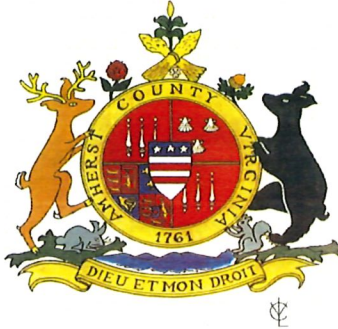


Board of Supervisors

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
December 5, 2017

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

- I. Call to Order**
- II. Approval of Agenda**
- III. Invocation and Pledge of Allegiance**
- IV. Citizen Comment**
- V. Consent Agenda**
 - A. Minutes - November 7, 2017 and November 13, 2017
 - B. Appropriation Request
 - C. Special Welfare Balance Correction
 - D. Open-Space Easement deed from Debra Speyer
- VI. Special Presentation**
 - A. Region 2000 Local Government Council - Gary Christie
- VII. County Administrator's Report**
 - A. County Administrator Change (CAC) to HR Regulation
 - B. Boards/Commissions/Committees - EDA vacancy
 - C. Boards/Commissions/Committees - Recreation, Parks and Cultural Development Board vacancy
- VIII. Liaison and Committee Reports**
- IX. Departmental Reports**
 - A. September 2017 Monthly Treasurer Report
 - B. Building Safety and Inspection Report October 2017

- X. Citizen Comment**
- XI. Matters from Members of the Board of Supervisors**
- XII. Adjournment**

MINUTES

At a Regular Meeting of the Amherst County Board of Supervisors and held at the Amherst County Administration building, Amherst, Virginia, thereof on Tuesday, the 5th day of December 2017, at 1:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT: David W. Pugh, Jr., Vice-Chair L. J. Ayers, III, Supervisor Kenneth M. Campbell, Supervisor John A. Marks, Jr., Supervisor	ABSENT: Claudia D. Tucker, Chair
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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: Human Resource Director Linda Warner

I. Call to Order

Vice-Chair Pugh 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 Vice-Chair Pugh and with the following vote, the Board approved the agenda.

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

IV. Citizen Comment

There was no public comment.

V. Consent Agenda

- A. Minutes - November 7, 2017 and November 13, 2017
- B. Appropriation Request
- C. Special Welfare Balance Correction
- D. Open-Space Easement deed from Debra Speyer

By motion of Supervisor Campbell and with the following vote, the Board approved the Consent Agenda for December 5, 2017.

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

VI. Special Presentation

A. Region 2000 Local Government Council - Gary Christie

Mr. Gary Christie, Executive Director of the Region 2000 Local Government Council and Mr. Ben Bowman of the Workforce Development provided the Board with an overview of services that are provided to localities.

Vice-Chair Pugh thanked both gentlemen for the update and appreciated the explanation of what Amherst County receives with its Region 2000 membership.

VII. County Administrator's Report

A. County Administrator change (CAC) to HR Regulation

County Administrator Rodgers presented changes to HR Regulation. He explained most of the changes are housekeeping changes of what has been happening in the County's organization.

By motion of Supervisor Campbell and with the following vote, the Board adopted the CAC to HR Regulation as modified.

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

B. Boards/Commissions/Committees - EDA vacancy

County Administrator Rodgers reported his office received one applicant for the District 5 vacancy. The EDA has requested to extend the period of advertisement for additional applicants.

Vice-Chair Pugh requested an extension for another month and asked to re-advertise the vacancy.

By motion of Vice-Chair Pugh and with the following vote, the Board directed staff to re-advertise the District 5 vacancy on the EDA Board and to extend the period for one month.

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

C. Boards/Commissions/Committees - Recreation, Parks and Cultural Development Board vacancy

County Administrator Rodgers advised the Board that one applicant, Christy Kreuziger has indicated her desire to be reappointed.

Sara Lu Christian, Director of Parks & Recreation advised that Ms. Kreuziger was an asset to the Recreation Board and recommended that the Board consider her reappointment.

