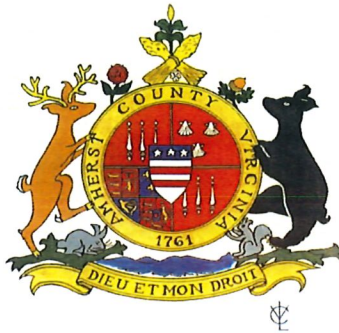


**Board of Supervisors**

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

**Interim County Attorney**  
Michael W. S. Lockaby

**AMHERST COUNTY BOARD OF SUPERVISORS**

**MINUTES**

**AGENDA**

June 20, 2017  
Administration Building - 153 Washington Street - Public Meeting Room  
Amherst, Virginia 24521  
7:00 p.m.

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Citizen Comment**
- V. Public Hearing**
  - A. Special Exception 2017-04, request by Kevin Scott Stinnett for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a used automobile sales lot.
- VI. Consent Agenda**
  - A. Minutes - May 16, 2017
  - B. Finance - FY17 Appropriation of Revenue: 1) Commissioner of the Revenue; 2) Commonwealth Attorney; and 3) Sheriff's Office
  - C. Finance - FY18 Appropriation of Revenue: 1) Recreation & Parks
  - D. School Board - Appropriation of Revenue 2016-17 School Operational Budget
  - E. Virginia Cooperative Extension - Appropriation of \$936 from the unobligated general fund for retirement payout
  - F. Finance - Creation of Code Enforcement Committed Fund
  - G. Commemorative Resolution 2017-0006-CR, honoring Ellen Bowyer, Amherst County Attorney
- VII. Special Presentation**
  - A. Mr. Damien Cabezas, CEO, Horizon Behavioral Health - Annual Update
- VIII. New Business**
  - A. EDA - Amherst County Branding

- IX. County Administrator's Report**
  - A. Boards/Commissions/Committees - Appointment to the Social Services Board
  - B. Projects Status Report
- X. County Attorney's Report**
  - A. Introduction of Mr. Mike Lockaby
- XI. Liaison and Committee Reports**
  - A. LRB Alliance Executive Board - June 9, 2017
- XII. Departmental Reports**
  - A. Building Safety & Inspections - May 2017
- XIII. Citizen Comment**
- XIV. Matters from Members of the Board of Supervisors**
- XV. Closed Session**
  - A. Pursuant to § 2.2-3711(A)(7) of the Code of Virginia, to consult with the Interim County Attorney regarding the litigation involving the Phelps Road School building.
- XVI. Adjournment**

## **MINUTES**

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 20<sup>th</sup> day of June, 2017, at 7:00 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; Interim County Attorney Michael W. S. Lockaby; and Executive Administrative Assistant Regina M. Rice

OTHERS PRESENT: Assistant Zoning Administration/Planner Austin Mitchell  
EDA Executive Director Victoria Hanson

### **I. Call to Order**

Chair Tucker called the meeting to order at 7:00 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 June 20, 2017.

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

ABSENT:       None

**IV.     Citizen Comment**

There was no public comment.

**V.     Public Hearing**

A. Special Exception 2017-04, request by Kevin Scott Stinnett for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a used automobile sales lot.

Assistant Zoning Administrator/Planner Austin Mitchell addressed the Board regarding a request by Kevin Stinnett to allow a used automobile sales lot at 121 Highview Drive, Madison Heights, Virginia. Mr. Mitchell reported that the applicant currently repairs vehicles at this location.

On May 18, 2017, the Planning Commission approved this request with seven conditions: 1) trash disposal; 2) lighting; 3) sight distance; 4) outdoor storage; 5) operative motor vehicles; 6) vehicles for sale; and 7) confirmation from the Virginia Department of Health that the drain field would not be impacted at this location.

Chair Tucker opened the Public Hearing for comment.

Proponents:   None

Opponents:    None

Chair Tucker closed the Public Hearing.

By motion of Supervisor Ayers and with the following vote, the Board approved Special Exception 2017-04 with the conditions recommended by the Planning Commission.

AYE:           Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks

NAY:           None

ABSTAIN:      None

**VI.     Consent Agenda**

A. Minutes - May 16, 2017

B. Finance - FY17 Appropriation of Revenue: 1) Commissioner of the Revenue; 2) Commonwealth Attorney; and 3) Sheriff's Office

C. Finance - FY18 Appropriation of Revenue: 1) Recreation & Parks

D. School Board - Appropriation of Revenue 2016-17 School Operational Budget

E. Virginia Cooperative Extension - Appropriation of \$936 from the unobligated general fund for retirement payout

F. Finance - Creation of Code Enforcement Committed Fund

G. Commemorative Resolution 2017-0006-CR, honoring Ellen Bowyer, Amherst County Attorney

County Administrator Dean Rodgers advised the Board of several typographical errors to Commemorative Resolution 2017-0006-CR. He asked the Board to approve the final corrected version. **(See Attachment 1)**

By motion of Supervisor Ayers and with the following vote, the Board approved the Consent Agenda for June 20, 2017.

AYE:           Mrs. Tucker, Mr. Pugh, Mr. Ayers, Mr. Campbell and Mr. Marks

NAY:           None

ABSTAIN:      None

**VII. Special Presentation**

A. Mr. Damien Cabezas, CEO, Horizon Behavioral Health - Annual Update

Mr. Damien Cabezas, CEO of Horizon Behavioral Health presented to the Board his annual update on the services provided to Amherst County and surrounding localities.

Chair Tucker thanked Mr. Cabezas for his presentation and expressed her appreciation to him and his staff for those services provided.

**VIII. New Business**

A. EDA - Amherst County Branding

EDA Executive Director Victoria Hanson presented the Board a summary of the branding process and marketing of Amherst County.

Ms. Hanson explained there was need to market Amherst County for business, tourism and residential growth; however, there was no clear brand identity or consistency of how Amherst County was marketed. The branding was designed to help unify Amherst County and the presentation by Arnett Muldrow & Associates would unveil the process to connect people and companies to Amherst County.

Ms. Hanson explained the EDA hired Arnett Muldrow & Associates who has worked with local communities with branding in Virginia as well as 450 municipalities across the U.S.

Mr. Aaron Arnett of Arnett Muldrow & Associates presented a PowerPoint presentation that outlined the process and creative and graphic/brand recommendations, which his company created a marketing tool to collectively promote Amherst County.

There was a discussion by the Board that included the cost of the signage and installation.

Chair Tucker made a motion that the Board adopt the Community Branding and Marketing Plan for Amherst County as presented and directed staff to begin implementing the brand.

Roll Call Vote

Supervisor Tucker	AYE
Vice-Chair Pugh	AYE
Supervisor Ayers	AYE
Supervisor Campbell	AYE
Supervisor Marks	AYE

**IX. County Administrator's Report**

A. Boards/Commissions/Committees - Appointment to the Social Services Board

County Administrator Dean Rodgers informed the Board that the term of Leon Parrish, at-large representative on the Amherst County Department of Social Services Board, will expire on June 30, 2017.

Mr. Rodgers advised two individuals expressed interest in seeking this vacancy, Mr. Leon Parrish and Mr. Larry Langhans.

Mr. Rodgers stated the Board is being asked to interview and appoint a representative to the Amherst County Department of Social Services Board.

The Board proceeded with the interview of Mr. Leon Parrish and Mr. Larry Langhans.

By motion of Supervisor Marks and with the following vote, the Board reappointed Leon J. Parrish to the at-large seat for a four year term on the Amherst County Department of Social Services Board.

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

Chair Tucker thanked Mr. Langhans for his interest in serving Amherst County and invited him to apply for future board vacancies.

B. Projects Status Report

County Administrator Dean Rodgers provided the Board an update on Phelps Road School and advised that a criminal Show Cause hearing was set for today, however, the hearing has now been moved to July 19, 2017.

**X. County Attorney's Report**

A. Introduction of Mr. Mike Lockaby

Chair Tucker introduced Mr. Michael Lockaby as the interim Amherst County Attorney.

Mr. Lockaby provided the Board with his biography. He informed the Board that he has had an opportunity to meet with staff concerning several issues and will move forward with some speed regarding these matters.

Mr. Lockaby advised he is available at all times; at his office, via email and cell phone.

**XI. Liaison and Committee Reports**

A. LRB Alliance Executive Board - June 9, 2017

For Board information only.

**XII. Departmental Reports**

A. Building Safety & Inspections - May 2017

For Board information only.

**XIII. Citizen Comment**

There was no public comment.

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

Supervisor Marks had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Campbell reported that the Building Committee has requested a town hall meeting with members of the Pleasant View community once Pleasant View Elementary School is returned to the County. Board members asked the County Administrator to set up a meeting between the Board and community leaders to explore potential uses for the building.

Vice Chair Pugh inquired about the presentation of the resolutions honoring the retirement of Mr. Garry Friend, Treasurer and Mr. Dan French, Director Amherst County Service Authority.

Mr. Rodgers advised a commemorative resolution will be presented to Mr. Garry Friend at the August 1, 2017 Board of Supervisors meeting. Mr. Rodgers said that Mr. French's commemorative resolution will be presented to him on June 30, 2017 during his retirement party.

**XV. Closed Session**

A. Pursuant to § 2.2-3711(A)(7) of the Code of Virginia, to consult with the Interim County Attorney regarding the litigation involving the Phelps Road School building.

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 consult with the Interim County Attorney regarding the litigation involving the Phelps Road School building.

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

Chair Tucker stated that at this time only Board members would be present and that another individual would be called in later.

Supervisor Campbell motioned to come out of closed session which 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**

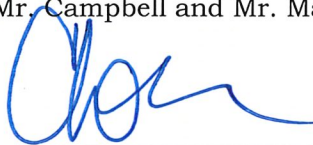
Supervisor Campbell moved that the Amherst County Service Authority Board certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion 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

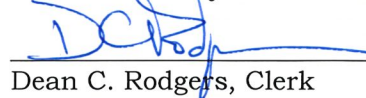
**XVI. Adjournment**

By motion of Supervisor Ayers and with the following vote, the Board adjourned at 9:30 p.m.

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



Claudia D. Tucker, Chair  
Amherst County Board of Supervisors

  
Dean C. Rodgers, Clerk



**Meeting Date:** June 20, 2017

## ATTACHMENTS





Amherst County Board of Supervisors  
County Commemorative Resolution No. 2017-0006-CR

**For consideration on June 20, 2017**

**A COMMEMORATIVE RESOLUTION, NO. 2017-0006-CR**

A commemorative resolution, honoring Ellen Bowyer, Amherst County Attorney, for her exceptional and dedicated service to Amherst County.

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Approved as to form by the County Administrator

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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 the County of Amherst, Virginia, hereby expresses its profound thanks to Ellen Bowyer for her exceptional and dedicated service to Amherst County, as follows:**

**WHEREAS**, Ellen Bowyer has served as the Amherst County Attorney since July 26, 2010, and supplied legal guidance to County staff and elected officials on a daily basis; and

**WHEREAS**, Ms. Bowyer over the course of her tenure has made many contributions to the operation of the County's processes that have brought about stability and continuity to many departments; and

**WHEREAS**, Ms. Bowyer worked with the Sheriff's Office, Building Official, and Planning and Zoning department to develop the process to enforce ordinances against derelict buildings and neglected properties; and

**WHEREAS**, Ms. Bowyer developed a process to ensure that certain Board actions were done by resolution to ensure that there was a clear legal and historical record; and

**WHEREAS**, during her service to the Board of Supervisors, Ms. Bowyer drafted more than ninety ordinances, including arranging for public notice and codification, and over two hundred and thirty resolutions, including arranging for their publication to the public; and

**WHEREAS**, Ms. Bowyer was instrumental in reviewing Standard Operating Guidelines prepared by the County's Department of Public Safety against federal and state laws and regulations, and supplied guidance as to needed revisions and additions; and

**WHEREAS**, Ms. Bowyer advised the County Department of Public Safety as to the correct compensation of public safety employees under state and federal law; and



**WHEREAS**, Ms. Bowyer was pivotal in drafting a County policy on the Freedom of Information Act (FOIA), supplying necessary guidance regarding the County's responses to FOIA requests; and

**WHEREAS**, Ms. Bowyer was instrumental in protecting the county's interests in the Region 2000 Emergency Communications Regional Cooperative Agreement between Amherst County and the regional radio partners of Bedford County and the City of Lynchburg; and

**WHEREAS**, Ms. Bowyer guided the legal agreement between Amherst County and Pedlar Rescue Squad to incorporate the Rescue Squad into the county's Public Safety Department; and

**WHEREAS**, Ms. Bowyer spearheaded the litigation team that succeeded in reaching a settlement to avert the closure of Sweet Briar College.

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

That the Board of Supervisors of the County of Amherst, Virginia, hereby recognizes Ellen Bowyer for her dedicated service, and gratefully commends her for the exceptional legal guidance she has provided to Amherst County.

**BE IT FURTHER RESOLVED:**

That the Board wishes Ms. Bowyer much success in her future endeavors, and thanks her for all the time and attention she devoted to preserving this Board's best interests and the interests of Amherst County as a whole.

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

Adopted this 20<sup>th</sup> day of June, 2017.

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Claudia D. Tucker, Chair  
Amherst County Board of Supervisors

**ATTEST:**

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Dean C. Rodgers, Clerk  
Amherst County Board of Supervisors

**ADOPTED**

06 / 20 / 2017