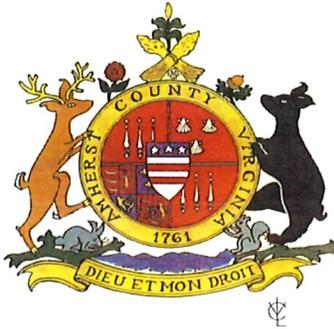


**Board of Supervisors**

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



**County Administrator**  
Dean C. Rodgers

**County Attorney**  
Ellen Bowyer

**AMHERST COUNTY BOARD OF SUPERVISORS**

**MINUTES**

AGENDA - August 2, 2016  
Administration Building - 153 Washington Street - School Board Room  
Amherst, Virginia 24521  
1:00 p.m.

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Citizen Comment**
- V. Ordinances - First Reading**

A. Ordinance 2016-0010, amending §1-12, of Chapter 1, §2-2 of Article I of Chapter 2, and §§11.5-11 and 11.5-71 of Chapter 11.5 of the Amherst County Code to make various technical changes to the Amherst County Code, including (i) revising provisions describing access to the Amherst County Code and (ii) deleting references to the Pedlar Rescue Squad to reflect its dissolution as detailed in Amherst County Resolution 2016-0003-R (adopted May 17, 2016).

B. Ordinance 2016-0012, amending §§ 302, and 702, specifically subsection 702.02, of Appendix A to the Amherst County Code, to define limited breweries and limited distilleries, and to establish them as a permitted use in the agricultural residential district. In a technical amendment not shown in the text of the ordinance, numbered paragraphs under 702.02 have been replaced with bulleted paragraphs.

**VI. Consent Agenda**

- A. Accounting - Appropriation of Revenue
  - 1. FY16 Appropriation of Revenue - Sheriff; Learning Lane; Public Safety
  - 2. FY17 Appropriation of Revenue - Sheriff; Commonwealth Attorney
- B. Deputy County Administrator - Issuance of credit card to Director of Finance
- C. Resolution 2016-0023-R, a resolution, expressing the support of Amherst County for law enforcement personnel operating in defense of the United States, expressing the County's sorrow at the incalculable loss of fallen law enforcement officers, and offering condolences to their grieving families.
- D. Resolution 2016-0024-R, a resolution, transferring ownership of the pews in the building that formerly housed the Amherst Baptist Church from Amherst County to Second Stage | Amherst, on the condition that the pews be sold to support the purchase of replacement seating that affords more flexible seating options for the building.

**VII. Old Business**

- A. Appointment of new School Board member, District 3
- B. Public Safety - ESC capital funds for Monelison Fire Department

**VIII. New Business**

- A. Planning/Zoning - Permitting process for personal broadband facilities
- B. Building Safety & Inspections - Appropriation Request for Microsoft Access 2016
- C. Demolition of Winton Cart Barn

**IX. Liaison and Committee Reports**

- A. Central Virginia Metropolitan Planning Organization (CVMPO) - Executive Director's Report July 21, 2016
- B. Region 2000 Local Government Council - Report July 21, 2016

**X. Departmental Report**

- A. Treasurer's Report - June 2016
- B. Boards/Commissions/Committees - update

**XI. Citizen Comment**

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

**XIII. Closed Session**

- A. Virginia Code § 2.2-3711(A)(1): To evaluate the performance of the County Attorney.

**XIV. Adjournment**

**MINUTES**

At a regular meeting of the Amherst County Board of Supervisors held at the Amherst County Administration Building on Tuesday, the 2<sup>nd</sup> day of August, 2016, at 1:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT: John A. Marks, Jr. Chairman                      ABSENT: None  
David W. Pugh, Jr., Vice-Chair  
Claudia D. Tucker, Supervisor  
L. J. Ayers, III, Supervisor  
Kenneth M. Campbell, Supervisor

STAFF PRESENT: County Administrator Dean C. Rodgers; Deputy County Administrator David R. Proffitt; County Attorney Ellen Bowyer; and Executive Administrative Assistant Regina Rice

OTHER PRESENT: Assistant Zoning Administrator/Planner Austin Mitchell  
Public Safety Director/Fire Marshal Gary Roakes

**I. Call to Order**

Chairman Marks called the meeting to order at 1:00 p.m.