By motion of Supervisor Marks and with the following vote, the Board re-appointed Christy Kreuziger as the District 3 representative on the Recreation, Parks and Cultural Development Board.

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

D. Boards/Commissions/Committees vacancies – quarterly report

County Administrator Rodgers provided the Board a quarterly report of upcoming vacancies.

E. Projects Status Report

County Administrator Rodgers provided his project status report and advised this is for the Board's information only.

Mr. Rodgers advised the Service Authority's December 5 meeting was cancelled due to illness of Director Bob Hopkins. The meeting will be rescheduled in January 2018.

Mr. Rodgers stated that the January 2, 2018 meeting falls on a scheduled holiday.

It was the Board's consensus that the Service Authority and Board of Supervisors meetings will be held on Monday, January 8, 2018 at the regular scheduled times.

VIII. Liaison and Committee Reports

IX. Departmental Reports

A. Departmental Spotlight – Human Resources

Human Resource Director Linda Warner presented to the Board an overview of the functions that her department provides to the County.

X. Citizen Comment

There was no public comment.

XI. Matters from Members of the Board of Supervisors

Supervisor Marks read the following comments to the Board:

"Mr. Chairman: I have several matters I wish to address at this time.

The first item deals with the Phelps Road School. Based on the Performance Agreement with Waukeshaw Development LLC, which was approved by this Board on October 17th, 2017 Waukeshaw committed to certain actions as set forth in Paragraph 2 titled "Safety & Maintenance Code". One of the requirements is "The Company shall take the following steps for ongoing maintenance, not later than 30 days following the closing date: Covering windows with construction fabric, ensuring that all grass is mowed and trimming trees and bushes visible from public streets."

The closing date for Phelps Road School was 11/2/2017. The 30 day period from closing date was 12/2/2017, and today is 12/5. Based on a visual inspection from the street this morning it appears there is no construction fabric covering the windows, or the commencement of effort to cover the windows with construction fabric, and bushes visible from the street have not been cut

or trimmed. Since I am not familiar with the construction fabric referenced and only have access from the street I am requesting that the Building Inspector tour the structure this afternoon to confirm or deny these observations. Should these observations be confirmed, as I believe they will, one can easily reach the conclusion that apparently Waukeshaw does not take its commitments regarding this project very seriously. Consequently one cannot blame the Phelps Road residents for being opposed to this project when they see the same broken commitments over and over again. One would ask if this is the type of performance one should expect to experience should we continue in this project. What are the consequences, if any, for non-compliance to the Performance Agreement on the part of Waukeshaw? I would appreciate the Building Inspector providing the Board the results of his observation. Again, if my observations prove to be correct, identify what action needs to be taken and who has the responsibility to take that action.

The second matter I would like to address concerns the EDA Strategic Plan Update. I noticed that the Speyer property was identified in the update as a Challenge by the EDA. I also noticed that under what the EDA considered threats was one item which identified "Board of Supervisors changing the Comprehensive Plan for specific cases." It appears obvious that the EDA considered the removal of the Speyer property from the growth zone in the recently revised Comprehensive Plan, and approval of that action by the Board of Supervisors, a threat. It also seems fairly obvious, at least to me, that someone needs to explain to the EDA that the Board of Supervisors are elected by the citizens of the county to represent them and listen to their concerns and wishes. There is no doubt what the majority of the citizens that addressed this situation wanted the Board to do concerning the Comprehensive Plan with the Speyer property removed from the growth zone, the Board agreed with them, and approved the revised Comprehensive Plan. The fact that this was not in accord with the EDA plans is, "I'm Sorry," but that is how the system works. I also believe it would be prudent that the EDA not think of the Board of Supervisors and some of its actions as a threat, but to remember this Board is the major source of EDA funding, to the tune of almost \$400,000 in fiscal year 2018, \$227,741 of which is for other than operating costs. This brings up another point. The Board of Supervisors provides this \$227,741, or the equivalent of a .01 tax rate for the purpose of economic development, with virtually no oversight by this Board. I believe this is wrong. This Board is supposed to be the stewards of the tax payer dollars and we should not turn over almost a quarter million dollars of taxpayer money to any appointed organization without some oversight by this Board. This Board by resolution has a special fund for the School Board CIP and the Emergency Services Council over which it has oversight. Monies are placed in these funds by the Board of Supervisors, and released from these funds by the Board of Supervisors based on requests from these organizations for specific projects, which provides this Board an oversight capability. I see no reason for the EDA to be treated differently. Consequently Mr. Chairman I would like to make the following motion: If the Board of Supervisors continues to provide the EDA with the equivalent of funding, other than operating expense, equal to .01 of the tax rate (currently \$227,741 in year 18 budget) that this money be placed in a special EDA fund controlled by the Board of Supervisors and released, based on requests from the EDA, for specific projects. This is the same policy currently being used for the School Board CIP and the Emergency Services Council, which has worked quite well.

