



BOOK 37
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AMHERST COUNTY BOARD OF SUPERVISORS

Board of Supervisors

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

MINUTES

November 17, 2020
Administration Building - 153 Washington Street -
Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 7:00 PM

County Administrator
Dean C. Rodgers

County Attorney
Michael W. S. Lockaby

I. Call to Order

At a Regular Meeting of the Amherst County Board of Supervisors held on November 17, 2020 at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

Claudia D. Tucker, Chair
Jennifer R. Moore, Vice-Chair
David W. Pugh, Jr., Supervisor
Tom Martin, Supervisor
L. J. Ayers III, Supervisor

ABSENT: None

STAFF:

Dean C. Rodgers, County Administrator
David R. Proffitt, Deputy County Administrator
Michael W. S. Lockaby, County Attorney
Regina M. Rice, Clerk to Boards

II. Approval of Agenda

Chair Tucker amended the Agenda for November 17, 2020 by adding under V. Public Hearing, Item A. Joint Public Hearing with the Amherst County Service Authority Board and the Amherst County Board of Supervisors.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

III. Invocation and Pledge of Allegiance

Supervisor Martin led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

There was no public comment.

V. Public Hearing

Chair Moore called the ACSA Board meeting to order at 7:02 p.m.

The following members were present: Chair Jennifer Moore, Vice-Chair David Pugh, Jr., Board Member Tom Martin, Board Member Turner Perrow and Board Member Wesley Woods.

A. Adjustments to Service Authority Water and Sewer Rates and Fees

ACSA Director Robert Hopkins presented an ordinance with a proposed adjustment of water and sewer rates. Mr. Hopkins explained the reasons to justify the need to increase both water and sewer rates as well as the escalation of costs to provide those services. Mr. Hopkins said if adopted, the new water and sewer rates would become effective January 1, 2021.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Board Member Perrow and with the following vote, the ACSA Board recommended adoption of the new sewer rates and fees as proposed by the Executive Director of ACSA.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin, Mr. Perrow and Mr. Woods

NAY: None

ABSENT: None

Board of Supervisors Chair Tucker advised that the Board of Supervisors will vote on the recommendation of the ACSA Board to adopt Ordinance 2020-0015.

By motion of Supervisor Ayers and with the following vote, the Board of Supervisors adopted the suggested sewer rates and fees as presented in Ordinance 2020-0015.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

By motion of Board Member Martin and with the following vote, the ACSA Board adjourned.

AYE: Ms. Moore, Mr. Pugh, Mr. Martin, Mr. Perrow and Mr. Woods

NAY: None

ABSENT: None

- B. Ordinance No. 2020-0014, amending Section 1207, specifically subsection 1207.01, of Appendix A – Zoning & Subdivisions, Article XII. Subdivision Platting Requirements, to the Code of the County of Amherst, delegating the authority of the zoning administrator or planning director to receive, review and approve or disapprove plats of family divisions, reconfigurations and matters described in Section 1207.03.

Community Development Director Jeremy Bryant presented a proposed ordinance for a modification to the current family division ordinance. Mr. Bryant explained the current language addressing family division regulations does not allow for family trusts. If approved, this would permit any beneficiary of a family trust to receive property through a family division. Mr. Bryant advised the Planning Commission recommended approval of this amendment.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Ayers and with the following vote, the Board adopted Ordinance 2020-0014 as presented.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

C. Special Exception - Patricia Kruschwitz

Community Development Director Jeremy Bryant addressed the Board to present a special exception request by Patricia Kruschwitz to allow a dog grooming business on Horseshoe Creek Road. Mr. Bryant outlined five conditions the Planning Commission recommended, and noted specifically that the Animal Control Officer would conduct an inspection prior to issuing the zoning permit.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Chair Tucker and with the following vote, the Board approved special exception #2020-391 with the conditions recommended by the Planning Commission.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

D. Special Exception - Michael & Bonnie Hartless

Community Development Director Jeremy Bryant presented information to the Board regarding a request for special exception by Michael and Bonnie Hartless to allow for a short-term rental. The property is located across the North Fork of the Buffalo River and tourists would either ford a creek or use a pedestrian footbridge to access the dwelling. Mr. Bryant advised there is a gravel parking lot available for parking vehicles on the applicants' property and not along VDOT's right-of-way.

Mr. Bryant outlined five conditions recommended and approved by the Planning Commission. Chair Tucker asked how the structure would be accessed if there was a fire or accident at the property. Mr. Bryant said that Public Safety would most likely have to pull fire hoses across the pedestrian bridge.

Supervisor Martin questioned the reason to allow a structure to be built without adequate fire protection and accessibility by emergency vehicles.

Mr. Bryant responded that many areas in the County are rugged and similar structures have been built with remote access.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Chair Tucker and with the following vote, the Board approved special exception #2020-391 with the conditions recommended by the Planning Commission.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

For the record, Chair Tucker amended her motion to reflect the special exception as 2020-458.

