board shall be required for a quorum. Action may only be taken by an affirmative vote of a majority of the entire Board.

3.2 Meetings. Meetings of the Board shall be held at a time and place determined by the Board. The order of business at a regular meeting shall be as follows unless otherwise determined by the Board:

(a) Roll call.
(b) Approval of minutes of the previous meeting.
(c) Public information period.
(d) Unfinished business.
(e) New business.

3.3 Minutes. The Secretary of the Board shall prepare minutes of each meeting which shall be electronically distributed to each member of the Board prior to the next regular meeting of the Board. The Board shall approve the minutes of the previous meeting at subsequent meeting. The Secretary shall then sign, approve and certify the minutes.

ARTICLE IV – FINANCIAL

4.1 Fiscal Year. The fiscal year of the Board shall begin each year on July 1 and shall end on June 30 of the following year.

4.2 Budget. The Board shall adopt an annual operating budget for each year the Authority is in existence.

4.3 Audit. The Board shall cause an independent audit of its finances to be made each year, which such audit shall reflect the full revenues and expenditures of the Authority.

ARTICLE V – AMENDMENTS

5.1 Amendments. These Bylaws may be amended, to the extent such Amendments are not inconsistent with the Member Use Agreement to be adopted by the Board.

These Bylaws were adopted by the Board of the Authority on _______________, 2026.

Approved and Certified:

_______________________ Secretary

_______________________ Chairperson

Exhibit "C"

The "Cost of Service Rate" shall be calculated each year when Campbell establishes its budget for the operation of the Landfill under the Expansion Proposal following the Rezoning. The Cost of Service Rate shall be established prospectively for the coming year based upon current year data. The Cost of Service Rate shall be the sum of the last 12 months of actual expenditures from the following budget categories:

A. Personnel Expenses as stated in Campbell's budget for the Landfill;

B. Landfill Operating, Maintenance Expenses, and Equipment Replacement Reserve funds as stated in Campbell's budget for the Landfill;

C. Closure and Post Closure Reserve funds accrued, in an amount recommended by a qualified third-party consultant chosen by Campbell;

D. Annual Debt Service on or for existing debt related to the Landfill and Annual Debt Service on any subsequent bond debt issuances if, in the opinion of bond counsel and counsel for Campbell, the debt is incurred for the reasonable documented capital needs;

E. Any amount of financial "true-up" for undercharges in the rate from the audit of the prior year's financial statements.

From the total of items A through D above shall be subtracted any amounts received as Reimbursable Personnel or Operating and Maintenance Expenses as shown on Campbell's budget for the operations of the Landfill, and any amounts received as late fees or interest income. The sum of the addition of items A through D above minus the reimbursable expenses and income from late fees and interest shall be known as the "Cost of Service Rate". The Cost of Service Rate shall be subject to a "true-up" at the end of every budgetary year. After the completion of the annual audit, Campbell shall compare actual expenditures from the audited budget numbers to the prior year data used to establish the rate. If the actual numbers from the closed audit exceed the numbers used to establish the rate, the excess shall be added as an additional expense allowing in the following year's Cost of Service Rate. Any term-contracted governmental hauler utilizing the Landfill shall have the right to examine any and all budgetary documents of Campbell, upon request, and shall receive a copy of the audited financial statement upon its preparation.

Excess Revenue shall be considered any income produced in excess of the Cost of Service Rate. Any Excess Revenue produced by a surcharge or differential rate charged to non-governmental haulers or governmental haulers other than Lynchburg or any other locality with which Campbell agrees to extend the same benefit shall not be considered in the calculation of the Cost of Service Rate, and the reconstituted Authority shall pay any such excess revenue accumulated in any budget year directly to the County of Campbell within 30 days following the approval of the annual audit. Any real property of the Authority which is not in active use by the Authority for landfill purposes shall be considered surplus property of the Authority, and any Excess Revenue produced by the Authority from the sale or lease of surplus property shall not be considered in the calculation of the Cost of Service Rate.

Campbell County
Virginia

Board of Supervisors
Kenneth R. Brown
Justin A. Carwile
Matt W. Cline
Paul E. Dowdy
Jon R. Hardie
Tom K. Lawton
Charlie A. Watts
47 Courthouse Lane, Suite 1
Rustburg, VA 24588
administration@campbellcountyva.gov
Phone: 434-332-9525

March 17, 2026

Dr. Jessica Ligon, Chair
Nelson County Board of Supervisors
P.O. Box 336
Lovingston, Virginia 22949

Dear Dr. Ligon:

My colleague Supervisor Watts and I have been working toward a mutually beneficial resolution of the current litigation involving the Region 2000 Services Authority. I am very pleased to report that we have achieved a successful negotiation to include the terms we understand Nelson seeks. I am writing to advise you that you will be receiving from Campbell County's legal counsel a settlement agreement that includes these negotiated terms. The County's intent in sending this is to move forward with resolution of the outstanding lawsuits.

You will find that the settlement agreement proposal includes the following points:

1. Nelson County will receive a one-time payment of $250,000.
2. Campbell County will take ownership of all assets and liabilities of the Region 2000 Services Authority.
3. If Campbell County expands the existing landfill operation at the Livestock Road location, Nelson County may use the facility at a rate not to exceed 20% over what Campbell County pays.
4. A commitment from Campbell County to move expeditiously toward the consideration of a landfill expansion.

I trust you and your colleagues on the Board will find this sufficiently advantageous to Nelson. As you know, time is of the essence as we consider this matter. Accordingly, I ask that you approve the settlement proposal no later than April 20th. Thank you for your continued partnership.

Sincerely,

Tom Lawton

Tom K. Lawton
Chairman

Attachment: Settlement Agreement

cc: Members, Nelson County Board of Supervisors
Members, Campbell County Board of Supervisors
Mrs. Candy McGarry, County Administrator
Mr. Phillip Payne Esq., County Attorney

August 11, 2026

VII B

(1) New Vacancies/Expiring Seats & New Applicants :

Board/Commission	Term Expiring	Term & Limit Y/N	Incumbent	Re-appointment	Applicant(s)
MACAA Board of Directors	6/30/2026	3 year term/No limits	Ann Mische	N	Advertising
N.C. Library Advisory Committee - North District	6/30/2026	4 year term/No limits	Jennifer Page	N	Advertising
Board of Building Code Appeals	6/30/2026	4 year term/No lmits	Robin Meyer	?	Advertising

(2) Existing Vacancies:

Board/Commission	Term Expiration	Term & Limit Y/N	Incumbent	Re-appointment	Applicant(s)
Board of Zoning Appeals - alternate	3/30/2025	5 year term/No limits	Mary Cunningham	N	Philippa Proulx
Thomas Jefferson Area Community Criminal Justice Board	6/30/2026	3 years/2 term limit	Mark Stapleton	N - resigned	Advertising
Ag & Forestal District Advisory Committee - Producer	5/13/2027	4 year term/ 3 term limit	Andy Wright	N - resigned	Advertising

NELSON COUNTY BOARDS AND COMMISSIONS APPLICATION FORM

Subject: Appointments - Statement of Interest Form

Completing this form is one way to indicate your interest in being considered for appointment to some of the Boards, Commissions and Committees appointed by the Board of Supervisors. All appointments remain at the discretion of the Board of Supervisors.

Please complete and mail this form to:

Nelson County Board of Supervisors
Attention: Candice W. McGarry, Clerk of Board
Post Office Box 336
Lovingston, VA 22949

or fax to (434) 263-7004 or email aspivey@nelsoncounty.org

Date 8/4/26

Mr. ______ Mrs. ______ Ms. ✓

Name: PHILIPPA PROULX

List a maximum of three (3) Boards on which you are interested in serving.

1. BOARD OF ZONING APPEALS
2. ____________________
3. ____________________

Home Address: 950 AVON RD
AFTON VA 22920

Occupation: BUS. MANAGER Employed by: NORTH BRANCH SCHOOL - PART TIME

Home Phone No.: 540 456 6847 Business Phone No.: —

Fax No.: — E-Mail Address: PROULX@LUMOS.NET

Do you live in Nelson County? Yes ✓ No ___

Are you currently a member of a County Board, Commission, Committee or Authority? Yes___ No ✓

If yes, list the Board(s):

What talent(s) and/or experience can you bring to the Board(s)?

ABOUT 35 YEARS ON PLANNING COMMISSION
YEAR AND A HALF ON BZA

What do you feel you can contribute to the Board(s) and to the community that may not be evident from information already on this form?

Please use this space for any additional information you would like to provide:

A resume or separate sheet with additional information may be included.

ATTENDANCE REQUIREMENTS

Section 2-153, Absences, Chapter 2, Administration, Article V. Appointments for Boards and Commissions of the Nelson County Code, an appointee of the Board of Supervisors who either (a) fails, during a calendar year, to attend seventy-five percent of the regular meetings of the board or commission of which he/she is a member, or (b) is absent for three consecutive regular meetings, shall be deemed to have tendered his/her resignation from such position. The Board of Supervisors may accept such resignation by appointing another person to fill the position.

In light of the above, will you be able to attend at least 75% of the regular meetings of the boards to which you may be appointed?

Yes ✓ No ___

BOARD OF ZONING APPEALS

Board Appoints & Recommends Certification by the Circuit Court

Name & Address	Term Expiration Date
Angela Jones 148 Miles Lane Faber, VA 22938 H 434-995-9441 ajjones9267@gmail.com	November 11, 2026
Carole Saunders *RESIGNED 1610 Wilson Hill Rd. Arrington, VA 22922 H (434) 263-4976 carolevar@aol.com	November 9, 2028
W. Jerrold Samford 302 Bellevette Place Arrington, VA 22922 (804) 314-7291 jerry.samford@troutman.com	November 11, 2027
Philippa Proulx (Active PC Member) 950 Avon Road Afton, VA 22920 540-456-6849 proulx@lumos.net	November 1, 2029
Shelby Bruguiere 1339 Stoney Creek West Nellysford VA 22958 540-456-6778 (H) Shelby@DickieBros.com	November 10, 2030
VACANT (Alternate)	March 30, 2025

BOARD OF ZONING APPEALS

Board Recommends Appointment to the Circuit Court.

Established: by Article 14 of the Nelson County Code,

Composition: 5 members and an alternate recommended by the BOS and appointed by the Nelson Circuit Court, 1 of which is an active Planning Commission member.

Term of Office: 5 years; No Term Limits

Summary of Duties:
To hear and decide applications for Special Use Permits where authorized by Ordinance including deciding interpretation of the district map where there is uncertainty as to location or boundary. To authorize upon appeal in specific cases such variance from the terms of the ordinance as will not be contrary to public interest.

Meetings:
Meetings are held at the call of the Chairman or at such times as a quorum of the board may determine. Members serve on a volunteer basis without pay other than for travel expenses.

From: Candy McGarry
To: Amanda Spivey
Subject: FW: Citizen Concern - Central District PC Representative Meeting Attendance
Date: Monday, July 27, 2026 9:34:22 AM

Possible correspondence to include with the August agenda

From: Candy McGarry
Sent: Monday, July 27, 2026 9:33 AM
To: Jessica Ligon <jligon@nelsoncounty.org>; Jesse Rutherford <jrutherford@nelsoncounty.org>; Ernie Reed <ereed@nelsoncounty.org>; David Parr <dparr@nelsoncounty.org>; Cameron Lenahan <clenahan@nelsoncounty.org>; Dylan Bishop <dbishop@nelsoncounty.org>
Cc: Stephen Bayne [redacted] Gary Scott <twinspringsfarmva@gmail.com>
Subject: Citizen Concern - Central District PC Representative Meeting Attendance

Please see the email concern received below regarding meeting attendance of the Central District representative on the planning Commission.

From: Stephen Bayne [redacted]
Sent: Monday, July 27, 2026 8:56 AM
To: Candy McGarry <CMcGarry@nelsoncounty.org>
Cc: Gary Scott <gscott@nelsoncounty.org>
Subject: § 15.2-2212. Qualifications, appointment, removal, terms and compensation of members of local planning commissions.

County Administrator,

Per Virginia Code §15.2-2212 *Qualifications, appointment, removal, terms and compensation of members of local planning commissions*, a member of the Planning Commission may be removed from office in the event that the commission member is absent from any three consecutive meetings of the commission or is absent from any four meetings of the commission within any 12-month period. As a Central District resident, I have noted that the Central District Planning Commissioner has been absent from a significant number of Planning Commission meetings and joint work session meetings with the Board of Supervisors. That level of absenteeism is greater than the level at which the commission member may be removed.

There are many Planning Commission meetings of high importance for Nelson County and the Central District. Many meetings, including BOS-PC joint work sessions, have been focused on the critical current rewrite of zoning ordinances for Nelson County, last performed in 1977. That rewrite process is nearing its end, final comments are due to the consultants very soon, with citizen open house less than a month away. It is very unfortunate that the Central District Planning Commissioner has missed so many of these important meetings.

I also note that the Central District Commissioner has brought up personal land use plans during Planning Commission meeting discussion of the zoning ordinances. That seems to me to be inappropriate.

We appreciate and respect citizens who serve on county commissions, but those citizens must ensure first that they are willing and able to invest the time needed to serve and do so effectively.

I suggest and submit that Nelson County consider finding a replacement for the Planning Commission for the Central District; finding a commissioner for the Central District with the ability to devote the time needed to this important position.

Sincerely,
Stephen Bayne
620 Far Knob Climb
Nellysford, VA 22958

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NELSON COUNTY BOARD OF SUPERVISORS

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-107, §15.2-1427, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, August 11, 2026** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston, to receive public input for the following:

Public Hearing(s)

1. Ordinance O2026-03 - Amendment to Chapter 4, Buildings, Article 2 Building Code

The purpose of these amendments is to increase the permit fees in Sec. 4-29 and update the language throughout the section.

2. Ordinance O2026-04 – Amendment to Chapter 6, Licenses, Permits and Business Regulations, Article I In General

The purpose of these amendments is to update the amusement device types and increase the amusement device inspection fees in Sec. 6-4. There is a new fee for re-inspections. These fees are to defray costs of administrative and enforcement activities performed by local government personnel including processing permits, inspecting amusement devices, posting inspection labels, etc. A definition for "amusement device" has also been added to this section.

3. Ordinance O2026-05 – Amendment to Chapter 9, Appendix A Fees

The purpose of these amendments is to increase the land-disturbing permit fees for Agreements in Lieu of E&S plans for up to two (2.0) acres of land disturbance in Appendix A and the addition of a new fee of $75.00 for site visits related to complaints.

Copies of the above files and full text of the proposed Ordinance amendments are available for review in the Office of the County Administrator, 84 Courthouse Square, Monday through Friday, 9:00 a.m. to 5:00 p.m. For more information, call the County Administrator's Office at (434) 263-7000. EOE.

BY AUTHORITY OF NELSON COUNTY BOARD OF SUPERVISORS

Board of Supervisors Public Hearings III. A,B,& C

August 11, 2026

Proposed Amendments to the Code of Nelson County – Fees for Services Provided by the Building Inspections Department

- **O2026-03** CH 4, Buildings, Article II Building Code, Sec. 4-29 Fee Schedules
- **O2026-04** CH 6, Licenses, Permits, and Business Regulations Article I, Sec. 6-4 Fees for Inspection of Amusement Devices; Permits
- **O2026-05** CH 9, Appendix A Fees (Related to Erosion and Sediment Control/Land Disturbance)

All three (3) Ordinances are proposed to be effective January 1, 2027

Virginia State Code Authority

- Virginia Administrative Code, Title 13 Housing, Department of Housing and Community Development, CH63 Virginia Uniform Statewide Building Code: 13VAC5-63-70. Section 107 Fees.
  - Fees may be levied to defray the cost of enforcement of the USBC and shall be used only to support the functions of the local building department.
- Code of Virginia Title 36, Housing, CH 6, Uniform Statewide Building Code (USBC), §36-97 et seq.

Comprehensive Fee Evaluation Performed By Code Official

- All Building Department fees were reviewed
- Included Building, Trade, Miscellaneous, Erosion & Sediment Control, Land Disturbance, and Amusement Device fees
- Fees were proposed to be adjusted, modified, or retained as appropriate
- Proposed changes were based on current and future operational needs

Results of Evaluation - Proposed Ordinance Amendments

- Most minimum fees increase from $25 to $75.
- Building permit valuation rate increases from $5/$1,000 to $6/$1,000, with a possible $75 flat fee rate included.
- New enforcement and administrative fees are introduced.
- Amusement device fees are modernized and expanded by ride type.
- E&S and land disturbance inspection fees better reflect inspection workload.
- Proposed changes align fees more closely with actual departmental costs.

III A. Public Hearing #1

O2026-03 CH 4, Buildings, Article II Building Code, Sec. 4-29 Fee Schedules

Current & Proposed Building Permit Fee Rate & Proposed Additional Flat Fee

- **Current Rate:** $5 per $1,000 of project value with a minimum fee of $25
- **Proposed Rate:** $6 per $1,000, or fraction, thereof, of project value with a minimum fee of $75
  - Rate Increase: 20%
- **Proposed Additional Flat Fee:** $75 flat fee with no minimum
  - Increase: 100% from $0

Original Fee	Proposed Fee
$25 minimum + $5 per $1,000	$75 flat fee + $6 per $1,000

Example: *For a project with a proposed value of $400,000 the permit fees are calculated as follows:*

Current Fee Structure:

- *Value-based fee: $5.00 x 400 ($5.00 for each $1,000 and fraction thereof of proposed value) = $2,000*

Proposed Fee Structure:

- *Flat fee of $75.00*
- *Value-based fee: $6.00 x 400 ($6.00 for each $1,000 and fraction thereof of proposed value) = $2,400*
- *Total Permit Fee: $2,475*

An increase of 20% in value-based fee and 24% in Total Permit Fee

Trade Permits, Demolition Permits, Sign & Display Structures

Original Fee	Proposed Fee
$25 minimum when permit required; $5 per $1,000 of work beyond minimum	$75 flat fee + $6 per $1,000 of work

Manufactured Homes

Original Fee	Proposed Fee
$150 Single Wide / $175 Double Wide	$75 flat fee + $6 per $1,000 of project value, plus applicable trade permits

Re-Inspection Fees & Special Use Permits When Required by Local or State Statutes

Original Fee	Proposed Fee
$25 per additional inspection	$75 per additional inspection
$25 Special Use Permit	$75 Special Use Permit

Language added to define being “ready” for an inspection, expectations of Inspectors, and access being provided to sites for inspection.