**II. Invocation and Pledge of Allegiance**

Chairman Marks led the Invocation and Pledge of Allegiance.

**III. Approval of Agenda**

By motion of Supervisor Ayers and with the following vote, the Board amended the August 2, 2016 Agenda and removed Item B under VIII. New Business and renumbered Item C as Item B.

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

**IV. Citizen Comment**

There were no citizen comments.

**V. Ordinances - First Reading**

A. Ordinance 2016-0010, amending §1-12, of Chapter 1, §2-2 of Article I of Chapter 2, and §§11.5-11 and 11.5-71 of Chapter 11.5 of the Amherst County Code to make various technical changes to the Amherst County Code, including (i) revising provisions describing access to the Amherst County Code and (ii) deleting references to the Pedlar Rescue Squad to reflect its dissolution as detailed in Amherst County Resolution 2016-0003-R (adopted May 17, 2016).

Ms. Bowyer explained that the ordinance contains several technical modifications to County Code, including changing the provisions governing the number of copies of County Code kept in the County Administrator's Office, and deleting references to Pedlar Rescue Squad reflecting its dissolution.

By motion of Vice-Chair Pugh and with the following vote the Board directed that Ordinance 2016-0010 be heard in a public hearing to be held on August 16, 2016, and considered for adoption at that time. **(See Attachment 1)**

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

B. Ordinance 2016-0012, amending §§ 302, and 702, specifically subsection 702.02, of Appendix A to the Amherst County Code, to define limited breweries and limited distilleries, and to establish them as a permitted use in the agricultural residential district. In a technical amendment not shown in the text of the ordinance, numbered paragraphs under 702.02 have been replaced with bulleted paragraphs.

Mr. Mitchell presented his report and asked the Board to consider a request to add limited breweries and limited distilleries as permitted uses in the A-1 Agricultural Residential District. Mr. Mitchell advised the Planning Commission has recommended approval of the draft ordinance on July 21, 2016.

Mr. Mitchell explained the changes made to the ordinance are similar to farm wineries as a permitted use in the A-1 Agricultural Residential District.

By motion of Supervisor Tucker and with the following vote, the Board directed staff to schedule a public hearing for August 16, 2016. **(See Attachment 2)**

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

**VI. Consent Agenda**

A. Accounting - Appropriation of Revenue

1. FY16 Appropriation of Revenue - Sheriff; Learning Lane; Public Safety
2. FY17 Appropriation of Revenue - Sheriff; Commonwealth Attorney

B. Deputy County Administrator - Issuance of credit card to Director of Finance

C. Resolution 2016-0023-R, a resolution, expressing the support of Amherst County for law enforcement personnel operating in defense of the United States, expressing the County's sorrow at the incalculable loss of fallen law enforcement officers, and offering condolences to their grieving families.

D. Resolution 2016-0024-R, a resolution, transferring ownership of the pews in the building that formerly housed the Amherst Baptist Church from Amherst County to Second Stage | Amherst, on the condition that the pews be sold to support the purchase of replacement seating that affords more flexible seating options for the building.

By motion of Chairman Marks and with the following vote, the Board approved the Consent Agenda for August 2, 2016 as presented. (See Attachment 3 Resolution 2016-0023-R and Attachment 4 Resolution 2016-0024-R)

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

**VII. Old Business**

A. Appointment of new School Board member, District 3

By motion of Supervisor Ayers and with the following vote, the Board appointed Craig S. Terwilliger as the District 3 representative for the Amherst County School Board.

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

B. Public Safety - ESC capital funds for Monelison Fire Department

Mr. Roakes addressed the Board regarding Monelison Fire Department's request of \$57,664.00 from the Emergency Services (ESC) Capital funds for payment toward a new fire engine.

Mr. Roakes advised the cost of the fire engine is \$607,340. Monelison Fire Department requested \$57,664.00 from the ESC capital funds to supplement the \$535,000.00 approved by the Board of Supervisors. Mr. Roakes advised the funds will stay in the County account until needed and then appropriated to the account line for payment on the new fire engine when the invoice is due.

By motion of Vice-Chair Pugh and with the following vote, the Board approved Monelison Fire Department's request of \$57,664.00 from the Emergency Services Capital funds for payment toward the new fire engine.

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

**VIII. New Business**

A. Planning/Zoning - Permitting process for personal broadband facilities

Mr. Mitchell presented his report regarding modifications to the permit process for personal broadband towers.

Mr. Rodgers explained one modification to the permit process is the use of smaller towers similar to telephone poles with an apparatus attached.

Supervisor Tucker asked for clarification how the private sector and the personal wireless internet services will work together to accomplish an increase in service.

Mr. Rodgers explained the changes are related to the planned use of the County's public safety towers. Used in conjunction with our public towers, smaller towers will maximize coverage by being placed to accommodate hard to reach locations. Overall, there will be less equipment used compared to cell tower companies and putting up smaller towers will maximize coverage.

Chairman Marks clarified that the County attorney will prepare a draft ordinance and the County Attorney is only to change County code to allow placement on private property.

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

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

~~B. Building Safety & Inspections - Appropriation Request for Microsoft Access 2016~~

~~C. B. Demolition of Winton Cart Barn~~

Ms. Bowyer addressed the Board regarding the demolition of the cart barn at Winton. Ms. Bowyer advised the Building Official has looked at the barn and determined it has significantly deteriorated in the last six months.

Ms. Bowyer advised in order for the demolition to proceed, the Board and Winton must concur with the demolition, and noted that there may be interest in salvaging some of the materials.

By motion of Supervisor Ayers and with the following vote, the Board approved Winton Country Club's request, contained in its July 19, 2016, quarterly report and reiterated at the Board's meeting of the same date, to demolish the cart barn located on the Winton premises, and that such demolition occur through a procurement process overseen by the County purchasing director and building code official that involves salvaging of the building materials to the extent possible and is funded with available monies from the Annual Payment.

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

**IX. Liaison and Committee Reports**

- A. Central Virginia Metropolitan Planning Organization (CVMPO) - Executive Director's Report July 21, 2016
- B. Region 2000 Local Government Council - Report July 21, 2016

For information only.

**X. Departmental Report**

- A. Treasurer's Report - June 2016
- B. Boards/Commissions/Committees - update

There was a discussion regarding the District 4 vacancy on the Economic Development Authority Board and soliciting citizens who reside outside of this district. Ms. Bowyer read from County Code Sec. 2-8 Economic Development Authority, subsection (e) and advised there is some flexibility how the Board may appoint such a citizen.

Mr. Rodgers reported the Agriculture Committee has nine vacant seats and these vacancies were advertised in April 2016. Mr. Rodgers advised no response was received. The Board agreed to cease advertising until further notice.

**XI. Citizen Comment**

Mr. Jim Thompson of Madison Height, Virginia addressed the Board regarding Ordinance 2016-0012 concerning limited breweries and distilleries and to consider the offset of locating these near schools, playgrounds and parks.

Mr. Thompson also commented on wireless broadband facilities and supported rural broadband but was concerned about the use of wooden poles and their integrity and safety. Mr. Thompson suggested using a 40' pole instead of a 60' pole and to also address the removal of these poles if they are abandoned.

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

Supervisor Ayers had no matter to discuss.

Supervisor Campbell had no matter to discuss.

Supervisor Tucker had no matter to discuss.

Vice-Chair Pugh had no matter to discuss.

Chairman Marks stated he and Vice-Chair Pugh have received complaints about metal carports and that some are located in the front of the house and some do not meet the setback requirements. Chairman Marks said he would like the Planning Commission to take a look at this.

Vice-Chair Pugh said some houses were built before there were setback requirements and said the County needs to loosen the restrictions.

By motion of Chairman Marks and with the following vote, the Board asked the Planning Commission re-evaluate the set-back distances relative to metal carports and provide the Board with a recommendation.