County Attorney Lockaby advised it was not necessary that the Board take an additional vote.

VI. Consent Agenda

By motion of Supervisor Martin and with the following vote, the Board approved the Consent Agenda.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

A. Minutes - October 6, 2020 and October 20, 2020

It was moved that the Board approve the Minutes of October 6, 2020 and October 20, 2020.

B. Application for Smart Scale Project

It was moved that the Board adopt Resolution 2020-0027-R as presented.

VII. Special Presentation

A. Central Virginia Planning District Commission Hazard Mitigation Plan

ACSA Director Robert Hopkins presented information to the Board with an update on the existing Hazard Mitigation Plan for Central Virginia. Mr. Hopkins advised the plan is now complete and out for public comment.

VIII. Old Business

A. Parks & Trails Update - Public Works

Public Works Director Brian Thacker addressed the Board concerning the Parks & Trails list and the remaining \$91,647.83 to be spent on other projects at the two trails and the five County parks.

Mr. Thacker advised that the Recreation Board reviewed the list with no alternations at their November 9th meeting.

By motion of Supervisor Martin and with the following vote, the Board allowed Public Works to spend the remaining allocated VBRRT funds on other parks and trail projects as listed until the monies are exhausted.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

B. CARES Act Update

County Administrator Rodgers provided the Board with an update on the funding allocation sheet.

Mr. Rodgers advised this update reflects the funds spent through October 2020.

IX. County Attorney's Report

The County Attorney had no matter to discuss.

X. County Administrator's Report

County Administrator Rodgers provided the Board with the following updates:

- 1) VACo passed its legislative agenda and he placed a copy in Board members mailboxes.
- 2) CVTC - a charrette was held last week and a redevelopment plan has been refined to address what will need to go in the site. It will take several months to receive a written document.
- 3) Boxwood Farm - site is being graded and equipment ordered. Anticipate opening site by the end of January 2021. Trees have been removed at the landfill site and grading work will begin at the transfer station.
- 4) Broadband – we are waiting for an engineering report on the last two towers that is due at the end of November.
- 5) VATI grants – we have submitted three applications and expect to hear of awards by the end of February.
- 6) The County has received \$1.87M CARES Act money which will be used to lay fiber optic cable for County broadband.
- 7) LIT Communities has terminated their contract because they are unable to complete the build-out plan. We are working on a plan of areas to be built-out and that information will be added into County's GIS system to keep track of which areas are being covered. In March 2021, the County will solicit proposals to address areas that do not have broadband. There was a discussion concerning the ramifications of Lit Communities and their decision to terminate the contract. In addition, it was discussed that the County would solicit additional proposals from other companies.
Mr. Rodgers advised that CVEC and Firefly have been hired. He said he has contacted River Street and Zitel and has attempted to get Comcast involved so the County can use their expertise.
- 8) River Edge Park Trail – the culvert has been designed to address ACSA's concerns as to whether to build a walkway over the pipe or add more fill above it.
- 9) River View Convenience Center – a RFP is due end of November for proposals.

XI. Departmental Reports

A. Cost of Becoming Fully Staffed - Amherst County Public Safety

Public Safety Director Sam Bryant addressed the Board and reported on the cost to fully staff a fourth ambulance.

Mr. Bryant and Board members discussed ways to reduce response times and address the increased workload on personnel.

County Administrator Rodgers said the \$200K request for a fourth ambulance crew will be added to the upcoming Supplemental Budget for 2021.

XII. Citizen Comment

There was no public comment.

XIII. Matters from Members of the Board of Supervisors

Supervisor Ayers had no matter to discuss.

Supervisor Martin advised he received calls concerning Virginia Foam Insulators and some issues they went through during the review process. He said staff is sending very small by-right industrial projects to the Planning Commission and he was not sure why that step was included in the process. He asked staff to report back on the pros and cons of this.

Supervisor Martin requested more information why we allow houses to be built in the County without adequate access to fire and rescue.

Supervisor Martin asked the County Administrator to follow up with VDOT regarding the issue at the intersection at Rt. 151 and Rt. 29.

Supervisor Pugh had no matter to discuss.

Vice-Chair Moore had no matter to discuss.

Chair Tucker had no matter to discuss.

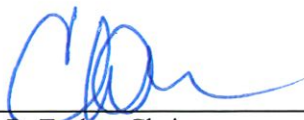
XIV. Adjournment

By motion of Supervisor Ayers and with the following vote, the Board adjourned at 8:04 p.m.

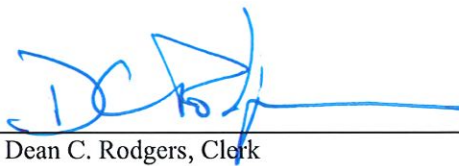
AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk

