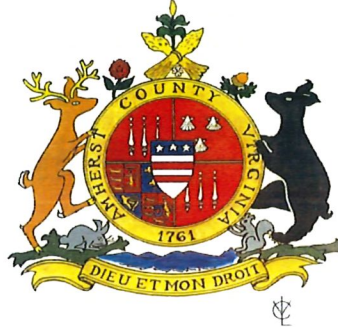


Board of Supervisors

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



County Administrator
Dean C. Rodgers

Interim County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES

AGENDA
January 16, 2018

Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened – 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. Re-Zoning of Phelps Road School, Case 2017-20
- VI. Consent Agenda**
 - A. Appropriation of Revenue for Commonwealth Attorney
 - B. Appropriation of Revenue for Sheriff
 - C. School Board – supplemental appropriation
- VII. New Business**
 - A. Budget Workshop – CIP Prioritization
 - B. Capital Improvement Projects for Amherst County Public Schools
- VIII. County Administrator's Report**
 - A. Projects Status Report
- IX. Departmental Reports**
 - A. General Fund Availability Report
 - B. Treasurer's Report for the Month of November 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 16th day of January 2018, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

PRESENT:	Claudia D. Tucker, Chair L. J. Ayers, III, Vice-Chair David W. Pugh, Jr., Supervisor Kenneth M. Campbell, Supervisor Jennifer R. Moore, 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: EDA 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 Campbell led the Invocation and Pledge of Allegiance.

III. Approval of Agenda

By motion of Chair Tucker and with the following vote, the Board amended the Agenda for January 16, 2018, and inserted after item IV. Citizen Comment, a Commemorative Resolution for John A. Marks, Jr.

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

IV. Citizen Comment

Chair Tucker opened the citizen comment session.

The following citizens made comments.

Mr. Jacob Dalton of Madison Heights, Virginia addressed the Board regarding the proposed \$100,000 for community college education. He stated he was in favor of promoting and encouraging high school students to attend community college and incentivize those students by paying their tuition. Mr. Dalton said the County could help retain our citizens and improve the workforce in Amherst County.

Chair Tucker closed the Citizen Comment session.

At this time, Chair Tucker presented Commemorative Resolution 2018-0001-CR honoring the Service of John A. Marks, Jr., as a member of the Amherst County Board of Supervisors for the Fifth Electoral District, to Amherst county for the period of January 1, 2014 to December 31, 2017. **(See Attachment 1)**

Mr. Marks thanked all fellow Board members and staff as well as a special mention to the IT Department for providing help to him with his computer. Mr. Marks thanked all and appreciated the help everyone has given to him over the past years.

V. Public Hearing

A. Re-zoning of Phelps Road School, Case 2017-20

Planning/Zoning Director Jeremy Bryant addressed the Board regarding the issue of a conditional zoning at Phelps Road School from P-1 Public Lands to R-3 Multi-Family Residential.

Mr. Bryant spoke on the traffic concerns and provided information from the Virginia Department of Transportation regarding the anticipated increase of vehicle traffic per day on Phelps Road.

Mr. Bryant advised the Planning Commission held a public hearing on December 21, 2017 and recommends approval of re-zoning the Phelps Road School property from P-1 Public lands to R-3 Multi Family Residential District.

EDA Director Victoria Hanson presented a power point presentation and explained the need to re-zone Phelps Road School for 30-50 market rate apartments. She explained the EDA has been working with Waukeshaw Development and also provided an overview of the successes that Waukeshaw has developed in various locations in Virginia. All apartments constructed will be one bedroom and the typical renters would be professionals and empty nesters, and not renting to families, which would be less of a traffic impact on Phelps Road than when the property was operated as school.

Ms. Hanson explained if the final project does not work, the Board of Supervisors would have control over this property.

Chair Tucker opened the Public Hearing.

The following citizens provided comments:

Mr. John Marks of Madison Heights, Virginia addressed the Board and said that all Board members have in their packet the comments he made at the Planning Commission meeting concerning this matter. He said he was not aware that anything else that has taken place since that time.

Mr. Marks made one additional comment regarding the number of trips when this school was in session, and that now that there are an additional 22 apartments at the end of Phelps Road, it has created traffic that was not there when school was in session.

Mr. Marks said he wanted to reinforce that the County has dealt with this matter for about three decades. He said one thing for sure we have an offer to demolish this building for a specific amount and that is a known fact. Everything else about this project is unknown and he would like the Board to consider that when they make a decision.

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MINUTES – January 16, 2018

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Mr. Jacob Dalton of Madison Heights, Virginia, addressed the Board and said that the Phelps Road School development would be a benefit to Madison Heights as an investment and create economic stimulation. Mr. Dalton said the traffic issues have been addressed by VDOT and not the entire neighborhood would be effected by traffic. He asked the Board to consider his comment when making a decision.