The third matter also deals with the EDA Strategic Plan Update. I could not help but take notice of the fact that listed as an asset by the EDA was "Electoral changes to the Board of Supervisors." Since the only electoral change to the Board of Supervisors is my departure from the Board it appears the EDA considers my departure an asset to them".

Vice- Chair Pugh asked if Board members had any discussion.

Supervisor Campbell commented that the EDA may have some issues that might be confidential and could cause some repercussions.

Supervisor Marks stated that anything that could be confidential would be taken into a closed session.

Mr. Rodgers said that the EDA has budget of \$277,000 for multi-years ahead and suggested that the next fiscal year this be added to the agenda, and would ask the EDA come before the Board to address this.

Supervisor Marks stated that the Board should not turn over a quarter of a million dollars of taxpayer money and not have any oversight of this money. Supervisor Marks requested his motion be voted on today.

Vice-Chair Pugh agreed with Supervisor Marks and said a previous discussion by the Board focused on the County being a steward of taxpayers' dollars and that the Board should be able to decided how this money is spent.

Supervisor Ayers asked if there were any stipulations regarding the one cent going to the EDA.

Mr. Rodgers said he recalled a discussion about holding it as a committed fund and the EDA would bring to the Board on a regular basis a plan to approve for that money. If the money was set aside in a committed fund, it would limit the EDA to one year projects.

Supervisor Marks called for a vote on his motion.

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

Motion failed.

Supervisor Marks stated the third matter he wished to address dealt with the EDA Strategic Plan Update. Supervisor Marks stated, "I could not help but take notice of the fact that listed as an asset by the EDA was "Electoral changes to the Board of Supervisors." Since the only electoral change to the Board of Supervisors is my departure from the Board it appears the EDA considers my departure an asset to them".

Supervisor Campbell had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Vice-Chair Pugh advised he received a copy of the minutes from the November 29, 2017 Region 2000 meeting regarding the landfill. (See Attachment 1)

Vice-Chair Pugh asked why Amherst County was asked by Region 2000 to operate the County's landfill or to join that entity. He said the County should not consider joining the Region 2000 landfill because the landfill has approximately 75 years left, and if joining that group, it would allow the majority of trash coming in from other localities as well as increased truck traffic in the neighborhood.

Mr. Rodgers said the County is having difficulty filling operator positions, and he spoke with Gary Christie of Region 2000 who suggested that Region 2000 put in a bid proposal to operate our landfill. Mr. Rodgers advised that the Purchasing Agent is developing a RFP to go out to commercial entities for the County's landfill.

Mr. Rodgers advised the regional landfill board decided not to enter into an agreement to provide the manpower to operate the County's landfill; however, he believe they would rather Amherst County join their landfill and become a member. Mr. Rodgers said there was no move or discussion for the County to join the regional landfill.

Supervisor Marks agreed with Vice-Chair Pugh that our landfill was an asset and it should last for another 75 years. He said the County should have no part of the regional landfill, pointing out it would destroy that community with truck traffic. Supervisor Marks said the problem is to find someone to help the County operate the landfill and agrees with putting out a RFP to solicit commercial interest.

Vice-Chair Pugh asked Mr. Rodgers in the future to come before the Board prior to having any outside discussion regarding this issue.

Mr. Rodgers said one of the major functions of his position is to reduce costs and this was an effort to investigate resources that might save costs. He said the County was not going to join the regional landfill or make our landfill available. Mr. Rodgers said the County is lacking in manpower and that Region 2000 offered its own.

Supervisor Ayers asked if salary was an issue for hiring equipment operators.


Mr. Rodgers said the County pays benefits and a more competitive salary than the regional landfill system and other localities; however, it appears to be the type of work which is a challenge fill.

Supervisor Marks asked Mr. Rodgers to have the Building Official look at Phelps Road School and report back to the Board.

XII. Adjournment

By motion of Supervisor Marks and with the following vote, the Board adjourned at 2:12 p.m.

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



David W. Pugh, Jr. Vice-Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk



Region 2000 Services Authority

Location

Haberer Bldg.
47 Courthouse Lane
Rustburg, VA 24588

Date | Time

November 29, 2017

2:00 p.m.

Minutes

Board Members Present

Susan Adams.....Appomattox County
Steve Carter (arrived late) Nelson County
Frank Rogers, *Chair*..... Campbell County
Bonnie Svrcek..... City of Lynchburg

Others

Emmie Boley Region 2000
Margaret Carmel News and Advance
Gary Christie..... Region 2000
Susan Cook Region 2000
Clarke Gibson Region 2000
Gaynelle Hart..... City of Lynchburg
Bill Hefty Hefty, Wiley & Gore
Rosalie Majerus Region 2000
Candy McGarry Nelson County
Clif Tweedy Campbell County

1. Welcome

Frank Rogers welcomed everyone and called the meeting to order at 2:00 p.m.

2. Public Comment – There were none.

3. Approval of the September 27, 2017 Meeting Minutes

Upon a motion by Bonnie Svrcek, seconded by Susan Adams, the minutes of September 27 were approved as presented.

4. Financial Update

Rosalie Majerus reviewed the financials included in the meeting packet.

- She reported that tonnage is currently on target or better than it should be.

- The cost of service is \$31.17, versus the budget of \$30.25. This is due to the fact that one-time costs have been paid.

In response to the question concerning the hazardous household materials collection, Ms. Majerus explained the fees that are charged by the vendors are billed to the individual participating localities. Labor costs have not been billed out.

Ms. Majerus also stated that a budget work session would be held at the January 31st meeting. Staff will present four years of historical financial information plus the current year for each of the relevant schedules. She also asked that anyone who wishes to see additional financial information at this meeting please contact Gary Christie, Emmie Boley, or herself no later than January 10, 2018.

A resolution was presented to the Authority for approval to participate in the VACO/VML Virginia Investment Pool, as an added investment tool.

The motion to approve this resolution was made by Bonnie Svrcek, and seconded by Susan Adams. The motion was unanimously approved.

5. FY 17 Excess Revenue Appropriation

Ms. Majerus explained that there have been no changes in the excess revenue amount from June 30th, and a recommendation is needed to pay. Amounts to be appropriated:

Campbell County - \$661,932
City of Lynchburg - \$291,861

Bonnie Svrcek made the motion to approve the excess revenue appropriation, and the motion was seconded by Frank Rogers.

The vote follows:

Susan Adams - Aye
Frank Rogers – Aye
Bonnie Svrcek – Aye
Steve Carter – Not Present

Susan Adams requested that there be a work session concerning the excess revenue distribution. Frank Rogers asked that information be provided on the history, rationale, calculation of it, and anything relevant to where the concept came from.

Bonnie Svrcek also suggested they look into a way to take it out of the annual approval process.

6. Property Value Protection Plan

Gary Christie summarized the PVPP as presented.

Frank Rogers thanked everyone who came out to the public meeting on November 15th and shared their comments. He added that it was evident throughout the presentation that the proposal was not satisfactory to the constituents along the Calohan Road corridor.

Bonnie Svrcek added that she has not yet been able to find out what the city did with residents in the past in the Tyreanna neighborhood, and she would like some time to look into this.

Steve Carter questioned the purchase of six lots adjacent to the landfill by Campbell County. He was curious as to why Campbell County paid \$1,050,000 to the developer for these lots. There was no response to the question.

By consensus of the Authority, this matter was tabled indefinitely.

7. Solid Waste Management Plan 2030

- a) Clarke Gibson explained that the SWM2030 working group had identified three options that were viable and worth investigating:

- 1) Waste to energy
- 2) Transfer station
- 3) Landfill expansion on the Bennett property

Discussion will be opened at the January meeting. The working group will give a more detailed review, and then discuss steps moving forward.

Frank Rogers advised that there is a ten year window to get permitting. He asked that information be presented by staff at the Campbell County work session in March.

- b) Mr. Gibson reported that he has recently identified another option to increase the Livestock Road Landfill life. This option is called Safe Berm, a mechanically stabilized earthen berm. This technology is now being used in landfills to increase the capacity of existing footprints in permitted sites. This method could increase capacity of the Livestock Road Landfill site for an additional eight to ten years. The material used for this berm would likely be coal ash, and there would likely be a disposal fee for material used to build the berm. He has met with the working group, and they feel that this option has technical merit. Mr. Gibson advised that he has a proposal for a Phase I feasibility study, and is asking the Authority to approve \$43,403.00 for this feasibility study.

The Authority members felt that no money should be spent on a feasibility study before meeting with the Campbell County Board of Supervisors to share options.

8. Consideration of a request from Amherst County for a price for Landfill Operations/Management Services

Gary Christie reported that Amherst County is putting out a bid to the private sector to change their landfill operations. They have also contacted Region 2000 to see if the Authority would be interested in providing operations and/or management services to run their landfill.

The consensus of the Authority was to not take on the Amherst landfill.

9. Director's Report

- a) Update on the Concord Turnpike Gas Collection System

At the last meeting Mr. Gibson reported that he was having issues with the private operator of the Concord Turnpike gas collection system and there have been issues with landfill gas compliance. The contract he is operating under requires maintaining DEQ environmental permit compliance, as the Authority is the permit holder. He has recently received a warning letter from the DEQ for exceedances at the perimeter wells. As of today, Mr. Gibson reported that the Concord Turnpike Landfill is back in compliance, having used the

Authority's money and resources. The next step is to bill the owner of the system for expenses incurred.

Frank Rogers asked what the long term plan is to keep the system operating. Clark Gibson replied that SCS will be presenting an estimate on what it would take to get the entire system back up and running to where it should be.

b) Update on a coming proposal to better utilize methane produced at the Livestock Road Landfill

Mr. Gibson advised that part of the bond proceeds includes building a storage shed with two enclosed bays. When the building is completed he intends to run a gas line from the flare up to the shop and using the gas to heat the bays. He also plans to convert the shop heating system over to using the natural gas from the landfill.

That still leaves a lot of gas, and in January Mr. Gibson hopes to bring a proposal from SCS on a feasibility study for the best use of the gas. One of the ways to use the gas, that he wants to look at, would be compressed natural gas to power vehicles.

c) Tonnage Report

Mr. Gibson reported that month to month tonnage is below what was received last year, but projections have been adjusted and tonnage is tracking close to budgeted numbers.

10. Proposed Meeting Schedule for 2018

The proposed meeting schedule for 2018 was approved:

January 10 – Work Session
January 31
March 28
July 25
September 26
November 28

11. Adjourn – Next meeting: January 31, 2018, 2:00 p.m. Haberer Building, Rustburg

There being no further business, the meeting adjourned at 3:06 p.m.

Approved by: _____

Date: _____