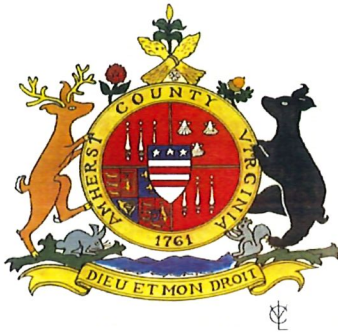


Board of Supervisors

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

County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES

AGENDA

June 5, 2018
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Informal Luncheon – 12:00 p.m.
Meeting Convened - 1:00 p.m.

- I. Call to Order**
- II. Approval of Agenda**
- III. Invocation and Pledge of Allegiance**
- IV. Citizen Comment**
- V. Ordinance – First Reading**
 - A. Assessment for electronic summons system
- VI. Consent Agenda**
 - A. Minutes – May 1, 2018
 - B. Revised Social Services Costs Agreement
 - C. County Administrator Changes (CAC) to Regulations
 - D. Sight Distance Easement – Felicia Mays (TM# 125-A-10A)
 - E. Riveredge Park Rock Climbing License
 - F. Use of E-911 Funds
 - G. Sheriff's Office Appropriations
- VII. New Business**
 - A. Landfill v. Transfer Station
 - B. New Staff Positions
 - C. Use of FY 2018 CIP savings
 - D. Park Playground Replacement
 - E. Formation of Amherst Disaster Recovery Group
- VIII. County Administrator's Report**
 - A. Boards/Commission/Committees – vacancies
 - 1. Amherst County Social Services Board
 - 2. Central Virginia Community College Board
 - 3. Library Board

B. Projects Status Report

IX. County Attorney's Report

X. Liaison and Committee Reports

A. Lynchburg Regional Business Alliance, Exec. Bd. May 11, 2018

B. Lynchburg Regional Business Alliance, Board of Directors Meeting, 24 May 2018

XI. Departmental Report

A. Treasurer's Monthly Report

XII. Citizen Comment

XIII. Matters from Members of Board of Supervisors

A. A closed session, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically relating to the Winton Country Club property.

XIV. Certification of Closed Session

XV. 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 June, 2018, at 1:00 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	ABSENT: Jennifer R. Moore, Supervisor
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STAFF PRESENT: County Administrator Dean C. Rodgers, Deputy County Administrator David R. Proffitt; County Attorney Michael W. S. Lockaby; and Executive Assistant Regina M. Rice

OTHERS PRESENT: Finance Director Stacey Wilkes
Planning/Zoning Director Jeremy Bryant
Public Safety Director Sam Bryant
CSA Coordinator Joni Tables
HR Director Linda Warner

I. Call to Order

Chair Tucker called the meeting to order at 1:03 p.m.

II. Approval of Agenda

By motion of Vice-Chair Ayers and with the following vote, the Board approved the Agenda for June 5, 2018.

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

III. Invocation and Pledge of Allegiance

Chair Tucker led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

There was no public comment.

V. Ordinance – First Reading

A. Assessment for electronic summons system

Major Betty Wise, Amherst County Sheriff's Office, presented her report to the Board regarding the proposed ordinance for the electronic summons system.

Major Wise advised in 2015 the General Assembly granted localities the authority to impose an additional fee of up to \$5.00 on each criminal and traffic case in the local courts. This money would be used for the maintenance of an electronic summons system including hardware and software. The fees collected would be placed in a designated fund to be appropriated by the Board.

By motion of Vice-Chair Ayers and with the following vote, the Board directed staff to schedule Ordinance No. 2018-0002 for a public hearing on June 19, 2018.

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

VI. Consent Agenda

- A. Minutes – May 1, 2018
- B. Revised Social Services Costs Agreement
- C. County Administrator Changes (CAC) to Regulations
- D. Sight Distance Easement – Felicia Mays (TM# 125-A-10A)
- E. Riveredge Park Rock Climbing License
- F. Use of E-911 Funds
- G. Sheriff's Office Appropriations

By motion of Supervisor Campbell and with the following vote, the Board approved the Consent Agenda for June 5, 2018.