New Proposed Fees

Original Fee	Proposed Fee
Not Applicable	▪ Stop Work Order: $100 + $50/site visit ▪ Work Without a Permit: $250 ▪ Temporary CO: $150 + $150/month ▪ Plan Amendment: $50 minimum ▪ Cancelled Permit: $75 minimum

Projected Revenue Impact of Proposed Building Permit Fees

Additional $75 Flat Fee Proposal:

- Potential additional revenue from $75 flat fee x 655 Average Annual Permits: +$49,125

Value-based Fee Increase from $5/$1000 to $6/$1000:

- Fee Rate Increase: +$71,600

- Projected Average Annual Revenue: $478,725
- * FY27 Operating Budget: $433,366 *

  * Revenue/Operating Budget Recovery Rate: 110%

* (Prior to Inclusion of 3.5% Salary Increase and Benefits Transfer)

Conclusion

- Estimated minimal impact to consumers
- Proposed fee adjustments move the department to estimated full operational sustainability
- Virginia law requires these funds to support building department functions
- Additional revenue supports code enforcement, staff retention, facility maintenance, and long-term operational stability

Next Steps:

- Q & A
- Conduct the public hearing on proposed Building Inspection and Permit fees included in Ordinance O2026-03
- Consider Proposed **Ordinance O2026-03 Amendment of the Code of Nelson County, Virginia CH 4, Buildings, Article II, Building Code Section 4-29 Fee Schedules -** ***Effective January 1, 2027***

III. B Public Hearing #2

O2026-04 CH 6, Licenses, Permits, and Business Regulations Article I, Sec. 6-4 Fees for Inspection of Amusement Devices; Permits

Amusement Device Fees

(Non-Profits Remain Exempt)

Original Fee	Proposed Fee
▪ Kiddie \$15 ▪ Major \$25 ▪ Spectacular \$45	▪ Small Mechanical/Inflatable (Kiddie) \$55 ▪ Circular/Flat Ride < 20ft \$75 ▪ Spectacular \$100 ▪ NEW Zip Line \$150 each ▪ NEW Coaster >30ft \$200 ▪ NEW Coaster >60ft \$400

Original Fee	Proposed Fee
▪ Annual Permit \$25/Device	▪ Annual Permit \$0 (Removed) ▪ NEW Re-inspection Fee ½ the regular inspection fee each

State Code Definition of "Amusement Device" added

Next Steps:

- Q & A
- Conduct the public hearing on proposed Amusement Device fees included in Ordinance O2026-04
- Consider Proposed **Ordinance O2026-04 Amendment of the Code of Nelson County, Virginia, CH 6, Licenses, Permits, and Business Regulations Article I, In General, Sec. 6-4 Fees for Inspection of Amusement Devices; Permits-** ***Effective January 1, 2027***

III. C Public Hearing #3

O2026-05 CH 9, Appendix A Fees (Erosion and Sediment Control/Land Disturbance)

Erosion & Sediment Control

Original Fee	Proposed Fee
Complaint/Special Site Visits Not Addressed	NEW $75 per substantiated, complaint-driven or unscheduled site visit that results in necessary permitting

Land Disturbance Inspection Fees

Original Fee	Proposed Fee
▪ Begin/End $35 ▪ Once Every 8 Weeks $100 ▪ Once Every 4 Weeks $225	▪ Begin/End $100 ▪ Once Every 8 Weeks $200 ▪ Once Every 4 Weeks $325

No Change to Inspection Fees for Once Every 2 Weeks at $450

Next Steps:

- Q & A
- Conduct the public hearing on proposed Erosion and Sediment Control/Land Disturbance Fees included in Ordinance O2026-05
- Consider Proposed **Ordinance O2026-05 Amendment of the Code of Nelson County, Virginia, CH 9, Appendix A Fees** - *Effective January 1, 2027*

BOARD OF SUPERVISORS

ERNIE Q. REED
Central District

JESSE N. RUTHERFORD
East District

J. DAVID PARR
West District

DR. JESSICA LIGON
South District

A. CAMERON LENAHAN
North District

CANDICE W. MCGARRY
County Administrator

AMANDA B. SPIVEY
Administrative Assistant/
Deputy Clerk

GRACE E. MAWYER
Director of Finance and
Human Resources

ORDINANCE O2026-03
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 4, BUILDINGS, ARTICLE II, BUILDING CODE
SECTION 4-29 FEE SCHEDULES

BE IT HEREBY ORDAINED, by the Nelson County Board of Supervisors, that the Code of Nelson County, Virginia, Chapter 4, Buildings, Article II Building Code, Section 4-29 is hereby amended as follows:

Amend

Sec. 4-29. Fee schedules.

No permit to begin work for new construction, demolition, alteration or other building operation shall be issued, nor shall any application to the board of building code appeals be accepted, until the fees, as established by resolution of the board of supervisors, ~~has~~ ***have*** been paid to the county by the applicant. (Schedule for permit fees~~, twenty-five dollars ($25.00) minimum and five dollars ($5.00)~~ ***are as follows: A flat fee of seventy-five dollars ($75.00) per permit, for any permit listed within this section, or not listed, but deemed necessary by the Building Code Official to be issued. An additional fee of six dollars ($6.00)*** per one thousand dollars ($1,000.00) ***of the proposed value of work*** thereafter. ***Annually updated building valuation data averages of cost to build will be taken into consideration during the review of the reported proposed value of work by applicant.***)

(1) ~~Fee of twenty-five dollars ($25.00) minimum for each plumbing, mechanical or electrical permit where such inspection is required under the Virginia Uniform Statewide Building Code and no building permit has been issued or the building permit fee is less than one hundred dollars ($100.00).~~ ***A flat fee of seventy-five dollars ($75.00), for any permit related to plumbing, mechanical, electrical, gas, or any other applicable trade or related work where a permit and/or inspections is/are required under the Virginia Uniform Statewide Building Code, Code of Federal Regulations, or other applicable codes deemed necessary by the Building Code Official.***

In addition to the flat fee of $75.00, a fee of six dollars ($6.00) per one thousand dollars ($1,000.00), or fraction thereof, of the proposed value of work.

For example, for a project with a proposed value of $10,000.00, the permit fee is calculated as follows:

- ***i. Flat fee of $75.00***
- ***ii. Value based fee: $6.00 x 10 ($6.00 for each $1,000 and fraction thereof of proposed value) = $60.00***
- ***iii. Total Permit Fee: $135.00***

(2) ~~Fee of twenty-five dollars ($25.00) minimum~~ ***A flat fee of seventy-five dollars ($75.00)*** for each demolition permit for demolishing any building or structure. ***An additional fee of six dollars ($6.00) per one thousand dollars ($1,000.00) of the proposed value of work thereafter.***

(3) ~~Twenty-five dollars ($25.00)~~ ***Seventy-five ($75.00)*** minimum fee for signs, billboards and other display structures for which permits are required under provisions of the Virginia Uniform Statewide Building Code and in accordance with the local zoning ordinance. ***An additional fee of six dollars ($6.00) per one thousand dollars ($1,000.00) of the proposed value of work thereafter.***

(4) There will be a fee of ~~twenty-five dollars ($25.00)~~ ***seventy-five ($75.00)*** for any special use permit when it is required by the local zoning ordinance or state statutes.

(5) ~~Fee for mobile homes shall be one hundred fifty dollars ($150.00) for single wides and one hundred seventy-five dollars ($175.00) for double wides.~~ ***Fee for manufactured homes: A flat fee of seventy-five dollars ($75.00), for any permit related to plumbing, mechanical, electrical, gas, or any other applicable trade or related work where a permit and/or inspections is/are required under the Virginia Uniform Statewide Building Code, Code of Federal Regulations, or other applicable codes deemed necessary by the Building Code Official. An additional fee of six dollars ($6.00) per one thousand dollars ($1,000.00) thereafter.***

(6) ~~Twenty-five dollars ($25.00)~~ ***Seventy-five ($75.00)*** minimum fee for a building permit for the removal of a building or structure from one (1) lot to another or to a new location on the same lot, ~~or five dollars ($5.00)~~ ***and six dollars ($6.00)*** per one thousand dollars ($1,000.00) of the estimated cost of moving plus the cost of the new foundation and all work necessary to place the building or structure in its completed condition in the new location, whichever is greater. ***Other applicable trade fees will also apply*** (Refer to Statewide Uniform ***Statewide*** Building Code.)

