

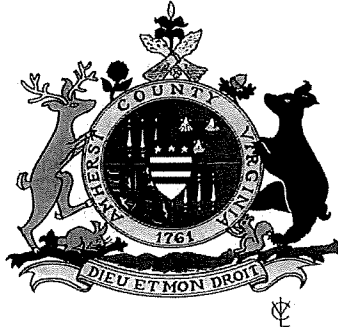
## **Agenda Item V. A.**

**Meeting Date:** May 2, 2017

**Consent Agenda:** Minutes - April 4, 2017

**Board of Supervisors**

Claudia D. Tucker, Chair  
District 2  
David W. Pugh, Jr., Vice-Chair  
District 4  
L. J. Ayers III, Supervisor  
District 3  
Kenneth M. Campbell, Supervisor  
District 1  
John A. Marks, Jr., Supervisor  
District 5



**County Administrator**  
Dean C. Rodgers

**County Attorney**  
Ellen Bowyer

**AMHERST COUNTY BOARD OF SUPERVISORS**

**MINUTES**

**April 4, 2017**

Administration Building - 153 Washington Street - Public Meeting Room  
1:00 p.m.

Informal Luncheon - 12:00 p.m.  
Meeting Convened - 1:00 p.m.

- I. **Call to Order**
- II. **Invocation and Pledge of Allegiance**
- III. **Approval of Agenda**
- IV. **Citizen Comment**
- V. **Consent Agenda**
  - A. Minutes - March 7, 2017
  - B. Finance - FY17 Appropriation of Revenue:
    - 1) Public Safety; 2) Social Services; 3) Maintenance; 4) Finance/IT; and 5) Sheriff's Office
  - C. County Attorney - Resolution 2017-0011-R, a resolution, designating Route 602, Park Lane, as extended, as a Rural Rustic Road.
  - D. County Attorney - Resolution 2017-0013-R, a resolution, finding and determining that it is in the best interests of Amherst County to proceed with the financing of a landfill construction project and the refinancing of certain prior projects, including an addition to the County administration building, and requesting the Economic Development Authority of Amherst County to assist in said financing and refinancing.
  - E. County Attorney - Resolution 2017-0014-R, a resolution expressing the acceptance by the Amherst County Board of Supervisors, on behalf of Amherst County, of certain easements in and across real property, which easements are necessary to the improvement of Learning Lane in Madison Heights, Virginia.
- VI. **New Business**
  - A. Planning/Zoning - Amendment to the Private Subdivision Street requirement
- VII. **County Administrator's Report**

**BOOK 35**  
MINUTES - April 4, 2017  
P a g e | 303

- A. Boards/Committees/Commissions - Building Appeals Board Vacancy
- B. Projects Status Report

**VIII. Liaison and Committee Reports**

- A. Local Government Council - Representative Report - March 16, 2017

**IX. Departmental Reports**

- A. Treasurer - February 2017 Report

**X. Citizen Comment**

**XI. Matters from Members of the Board of Supervisors**

**XII. Closed Session**

Pursuant to § 2.2-3711 (A)(3) of the Code of Virginia, regarding the acquisition of real property, where discussion in open session would adversely affect the County's negotiating strategy.

**XIII. Adjournment**

**MINUTES**

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 4<sup>th</sup> day of April, 2017, at 1:00 p.m. at which the following members were present:

**BOARD OF SUPERVISORS:**

PRESENT:	Claudia D. Tucker, Chair David W. Pugh, Jr., Vice-Chair Kenneth M. Campbell, Supervisor L. J. Ayers, III, Supervisor John A. Marks, Jr., Supervisor	ABSENT: None
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STAFF PRESENT: County Administrator Dean C. Rodgers; Deputy County Administrator David R. Proffitt; County Attorney Ellen Bowyer; and Executive Administrative Assistant Regina Rice

OTHERS PRESENT: Planning/Zoning Director Jeremy S. Bryant  
Assistant Director of Public Utilities Robert Hopkins

**I. Call to Order**

Chair Tucker called the meeting to order at 1:00 p.m.

**II. Invocation and Pledge of Allegiance**

Supervisor Marks led the Invocation and Pledge of Allegiance.

**III. Approval of Agenda**

By motion of Supervisor Ayers and with the following vote, the Board approved the Agenda for April 4, 2017.

AYE:	Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks
NAY:	None
ABSTAIN:	None

**IV. Citizen Comment**

There was no public comment.

**V. Consent Agenda**

A. Minutes - March 7, 2017

Mr. Rodgers read into the record two corrections to the March 7, 2017, Minutes at Book 35, page 280, Item IV. Citizen Comment, first and second paragraph:

1) Mr. Andy Mays of Amherst, Virginia, addressed the Board regarding Winton Country Club and a proposal by Runk & Pratt to purchase all or part of the country club. Mr. Mays directed a several question to Board members.

2) The County Attorney advised the Board that the Board's Rules of Procedure provide that Board members are to refrain from responding to citizens commenting before the Board. Chair Tucker advised Mr. Mays that during the citizen comment session, Board members are not allowed to answer questions directed to them as per the Board's Rules of Procedure.

Chair Tucker suggested that Mr. Mays contact the County Administrator to schedule a time to address his matter and have it placed on the Board's Agenda.

B. Finance - FY17 Appropriation of Revenue:

1) Public Safety; 2) Social Services; 3) Maintenance; 4) Finance/IT; and 5) Sheriff Office

C. County Attorney - Resolution 2017-0011-R, a resolution, designating Route 602, Park Lane, as extended, as a Rural Rustic Road. **(See Attachment 1)**

D. County Attorney - Resolution 2017-0013-R, a resolution, finding and determining that it is in the best interests of Amherst County to proceed with the financing of a landfill construction project and the refinancing of certain prior projects, including an addition to the County administration building, and requesting the Economic Development Authority of Amherst County to assist in said financing and refinancing. **(See Attachment 2)**

E. County Attorney - Resolution 2017-0014-R, a resolution expressing the acceptance by the Amherst County Board of Supervisors, on behalf of Amherst County, of certain easements in and across real property, which easements are necessary to the improvement of Learning Lane in Madison Heights, Virginia. **(See Attachment 3)**

By motion of Supervisor Ayers and with the following vote, the Board approved the Consent Agenda with the edits announced by Mr. Rodgers.

AYE: Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks  
NAY: None  
ABSTAIN: None

**VI. New Business**

A. Planning/Zoning - Amendment to the Private Subdivision Street requirement

Planning/Zoning Director Jeremy S. Bryant presented his report to the Board asking that the Board consider an amendment to the Private Subdivision Street requirements.

Mr. Bryant said he received a request by a homeowner in a private subdivision asking to subdivide a lot for a neighborhood pool. Mr. Bryant stated the current ordinance does not allow another lot to be subdivided because this particular subdivision has reached its maximum number of lots allowed on a private street. Mr. Bryant advised the draft text would allow an additional lot to be subdivided if it would be used as a private club.

Mr. Bryant stated the Planning Commission voted on March 16, 2017, to move the proposed text forward, which would require an amendment to the current ordinance.

Supervisor Marks asked why this request was not a special exception. Mr. Bryant said special exceptions are for use and not for subdividing a lot, therefore, would require making a change to the ordinance.

County Attorney Bowyer remarked that it is expensive to codify County code with Municode, and there is less cost when changes are batched. She advised the Board she does publish all ordinances on the County Attorney's webpage.

Mr. Rodgers said he understood changes are submitted on a quarterly basis to Municode.

Vice-Chair Pugh suggested submitting any changes to Municode once a year.

Chair Tucker said she wanted the community to benefit from this amendment to the ordinance allowing their neighborhood to have a pool and she recommended that the County Attorney draft the text into the ordinance.

By motion of Chair Tucker and with the following vote, the Board directed the County Attorney to prepare the draft text into an ordinance.

AYE:	Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks
NAY:	None
ABSTAIN:	None

**VII. County Administrator's Report**

**A. Boards/Committees/Commissions - Building Appeals Board Vacancy**

Mr. Rodgers advised there is an opening on the Building Appeals Board, which was advertised, however, his office did not receive any letters of interest. Mr. Rodgers said he made an effort to contact another person, however, did not receive a reply.

Supervisor Campbell said he knows of several people who are interested in this vacancy.

Mr. Rodgers asked Supervisor Campbell if they would send in a letter of interest and/or résumé.

Vice-Chair Pugh said he did not want to re-advertise this position and Chair Tucker agreed.

It was the consensus of the Board not to re-advertise the Building Appeals Board vacancy and ask Building Official Young to provide the County Administrator contact information on possible candidates.

**B. Projects Status Report**

Mr. Rodgers asked if the Board had any questions regarding the Projects Status Report.

Supervisor Marks asked about the Learning Lane documents sent to River James.

Mr. Rodgers advised he has received the return receipt card and will follow up in a couple of weeks. He said we are on the brink of beginning construction.

**VIII. Liaison and Committee Reports**

A. Local Government Council - Representative Report - March 16, 2017

For Board information only.

**IX. Departmental Reports**

A. Treasurer - February 2017 Report

For Board information only.

**X. Citizen Comment**

There was no public comment.

**XI. Matters from Members of the Board of Supervisors**

Supervisor Marks had no matter to discuss.

Supervisor Campbell had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Vice-Chair Pugh inquired about two items listed on the CIP; the John Lynch Pedestrian Walkway (\$750,000) and Mill Creek campground (\$100,000). Vice-Chair Pugh said he would like the funding for those two items removed.

Mr. Rodgers explained these two items are not in the current year, but merely assignments of funds the Board can change at any time. He said that no expenses would be devoted to those two items.

Vice-Chair Pugh asked about repairs to the Graham Creek Reservoir in the next couple of years that could cost approximately \$2M and wanted to know where the money for those repairs would come from.

Assistant Director Robert Hopkins of the Amherst County Service Authority advised this would be a part of a bond issue coming up in the next two to three years by the Service Authority. Mr. Hopkins said money could be used from the general fund and the Board could also make a donation at any time.

Chair Tucker had no matter to discuss.

**XII. Closed Session**

Pursuant to § 2.2-3711 (A)(3) of the Code of Virginia, regarding the acquisition of real property, where discussion in open session would adversely affect the County's negotiating strategy.

Supervisor Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711 (A)(3) regarding the acquisition of real property, where discussion in open session would adversely affect the County's negotiating strategy.

AYE: Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks  
NAY: None  
ABSTAIN: None

Supervisor Marks motioned to come out of closed session and was approved with the following vote:

AYE: Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks  
NAY: None  
ABSTAIN: None

**CERTIFICATION OF CLOSED MEETING**

Supervisor Marks moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Mrs. Tucker	AYE
Mr. Pugh	AYE
Mr. Ayers	AYE
Mr. Campbell	AYE
Mr. Marks	AYE

I move that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

**XIII. Adjournment**

By motion of Chair Tucker and with the following vote, the Board adjourned.

AYE:	Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks
NAY:	None
ABSTAIN:	None
ABSENT	None

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Claudia D. Tucker, Chair  
Amherst County Board of Supervisors

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Dean C. Rodgers, Clerk