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

VII. New Business

- A. Landfill v. Transfer Station

County Administrator Rodgers provided the Board with information regarding construction of the Cell 2 at the landfill, and advised that Lynn Klappich of Draper Aden Associates would address the Board with a study and analysis on two options.

Ms. Klappich reported on the Disposal Option Evaluation that was prepared for Public Works, which addressed several options for waste disposal in Amherst County.

Ms. Klappich presented three options: Option 1 - Continued Operation; Option 2 – Operation by Private Operator; (Note: Option 2 was dropped due to lack of bids received by the County); and Option 3 – Transfer Station.

Ms. Klappich discussed the advantages and disadvantages of Option 1 and 3.

Chair Tucker asked what was the time period that the Board would need to make a decision.

Ms. Klappich advised the Board would need to make a decision by the end of December 2018. She said if the Board decided to build Cell 2, it would be necessary to put out a bid by February 2019.

Ms. Klappich also advised the Board that a private transfer station location could be up and running in twelve to eighteen months.

The Board continued a discussion regarding hauling rates, annual cost for post closure of Cell 1, the timeframe to build a transfer station, and having a private operator manage the landfill.

Chair Tucker asked for a comparison of counties the size of Amherst, and if other counties have contracted their landfills out.

Ms. Klappich said she would provide that information to the Board, as well as looking at tonnage, annual operation costs and those counties that have transfer stations.

It was the Board's consensus to direct staff to schedule further discussion with Ms. Klappich of Draper Aden Associates at a future Board meeting in September 2018.

B. New Staff Positions

County Administrator Rodgers advised that in the supplemental budget, which was approved by the Board, there were three staff positions not funded. Due to miscalculation of the 2% COLA, there is now approximately \$153,000 of available recurring revenue to apply to the next items on the supplemental budget list. He requested that money be used to fund three additional positions.

Mr. Rodgers invited three staff members to address the Board with an explanation of why they would need to hire additional staff.

Public Safety Director Sam Bryant addressed the Board and explained the need to hire an administrative captain with IT management skills. He said requirements have increased for the standard of care, and this position would take care of training as well as operating an ambulance or fire engine. Mr. Bryant said this position could be a stepping stone up into the Deputy Director position.

Ms. Joni Tables, CSA Coordinator, addressed the Board and explained the increase of services her office provides. She now serves 80 families, which each caseload is reviewed every 90 days, and she attends approximately 350 FAPT meetings each year for families. Ms. Tables explained she recently had an on-site audit and one item that was noted was the necessity of having clerical

support. She has approximately a \$2M budget to manage by herself as well as making sure all policies and procedures are being followed and documented.

HR Director Linda Warner addressed the Board and advised that she maintains customer service for all employees, averages 20-25 responses a day, attends to walk-ins on a daily basis, schedules meetings, and answers a volume of phone calls from employees. She said that an average day includes meetings, putting on or hosting trainings, recording and auditing responsibilities, filing, and working with highly regulated issues. Ms. Warner said this staff position would work for HR three days a week and for CSA two days a week performing the ongoing administrative tasks needed as well as addressing the multiple years of backlogged work.

Mr. Rodgers advised the third position he is seeking funding is for Public Works, which is down to two employees, the Director and one groundsman. The County does use contractors for mowing large areas, but are using the grounds people to maintain outdoor appearances. This position will be full time position.

Supervisor Pugh remarked that this money was not to be included in the budget because of a mistake made in calculations. He said he voted against the budget and he did not support the request.

Supervisor Pugh said that the County is on a course of overspending and should proceed with caution and maintain fiscal discipline. He stated that by draining the unobligated reserve by adding new employees, and growing government at a time of limited economic growth, it would appear that government growth is now out-pacing the private sector growth.

Supervisor Pugh motioned that the Board deny the proposed request and put this money in unobligated fund.

By motion of Supervisor Pugh and with the following vote, the Board moved to put the \$147,272 into the unobligated fund and to deny the proposed request.

ROLL CALL VOTE

Mr. Pugh	-	Aye
Mr. Ayers	-	Aye
Mrs. Tucker	-	Nay
Mr. Campbell	-	Nay
Ms. Moore	-	Absent

There was a tie vote and the motion failed.

Chair Tucker made a motion to defer this decision after the Board receives information from the County's auditors.

Mr. Rodgers said that the auditors will look at the rate of money spent from funds and report to the Board at the July 17 meeting.

Chair Tucker said she supported the three positions, especially Public Safety, which is critical. She also said with regard to CSA, that one mistake could cost the County thousands of dollars.

By motion of Chair Tucker and with the following vote, the Board voted to receive the report of unobligated fund expenditures from the auditors before proceeding with new staff positions.

ROLL CALL VOTE

Mrs. Tucker	-	Aye
Mr. Campbell	-	Aye
Mr. Pugh	-	Nay
Mr. Ayers	-	Aye
Ms. Moore	-	Absent

C. Use of FY 2018 CIP savings

Finance Director Stacey Wilkes addressed the Board and advised of savings found in the FY18 budget, and noted that most of the CIP projects have been put out for bids.

Ms. Wilkes said the self-contained breathing apparatuses for Public Safety were to be funded by a grant; however, the County did not receive the grant money.

Ms. Wilkes requested that \$160,000 of those savings be used to allow Public Safety to order the equipment for this year.

By motion of Supervisor Ayers and with the following vote, the Board appropriated an additional \$160,000 toward purchase of SCBA equipment from savings achieved from other FY18 CIP projects.

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

D. Park Playground Replacement

Recreation and Parks Director Sara Lu Cristian addressed the Board concerning the extensive damage of playground equipment at Coolwell, Stonehouse and Thrashers Lake Parks.

Ms. Christian requested funding to replace the equipment and to bring the parks up to standard.

County Administrator Rodgers remarked that the funding will come from the Fine & Forfeiture fund.

By motion of Vice-Chair Ayers and with the following vote, the Board appropriated \$104,759.32 from the County Fine and Forfeiture committed fund for the replacement of playground equipment as described.

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

E. Formation of Amherst Disaster Recovery Group

County Administrator Rodgers advised that the ADRG has been formed, and within its by-laws there is a reference how it will collect funds for disasters. It has been proposed that a special fund be set up by the Finance Department for collection of funds to assist individuals who have been affected by disasters.

Mr. Rodgers requested that the Board approve the use of the County's financial system that will provide a central location for collection of funds.

By motion of Supervisor Pugh and with the following vote, the Board approved the County to provide staff resources to serve in the Amherst Disaster Recovery Group and, particularly, as the ADRG's Fiscal Agent.

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

VIII. County Administrator's Report

A. Boards/Commission/Committees – vacancies

1. Amherst County Social Services Board

County Administrator Rodgers reported that one at-large seat is open on the Amherst County Social Services Board. The term of Ms. Elynor Rose, the at-large representative, will expire on June 30, 2018. Ms. Rose indicated she did not wish to seek re-appointment.

Staff adequately advertised the vacancy in May 2018 and two folks have applied, Mr. John A. Marks, Jr. and Ms. Sharon Lindsay-Cash.

Chair Tucker asked the Board if they were supportive of bringing those two folks in for interviews.

Supervisor Pugh said he supported Mr. Marks due to his background as a Board of Supervisor and his former position as a liaison on the Social Services Board.

Chair Tucker understood that the Board would conduct interviews if there were more than two applicants. She said if the Board wished to break with that approach, the Board could.

Vice-Chair Ayers asked for the County Attorney's opinion.

County Attorney Lockaby advised there is no law or ordinance that requires interviews, it is only a matter of internal policy.

Supervisor Campbell said the Mr. Marks has done a good job.

By motion of Supervisor Pugh and with the following vote, the Board appointed John A. Marks, Jr. to an at-large seat on the Amherst County Department of Social Services Board.

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

2. Central Virginia Community College Board

County Administrator Rodgers advised the term of Dr. John Walker will expire on June 30, 2018. Dr. Walker submitted his letter of interest seeking re-appointment as the Amherst County representative on the CVCC Board.

Staff advertised this vacancy and did not receive any other letters of interest.

By motion of Chair Tucker and with the following vote, the Board re-appointed Dr. John Walker, Amherst County representative to the Central Virginia Community College Board.

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

3. Library Board

County Administrator Rodgers advised the term of Ms. Jean Higginbotham, District 2 representative, will expire on June 30, 2018. Ms. Higginbotham indicated she did not wish to seek re-appointment to the Library Board.