(7) When additional inspections are necessary, due to the failure of the contractor or builder to comply with the requirements of this Code or any other local ordinances, an additional fee of ~~twenty-five dollars ($25.00)~~ ***seventy-five ($75.00)*** for each such trip shall be paid. ***Not being "ready" for an inspection after scheduling that inspection will be cause for a re-inspection fee after the first failed inspection. Nelson County does not offer specific times of when inspectors will be on site unless absolutely necessary. The Building Code Official and/or Inspectors shall deem what is necessary. Contractors shall be "ready" prior to inspector's arrival any time between 8 a.m. to 4 p.m. on the day of the requested inspection. Contractors are not required to be on site at the time of the inspection. However, safe and easy access to the inspection is absolutely necessary. Locked gates, door, etc., without a key or code given prior to the inspection, will be deemed no access and require a re-inspection fee.***

(8) Seventy-five dollars ($75.00) for the installation of any onsite sewage disposal system. The fee is in addition to any fee required by the Virginia Department of Health for such installation. The owner of each property in the county shall obtain a county permit from Nelson County prior to the construction, installation, modification or operation of a sewage system for which a permit is required by the Virginia Department of Health. Such county permit issued by Nelson County shall be issued jointly with and upon the same terms as, the permit issued by the Virginia Department of Health.

Any applicant who shall be exempt from the payment of fees for the issuance of a permit for such system by the Virginia Department of Health shall likewise be exempt from the payment of any fee hereunder. Any applicant denied a construction permit based upon the regulations of the Virginia Department of Health governing such construction and eligible for refund of the state application fee shall be eligible for refund of the county application fee upon the same terms.

(9) Twenty-five dollars ($25.00) for the construction of a private water well. The fee is in addition to any fee required by the Virginia Department of Health for such construction. The owner of each property in the county shall obtain a county permit from Nelson County prior to construction of any private water well for which a permit is required by the Virginia Department of Health. Such county permit issued by Nelson County shall be issued jointly with, and upon the same terms as, the permit issued by the Virginia Department of Health.

Any applicant who shall be exempt from the payment of fees for the issuance of a permit for such system by the Virginia Department of Health shall likewise be exempt from the payment of any fee hereunder. Any applicant denied a construction permit based upon the regulations of the Virginia Department of Health governing such construction and eligible for refund of the state application fee shall be eligible for refund of the county application fee upon the same terms.

(10) ~~To all permit fees there shall be added such state levy as may be effective at the time the fee is charged.~~ ***Any necessary issuances of Stop Work Orders, working without a permit, or other notable violations: one hundred dollars ($100.00) per violation, plus fifty dollars ($50.00) per necessary correlating site visit.***

(11) Temporary Certificate of Occupancy: one hundred fifty dollars ($150.00) issuance fee and one hundred fifty ($150.00) per month thereafter.

(12) Plan Amendment: Minimum fifty dollars ($50.00); additional fees may be added depending on the time involved to accomplish the amendment.

(13) Cancelled Permit Fee (Cost shall be at the discretion of the Building Code Official based on the amount of time spent on permit processing, plan review, etc.) No less than seventy-five dollars ($75.00).

(14) To all permit fees there shall be added such state levy as may be effective at the time the fee is charged.

(Ord. of 5-11-76; Res. of 9-9-86(1); Ord. of 10-14-97; Ord. of 12-9-97; Ord. of 12-14-99; Ord. of 12-9-03)

BE IT FURTHER ORDAINED, by the Nelson County Board of Supervisors that this Ordinance becomes effective January 1, 2027.

Adopted: ____________________ Attest: ________________________________, Clerk
Nelson County Board of Supervisors

ORDINANCE O2026-04
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 6, LICENSES, PERMITS AND BUSINESS REGULATIONS
ARTICLE I, IN GENERAL
SECTION 6-4 FEES FOR INSPECTION OF AMUSEMENT DEVICES; PERMITS

BE IT HEREBY ORDAINED, by the Nelson County Board of Supervisors, that the Code of Nelson County, Virginia, Chapter 6, Licenses, Permits and Business Regulations, Article I In General, Section 6-4 is hereby amended as follows:

Amend

Sec. 6-4. Fees for inspection of amusement devices; permits.

(a) *Fees imposed.* The Nelson County Board of supervisors does hereby adopt fees for the inspection of amusement devices and permits for amusement devices as follows:

Classification of Device Fees

~~Kiddie Rides $15.00~~
~~Major Rides $25.00~~
~~Spectacular Ride $45.00~~
~~Passenger Tramway:~~

~~Annual Permit $25.00/Device~~

~~Inspection 30.00/Device~~

$55.00 for each small mechanical ride (kiddie) or inflatable amusement device covered by the permit.

$75.00 for each circular ride or flat ride less than twenty (20) feet in height covered by the permit.

$100.00 for each spectacular ride covered by the permit that cannot be inspected as a circular ride or flat ride in subdivision two of this subsection due to complexity or height.

$150.00 for each zip line.

$200.00 for each coaster covered by the permit that exceeds thirty (30) feet in height.

$400.00 for each coaster covered by the permit that exceeds sixty (60) feet in height.

Each Re-Inspection – Half (1/2) the cost of the normal fee per Classification of Specific Device.

Any additional inspections outside the purview of listed Amusement Device fees may need a standard Building Permit at current Permit costs. Please check with local Building Department.

These fees are to ~~cover all~~ ***defray*** costs of administrative and enforcement activities performed by local government personnel including processing permits, inspecting amusement devices, posting inspection labels, etc.

(b) *Definitions.* Definition of the ride classification along with examples of each classification are provided as part of this fee schedule.

Kiddie ride means an amusement ride designed primarily for use by children up to twelve (12) years of age that requires simple reassembly procedures prior to operation, and that does not require complex inspections prior to operation. Examples of kiddie rides include, but are not limited to the following:

Airplane Swing	Kiddie Car
Alligators	Kiddie Ferris Wheel
Amtrak Train	Kiddie Motorcycles
Bear in the Air	Kiddie Train
Bulgy the Whale	Kiddie Tubs-O-Fun
Bumble Bees	Merry-Go-Round
Caterpillar Train	Mini Bumper Cars
Clown-A-Round	Mini Scrambler
Clown Pillow	Moon Walk
Convoy	Motorcycle Jumps
Flying Saucer	Red Baron
Giant Slide	River Canoes
Go-Gator Coaster	Sky Fighter
Italian Kiddie Swings	Space Castle
Kiddie Boats	Turnpike Autos

Major ride means "flat-ride" or "circular ride," as defined by ASTM Standard on Amusement Rides and Devices, * not classified as "Spectacular Ride" or "Kiddie Ride," that may be inspected principally from the ground (i.e. inspector remains within a height not greater than twenty (20) feet off the ground or loading platform). Examples of major rides include, but are not limited to the following:

All "Dark Rides"	Rock-O-Plane
Astro Liner	Round-Up
Bumper Boats	Scrambler
Bumper Cars	Side Winder
Double Loop	Spider
Far Out	Tempest
Gravitron	Tilt-A-Whirl
Hurricane	Tip Top
Jules Vern	Tub-O-Fun
Krazy Cars	Twister

Spectacular ride means "high ride," "flat ride," or "circular ride," as defined by ASTM Standards on Amusement Rides and Devices, * which because of their height, size, length, capacity, or complexity of assembly and operation, require greater amount of inspection effort. Examples of spectacular rides include, but are not limited to the following:

Armour	Paratrooper	Sky Wheel
Cortina Bobs	Pirate Ship	Super Cat
Ferris Wheel	Roller Coasters	Super Himalaya
Flying Bods	Galaxy	Super Loop
Galactica	High Rise	Super Roundup
Giant Wheel	Lock Ness Monster	Swiss Bobs
Himalaya	Ranger	Viking Ship
Log Flume	Rebel Yell	Wave Swinger
Looping Star	Shock Wave	Yo Yo
Music Express	Toboggan	Zipper
Music Fest	Wild Mouse	1001 Nights
Sky Diver		

*ASTM Definitions (ASTM Designation: F-747-86)

Circular ride: An amusement ride whose motion is primarily rotary in a fixed or variable plane from horizontal to forty-five (45) degrees above horizontal.

Flat ride: An amusement ride that operates on a single level whether over a controlled, fixed course or track, or confined to a limited area of operation.

High ride: An amusement ride whose motion is in a fixed or variable plane from horizontal or vertical.

Passenger tramway: A device used to transport passengers, suspended in the air by the use of steel cables, chains or belts, or by ropes, and usually supported by trestles or towers with one or more spans.

***13VAC5-31-20. Definitions.**

"Amusement device" means (i) a device or structure open to the public by which persons are conveyed or moved in an unusual manner for diversion, but excluding snow tubing parks and rides, ski terrain parks, ski slopes, and ski trails, and (ii) passenger tramways. For the purpose of this definition, the phrase "open to the public" means that the public has full access to a device or structure at an event, irrespective of whether a fee is charged. The use of devices or structures at private events is not considered to be open to the public.

(c) *Exemption.* Charitable, not-for-profit organizations shall be exempt from the fees established by this section.

(Ord. of 6-8-93)

Editor's note(s)—Provisions enacted by an ordinance adopted June 8, 1993, have been included herein at the discretion of the editor as § 6-4.

BE IT FURTHER ORDAINED, by the Nelson County Board of Supervisors that this Ordinance becomes effective January 1, 2027.

Adopted: ___________________ Attest: _______________________________, Clerk

Nelson County Board of Supervisors

ORDINANCE O2026-05
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF THE CODE OF NELSON COUNTY, VIRGINIA
CHAPTER 9, APPENDIX A FEES

BE IT HEREBY ORDAINED, by the Nelson County Board of Supervisors, that the Code of Nelson County, Virginia, Chapter 9, Appendix A Fees is hereby amended as follows:

Amend

APPENDIX A FEES

E & S Plans

Plan Review Fee: $500.00 per plan.

Land-Disturbing Permit Fee: $450.00 (twelve (12) months).

Each Site visit, due to a complaint; site visit necessary to remedy a complaint; or any other unplanned or unscheduled site visits made necessary due to the site ($75.00).

Fees for projects exceeding twelve (12) months shall be prorated in accordance with the above fee commensurate with the project's completion date as established by the program administrator.

Permit extensions may be granted by the program administrator upon payment of the prorated (monthly) share of the above fee.

Agreements in Lieu of E & S Plans

Up to Two (2.0) Acres of Land Disturbance. Land-disturbing permit fees (twelve (12) months):

*Inspection Frequency	Fee
Once beginning and end of project	$ ~~35.00~~ ***100.00***
Once every 8 weeks	$~~100.00~~ ***200.00***
Once every 4 weeks	$~~225.00~~ ***325.00***
Once every 2 weeks	$450.00

Two (2.0) Acres or More of Land Disturbance. Land-disturbing permit fee (twelve (12) months):

*Inspection Frequency	Fee
Once every 2 weeks	$450.00

Fees for projects exceeding twelve (12) months shall be prorated in accordance with the above fees based on the project's required inspection frequency and commensurate with the project's completion date, as established by the program administrator.

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Permit extensions may be granted by the program administrator upon payment of a prorated (monthly) share of the above fees based on the project's required inspection frequency.

* Inspection frequency is determined by each project's rating in accordance with the county's approved alternate inspection plan.

(Ord. No. O2007-009, 9-27-07)

BE IT FURTHER ORDAINED, by the Nelson County Board of Supervisors that this Ordinance becomes effective January 1, 2027.

Adopted: __________________ Attest: ______________________________, Clerk

Nelson County Board of Supervisors

Fee / Proposed Fee	Increase Amount
.005 (5/1000)	Current
.006 (6/1000)	20%
.007 (7/1000)	40%

Proposed Work Value (dollars)	Current Permit Fee using - 5/1000 (dollars)	Permit Fee using 6/1000 (dollars)	Plus 75.00 flat fee Added to 6/1000 only (dollars)	Permit Fee using - 7/1000 (dollars)
5k	25	30	105	35
10k	50	60	135	70
100k	500	600	675	700
150k	750	900	975	1050
200k	1000	1200	1275	1400
300k	1500	1800	1875	2100
400k	2000	2400	2475	2800
500k	2500	3000	3075	3500
600k	3000	3600	3675	4200
700k	3500	4200	4275	4900
800k	4000	4800	4875	5600
900k	4500	5400	5475	6300
1,000,000	5000	6000	6075	7000

Annual Operating Cost	Current Average Annual Revenue	Plus 20%	Plus 20% plus $75. flat fee	Plus 40%
432,000.00	358,000.00	429,600.00	478,725.00	501,200.00

In addition to the overall increase listed above, a flat fee of 75.00 per permit has been proposed, prior to any increases per 1000. At and average permit count over the past four years of 655 permits per year, an estimated additional revenue of, (655 permits x 75.00 per permit) = $49,125.00 . I propose we add one dollar to the overall, making the general fee, 6 dollars per 1000.. Increasing the revenue by 20% and adding the flat fee of 75.00 per permit. Thus, bringing the revenue to, $358,000. + $71,600.(20%) + $49,125.(75. flat fee) = an average of $478,725.00

Virginia Administrative Code
Title 13. Housing
Agency 5. Department of Housing And Community Development
Chapter 63. Virginia Uniform Statewide Building Code

Part I. Construction

13VAC5-63-70. Section 107 Fees.

A. Section 107.1 Authority for charging fees. In accordance with § 36-105 of the Code of Virginia, fees may be levied by the local governing body in order to defray the cost of enforcement of the USBC. With the exception of the levy collected pursuant to Section 107.2, fees levied pursuant to this section shall be used only to support the functions of the local building department.

Note: See subsection D of § 36-105 of the Code of Virginia for rules for permit fees involving property with easements or liens.

B. Section 107.1.1 Fee schedule. The local governing body shall establish a fee schedule incorporating unit rates, which may be based on square footage, cubic footage, estimated cost of construction, or other appropriate criteria. A permit or any amendments to an existing permit shall not be issued until the designated fees have been paid, except that the building official may authorize the delayed payment of fees.

C. Section 107.1.2 Refunds. When requested in writing by a permit holder, the locality shall provide a fee refund in the case of the revocation of a permit or the abandonment or cancellation of a building project. The refund shall not be required to exceed an amount that correlates to work not completed.

D. Section 107.1.3 Fees for generators used with amusement devices. Fees for generators and associated wiring used with amusement devices shall only be charged under the Virginia Amusement Device Regulations (13VAC5-31).

E. Section 107.2 Code academy fee levy. In accordance with subdivision 7 of § 36-137 of the Code of Virginia, the local building department shall collect a 2.0% levy of fees charged for permits issued under this code and transmit it quarterly to DHCD to support training programs of the Virginia Building Code Academy. Localities that maintain individual or regional training academies accredited by DHCD shall retain such levy.

Statutory Authority
§36-98 of the Code of Virginia.

Historical Notes
Derived from Virginia Register Volume 22, Issue 3, eff. November 16, 2005; amended, Virginia Register Volume 24, Issue 14, eff. May 1, 2008; Volume 27, Issue 2, eff. March 1, 2011; Change in Effective Date, 27:5 VA.R. 534 November 8, 2010; amended, Virginia Register Volume 30, Issue 16, eff. July 14, 2014; Volume 34, Issue 18, eff. September 4, 2018; Volume 40, Issue 9, eff. January 18, 2024.

§ 36-105. Enforcement of Code; appeals from decisions of local department; inspection of buildings; inspection warrants; inspection of elevators; issuance of permits

A. Enforcement generally. Enforcement of the provisions of the Building Code for construction and rehabilitation shall be the responsibility of the local building department. There shall be established within each local building department a local board of Building Code appeals whose composition, duties and responsibilities shall be prescribed in the Building Code. Any person aggrieved by the local building department's application of the Building Code or refusal to grant a modification to the provisions of the Building Code may appeal to the local board of Building Code appeals. No appeal to the State Building Code Technical Review Board shall lie prior to a final determination by the local board of Building Code appeals. Whenever a county or a municipality does not have such a building department or board of Building Code appeals, the local governing body shall enter into an agreement with the local governing body of another county or municipality or with some other agency, or a state agency approved by the Department for such enforcement and appeals resulting therefrom.

For the purposes of this section, towns with a population of less than 3,500 may elect to administer and enforce the Building Code; however, where the town does not elect to administer and enforce the Building Code, the county in which the town is situated shall administer and enforce the Building Code for the town. In the event that such town is situated in two or more counties, those counties shall administer and enforce the Building Code for that portion of the town situated within their respective boundaries. Additionally, the local governing body of a county or municipality may enter into an agreement with the governing body of another county or municipality for the provision to such county or municipality's local building department of technical assistance with administration and enforcement of the Building Code.

B. New construction. Any building or structure may be inspected at any time before completion, and shall not be deemed in compliance until approved by the inspecting authority. Where the construction cost is less than $2,500, however, the inspection may, in the discretion of the inspecting authority, be waived. A building official may issue an annual permit for any construction regulated by the Building Code. The building official shall coordinate all reports of inspections for compliance with the Building Code, with inspections of fire and health officials delegated such authority, prior to issuance of an occupancy permit. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals. With the exception of the levy imposed pursuant to § 36-137, any fees levied pursuant to this subsection shall be used only to support the functions of the local building department.

C. Existing buildings and structures.

1. Inspections and enforcement of the Building Code. The local governing body may also inspect and enforce the provisions of the Building Code for existing buildings and structures, whether occupied or not. Such inspection and enforcement shall be carried out by an agency or department designated by the local governing body.

2. Complaints by tenants. However, upon a finding by the local building department, following a complaint by a tenant of a residential dwelling unit that is the subject of such complaint, that there may be a violation of the unsafe structures provisions of the Building Code, the local building department shall enforce such provisions.

3. Inspection warrants. If the local building department receives a complaint that a violation of the Building Code exists that is an immediate and imminent threat to the health or safety of the owner, tenant, or occupants of any building or structure, or the owner, occupant, or tenant of any nearby building or structure, and the owner, occupant, or tenant of the building or structure that is the subject of the complaint has refused to allow the local building official or his agent to have access to the subject building or structure, the local building official or his agent may make an affidavit under oath before a magistrate or a court of competent jurisdiction and request that the magistrate or court grant the local building official or his agent an inspection warrant to enable the building official or his agent to enter the subject building or structure for the purpose of determining whether violations of the Building Code exist. After issuing a warrant under this section, the magistrate or judge shall file the affidavit in the manner prescribed by § 19.2-54. After executing the warrant, the local building official or his agents shall return the warrant to the clerk of the circuit court of the city or county wherein the inspection was made. The local building official or his agent shall make a reasonable effort to obtain consent from the owner, occupant, or tenant of the subject building or structure prior to seeking the issuance of an inspection warrant under this section.

4. Transfer of ownership. If the local building department has initiated an enforcement action against the owner of a building or structure and such owner subsequently transfers the ownership of the building or structure to an entity in which the owner holds an ownership interest greater than 50 percent, the pending enforcement action shall continue to be enforced against the owner.

5. Elevator, escalator, or related conveyance inspections. The local governing body shall, however, inspect and enforce the Building Code for elevators, escalators, or related conveyances, except for elevators in single- and two-family homes and townhouses. Such inspection shall be carried out by an agency or department designated by the local governing body.

6. A locality may require by ordinance that any landmark, building or structure that contributes to a district delineated pursuant to § 15.2-2306 shall not be razed, demolished or moved until the razing, demolition or moving thereof is approved by the review board, or, on appeal, by the governing body after consultation with the review board unless the local maintenance code official consistent with the Uniform Statewide Building Code, Part III Maintenance, determines that it constitutes such a hazard that it shall be razed, demolished or moved.

For the purpose of this subdivision, a contributing landmark, building or structure is one that adds to or is consistent with the historic or architectural qualities, historic associations, or values for which the district was established pursuant to § 15.2-2306, because it (i) was present during the period of significance, (ii) relates to the documented significance of the district, and (iii) possesses historic integrity or is capable of yielding important information about the period.

7. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals. For purposes of this section, "defray the cost" may include the fair and reasonable costs incurred for such enforcement during normal business hours, but shall not include overtime costs unless conducted outside of the normal working hours established by the locality.

A schedule of such costs shall be adopted by the local governing body in a local ordinance. A locality shall not charge an overtime rate for inspections conducted during the normal business hours established by the locality. With the exception of the levy imposed pursuant to § 36-137, any fees levied pursuant to this subdivision shall be used only to support the functions of the local building department. Nothing herein shall be construed to prohibit a private entity from conducting such inspections, provided the private entity has been approved to perform such inspections in accordance with the written policy of the maintenance code official for the locality.

D. Issuance of permits.

1. Fees may be levied by the local governing body to be paid by the applicant for the issuance of a building permit as otherwise provided under this chapter; however, notwithstanding any provision of law, general or special, if the applicant for a building permit is a tenant or the owner of an easement on the owner's property, such applicant shall not be denied a permit under the Building Code solely upon the basis that the property owner has financial obligations to the locality that constitute a lien on such property in favor of the locality. If such applicant is the property owner, in addition to payment of the fees for issuance of a building permit, the locality may require full payment of any and all financial obligations of the property owner to the locality to satisfy such lien prior to issuance of such permit. For purposes of this subdivision, "property owner" means the owner of such property as reflected in the land records of the circuit court clerk where the property is located, the owner's agent, or any entity in which the owner holds an ownership interest greater than 50 percent.

2. In the event that a local building department denies an application for the issuance of a building permit, the local building department shall provide to the applicant a written explanation detailing the reasons for which the application was denied. The applicant may submit a revised application addressing the reasons for which the application was previously denied, and if the applicant does so, the local building department shall be encouraged, but not required, to limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised.

1972, c. 829; 1974, c. 433; 1977, cc. 423, 613; 1978, c. 578; 1981, c. 498; 1982, c. 267; 1992, c. 73; 1993, c. 328; 1994, cc. 214, 256, 574;1995, cc. 95, 523, 702, 827;1999, cc. 333, 341;2001, c. 119; 2002, c. 720;2003, c. 650;2004, c. 851;2006, c. 424;2007, c. 291;2009, cc. 181, 184, 551, 586;2010, c. 63;2012, cc. 494, 607;2014, c. 354;2018, c. 222;2019, c. 698.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Virginia Administrative Code
Title 13. Housing
Agency 5. Department of Housing And Community Development
Chapter 31. Virginia Amusement Device Regulations

Part II. Enforcement, Permits and Certificates of Inspection

13VAC5-31-75. Local building department.

A. In accordance with §§ 36-98.3 and 36-105 of the Code of Virginia, the local building department shall be responsible for the enforcement of this chapter and may charge fees for such enforcement activity. The total amount charged for any one permit to operate an amusement device or devices or the renewal of such permit shall not exceed the following, except that when a private inspector is used by the owner or operator of the device, the fees shall be reduced by 75%:

1. $55 for each small mechanical ride or inflatable amusement device covered by the permit;

2. $75 for each circular ride, institutional trampoline, or flat-ride less than 20 feet in height covered by the permit, except concession go-karts.

   Concession go-kart fees shall not exceed $300 per track, for tracks with up to 20 karts. An additional fee of up to $10 may be charged for each additional kart in excess of 20;

3. $100 for each spectacular ride covered by the permit that cannot be inspected as a circular ride or flat-ride in subdivision 2 of this subsection due to complexity or height, except zip lines. Zip line fees shall not exceed $150 for each zip line. For the purposes of this section, each portion from launch point to landing point shall be considered a separate zip line and each zip line between a launch point and landing point shall also be considered a separate zip line;

4. $200 for each coaster covered by the permit that exceeds 30 feet in height;

5. $400 for each coaster covered by the permit that exceeds 60 feet in height; and

6. The local building department may charge an additional fee for permits and inspections of generators and associated wiring for amusement device events. Generators subject to these fees are those used exclusively with amusement devices and that are inspected by the local building department. The fee per event shall not exceed $165 and shall not exceed the actual cost to perform the inspection or inspections.

   Exception: Small portable generators serving only cord and plug connected equipment loads are not subject to the fee.

Notwithstanding the fee limitations established in this section, the local building department shall be permitted to increase the fees up to 50% when requested to perform weekend or after-hour inspections. The local building department shall also be permitted to increase fees up to 50% when a reinspection is required.

B. Notwithstanding the provisions of subsection A of this section, when an amusement device is constructed in whole or in part at a site for permanent operation at that site and is not intended to be disassembled and moved to another site, then the local building department may utilize permit and inspection fees established pursuant to the USBC to defray the cost of enforcement. This authorization does not apply to an amusement device that is only being reassembled, undergoing a major modification at a site or being moved to a site for operation.

C. A permit application shall be made to the local building department at least five days before the date in which the applicant intends to operate an amusement device. The application shall include the name of the owner, operator or other person assuming responsibility for the device, a general description of the device including any serial or identification numbers available, the location of the property on which the device will be operated, and the length of time of operation. The permit application shall indicate whether a private inspector will be used. If a private inspector is not used, the applicant shall give reasonable notice when an inspection is sought and may stipulate the day such inspection is requested provided it is during the normal operating hours of the local building department. In addition to the information required on the permit application, the applicant shall provide proof of liability insurance of an amount not less than $1 million per occurrence or proof of equivalent financial responsibility. The local building department shall be notified of any change in the liability insurance or financial responsibility during the period covered by the permit.

D. Notwithstanding the provisions of subsection C of this section, a permit application is not required for a small mechanical ride or an inflatable amusement device that has a certificate of inspection issued by any local building department in this Commonwealth either a six-month period for small mechanical rides or within a one-year period for inflatable amusement devices prior to the dates the small mechanical ride or inflatable amusement device is to be used, regardless of whether the devices has been disassembled and moved to a new site. In such cases, the local building department shall be notified and provided with the information required on a permit application as listed in subsection C of this section at least three days prior to operation. In addition, and notwithstanding the provisions of subsection A of this section, the local building department shall be permitted to charge a $50 inspection fee per event to the person notifying the local building department of an event where an inflatable amusement device is operating if the local building department chooses to inspect any or all of the inflatable amusement devices operating at that event. An inspection report shall be provided to the person notifying the local building department of the event if such an inspection is conducted.

E. Local building department personnel shall examine the permit application within five days and issue the permit if all requirements are met. A certificate of inspection for each amusement device shall be issued when the device has been found to comply with this chapter by a private inspector or by an inspector from the local building department. It shall be the responsibility of the local building department to verify that the private inspector possesses a valid certificate of competence as an amusement device inspector from the Virginia Board of Housing and Community Development. In addition, local building department personnel shall be responsible for assuring that the certificate of inspection is posted or affixed on or in the vicinity of the device in a location visible to the public. Local building department personnel shall post or affix such certificates or permit the certificates to be posted or affixed by the private inspector.

Permits shall indicate the length of time the device or devices will be operated at the site, clearly identify the device or devices to which it applies and the date of expiration of the permit. Permits shall not be valid for longer than one year, except that permits for small mechanical rides shall not be valid for longer than six months.

F. In addition to obtaining a certificate of inspection in conjunction with a permit application for amusement devices permanently fixed to a site, a new certificate of inspection shall also be obtained prior to the operation of an amusement device following a major modification, prior to each seasonal operation of a device, at least once during the operating season and prior to resuming the operation of a device following an order from a local building department to cease operation. This requirement shall not apply to small mechanical rides meeting the conditions outlined in subsection D of this section.

G. For amusement devices manufactured prior to 1978, the owner or operator shall have the information required by 10.1 through 10.6 of ASTM F1193 available at the time of inspection. In addition, the operator of any amusement device shall be responsible for obtaining all manufacturer's notifications, service bulletins and safety alerts issued pursuant to ASTM F770 and the operator shall comply with all recommendations and requirements set out in those documents. A copy of all such documents shall be made available during an inspection.

H. In the enforcement of this chapter, local building department personnel shall have authority to conduct inspections at any time an amusement device would normally be open for operation or at any other time if permission is granted by the owner or operator, to issue an order to temporarily cease operation of an amusement device upon the determination that the device may be unsafe or may otherwise endanger the public and to accept and approve or deny requests for modifications of the rules of this chapter in accordance with the modification provisions of the USBC.

I. In accordance with subdivision 7 of § 36-137 of the Code of Virginia, the local building department shall collect a 2.0% levy of fees charged for permits under this chapter and transmit it quarterly to DHCD to support training programs of the Virginia Building Code Academy. Localities that maintain individual or regional training academies accredited by DHCD shall retain such levy.

J. In accordance with § 36-98.3 of the Code of Virginia and 13VAC5-31-10 B, the procedures for violations of this chapter shall be as prescribed in the USBC.

K. In accordance with § 36-98.1 of the Code of Virginia, the Virginia Department of General Services (DGS) shall function as the local building department for the application of this chapter to amusement devices located on state-owned property. In accordance with §§ 36-98.2 and 36-114 of the Code of Virginia, appeals of the application of this chapter by the DGS shall be made directly to the State Building Code Technical Review Board. Further, as a condition of this chapter, such appeals shall be filed within 14 calendar days after receipt of the decision of DGS.

Statutory Authority

§36-98.3 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 24, Issue 14, eff. May 1, 2008; amended, Virginia Register Volume 27, Issue 2, eff. March 1, 2011; Change in Effective Date, 27:5 VA.R. 533 November 8, 2010; amended, Virginia Register Volume 30, Issue 16, eff. July 14, 2014; Errata, 30:18 VA.R. 2362 May 5, 2014; amended, Virginia Register Volume 34, Issue 18, eff. September 4, 2018; Volume 37, Issue 14, eff. July 1, 2021.

Virginia Administrative Code
Title 13. Housing
Agency 5. Department of Housing And Community Development
Chapter 31. Virginia Amusement Device Regulations

Part I. General Provisions

13VAC5-31-20. Definitions.

A. The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

"Amusement device" means (i) a device or structure open to the public by which persons are conveyed or moved in an unusual manner for diversion, but excluding snow tubing parks and rides, ski terrain parks, ski slopes, and ski trails, and (ii) passenger tramways. For the purpose of this definition, the phrase "open to the public" means that the public has full access to a device or structure at an event, irrespective of whether a fee is charged. The use of devices or structures at private events is not considered to be open to the public.

"Bungee cord" means the elastic rope to which the jumper is attached that lengthens and shortens to produce a bouncing action.

"Carabineer" means a shaped metal device with a gate used to connect sections of a bungee cord, jump rigging, equipment, or safety gear.

"Certificate of inspection" means the certificate or sticker for amusement devices distributed by DHCD.

"DHCD" means the Virginia Department of Housing and Community Development.

"Gravity ride" means a ride that is installed on an inclined surface, that depends on gravity for its operation to convey a passenger from the top of the incline to the bottom, and that conveys a passenger in or on a carrier tube, bag, bathing suit, or clothes.

"Ground operator" means a person who assists the jump master to prepare a jumper for jumping.

"Harness" means an assembly to be worn by a bungee jumper to be attached to a bungee cord. It is designed to prevent the wearer from becoming detached from the bungee system.

"Institutional trampoline" means a trampoline intended for use in a commercial or institutional facility.

"Jump master" means a person who has responsibility for the bungee jumper and who takes the jumper through the final stages to the actual jump.

"Jump zone" means the space bounded by the maximum designed movements of the bungee jumper.

"Jumper" means the person who departs from a height attached to a bungee system.

"Landing area" means the surface area of ground or water directly under the jump zone, the area where the lowering device moves the bungee jumper to be landed away from the jump space, and the area covered by the movement of the lowering device.

"Local building department" means the agency of the governing body of any city, county, or town in this Commonwealth charged with the enforcement of the USBC.

"Operating manual" means the document that contains the procedures and forms for the operation of bungee jumping equipment and activity at a site.

"Passenger tramway" means a device used to transport passengers uphill, and suspended in the air by the use of steel cables, chains or belts, or ropes, and usually supported by trestles or towers with one or more spans.

"Platform" means the equipment attached to the structure from which the bungee jumper departs.

"Private inspector" means a person performing inspections who is independent of the company, individual, or organization owning, operating, or having any vested interest in an amusement device being inspected.

"Serious injury or illness" means a personal injury or personal illness that results in death; dismemberment; significant disfigurement; permanent loss of the use of a body organ, member, function, or system; a compound fracture; or other significant injury or illness that requires immediate admission and overnight hospitalization and observation by a licensed physician.

"Small mechanical ride" means an amusement device, other than an inflatable amusement device, where (i) the assembly time for the device is two hours or less, (ii) the revolutions per minute of any rotation of the components of the device is not greater than seven, (iii) the device has a footprint of less than 500 square feet, and (iv) the device does not invert a patron or lift a patron more than three feet in the air, measured from the ground to the bottom of the patron's feet when the device is operating.

"Trampoline court" means a defined area comprising one or more institutional trampolines or a series of institutional trampolines.

"Ultimate tensile strength" means the greatest amount of load applied to a bungee cord prior to failure.

"USBC" means the Virginia Uniform Statewide Building Code (13VAC5-63).

B. Words and terms used in this chapter that are defined in the USBC shall have the meaning ascribed to them in that regulation unless the context clearly indicates otherwise.

C. Words and terms used in this chapter that are defined in the standards incorporated by reference in this chapter shall have the meaning ascribed to them in those standards unless the context clearly indicates otherwise.

Statutory Authority

§36-98.3 of the Code of Virginia.

Historical Notes

Derived from Virginia Register Volume 13, Issue 12, eff. April 15, 1997; amended, Virginia Register Volume 22, Issue 3, eff. November 16, 2005; Volume 24, Issue 14, eff. May 1, 2008; Volume 27, Issue 2, eff. March 1, 2011; Change in Effective Date, 27:5 VA.R. 533 November 8, 2010; amended, Virginia Register Volume 27, Issue 26, eff. September 28, 2011; Volume 30, Issue 16, eff. July 14, 2014; Volume 37, Issue 14, eff. July 1, 2021; Volume 40, Issue 9, eff. January 18, 2024.

LEGAL NOTICE
NOTICE OF PUBLIC HEARING
NELSON COUNTY BOARD OF SUPERVISORS

In accordance with Volume 3A, Title 15.2, Counties, Cities and Towns, of the Code of Virginia, 1950, as amended, and pursuant to §15.2-1427, §15.2-2503, §15.2-2506 and §15.2-2507, the Nelson County Board of Supervisors hereby gives notice that a Public Hearing will start at **7:00 p.m., Tuesday, August 11, 2026** in the **General District Courtroom** on the third floor of the Nelson County Courthouse located at 84 Courthouse Square, Lovingston.

Public Hearing(s):

1. Amendment of FY2026-2027 Budget That Exceeds the Statutory Limit of One Percent

Consideration of a proposed FY2026-2027 Budget Amendment that provides for the 2026 Larkin Property purchase in the amount of $8,925,000, the optional re-financing of the 2022 Larkin Property purchase in the amount of $2,600,000, and the loan to Nelson County Service Authority for Wintergreen Wastewater Treatment Plant DEQ Consent Order Costs in the amount of $3,100,000. This total proposed budget amendment exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing.

Copies of the above files are available for review in the Office of the County Administrator, 84 Courthouse Square, Monday through Friday, 9:00 a.m. to 5:00 p.m. For more information, call the County Administrator's Office at (434) 263-7000. EOE.

BY AUTHORITY OF NELSON COUNTY BOARD OF SUPERVISORS

August 11, 2026
FY2026-2027
Budget Amendment
Public Hearing

Background

I. On June 9, 2026, the Board of Supervisors voted to approve Resolution R2026-50 ratifying the pre-auction property purchase contract for acquisition of 683 acres in Lovingston, Virginia (Larkin property) for a total purchase price of $8,925,000.

II. The BAN2022 (Bond Anticipation Note) principal balance of $2,600,000 is due in August 2027 for the other piece of Larkin property purchased in 2022. This amount may be refinanced in conjunction with financing of item I.

III. During the joint meeting with the Nelson County Service Authority on June 30, 2026, the Board of Supervisors agreed by consensus to provide a loan to NCSA for Wintergreen Wastewater Treatment Plant DEQ Consent Order costs in the amount of $3,100,000.

Code of Virginia
Title 15.2. Counties, Cities and Towns Subtitle II. Powers of Local Government Chapter 25. Budgets, Audits and Reports

§ 15.2-2507. Amendment of budget

A. Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by § 15.2-2504. **However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing a notice of a meeting and a public hearing in accordance with § 15.2-1427.** The notice shall state the governing body's intent to amend the budget and include a brief synopsis of the proposed budget amendment. Any local governing body may adopt such amendment at the advertised meeting, after first providing a public hearing during such meeting on the proposed budget amendments.

- On July 14, 2026, The Board of Supervisors authorized a public hearing pursuant to State Code Section 15.2-2507 via adoption of resolution R2026-63

- Budget Amendment Public Hearing Notice Published in July 23, 2026 and July 30, 2026 editions of NC Times – 20 days and 13 days notice prior to BOS public hearing date

- Total expenditures shown in the currently adopted budget is $87,445,150.00 (total excluding transfers)

- 1% of total expenditures is $874,451.50

- Total General Fund budget amendment request is $12,025,000 comprised of the 2026 Larkin Property purchase and NCSA loan.

- Total Debt Service budget amendment request is $2,600,000 for the optional refinancing of the 2022 Larkin Property purchase.

The proposed budget amendment entails a supplemental appropriation within the General and Debt Service Funds as follows:

Appropriation of Funds (General Fund)

Amount	Revenue Account	Expenditure Account
$8,925,000.00	3-100-009999-0001	4-100-091050-7177
$3,100,000.00	3-100-009999-0001	4-100-091030-5715
$12,025,000.00		

Appropriation of Funds (Debt Service Fund)

Amount	Revenue Account	Expenditure Account
$2,600,000.00	3-108-004104-0013	4-108-095100-9117

Next Steps:

- Conduct the Public Hearing
- Obtain Input from Staff if Desired
- Consider Adoption of **Resolution R2026-71** Amendment of Fiscal Year 2026-2027 Budget
- Staff Recommends Favorable Consideration of Budget Amendment

RESOLUTION R2026-71
NELSON COUNTY BOARD OF SUPERVISORS
AMENDMENT OF FISCAL YEAR 2026-2027 BUDGET
August 11, 2026

I. Appropriation of Funds (General Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 8,925,000.00	3-100-009999-0001	4-100-091050-7177
$ 3,100,000.00	3-100-009999-0001	4-100-091030-5715
$ 12,025,000.00		

II. Appropriation of Funds (Debt Service Fund)

Amount	Revenue Account (-)	Expenditure Account (+)
$ 2,600,000.00	3-108-004104-0013	4-108-095100-9117
$ 2,600,000.00		

Adopted: ______________

Attest: ____________________________, Clerk
Nelson County Board of Supervisors

<u>EXPLANATION OF BUDGET AMENDMENT</u>

I. **Appropriations are the addition of unbudgeted funds received or held by the County for use within the current fiscal year budget. These funds increase the budget bottom line. The General Fund Appropriations of $12,025,000.00** include requests of **(1) $8,925,000.00** appropriation requested for the 2026 Larkin Property purchase; and **(2) $3,100,000.00** appropriation requested for the loan to Nelson County Service Authority for Wintergreen Wastewater Treatment Plant DEQ Consent Order Costs. ***The total appropriation request for this period is above the 1% of expenditure budget limit of $874,451.50 for August requiring a Public Hearing for approval.***

II. **The Debt Service Fund Appropriation reflects an appropriation request of (1) $2,600,000.00** for the optional refinancing of the 2022 Larkin Property purchase. ***The total appropriation request for this period is above the 1% of expenditure budget limit of $874,451.50 for August requiring a Public Hearing for approval.***

BOARD OF
SUPERVISORS

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Director of Finance and
Human Resources

RESOLUTION R2026-63
NELSON COUNTY BOARD OF SUPERVISORS
AUTHORIZATION FOR PUBLIC HEARING
AMENDMENT OF FY2026-2027 BUDGET TO INCLUDE LARKIN PROPERTY PURCHASE AND WWTP DEQ CONSENT ORDER COSTS

BE IT RESOLVED, by the Nelson County Board of Supervisors, that pursuant to §15.2-2507 of the Code of Virginia 1950 as amended that a public hearing is hereby authorized to be held on Tuesday, August 11, 2026 at 7:00 PM in the General District Courtroom of the Courthouse in Lovingston, Virginia. The purpose of the public hearing is to receive public input on a proposed FY2026-2027 Budget Amendment that provides for the 2026 Larkin Property purchase in the amount of $8,925,000, the optional re-financing of the 2022 Larkin Property purchase in the amount of $2,600,000, and the loan to Nelson County Service Authority for Wintergreen Wastewater Treatment Plant DEQ Consent Order Costs in the amount of $ $3,100,000. This total proposed budget amendment exceeds the statutory limit of one percent of the total expenditures shown in the currently adopted budget that can be approved without first holding a public hearing of $874,452.

Adopted: July 14, 2026

Attest: Candice W. McGarry, Clerk
Nelson County Board of Supervisors

§ 15.2-2507. Amendment of budget

A. Any locality may amend its budget to adjust the aggregate amount to be appropriated during the current fiscal year as shown in the currently adopted budget as prescribed by § 15.2-2504. However, any such amendment which exceeds one percent of the total expenditures shown in the currently adopted budget must be accomplished by publishing notice of a meeting and a public hearing in accordance with § 15.2-1427. The notice shall state the governing body's intent to amend the budget and include a brief synopsis of the proposed budget amendment. Any local governing body may adopt such amendment at the advertised meeting, after first providing a public hearing during such meeting on the proposed budget amendments.

B. Pursuant to the requirements of §§ 15.2-1609.1, 15.2-1609.7, 15.2-1636.8, and 15.2-1636.13 through 15.2-1636.17 every county and city shall appropriate as part of its annual budget or in amendments thereto amounts for salaries, expenses and other allowances for its constitutional officers that are not less than those established for such offices in the locality by the Compensation Board pursuant to applicable law or, in the event of an appeal pursuant to § 15.2-1636.9, by the circuit court in accordance with the provisions of that section.

1983, c. 319, § 15.1-162.1; 1984, c. 523; 1997, cc. 587, 602;2007, c. 297;2024, cc. 225, 242.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

§ 15.2-1427. Adoption of ordinances and resolutions generally; amending or repealing ordinances

A. Unless otherwise specifically provided for by the Constitution or by other general or special law, an ordinance may be adopted by majority vote of those present and voting at any lawful meeting.

B. On final vote on any ordinance or resolution, the name of each member of the governing body voting and how he voted shall be recorded; however, votes on all ordinances and resolutions adopted prior to February 27, 1998, in which an unanimous vote of the governing body was recorded, shall be deemed to have been validly recorded. The governing body may adopt an ordinance or resolution by a recorded voice vote unless otherwise provided by law, or any member calls for a roll call vote. An ordinance shall become effective upon adoption or upon a date fixed by the governing body.

C. All ordinances or resolutions heretofore adopted by a governing body shall be deemed to have been validly adopted, unless some provision of the Constitution of Virginia or the Constitution of the United States has been violated in such adoption.

D. An ordinance may be amended or repealed in the same manner, or by the same procedure, in which, or by which, ordinances are adopted.

E. An amendment or repeal of an ordinance shall be in the form of an ordinance which shall become effective upon adoption or upon a date fixed by the governing body, but, if no effective date is specified, then such ordinance shall become effective upon adoption.

F. In counties, except as otherwise authorized by law, no ordinance shall be passed until after notice of an intention to propose the ordinance for passage has been advertised by reference twice, with the first notice being published no more than 28 days before and the second notice appearing no less than seven days before the date of the meeting referenced in the notice, in a newspaper having a general circulation in the county. The publication shall include a statement that a copy of the full text of the ordinance is on file in the clerk's office of the circuit court of the county or in the office of the county administrator; or in the case of any county organized under the form of government set out in Chapter 5, 7 or 8 of this title, a statement that a copy of the full text of the ordinance is on file in the office of the clerk of the county board.

In counties, emergency ordinances may be adopted without prior notice; however, no such ordinance shall be enforced for more than sixty days unless readopted in conformity with the provisions of this Code.

G. In towns, no tax shall be imposed except by a two-thirds vote of the council members.

Code 1950, §§ 15-8, 15-10; 1950, p. 113; 1954, c. 529; 1956, cc. 218, 664; 1956, Ex. Sess., c. 40; 1958, cc. 190, 279; 1960, c. 606; 1962, c. 623, § 15.1-504; 1966, cc. 405, 612; 1968, c. 625; 1970, c. 581; 1972, cc. 41, 837; 1973, c. 380; 1978, c. 235; 1983, c. 11; 1997, c. 587;1998, c. 823;2000, c.

895;2023, cc. 506, 507;2024, cc. 225, 242.

The chapters of the acts of assembly referenced in the historical citation at the end of this section(s) may not constitute a comprehensive list of such chapters and may exclude chapters whose provisions have expired.

Closed Session Form Motion

Evening IV

1. Motion to Convene in Closed Session

FORM MOTION FOR CONVENING CLOSED MEETING

"I move that the Nelson County Board of Supervisors convene in closed session to discuss the following as permitted by Virginia Code Sections 2.2-3711-

(A)(1) - "Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body;;"

2. Conduct Closed Session
3. Motion to Reconvene in Public Session
4. Motion to Certify Closed Session

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION: (Requires recorded roll call vote)

"I move, 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 were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body."