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

Chairman Marks addressed the issue concerning the budget and provisions for hiring six additional emergency service personnel.

Mr. Gary Roakes, Public Safety Director, advised Chairman Marks he had addressed this issue in his email sent out today to the Board.

Chairman Marks asked about the leases for the Train Depot.

Mr. Rodgers remarked on the question concerning tourism and if the Chamber will do this for us. Mr. Rodgers said he has a meeting with the Chamber this coming Monday and will talk about this issue and how we might best use their services or use our own staff to do this work.

Mr. Rodgers said the EDA lease is substantially done and we are working out what we need to do with the other tenant, what the Chamber can do, will do and how much the County is willing to pay and how much control we want over tourism and the facility.

Mr. Rodgers advised the Board he anticipated having information to the Board by the next meeting.

Chairman Marks voiced his concern to make sure that when the Train Depot is finished that we have someone ready to move into it.

Mr. Rodgers said the contractor has to the end of December to finish the work and there will be additional work establishing internet, landscaping and working with VDOT for the signage.

**XIII. Closed Session**

A. Virginia Code § 2.2-3711(A)(1): To evaluate the performance of the County Attorney.

Supervisor Campbell moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711 (A)(1) of the Code of Virginia, to evaluate the performance of the County Attorney.

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

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

**CERTIFICATION OF CLOSED MEETING**

Supervisor Campbell 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.

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

By motion of Vice-Chair Pugh and with the following vote, the Board approved a 2% raise for the County Administrator and County Attorney, retroactive September 2015.

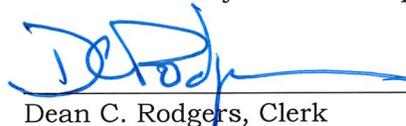
AYE: Mr. Marks, Mr. Pugh, Mrs. Tucker, Mr. Ayers and Mr. Campbell  
NAY: None  
ABSTAIN: None

**XIV. Adjournment**

By motion of Chairman Marks and with the following vote, the Board moved to adjourn.

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

  
\_\_\_\_\_  
John A. Marks, Jr., Chairman  
Amherst County Board of Supervisors

  
\_\_\_\_\_  
Dean C. Rodgers, Clerk



**Amherst County Board of Supervisors  
County Ordinance No. 2016-0010**

**AN ORDINANCE, NO. 2016-0010**

Amending §1-12, of Chapter 1, §2-2 of Article I of Chapter 2, and §§11.5-11 and 11.5-71 of Chapter 11.5 of the Amherst County Code to make various technical changes to the Amherst County Code, including (i) revising provisions describing access to the Amherst County Code and (ii) deleting references to the Pedlar Rescue Squad to reflect its dissolution as detailed in Amherst County Resolution 2016-0003-R (adopted May 17, 2016).

\_\_\_\_\_  
Approved as to form and legality by the County Attorney

\_\_\_\_\_  
**FIRST READING: Board of Supervisors, August 2, 2016**  
**PUBLIC HEARING: Board of Supervisors, August 16, 2016**

**THE COUNTY OF AMHERST HEREBY ORDAINS:**

**§ 1. That Section 1-12 of Chapter 1 of the Code of the County of Amherst be and hereby is amended, as follows:**

**Sec. 1-12. - Copies of Code and supplements to be available for public inspection.**

~~At least three (3) copies of this~~ A copy of the Amherst County Code and ~~at least three (3) copies a copy of~~ every supplement thereto shall be kept in the office of the County Attorney, and in the office of the ~~county administrator~~ County Administrator, and shall there be available for public inspection during normal business hours. A complete copy of the Code also shall be available online through the County website.

**§ 2. That Section 2-2 of Article I of Chapter 2 of the Code of the County of Amherst be and hereby is amended, as follows:**

**Sec. 2-2. - Units of safety program.**

The following emergency units are hereby designated as integral parts of the Amherst County Safety Program:

- (1) Amherst County Public Safety;
- ~~(1)~~(2) Amherst Volunteer Fire Department;
- ~~(2)~~(3) Amherst Rescue and Life Saving Crew;

- ~~(3)~~(4) Monelison Volunteer Fire Department;
- (4)(5) Monelison Rescue Squad;
- ~~(5)~~(6) ~~Auxiliary Sheriff's Deputies~~ Pedlar Fire Department;
- ~~(6)~~(7) ~~Pedlar Fire Department~~ Amherst County Sheriff's Office; and
- (7) ~~Pedlar Rescue Squad~~;
- (8) ~~Virginia Fibre Fire Department~~; Greif Inc., Emergency Response Team
- (9) ~~Amherst County Search and Rescue~~.

**§ 3. That Sections 11.5-11 and 11.5-71 of Chapter 11.5 of the Code of the County of Amherst be and hereby are amended, as follows:**

**Sec. 11.5-11. - Establishment of a county fire division.**

- (a) In order to effectively carry out the provision of subsection 11.5-2(a) and in order to provide all emergency services personnel with the full benefit of privileges, rights and remedies available to them under law, ~~a county fire division~~ the Amherst County Fire Division is hereby established in order to mitigate the effects of fire, hazardous materials, and explosions.
- (b) The following organizations and groups are hereby officially recognized as entities of the Amherst County Department of Public Safety, Fire Division: Amherst Fire Department, Monelison Volunteer Fire Department and Rescue Squad, Inc., Pedlar Volunteer Fire Department and Rescue Squad, Inc., and the Amherst County Emergency Services Council.
- (c) The following organizations and groups are hereby officially recognized as nonjurisdictional entities which are authorized to provide services for the Amherst County Department of Public Safety, Fire Division: Piney River Volunteer Fire Department, Inc., Gladstone Volunteer Fire Department, Inc., Big Island Volunteer Fire Department, and the Lynchburg Fire Department and EMS. The Amherst County Department of Public Safety may enter into contracts with these organizations to provide services on a routine basis as authorized by the ~~board of supervisors~~ Board of Supervisors. Additionally, Amherst County may enter into mutual aid agreements with surrounding jurisdictions and agencies when ~~it is deemed appropriate to do so by the board of supervisors~~ Board of Supervisors.

**Sec. 11.5-71. - Establishment of a county EMS/rescue division.**

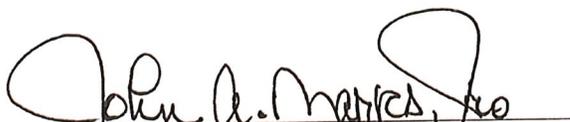
- (a) In order to effectively carry out the provisions of subsection 11.5-2(a) and in order to provide all emergency services personnel with the full benefit of privileges, rights and remedies available to them under law, ~~a county EMS/rescue division~~ the Amherst County EMS/Rescue Division is hereby established in order to mitigate the effects of accidents, disasters, and other ~~medical and rescue oriented~~ emergency situations.
- (b) The following organizations and groups are hereby officially recognized as entities of the Amherst County Department of Public Safety, EMS/Rescue Division: Amherst Life Saving ~~and First Aid Crew, Inc.~~, Monelison Volunteer Fire Department and Rescue Squad, Inc., ~~Pedlar Volunteer Fire Department and Rescue Squad, Inc.~~, ~~Amherst County Search and Rescue~~, Amherst County Sheriff's Office, and the Amherst County Emergency Services Council.
- (c) The following organizations and groups are hereby officially recognized as nonjurisdictional entities

that are authorized to provide services for the Amherst County Department of Public Safety, EMS/Rescue Division: Roseland Rescue Squad, Big Island Volunteer Rescue Squad, Inc., ~~Lynchburg Lifesaving and First Aid Crew~~, Gladstone Volunteer Rescue Squad, Inc., and the Lynchburg Fire Department and EMS. The Amherst County Department of Public Safety may enter into contracts with these organizations to provide services on a routine basis as authorized by the ~~board of supervisors~~ Board of Supervisors. Additionally, ~~county~~ the County may enter into mutual aid agreements with surrounding jurisdictions and agencies when ~~it is deemed appropriate to do so~~ by the ~~board of supervisors~~ Board of Supervisors.

- (d) Each of the above-mentioned organizations shall be assigned response areas that in such a way as to provide the best services to the County citizens of county. These response areas shall be maintained in writing by the ~~department of public safety~~ Department of Public Safety, a copy of which will be posted in the communications center and available to the public. The ~~department of public safety~~ Department of Public Safety may amend or change these boundaries from time to time in order to provide the best services available.

**§ 4. That this ordinance shall be in force and effect upon adoption.**

Adopted this 16<sup>th</sup> day of August, 2016.

  
John A. Marks, Jr., Chairman  
Amherst County Board of Supervisors

**ATTEST:**

  
Dean C. Rodgers, Clerk  
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

**ADOPTED**

8 / 16 / 16



**Amherst County Board of Supervisors  
County Ordinance No. 2016-0012**

**AN ORDINANCE, NO. 2016-0012**

Amending §§302, and 702, specifically subsection 702.02, of Appendix A to the Amherst County Code, to define limited breweries and limited distilleries, and to establish them as a permitted use in the agricultural residential district. In a technical amendment not shown in the text of the ordinance, numbered paragraphs under 702.02 have been replaced with bulleted paragraphs.

\_\_\_\_\_  
Approved as to form and legality by the County Attorney

\_\_\_\_\_  
**PUBLIC HEARING: Planning Commission, July 21, 2016**  
**FIRST READING: Board of Supervisors, August 2, 2016**  
**PUBLIC HEARING: Board of Supervisors, August 16, 2016**

**THE COUNTY OF AMHERST HEREBY ORDAINS:**

**§ 1.** That Sections 302, and 702, specifically subsection 702.02, of Appendix A to the Code of the County of Amherst be and hereby are amended, as follows:

**302. - Specific definitions.**

Limited brewery. A brewery operating under a limited brewery license issued pursuant to section 4.1-208 of the Code of Virginia (1950), as amended.

Limited distillery. A distillery operating under a limited distiller's license issued pursuant to section 4.1-206 of the Code of Virginia (1950), as amended.

**702. - Agricultural Residential District A-1.**

*702.01. Intent of the Agricultural Residential District A-1.* This district is designed to accommodate farming, forestry and limited residential use. While it is recognized that certain rural areas may logically be expected to develop residentially, it is the intent however to discourage the random scattering of residential, commercial or industrial uses in this district.

*702.02. Permitted uses.* Within the A-1 district, the following uses are permitted:

- Agriculture and forestry operations; crop production, livestock production, except no confinement facility may be closer than one thousand (1,000) feet to a property line; sale of

agricultural and forestall products grown in the county; agritourism; and other activities or events that are usual and customary at Virginia agricultural operations.

- Temporary sawmills, only for timber on-site or proximate to site.
- Single-family dwellings that are built in accordance with the statewide building code.
- Manufactured homes as provided in Section 908.
- Accessory structures.
- Emergency services.
- Home occupations.
- Reserved.
- Camping for less than four (4) consecutive weeks in portable facilities; i.e., tent or camper or per Section 904.
- Utilities that are for the purpose of serving the community, not merely for transferring the utility through the community; including, but not limited to, sewer, water, gas, electricity, cable television, telephone.
- Bed and breakfast lodging.
- Public streets.
- Confined livestock facilities ("CLF") subject to the following conditions:
  - Located more than one thousand five hundred (1,500) feet from any house not on the property owned by the applicant;
  - Located more than two thousand five hundred (2,500) feet from a public place such as a school or church;
  - Located more than one thousand (1,000) feet from a perennial stream as indicated on the 7.5 minute U.S.G.S. topographic survey maps;
  - Located more than one thousand (1,000) feet from a state maintained road;
  - A maximum of two hundred fifty (250) animal units may be confined per fifty (50) acres of contiguous property;
  - The CLF must be approved by all necessary state agencies prior to county approval;
  - The applicant for all permits must be a county resident and the property owner;
  - It cannot be visible from a state maintained road;
  - A zoning permit must be issued prior to any development of the CLF.
- Flag lot as provided in Section 1301.04(6).
- Personal wireless service facilities as provided in Section 919.
- Farm winery.
- Group home. The zoning administrator may impose conditions on group homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.

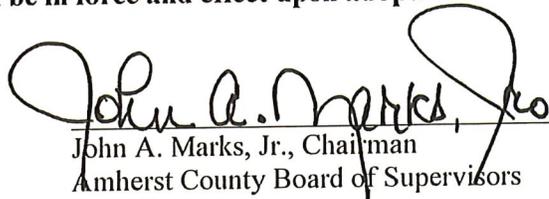
- Family day home which serves no more than five (5) children. The zoning administrator may impose conditions on such family day homes to ensure their compatibility with other permitted uses; however, such conditions shall not be more restrictive than those imposed on residences occupied by persons related by blood, marriage, or adoption.
- Temporary family health care structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized accessory structures, except as follows:
  - Any person proposing to install a temporary family health care structure shall first obtain a zoning permit from the county. The county may not withhold such permit if the applicant provides sufficient proof of compliance with the requirements of this section.
  - Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.
  - Any temporary family health care structure shall be removed within thirty (30) days after which the mentally or physically impaired person is no longer receiving or is no longer in need of the caregiver's assistance.
  - The county may require that the applicant provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. Such evidence may involve the inspection by the county of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation.
  - Any temporary family health care structure installed pursuant to this section may be required to connect to any water, sewer, and electric utilities that are serving the primary residence on the property and shall comply with all applicable requirements of the Virginia Department of Health.
  - No signage advertising or otherwise promoting the existence of the structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.

Club, hunt.

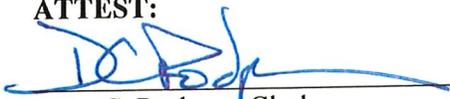
- Limited brewery.
- Limited distillery.

**§ 2. That this ordinance shall be in force and effect upon adoption.**

Adopted this 16<sup>th</sup> day of August, 2016.

  
 John A. Marks, Jr., Chairman  
 Amherst County Board of Supervisors

**ATTEST:**

  
 Dean C. Rodgers, Clerk  
 Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

**ADOPTED**

8 / 16 / 16



Amherst County Board of Supervisors  
County Resolution No. 2016-0023-R

For consideration on August 2, 2016

**A RESOLUTION, NO. 2016-0023-R**

A resolution, expressing the support of Amherst County for law enforcement personnel operating in defense of the United States, expressing the County's sorrow at the incalculable loss of fallen law enforcement officers, and offering condolences to their grieving families.

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Approved as to form by the County Attorney

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**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:**

**I. That the Board of Supervisors of Amherst County, on behalf of Amherst County, hereby expresses support for law enforcement operating in defense of the public safety, expresses the County's sorrow at the incalculable loss of fallen law enforcement officers, and offers condolences to their grieving families, as follows:**

**WHEREAS**, law enforcement personnel in the United States of America seek to exercise their authority in a professional and disciplined manner, under demanding circumstances, to ensure the nation's public safety; and

**WHEREAS**, in the midst of a peaceable demonstration in Dallas, Texas, on July 7, 2016, five police officers were killed, and seven other officers were severely wounded by the craven action of a lone gunman; and

**WHEREAS**, on July 17, 2016, in Baton Rouge, Louisiana, another lone gunman killed two police officers and a Sheriff's deputy, and injured three other officers in a cowardly ambush; and

**WHEREAS**, the United States of America cannot tolerate indifference to these attacks on law enforcement, as they constitute an attack on this nation and on the values we hold dear, including liberty and a true faith in justice for all; and

**WHEREAS**, our intolerance of indifference becomes even more critical to the extent it begins to appear that international and domestic terrorists are targeting America's first line of defense for assassination in what increasingly seems an outright war against this country.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:**

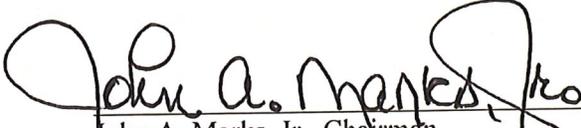
That the Board of Supervisors of Amherst County, on behalf of Amherst County, hereby expresses support for law enforcement personnel working in this Commonwealth and in the United States of America to secure the nation's public safety.

**BE IT FURTHER RESOLVED:**

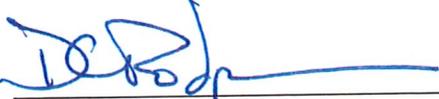
That the Board of Supervisors further expresses sorrow at the incalculable loss of fallen law enforcement officers, and offers condolences to their families, with deepest sadness at their having made the ultimate sacrifice for our country.

**II. That this resolution shall be in force and effect upon adoption.**

Adopted this 2<sup>nd</sup> day of August, 2016.

  
\_\_\_\_\_  
John A. Marks, Jr., Chairman  
Amherst County Board of Supervisors

**ATTEST:**

  
\_\_\_\_\_  
Dean C. Rodgers, Clerk  
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0



Amherst County Board of Supervisors  
County Resolution No. 2016-0024-R

For consideration on August 2, 2016

**A RESOLUTION, NO. 2016-0024-R**

A resolution, transferring ownership of the pews in the building that formerly housed the Amherst Baptist Church from Amherst County to Second Stage | Amherst, on the condition that the pews be sold to support the purchase of replacement seating that affords more flexible seating options for the building.

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Approved as to form by the County Attorney

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**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:**

**I. That the Board of Supervisors of Amherst County hereby transfers ownership of the pews in the building that formerly housed the Amherst Baptist Church from the County to Second Stage | Amherst, on the condition that the pews be sold to support the purchase of replacement seating that affords more flexible seating options for the building, as follows:**

**WHEREAS**, the County leases the building housing the former Amherst Baptist Church to Second Stage | Amherst for use as a community and cultural center; and

**WHEREAS**, the pews still in place in the building provide ample seating for activities but little flexibility in how they can be arranged; and

**WHEREAS**, Second Stage | Amherst proposes to sell the pews, and use the proceeds to purchase seating that can be reconfigured for different types of events; and

**WHEREAS**, Second Stage | Amherst proposes that it retain any leftover proceeds from the sale of the pews for use in supporting further repairs and improvements to the church building, pursuant to the terms of the lease; and

**WHEREAS**, if sale proceeds are insufficient to support purchase of replacement seating, Second Stage | Amherst agrees that it will obtain the necessary replacement seating at its own expense to achieve the same amount of seating (125 seats) as is currently provided by the pews; and

**WHEREAS**, Second Stage | Amherst understands that any new seating must be treated as County property and will remain as a fixture of a building under County ownership; and

**WHEREAS**, pursuant to Virginia Code §15.2-953, the County may make appropriations of personal property to any charitable institution located within the County that provides services to County residents.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:**

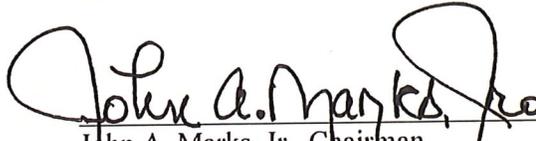
That the Board of Supervisors of Amherst County hereby transfers ownership of the pews located in the building that formerly housed the Amherst Baptist Church to Second Stage | Amherst on the condition that Second Stage | Amherst sell the pews and use the proceeds to purchase attractive, lightweight, stackable chairs that will accommodate the same number of guests (approximately 125) as the pews.

**BE IT FURTHER RESOLVED:**

That the Board of Supervisors further directs that Second Stage | Amherst may retain any proceeds from the sale of the pews that remain after the purchase of said stackable chairs for use in activities to further improve and repair the church structure.

**II. That this resolution shall be in force and effect upon adoption.**

Adopted this 2<sup>nd</sup> day of August, 2016.

  
\_\_\_\_\_  
John A. Marks, Jr., Chairman  
Amherst County Board of Supervisors

**ATTEST:**

  
\_\_\_\_\_  
Dean C. Rodgers, Clerk  
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0