Staff advertised this vacancy and did not receive any letters of interest.

Mr. Rodgers asked the Board to direct staff to re-advertise this vacancy.

County Attorney Lockaby advised that person should be from that district.

Chair Tucker directed staff to continue to advertise this vacancy.

B. Projects Status Report

County Administrator Rodgers provided the Board with the following updates:

- Galts Mill dumpster site – Closure set for the end of June and closure notice signs have been posted.
- CVTC – The General Assembly has finished with the budget and approved \$250,000 to finish the Phase II environmental assessment and approved \$570,000 for the known remediation work. As of April 30th there were 375 employees and 92 residents, and by end of June 2019, the facility will be down to 39 residents, thus shrinking the facility down to eight buildings, and then down to five of the newest buildings.
- Broadband – Contract sent out today; the County Attorney has received an opinion from the bond attorney for the Radio Board; he is working with Broadband Advisory Committee on the contract, which will then come to a public hearing in July.

Supervisor Pugh asked when the Woody's Lake Road project will start.

Mr. Rodgers said he would get that information to him.

IX. County Attorney's Report

County Attorney Lockaby mentioned the wireless broadband issues and new state laws effective July 1. He said he has received word that the County may get one or more applicants for cellular towers after July 1, and that the County will need to be compliant with the new laws.

Mr. Lockaby advised he will come to Board to explain what these laws are at the next meeting and he will be putting together a new wireless ordinance.

Supervisor Pugh requested the County Attorney send the Board the text regarding the new state law.

X. Liaison and Committee Reports

- A. Lynchburg Regional Business Alliance, Exec. Bd. May 11, 2018
- B. Lynchburg Regional Business Alliance, Board of Directors Meeting, 24 May 2018

For the Board's information only.

XI. Departmental Report

- A. Treasurer's Monthly Report

For the Board's information only.

XII. Citizen Comment

There was no public comment.

XIII. Matters from Members of Board of Supervisors

Supervisor Campbell stated he received phone calls from citizens concerning the Galts Mills dumpster site closing and asked about possibility of the having landfill open all day on Saturdays. He also asked about putting dumpsters at the entrance of the landfill so that citizens would not have to drive into the landfill and avoid getting stuck in the mud and flat tires.

Mr. Rodgers said he asked Draper Aden to provide information on a convenience-style center located at the entrance of the landfill.

Supervisor Pugh commented on the \$147,273 of recurring revenue in the budget. He said the state is looking at school safety initiatives and will be coming out with recommendations. The County will have to help support school safety in the future and that money could support hiring three officers. He remarked that the County will have to fund some type of school safety initiatives and asked the Board to think about upcoming deliberations of where that money will come from.

Vice-Chair Ayers had no matter to discuss.

Chair Tucker remarked about the school resource officers and was not optimistic those funding streams would be helpful from state. This will need to be a comprehensive effort lead by Sheriff's Office and the Schools who know what they need and are the experts.

Chair Tucker said she has received overwhelming support on ridding the County of the Burley Hollow dumpster site and replacing that site with the new convenience center.

Chair Tucker said the Board meeting on August 21st will be right after the County Fair and proposed cancelling that meeting.

By motion of Chair Tucker and with the following vote, the Board cancelled the Board of Supervisors' and Service Authority meetings for July 3, 2018, and cancelled the Board of Supervisors' meeting for August 21, 2018.

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

XIV. Closed Session

Vice-Chair Ayers stated that he would recuse himself from the Closed Session and any other further proceedings from this June 5, 2018 meeting.

A. A closed session, pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically relating to the Winton Country Club property.

Supervisor Campbell moved that the Amherst County Board of Supervisors convene in closed session pursuant to Section 2.2-3711(A)(3) of the Code of Virginia, 1950, as amended, for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, specifically relating to the Winton Country Club property.

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

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

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

Mrs. Tucker	AYE
Mr. Ayers	AYE
Mr. Pugh	AYE
Mr. Campbell	AYE
Ms. Moore	ABSENT

XV. Adjournment

By motion of Supervisor Pugh and with the following vote, the Board adjourned at 5:30 p.m.

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



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk