

BOOK 37 Pages 311-323



AMHERST COUNTY BOARD OF SUPERVISORS

Board of Supervisors

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

MINUTES

January 19, 2021
Administration Building - 153 Washington Street Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 7:00 PM

County Administrator Dean C. Rodgers

> County Attorney Mark Popovich

I. Call to Order

At a regular meeting of the Amherst County Board of Supervisors held on January 19, 2021 at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

Jennifer R. Moore, Chair
David W. Pugh, Jr., Vice-Chair
Tom Martin, Supervisor
L. J. Ayers III, Supervisor
Claudia D. Tucker, Supervisor (via electronic communication - telephone)

ABSENT: None

STAFF:

Dean C. Rodgers, County Administrator David R. Proffitt, Deputy County Administrator Mark Popovich, County Attorney Regina M. Rice, Clerk to Boards

Chair Moore called the meeting to order at 7:00 p.m. Chair Moore stated that Supervisor Tucker desired to attend this meeting by electronic means. As per the Board's 2021 Rules of Procedure, Section 1-5 states. "A. Any Board member who is unable to attend a regular or special meeting in person due to (i) an emergency or a personal matter, or (ii) a temporary or permanent disability or other medical condition, may participate in the meeting through electronic communication from a remote location that may not be open to the public, subject to the following:

1. A quorum of the Board is physically assembled at the central meeting location. The Board of Supervisors voted to allow Mrs. Tucker to participate by electronic means with unanamous approval, Mrs. Tucker abstaining.

Chair Moore welcomed Supervisor Tucker to the meeting.

II. Approval of Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the agenda for January 19, 2021.

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

NAY: None ABSENT: None

III. Invocation and Pledge of Allegiance

Supervisor Martin led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

NOTE: See the attached sheet of citizens who were and were not in attendance of this meeting and their comments. (See Attachment 1)

The citizen comment session was closed.

Chair Moore advised the Board will address all the comments made at Agenda Item VII. A.

V. Public Hearing

A. Rural Rustic Six-Year Road Plan

Mr. Robert Brown, VDOT Residency Administrator addressed the Board and explained that the Rural Rustic Six-Year Plan was approved in November 2020, however, the public hearing was delayed due to COVID. He had advised the Board on January 5 there were no changes made to the approved plan with the exception of the county-wide drainage problems, which was addressed at the previous meeting.

He also provided an update on road projects that have been completed.

The Public Hearing was opened.

Proponents: None Opponents: None

The Public Hearing was closed.

By motion of Supervisor Martin and with the following vote, the Board approved the plan as presented.

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

NAY: None ABSENT: None B. Ordinance 2021-0001, enacting Chapter 2, Administration, of Article II, to the Code of the County of Amherst, to address Disclosure of Personal Interests.

County Attorney Mark Popovich advised that the State and the Conflict of Interest Act requires state and local government employees to file disclosure forms. This proposed ordinance would require filing of disclosure forms by local government employees and appointees as a condition of employment and/or appointment. The ordinance will allow the Board to incorporate the same requirement to people of "trust" such as the County Administrator, Service Authority Director, ACSA Board members and EDA Board members to file similar forms as required by state code.

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 2021-0001, as presented.

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

NAY: None ABSENT: None

VI. Consent Agenda

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

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

NAY: None ABSENT: None

A. Appropriation of Revenue - Commonwealth Attorney

It was moved that the Board approve the appropriation of funds received from asset forfeiture collection to telecommunications.

B. Minutes - December 15, 2020

It was moved that the Board adopt the Minutes of December 15, 2020.

VII. New Business

A. Resolution No. 2021-0001-R, Review of Gubernatorial Power During Emergencies

County Administrator Rodgers thanked all the citizens who expressed their views at this meeting. In speaking with Board members, he drafted a resolution to address the power the General Assembly has given to Governor Northam. He said it is the General Assembly who has authority to correct the problem.

Chair Moore thanked all citizens for coming out and expressing their views. She said that citizens must let the General Assembly know how they feel about the need to assess the power given to the Governor. She suggested that the Board call upon the General Assembly to resolve this matter for all Virginians.

Supervisor Tucker commented that people elected to the General Assembly represent our views. This group of 150 members of diverse people make up that body and have a vested interest in Virginia to come up with creative ideas. She said that our Governor is doing the best he can and supports what Chair Moore said to let the General Assembly resolve this matter. She said she was a "no" on the proposed resolution but does support a letter asking the legislators to take control and do their job.

Supervisor Ayers said the General Assembly should have stepped up to the plate and not burden local government to decide what should and should not be done. He was not in favor of the resolution but requested that the General Assembly provide definitive guidelines that we as all Virginians should abide by. Supervisor Martin said he did not support declaring Amherst County a First Amendment Sanctuary and the Board of Supervisors does not have the authority to declare laws of the Commonwealth or legally issued executive orders of the Governor invalid. He does not support sanctuary localities regardless of the issues, however, does support the General Assembly reviewing the executive orders of the Governor after a certain period of time. Supervisor Martin encouraged all of our citizens to follow the orders from public health and the Governor's decision to protect the overall health of the Commonwealth. He said he believed it is in the best interest of state lawmakers to consider the long term ramifications of such decisions, and that all of us want to put this pandemic behind us.

Vice-Chair Pugh agreed with Supervisors Ayers and Martin. He does understand that we do have the right to assemble and right to protest, however, we should wear a mask and adhere by the guidelines mandated by the Governor. All the Board is asking is that the General Assembly do their job and give us direction and guidance as we have no authority. He stated we need to stop all the hate you see everywhere and hope that people will get along with one another and the need for change.

Vice-Chair Pugh said that all five members have agreed to draft a letter to the General Assembly. By motion of Supervisor Tucker and with the following vote, the Board directed the County Administrator to draft a letter to the General Assembly, copying the Governor, and request that the General Assembly use their powers to develop policies dealing with COVID and to remove the current responsibilities away from just the Governor and help the Commonwealth of Virginia, and specifically Amherst County, to move out of the pandemic

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

NAY: None ABSTAIN: None B. Resolution 2021-0002-R, opposing boat landing access fees

County Administrator Rodgers reported the General Assembly passed a bill effective January 2021 that would allow the Department of Wildlife Resources (DWR) to require citizens to obtain a permit to use a DWR facility.

Mr. Rodgers proposed two questions to the Board; do you want oppose the boat landing access fee, and, do you want to terminate the County's agreement with DWR that addresses the maintenance on the upkeep of boat ramps in Amherst County?

Vice-Chair Pugh said that DWR is currently paying for the maintenance and upkeep on boat ramps, and this could become very expensive if the County terminated the agreement. He commented that if citizens have a hunting or fishing license that they would be exempt from paying this fee.

County Attorney Popovich said the agreement with DWR uses the word "maintenance." The question is whether DWR is going to manage the County's ramps versus making sure the ramps are not falling apart since boat ramps can be expensive to replace. The new law only applies to facilities that are owned or managed by DWR and does not address "maintenance".

Supervisor Martin said he believe the Board did not have enough information to make a decision and requested the County Administrator to ask a DWR rep to come before the Board to answer those questions.

The Board directed the County Administrator to invite a representative of the Department of Wildlife Resources to address the Board regarding the newly created boat landing access fees.

C. Relocation of Polling Place Request - Electoral Board

Amherst County Registrar Fran Brown addressed the Board regarding a request to relocate the Pleasant View Voting Precinct to New Prospect Baptist Church.

Ms. Brown explained that the owner of the property has advised Pleasant View Elementary School would no longer be available as a polling place.

She advised that notices will be mailed to each voter in the PV-0303 precinct and a public hearing held for all citizens of the new polling location at New Prospect Baptist Church located at 2209 Buffalo Springs Turnpike, Monroe, VA.

By motion of Supervisor Ayers and with the following vote, the Board approved the relocation request; directed the County Attorney to draft an ordinance to amend County Code Sec. 5-17 of Article II Election Districts; and scheduled a first reading at the February 2 Board meeting at 3:00 p.m.

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

NAY: None ABSENT: None

D. Clean Air Communities Program grant application

Public Works Director Brian Thacker addressed the Board with information regarding a grant program offered by VDEQ through Volkswagon to replace medium and heavy-duty gasoline vehicles with electric vehicles. Mr. Thacker advised he has applied for the grant to replace three vehicles: one roll-off truck for Public Works, one bus for Parks & Recreation, and one dump truck for the Service Authority.

If approved, the County has 90 days to accept the grant and take those vehicles out of service. He said DEQ would cover the expense for the charging stations.

Vice-Chair Pugh commented we need to take in consideration the cost of replacement of batteries and the amount electricity used to charge those vehicles.

Supervisor Martin said he was in favor of this and to move the County forward in the direction of cleaner air and saving on fuel costs.

By motion of Supervisor Martin and with the following vote, the Board allowed the County to apply for the VDEQ Clean Air Communities Program grant through the Volkswagen Mitigation Trust.

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

NAY: None ABSENT: None

E. Discussion on Agricultural Complex

County Administrator Rodgers reported that the AG Committee is moving toward the creation of an agriculture complex with Nelson County. This complex would offer multiple agricultural events such as fairs, rodeos, horse shows, competitions, and recreational activities. Its primary function will be to provide a facility for agriculture focused career and technical education.

Mr. Rodgers said that the Board should appoint two members to be involved with the planning and development of ideas.

Supervisor Ayers and Supervisor Tucker were nominated to serve.

By motion of Vice-Chair Pugh and with the following vote, the Board appointed Supervisor Claudia Tucker and Supervisor Jimmy Ayers to serve on the stakeholder group investigating an Agricultural Complex with Nelson County until a more formal organizational structure is established.

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

NAY: None ABSENT: None

VIII. County Administrator's Report

A. Driver Eligibility Policy Revision

County Administrator Rodgers advised the Board of a proposed age limit change to the personnel manual permitting EMT staff under 21 to drive Public Safety vehicles. The change would allow Public Safety to hire EMTs under the age of 21 and who have completed the EMT Program at Amherst County High School.

By motion of Supervisor Ayers and with the following vote, the Board accepted the revisions to the County's driver eligibility policy as presented.

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

NAY: None ABSENT: None B. Boards/Commissions/Committees - Amherst County EDA Board District 2 seat

County Administrator Rodgers reported that Mr. Chad Eby's seat on the Amherst County EDA Board expired on January 18, 2021. Mr. Eby submitted a letter requesting reappointment to this District 2 vacancy.

Mr. Rodger advised Mr. Michael Alami also submitted a letter expressing interest in this vacancy. He reported that staff advertised and received only those two expressions of interest.

Supervisor Tucker commented that Mr. Eby has done an excellent job on the EDA Board and recommended his reappointment.

Chair Moore echoed the same and said she enjoyed working with Mr. Eby when she was a member on the EDA Board.

By motion of Supervisor Tucker and with the following vote, the Board reappointed Mr. Eby as the District 2 representative to the Economic Development Authority Board.

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

NAY: None ABSENT: None

IX. County Attorney's Report

The County Attorney had no matter to discuss.

X. Liaison and Committee Reports

A. Agriculture Committee - Ms. Claudia Tucker Supervisor Tucker had no matter to report.

B. Amherst County Parks, Recreation and Cultural Development Board - Mr. Tom Martin

Supervisor Martin reported that at the last Parks & Rec Board meeting, Ms. Heather Follett was appointed as Chair, Ms. Bailey Angus as Vice-Chair and Ms. JoJo Allcock as Secretary. He commented that Public Works Director Brain Thacker has attended the past several meetings who reported on new picnic tables and trash cans added to the parks. He said that new soccer goals have been ordered for Coolwell Park, water fountains at Coolwell and Stone House parks, and new LED lights added to the restroom areas.

Supervisor Martin said it was consensus of Parks & Recreation Board that it would not be feasible to refurbish the tennis courts at Amelon.

Supervisor Martin reported that Ms. Sara Lu Christian is retiring effective Feb 1, 2021 and will be sadly missed. The Parks & Recreation Board has requested they be involved with the recruitment and hiring of a new Parks & Recreation Director.

- C. Amherst County Emergency Services Council Mr. Jimmy Ayers Supervisor Ayers reported the EMS Council is continuing to discuss recruiting volunteer members and equipment needs.
- D. Blue Ridge Regional Jail Board of Directors Meeting, January 7, 2021 For information only.

XI. Departmental Reports

A. Annual Report - Building Appeals Board

Mr. Kevin Peterson, Chairman of the Building Appeals Board, presented an overview on the duties of the members and functions of this Board.

XII. Citizen Comment

Mr. Bob Harris addressed the Board and presented a petition with 96 names of citizens who opposed a convenience center located on Riverview Road.

Mr. Harris presented a petition to the Board and asked that the Board address this matter at an upcoming meeting. (See Attachment 2)

Ms. Gloria Witt, on behalf of the NAACP, thanked the Board for saying "no" to the First Amendment resolution and sending this matter back to the General Assembly. She thanked the Board for their leadership.

XIII. Matters from Members of the Board of Supervisors

Supervisor Tucker had no matter to discuss.

Supervisor Ayers requested the County Administrator and County Attorney draft a letter opposing HB 2045 regarding sovereign immunity for police officers.

Supervisor Martin asked about a legislative agenda for the County. Mr. Rodgers advised an agenda is created by VACo and a representative from Amherst County attends the conference annually.

Vice-Chair Pugh had no matter to discuss.

Chair Moore had no matter to discuss.

XIV. Adjournment

By motion of Supervisor Martin and with the following vote, the Board adjourned at 9:47 p.m.

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

NAY: None ABSENT: None

Jennifer R. Moore, Chair Amherst County Board of Supervisors

Dean C. Rodgers, Clerk

ATTACHMENT 1

IV. CITIZEN COMMENT

<u>Citizens who were in attendance at the Amherst County Board of Supervisors' meeting held on January 19, 2021 at 7:00 p.m. and provided the following comments:</u>

Rosemary Urban of Monroe, VA – said with the rates increasing with COVID, how would changing the Governor's mask mandate benefit anyone living in Amherst County for the good?

Nellie Branson of Amherst, VA – asked the Board to support Governor Northam and the VDH to wear a mask and keep the virus from spreading to others.

Eric Orasi of Madison Heights, VA – asked that our rights be protected and the right to peacefully assemble.

JaShaun Clark of Amherst, VA – spoke on behalf of the NAACP, front line workers and all people of Amherst County and asked all to see how this virus is killing people and to look at keeping everyone healthy.

James Weeks of Madison Height, VA – did not believe wearing a mask makes any difference other than compromise what we actually believe to fight hard for our rights to assemble. We are giving up our personal freedoms. Asked the Board to adopt the resolution.

Janice Augustine of Amherst, VA – urged the Board to say "no" to the resolution. She said we are not losing our freedom by disallowing assembly of large groups of people. We are protecting ourselves and our neighbors.

John Harper of Spring Bottom Road – supported this resolution and asked the Board to adopt this. He said that the Governor should not be allowed to make unjust rules and take away rights of the First Amendment for peaceful assembly.

Don Glasser of Madison Heights, VA – spoke on the right of freedom of speech and rights of others and limits to freedom of speech.

Abram Pafford of Rustburg, VA – expressed his support for the resolution and urged the Board to adopt the resolution.

Amber Lyssy of Amherst VA – said she stands for free people and to stand as a county. She asked the Board to be responsible to uphold the Bill of Rights in Amherst County.

Melodie Fletcher of Madison Heights, VA - urged the Board to consider supporting this resolution.

Dawn Justice of Amherst, VA- expressed support of the First Amendment sanctuary and to stop elected officials that abuse the power of their office.

Michael Routen – stated the Governor has exceeded his authority which is direct violation of the First Amendment. He urged the Board to pass the First Amendment resolution.

Vance Wilkens of Amherst, VA – said the emergency clause was used for emergency situations for short term and not to be used for a year. The Governor's power should be limited and should not last for over a year that shuts down businesses and affects the livelihood of many people.

Teresa Ray of Madison Heights, VA – requested the Board to pass the resolution.

Kurt Prilliman of Amherst, VA – take control back and support our constitutional rights.

Gloria Witt of Madison Heights, VA – said that the NAACP is asking the Board to say "no" to the First Amendment Sanctuary resolution. She said she has heard the word about limiting First Amendment rights and civil liberties by restricting the numbers of gatherings. She encourages citizens to keep numbers of assembly down.

Gary Anderson of Amherst, VA – asked that the Board support this resolution. He said as the pastor of Central Baptist Church he does not require his parishioners to wear a mask and it is their own decision to make.

Amanda Campbell of Amherst, VA – supports the resolution and does not believe she has to wear a mask to show that she cares. She said the Governor is not trusting families to make their own decisions.

IV. CITIZEN COMMENT (continued)

Tony Robinson of Amherst, VA – stated he has done everything this past year to protect his aging mother from the virus. He said that if this resolution is passed, that each one of you will be remembered when you come up for reelection and this is probably the most important vote that you will make.

Ty Genesco of Gidsville Road - asked the Board to support the resolution.

Mr. Welch of Stonewall Creek Road – supports the resolution and that the Governor's mandates are unconstitutional. He asked the Board to pass this resolution.

<u>Citizens who were not in attendance of the Amherst County Board of Supervisors' meeting held on January 19, 2021 at 7:00 p.m. and submitted comments that were read by the County Administrator during the public comment session:</u>

Patrick and Janet O'Mera, Jason Baker, Keith Kendrick, Audrey Harper, Stephen Pafford and Jeremy Hubbard. (See Attachment 1)

The citizen comment session was closed.

Chair Moore advised the Board will address all the comments made at Item VII. A. on tonight's agenda.



Fw: Amherst County 1st Amendment Sanctuary Resolution Joy L Niehaus to: Rachel A Carton

01/19/2021 08:41 AM

Dean most likely sent this to you, but to be on the safe side I thought I would send again.

Joy Niehaus, Public Information Officer (PIO) Office of the Amherst County Administrator Administrative Assistant

153 Washington Street
P. O. Box 390
Amherst, Virginia 24521
PH: (434) 946-9400
FAX: (434) 946-9370
jlniehaus@CountyofAmherst.com

ATTACHMENT 1



---- Forwarded by Joy L Niehaus/Amherst on 01/19/2021 08:38 AM ----

From:

Dean C Rodgers/Amherst

To:

copt@comcast.net>

Cc:

cdtucker@countyofamherst.com, dwpugh@countyofamherst.com, jayers@countyofamherst.com,

jlniehaus@countyofamherst.com, jrmoore@countyofamherst.com, "Janet"

<mp2kh@comcast.net>, tmartin@countyofamherst.com

Date:

01/16/2021 05:09 PM

Subject:

Re: Amherst County 1st Amendment Sanctuary Resolution

Mr. and Mrs. Meara,

I have received your letter and proposed resolution. I will read the letter aloud during the public comments session as you have requested.

Regards,

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

From:

comcast.net>

To: <tmartin@countyofamherst.com>, <cdtucker@countyofamherst.com>, <jayers@countyofamherst.com>, <dtwpugh@countyofamherst.com>, <jr/>, <jr/>dwpugh@countyofamherst.com>, <jr/>, <dtrodgers@countyofamherst.com>, <dtrodgers@countyofamh

<jIniehaus@countyofamherst.com>, <jayers@countyofamherst.com>

Cc:

comcast.net>, "'Janet'" <mp2kh@comcast.net>

Date:

01/16/2021 11:38 AM

Subject:

Amherst County 1st Amendment Sanctuary Resolution

Amherst County Board of Supervisors

- District 1 Supervisor:

Tom Martin (434-946-1235) tmartin@countyofamherst.com

- District 2 Supervisor:

Claudia D. Tucker (434-841-3716) cdtucker@countyofamherst.com

- District 3 Supervisor:

L.J. Ayers (434-907-2340) jayers@countyofamherst.com

- District 4 Supervisor:

David Pugh Jr. (434-509-2038) dwpugh@countyofamherst.com

- District 5 Supervisor:

Jennifer Moore (434-420-0794) irmoore@countvofamherst.com

Dean Rogers, County Administrator dcrodgers@countyofamherst.com
Joy Niehaus, Public Information Officer jlniehaus@countyofamherst.com
L.J. Ayers District #3 jayers@countyofamherst.com

RE: Amherst County 1st Amendment Sanctuary Resolution

Ladies and Gentlemen:

Hope this finds you well.