Ms. Sabrina Kennon of Madison Heights, Virginia, addressed the Board and stated she was in favor of this project. She said it would not impact Madison Heights Elementary School and would be an anchor point for businesses and bring people back to our community.

Mr. Calvin Kennon of Madison Heights, Virginia, addressed the Board and praised the developments created by Waukeshaw in other localities. Mr. Kennon asked the Board to consider allowing this re-zoning to be changed.

Mr. Les Irvin of Madison Heights, Virginia, addressed the Board and asked the Board to consider the five points he provided to the Board as a hand-out before making their decision. **(See Attachment 2)**

Mr. Mike Russell of Amherst, Virginia, addressed the Board and stated he supported this change for re-zoning the property and that VDOT has addressed the traffic issue. He pointed out the Service Authority office lack of parking which needed to be addressed.

Ms. Juanita Harlow of Phelps Road, Madison Heights, Virginia, addressed the Board and stated she has lived for 57 years directly across from the school. Ms. Harlow said that nothing has been done to improve Phelps Road School and it should have been torn down. Phelps Road is in bad condition with increased traffic and city buses running through sections of Phelps Road that create parking issues. Ms. Harlow suggested creating a park or an open-air market for folks to sell their goods.

Mr. Donald Tyree of Phelps Road, Madison Heights, Virginia, addressed the Board and his concern with the increased traffic on Phelps Road from ballgames, poor lighting on the road, and partying from renters in those proposed apartments. Mr. Tyree also asserted there may be endangered bats in the area which he said would stop any construction.

Ms. Cindy Henderson of Madison Heights, Virginia, addressed the Board and stated she was in favor of repurposing historic buildings in the County. She said she supported this project that would spark economic development and revitalization and strengthen a community to help the County move forward.

Mr. Ricky Gammit of Phelps Road, Madison Heights, Virginia, addressed the Board and stated the traffic study was not fair as he has experienced problems with parking in front of his house. He said the neighborhood did not create this situation and said the blighted building is hurting the value of his property.

Chair Tucker closed the Public Hearing.

Chair Tucker asked for Board members comments.

Supervisor Moore said she agreed that something needed to be done with the property. She said the only decision the Board needs to make is to re-zone the property which will allow revitalization.

Supervisor Campbell said the County tried for fifteen years to put the school on the ground and admits it is an eyesore. He commented that now we have someone to do something with the building and does not see a reason not to rezone.

Supervisor Ayers asked County Attorney Lockaby if the development does not go through, could the County put a park and use it for another County purpose and the property revert back to the P-1 designation.

Mr. Lockaby advised the property cannot automatically revert back because that would bind a future Board; however, a park use is a by-right use in the R-3 District.

Supervisor Ayers asked if that property could be re-zoned back to P-1.

Mr. Lockaby confirmed that it could.

Supervisor Pugh stated that if this development did not work, and currently the EDA holds title to the property, does that ownership come back to the Board or stay with EDA.

Mr. Lockaby said the legal title would not come back directly to the Board unless the Board made a deal with the EDA to do so.

Supervisor Pugh said he was not in support of this because of so many broken promises from multiple owners promising to fix up the building. He said to correct this problem would be to tear the building down and make a park or an open space.

Supervisor Pugh said he did not support this and asked the Board to consider the residents who live in this area.

Chair Tucker stated regarding an earlier comment made by a citizen, that for the record this Board was not aware of building a new building for the Service Authority.

By motion of Supervisor Moore and with the follow vote, the Board approved Request 2017-20 to conditionally zone approximately 2.82 acres from the P-1 Public Lands District to R-3 Multi-Family Residential District, including the submitted proffers, and to amend the Future Land Use Map from Public to High Density for this parcel.

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

VI. Consent Agenda

- A. Appropriation of Revenue for Commonwealth Attorney
- B. Appropriation of Revenue for Sheriff
- C. School Board – supplemental appropriation

By motion of Supervisor Campbell and with the following vote, the approved the Consent Agenda for January 16, 2018.

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

VII. New Business

A. Budget Workshop – CIP Prioritization

County Administrator Rodgers addressed the Board and explained the process that the Board used to prioritize the FY19 CIP projects.

Mr. Rodgers explained the list showing each of the CIP projects and the estimated funding for the next five years and explained that if funding is available, we will work down the list from the top as long as there is money available. **(See Attachment 3)**

Mr. Rodgers presented a PowerPoint presentation on Giles County who uses a program that contributes to academic excellence for high school students to provide community college education for their students.

Mr. Rodgers spoke about setting aside money to provide community college education for Amherst County High School students and a proposed funding of \$100,000 to begin a similar program here. He was in favor of promoting workforce development and incentivize people to live and work here.

Mr. Rodgers advised the Amherst Education Foundation would do the fundraising and that he has spoken to the president and the executive director who provided him positive feedback.

Supervisor Pugh commented that he did not think local government should be involved in this and believes the state should be involved and that is where the funding should come from.

Mr. Rodgers said he was not asking for funding now, however, asked to leave this item on the list and gather more information to figure out how to set this program up, and if funding was available asked if the Board would like to proceed.

Chair Tucker said she would like to talk to our constituents and understood Supervisor Pugh's position of where government should start and stop.

It was the Board's consensus and leave Project Number 16 Academic Excellence on the CIP list.

Supervisor Pugh said it is the responsibility of our school system to steer kids to jobs that are available in our community. There are college funds available to pay for college and he did not believe the County should start funding college education. He was also concerned how we keep those students to stay in this area once they received a college education provided by the County.

The discussion ended and the Board made no changes to the CIP prioritization presented.

B. Capital Improvement Projects for Amherst County Public Schools

County Administrator Rodgers advised the School Board approved a list of facility and CIP school projects and is asking the Board of Supervisors to approve the project list and appropriate those funds.

By motion of Supervisor Ayers and with the following vote, the Board appropriated \$575,000 to the School Division from the County's Capital Improvement Projects account for the projects requested.

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

VIII. County Administrator's Report

A. Projects Status Report

County Administrator Rodgers presented the Projects Status Report and provided an update. He advised that in the matter of Winton, Counsel is now collecting affidavits to present to Court.

Chair Tucker inquired about Pleasant View School and the Board will eventually will have to make a decision regarding the property.

Supervisor Pugh asked if there has been any interest in the building.

Mr. Rodgers said presently there were no options, and the EDA has included this property on their website as a potential site.

Chair Tucker asked about the CIP prioritization regarding the bulldozer and the potential of having a contractor operate this.

Mr. Rodgers advised we would make our equipment available to operate but there would be no guarantee if an operator would be available. He said we would continue to operate the landfill and hoped a business would make an offer at a lower cost than we can operate ourselves.

IX. Departmental Reports

A. General Fund Availability Report

County Administrator Rodgers advised there was as of December 31, 2017, \$5,514,080 unobligated funds available for use by the Board of Supervisors.

B. Treasurer's Report for the Month of November 2017

For Board information.

X. Citizen Comment

XI. Matters from Members of the Board of Supervisors

Supervisor Moore had no matter to discuss.

Supervisor Campbell advised he has received calls concerning the closing of the dumpsters in his district.

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MINUTES – January 16, 2018
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Mr. Rodgers advised that the dumpster sites will not be closed until the new convenience center is open; however, we will need to make the landfill available as a convenience center to accept large items and to also look at weekend hours. He advised that the convenience center bid documents will go out in July.

Supervisor Pugh commented he had received a call from a constituent inquiring about attaching a geographical name to the current County electoral districts. Supervisor Pugh said he believed this would make it easier for citizens to identify their district by number and geographical location.

Chair Tucker asked the County Attorney to look into this matter.

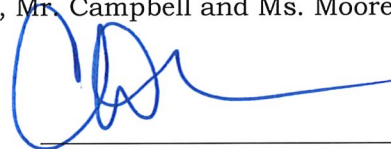
Supervisor Ayers had no matter to discuss.

Chair Tucker had no matter to discuss.

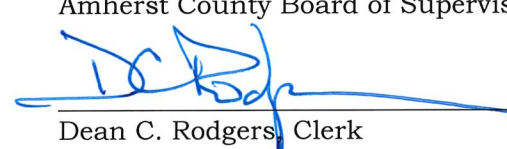
XII. Adjournment

By motion of Supervisor Pugh and with the following vote, the Board adjourned at 8:53 p.m.

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



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk



Amherst County Board of Supervisors
County Resolution No. 2018-0001-CR

For consideration on January 09, 2018

A RESOLUTION, NO. 2018-0001-CR

A commemorative resolution, honoring the service of John A. Marks, Jr., member of the Amherst County Board of Supervisors for the Fifth Electoral District, to Amherst County for the period January 1, 2014, to December 31, 2017.

Approved as to form by the County Administrator

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

I. That the Amherst County Board of Supervisors honors the dedicated service of John A. Marks, Jr., Supervisor for the Fifth Electoral District, to Amherst County, as follows:

WHEREAS, John A. Marks, Jr. previously served the Amherst County Board of Supervisors (hereafter "Board"), representing the Fifth Electoral District, from January 1, 1988 to December 31, 1993 and

WHEREAS, Mr. Marks ran for election for a four-year term in the fall of 2013 and, having won that election also began service on the Board of Supervisors January 1, 2014, and

WHEREAS, once elected to the Board, Mr. Marks served as the Board's liaison to the Community Policy & Management Team, the Community Development Block Grant Management Team, the Department of Social Services and the Building Committee; and

WHEREAS, Mr. Marks was elevated to the position of Chairman by the election of his fellow Board members for the 2015 Board term; and

WHEREAS, Mr. Marks' insightful questions, wise counsel and detail-oriented approach to the many difficult decisions facing the Board during his term served as a strong influence during the resolution of many challenging issues; and

WHEREAS, Mr. Marks throughout his dedicated tenure of service to the County has sought to advance both the interests of his district and those he believed would best serve the County as a whole.

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

That the Amherst County Board of Supervisors expresses its utmost appreciation and warmest thanks for the four years of committed effort and detail-oriented service provided by John A. Marks, Jr. to both the Fifth Electoral District and the County as a whole.

BE IT FURTHER RESOLVED:

That the Clerk of the Board of Supervisors is directed to prepare a copy of this resolution for presentation to Mr. Marks as an expression of the County's appreciation for his ten years of service.

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

Adopted this 9th day of January, 2018.



Claudia D. Tucker, Chair
Amherst County Board of Supervisors

ATTEST:



Dean C. Rodgers, Clerk
Amherst County Board of Supervisors

Ayes 5

Nays 0

Abstentions 0

Les Irvin – Comments to Amherst County Board of Supervisors 1/16/2018

I am here tonight to ask you to consider some points before you vote on the rezoning of the Phelps Road property.

1. Under new federal tax laws the 20% Historical Tax Credit phases over 5 years instead of in its entirety the year a rehabilitated building is completed. Have you checked with the developer to make sure he still wants to proceed?
2. The economic impact analysis prepared by the Lynchburg Regional Business Alliance assumes that the market rate apartments will be occupied in a timely manner. What is missing from the equation is a marketing analysis that supports the demand for this type apartments in this location. We will be competing with multi-phased downtown historical re-development in the City of Lynchburg that is rapidly expanding and very likely will result in an excess of available residential housing of the same nature. Residential and business projects are in place or planned on Jefferson, Commerce, Main, Church, Court, 5th and 12th Streets. These areas offer walking access to the Bluffwalk, a growing number of dining options, art galleries, event venues, the Academy of Fine Arts, and the Riverfront Park with its many events. Are we creating a building that simply will not be in demand?
3. From a historical prospective the only building worth savings is the original elementary building. The old high school section to the right looking from the street and the 1965 edition to the back of the elementary building should not be in the picture. The layout of the elementary building with its multiple levels and staircases will provide many construction challenges. Will this along with the sever blight to the building end the project?
4. It has been stated that most units will be one bedroom apartments. Will there be a demand for them? Most young or single professionals will desire more bedrooms for roommates that help defray expenses, change in family size, visitors, etc. Most empty nesters will also want more than one bedroom.
5. If you approve the rezoning wouldn't it be wise to have the zoning revert back to P-1 if Waukeshaw Development can't make the project work? This would protect the neighborhood from development of low income housing we know they don't want.

Please do not let your desire for a successful economic development project keep you from making good decisions. We the taxpayers always pay for mistakes.

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FY 2019-2023 CAPITAL IMPROVEMENT PLAN SCORING SHEET

Evaluated by _____

Project Number	FY 2019 Projects	Staff Priority	BOS Member Priority	Local Funding	Grant Funding	Total
	Category 1 - Critical					
1	Self Contained Breathing Apparatus (SCBA)	1		\$ 200,000		\$ 200,000
10	DS Dozer	2		\$ 285,000		\$ 285,000
13	Riveredge Phase 3 & 4	3		\$ 15,000	\$ 60,000	\$ 75,000
2	Pedlar Tanker replacement/Refurbish	4		\$ 425,000		\$ 425,000
	Category 2- Necessary					
12	Replace Bright Software	5		\$ 300,000		\$ 300,000
3	Monelison Brush Truck Replacement/Refurbish	6		\$ 175,000		\$ 175,000
11	Admin Building Controls	7		\$ 95,000		\$ 95,000
	Category 3 - Helpful					
16	Academic Excellence	8		\$ 100,000		\$ 100,000
	Total Capital Cost Est.			\$ 1,595,000	\$ 60,000	\$ 1,655,000
	Total Operating Impact Est			\$ -	\$ -	\$ -
	Total Expenditure			\$ 1,595,000	\$ 60,000	\$ 1,655,000