Governor Northam continues to overstep his powers by imposing restrictions on sizes of public and private gatherings with his unconstitutional executive orders directly violating our First Amendment right to peaceably assemble. As citizens of Amherst County, we are urging our Board of Supervisors to approve an "Amherst County 1st Amendment Sanctuary Resolution" to send a powerful message to Governor Northam that we will not comply with unconstitutional laws.

Governor Northam's executive orders have been made without the approval of the state legislature. Without the legislature's approval, the executive orders, no matter how well intended they may be, are illegal. The Governor's Executive orders, imposing restrictions on sizes of public and private gatherings are a direct violation of our First Amendment right to peaceably assemble. These actions impact our religious freedoms and well as the exercise of free commerce. They are blatantly illegal.

The recommended Sanctuary Resolution will send a strong message to the Governor that his unconstitutional actions will not be support by the citizens of Amherst County. If such limitations on our

Constitutional Rights are needed, then he needs to seek the support and approval of the entire legislature.

As I cannot attend the BoS meeting on the January 19th, 2021; please read our letter during the meeting.

Very Respectfully,

Patrick O'Meara

Janet L. O'Meara

279 Briarcliff Lane, Madison Heights, VA 24572 434.3

434.384.0297

[attachment "Amherst County 1A Sanctuary Resolution.pdf" deleted by Dean C Rodgers/Amherst] [attachment "Amherst County BOS 1st Amendmentr Sanctuary Resolution letter.pdf" deleted by Dean C Rodgers/Amherst]



Fw: 1st Amendment Sanctuary Resolution Joy L Niehaus to: Rachel A Carton

01/19/2021 08:31 AM

For your information.
Joy Niehaus, Public Information Officer (PIO)
Office of the Amherst County Administrator
Administrative Assistant

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jlniehaus@CountyofAmherst.com



---- Forwarded by Joy L Niehaus/Amherst on 01/19/2021 08:28 AM ----

From:

<ibaker911@gmail.com>

To: Cc: "jiniehaus@countyofamherst.com" <jiniehaus@countyofamherst.com> "dcrodgers@countyofamherst.com" <dcrodgers@countyofamherst.com>, "tmortip@countyofamherst.com>,

"tmartin@countyofamherst.com" <tmartin@countyofamherst.com>,
"cdtucker@countyofamherst.com" <cdtucker@countyofamherst.com>,
"jayers@countyofamherst.com" <jayers@countyofamherst.com>,
"dwpugh@countyofamherst.com" <dwpugh@countyofamherst.com>,
"jrmoore@countyofamherst.com" <jrmoore@countyofamherst.com>

Date:

01/17/2021 05:19 PM

Subject:

1st Amendment Sanctuary Resolution

Please Read this in the upcoming Board of Supervisors meeting

County Administrator and District Supervisors,

My name is Jason Baker and I'm a resident of Amherst County. I've served and sacrificed for my nation and community since gradating from Amherst County High School in 1987. The time I spent serving my nation and community is something I'm very proud of and do not take lightly. Recently since Ralph Northam has been made Governor it seems my sacrifice and voice has been lost. In light of what has recently happen with the censorship in Facebook, Twitter, YouTube and de-platforming of Parler this 1st Amendment Sanctuary Resolution is more important then ever. Please do not turn your backs on the residents of Amherst County and please let our voices be heard. My oath to defend and protect the United States Constitution did not stop when I retired in 2018. I will always defend and protect it to the day I die and I hope you will also. We have the right to peaceably assemble and protest, worship and excise our freedom of speech without restrictions. You represent the residents of this county and approving this resolution would show us that you support us. Please I pray that you will consider passing the 1st Amendment Sanctuary Resolution on Jan. 19th 2020. I believe the majority of residents that make Amherst County great would support this resolution and I hope you will support it too. Thank you,

Jason Baker 851 Larkin Mountain Road Amherst Va. 24521

In the year 1987 I swore an oath to support and defend the U.S. Constitution with my life if necessary at the Richmond Virginia's MEP station (Military Entrance Processing Station).

This is the oath I took in 1987...

"I do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; and that I will obey the orders of the President of the United States and the orders of the officers appointed over me, according to regulations and the Uniform Code of Military Justice. So help me God."

U.S. Constitution

Amendment I

Congress shall make no law respecting an establishment of **religion**, **or prohibiting the free exercise thereof**; or abridging the **freedom of speech**, or of the press; or **the right of the people peaceably to assemble, and to petition the government for a redress of grievances**.



Fw: First Amendment Resolution Joy L Niehaus to: Rachel A Carton

01/19/2021 08:33 AM

One more.

Joy Niehaus, Public Information Officer (PIO) Office of the Amherst County Administrator Administrative Assistant

153 Washington Street
P. O. Box 390
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jlniehaus@CountyofAmherst.com



---- Forwarded by Joy L Niehaus/Amherst on 01/19/2021 08:31 AM -----

From:

Torymay93 <torymay93@aol.com>

To: Date: "jlniehaus@countyofamherst.com" <jlniehaus@countyofamherst.com>

e: 01/18/2021 06:58 PM

Subject: First Amendment Resolution

Hello Ms Niehaus

I would like this message read at the BOS meeting on Tuesday Jan 19, 2021

Amherst County Virginia Board of Supervisors

I'm writing you again, members of the Board of Supervisors, to express my opposition to the proposed First Amendment Resolution. This resolution will serve no purpose other than further dividing the citizens of Amherst County during this current crisis. Passage of the resolution will give the impression to residents that they will have no responsibility to abide by the very necessary guidelines to halt the pandemic. I wholeheartedly support Governor Northam's to fight the virus and keep Virginians safe and alive. These last months have been trying and unprecedented for all of us and it appears there is a light at the end of the tunnel. Now is not the time to let up on the efforts to contain the effects of the virus. It appears this effort by the Board is part of a larger agenda that is utilizing local governments to promote that agenda and I think the Board of Supervisors has taken on efforts that seem to be outside of the scope of their authority and mission. This is not a First Amendment issue; it is a true health and safety issue for the citizens of the Commonwealth. I shudder to think how World War II might have turned out with the lack of unity the Board is promoting with this resolution.

Respectfully Keith Kendrick 668 Sandidges Road Amherst Va 24521



Fw: 1/19/21 meeting-1A resolution Joy L Niehaus to: Rachel A Carton

01/19/2021 08:33 AM

For your information.

Joy Niehaus, Public Information Officer (PIO) Office of the Amherst County Administrator Administrative Assistant

153 Washington Street
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---- Forwarded by Joy L Niehaus/Amherst on 01/19/2021 08:30 AM ----

From:

Audrey Harper <audreyfharper@gmail.com>

To:

jlniehaus@countyofamherst.com, dwpugh@countyofamherst.com

Date:

01/18/2021 05:47 PM

Subject:

1/19/21 meeting-1A resolution

Amherst County Board of Supervisors Dean Rogers, County Administrator Joy Niehaus, Public information Officer David Pugh; Jr, District 4

Due to Governor Northam overstepping his powers by imposing restrictions on sizes of public and private gatherings with his unconstitutional executive orders directly violating our First Amendment right to peaceably assemble. We the people of Amherst County are urging our Board of Supervisors to approve an "Amherst County 1st Amendment Sanctuary Resolution" to send a powerful message to Governor Northam that we will not comply with unconstitutional laws.

We have a constitutional right to peaceful assembly and to gather. You have a sworn duty to uphold the Constitution Of the United States. People's livelihoods are at stake, there mental health is at stake, further more our state of freedom is at stake. This has nothing to do with COVID, race, gender or the "privilege" verbiage that gets tossed around so easily.

In the words of Martin Luther King; Jr, "Injustice anywhere is a threat to justice everywhere."

As I cannot attend the BoS meeting on the January 19th, 2021; please read my letter during the meeting.

Very Respectfully,

Audrey Harper 325 Spring Garden Road Monroe, VA 24574 Fw: Amherst County, 1st Amendment Sanctuary

Bcc: Rachel A Carton

Dean C Rodgers to: Rachel A Carton

01/19/2021 11:52 AM

Here's another letter for me to read.

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

----- Forwarded by Dean C Rodgers/Amherst on 01/19/2021 11:49 AM -----

From:

Stephen Pafford <sp126@hotmail.com>

To:

"Jlniehaus@countyofamherst.com" < Jlniehaus@countyofamherst.com>, "Dcrodgers@countyofamherst.com" < Dcrodgers@countyofamherst.com>,

"Jayers@countyofamherst.com" < Jayers@countyofamherst.com>

Date:

01/19/2021 11:50 AM

Subject:

Amherst County, 1st Amendment Sanctuary

Due to Governor Northam overstepping his powers by imposing restrictions on sizes of public and private gatherings with his unconstitutional executive orders directly violating our First Amendment right to peaceably assemble, We the people of Amherst County are urging our Board of Supervisors to approve an "Amherst County 1st Amendment Sanctuary Resolution " to send a powerful message to Governor Northam that we will not comply with unconstitutional laws.

Government officials take an oath to uphold the constitution. As a constituent I expect them to honor that oath or at a minimum step down from their position if they can no longer do so. In light of recent infringements we are asking the Amherst BOS to reaffirm their commitment to .their oath and the Constitution by passing the 1st Amendment Sanctuary measure

As I cannot attend the BoS meeting on the January 19th, 2021; please read my letter during the meeting.

Very Respectfully,

Stephen Pafford

1745 Cedar Gate Rd Madison Heights, VA 24572 434-944-6096



Fw: [SPAM] Submission of opinions for 1st ammendment sanctuary hearing.

Joy L Niehaus to: Rachel A Carton 01/19/2021 12:32 PM

For your information.

Joy Niehaus, Public Information Officer (PIO) Office of the Amherst County Administrator Administrative Assistant

153 Washington Street
P. O. Box 390
Amherst, Virginia 24521
PH: (434) 946-9400
FAX: (434) 946-9370
jlniehaus@CountyofAmherst.com



---- Forwarded by Joy L Niehaus/Amherst on 01/19/2021 12:29 PM ----

From:

jhva434 <jhva434@yahoo.com>

To:

jlniehaus@countyofamherst.com, dcrodgers@countyofamherst.com,

tmartin@CountyOfAmherst.com

Date:

01/19/2021 12:29 PM

Subject:

[SPAM] Submission of opinions for 1st ammendment sanctuary hearing.

Amherst County Board of Supervisors Dean Rogers, County Administrator Joy Niehaus, Public information Officer Tom Martin, District 1

19, January 2021.

Due to Governor Northam overstepping his powers by imposing restrictions on sizes of public and private gatherings with his unconstitutional executive orders directly violating our First Amendment right to peaceably assemble. We the people of Amherst County are urging our Board of Supervisors to approve an "Amherst County 1st Amendment Sanctuary Resolution" to send a powerful message to Governor Northam that we will not comply with unconstitutional laws.

I support and encourage this resolution due to the fact that we are a society of free citizens with rights, given by our creator, being recognized and protected by our constitution. The tyranny implemented by this state is a direct infringement on our 1st ammendment rights. No level of U.S Government was designed to rule or dictate our lives in the manner than we have been subjugated to this past year. The similar mandates where wrong during the early 1900s with the Spanish flu, and where widely ignored as they should be today.

Govenor Northam is not our king, nor are we his subjects, and has no ability to dictate how we choose to live, gather, or pursue our livelihoods. As of January 18, 2021 the state of California

has proven these overstepping mandates to be ineffective and unjustified. With the most severe infringements in the nation, disguised as public safety mandates, California has reached a total of 3,005,830 cases with 33,623 deaths, as reported by John's Hopkins University and the Covid Tracking Project. If these reported case numbers are absolutely accurate, that still leaves the death rate at 1.1% for the highest density state in the country.

We can all be empathetic over the loss of these lives, but a 1.1% rate resulting from this political weaponized virus doesn't justify the loss of our protected freedoms in the slightest. I will not argue statistics, data, and masks effectiveness in this address, how ever I will point out that humans are social creatures by nature, denying us physical contact with others via threats, only adds to the country's existing mental health crisis. It's no coincidence that the suicide rate globally has increased dramatically this past year with Japan alone reporting a 16% increase. Technology will never be able to completely fill the void that isolation, lost businesses, homes, livelihoods, and disconnected worshiping services. Gatherings, fellowship, and the ability to work and provide are basic human essentials, restoring these will help with mental health and suicide issues.

I realize that some are ironically using their 1st amendment right to speak in opposition of having their 1st amendment right protected by this resolution over the irrational fear of death, and I would like to remind them that we all will die one day. The only deaths that are relevant to me in this matter, have been long laid to rest in forts, piled in ditches, filled in Arlington National Cemetery, and lands abroad for the ones we where unable to bring home. Our rights to life, liberty, and the pursuit of happiness have been paid for since the founding of this great nation, and these overstepping violations are a direct insult to the sacrifices they made for our rights and freedoms!

If the people opposing this wish to lock themselves away, wasting their lives for what ever reason, it is their choice and we fully support and defend their right to pursue that path. As for I and many others, we choose to live our lives freely so that the aforementioned lives were not sacrificed in vain and will continue to stand in defiance of anyone's rights being violated.

That is why I support this resolution and ask for the same support of this Board.

As I cannot attend the BoS meeting on the January 19th, 2021 due to my inability to comply with the mask regulations; please read my letter during the meeting.

Respectfully, Jeremy Hubbard 158 kentmoor farm rd. Madison heights Fw: Resolution

Dean C Rodgers to: Rachel A Carton

Bcc: Rachel A Carton

For inclusion in with the others, at attached.

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

01/15/2021 01:34 PM

---- Forwarded by Dean C Rodgers/Amherst on 01/15/2021 01:31 PM -----

From: B Jones <biomes69@verizon.net>

To: "dwpugh@countyofamherst.com" <dwpugh@countyofamherst.com>, "cdlucker@countyofamherst.com" <cdtucker@countyofamherst.com" <jrmcore@countyofamherst.com" <jrmcore@countyofamherst.com" <jayers@countyofamherst.com" <jmartin@countyofamherst.com" </dr>

Cc: "dcrodgers@

"dcrodgers@countyofamherst.com" <dcrodgers@countyofamherst.com>

Date:

01/15/2021 12:21 PM

Subject:

Resolution

Good Afternoon Members of Amherst County the Board of Supervisors:

When the Board meeting occurs on January 19, 2021, I urge you once again to not approve any type of resolution to derail the Governor's orders to STOP the spread covid-19 which is one of his duties and responsibilities.

Any type of resolution makes it a political issue instead of what it really is, a health issue.

To do so would send a signal that the BOS supports the initial request regardless of what the resolution says, particularly in lieu of what happened at the United States Capital on January 6, 2021. Please, do not add fuel to this raging fire.

Thanking you in advance for your support on this issue.

Beverly Jones 682 Amelon Road Madison Heights, VA 24572 (434)929-7617 Fw: No to 1st Amendment Resolution and No to Board resolution 2021-0001R

01/15/2021 04:22 PM

Dean C Rodgers to: Rachel A Carton

Cc: Board of Supervisors
Bcc: Rachel A Carton

Rachel,

Please add this to the attachments on this issue.

Thanks.

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

---- Forwarded by Dean C Rodgers/Amherst on 01/15/2021 04:20 PM ----

From:

Barbara J Pryor <saoirse2017@outlook.com>

To:

"dcrodgers@countyofamherst.com" <dcrodgers@countyofamherst.com>

Date:

01/15/2021 04:06 PM

Subject:

No to 1st Amendment Resolution and No to Board resolution 2021-0001R

Board Members:

(Sent on behalf of Steve Coley)

How many of you are doctors? How many of you are infectious disease doctors? The CDC, VDH and all infectious disease specialists have called for mandates. Governor Northam is a doctor with legal authority to issue executive orders.

Governor Northam has tried to implement executive guidelines to help save lives. If he had done nothing, we would be a state like Arizona with 11,000 deaths and Florida with 23,612 deaths.

If he was a Republican governor would you be supporting him?

Your words are in line with Washington Republicans and Republican governors who are not making efforts to stop the spread of this deadly virus. Every state with a Democratic governor has a mask mandate. Republican states Arizona and Florida deaths are the worst. They have no mask mandates.

Your job should be making it safe for the citizens of Amherst County. What have you done to educate Amherst county citizens on the need for masks, social distancing? What have you done to inform us about testing sites? What have you done about informing us about when we may have access to vaccines?

COVID 19 is an unprecedented event in our lifetime and calls for drastic measures.

Do you want your family and friends to die because you don't want to wear a mask?

Had people taken COVID 19 seriously from the beginning we would not have 400,000 dead nationwide, 5,626 Virginians, 10 Amherst County citizens and an increasing infection rate.

Any Virginia Governor has the legal authority to issue mandates to protect Virginians health and safety. All of you on the board are only interested in trying to take the power away from the governor. You sound exactly like White House Republicans.

Do you also want to rein in the powers of the CDC and VDH?

As members of Amherst County Board of Supervisors, you should be spending your time trying to convince citizens on how to be safe rather than supporting a resolution that makes a false equivalent between 1st Amendment rights and executive orders issued based on science and meant to save Virginians.

Board members should not support this resolution nor should they issue any letter or resolution acknowledging the validity of it.

Shame on you for not putting our health and safety first.

Steve Coley 2464 Puppy Creek Rd. Amherst, VA 24521 Fw: I support mask wearing

Dean C Rodgers to: Rachel A Carton

Cc: Board of Supervisors
Bcc: Rachel A Carton

Rachel,

Please include this email in the attachments.

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

---- Forwarded by Dean C Rodgers/Amherst on 01/19/2021 08:31 AM -----

From:

Mary <muddybranchranch@gmail.com>

To:

dcrodgers@countyofamherst.com

Date:

01/17/2021 05:26 PM

Subject:

I support mask wearing

Dear Mr. Rogers,

I would like to lend my support to mask wearing. I oppose the measure coming up Tuesday evening to oppose Governor Northam and his public health measures. These measures promote good public health, and keeping schools and businesses open in Amherst County.

It is tiring when some people want to politicize everything. I have a strong suspicion that these same people would be supporting the Governor 100% if, using the same measures, he loosened gun regulations. Thank you for listening.

A concerned Amherst County citizen,

Mary Sullivan

561 Muddy Branch Road

Amherst, VA 24521

01/19/2021 08:34 AM

Fw: COVID mask wearing

Dean C Rodgers to: Rachel A Carton

Cc: Board of Supervisors Bcc: Rachel A Carton

01/19/2021 08:33 AM

Rachel,

Please add this email to the attachments.

Dean C. Rodgers **Amherst County Administrator** (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services. ---- Forwarded by Dean C Rodgers/Amherst on 01/19/2021 08:30 AM ----

From:

"George Jurand" <gjurand1@gmail.com> <dcrodgers@countyofamherst.com>

To:

Date:

01/18/2021 07:26 AM

Subject:

COVID mask wearing

Dear Mr. Rogers,

As a concerned citizen of Amherst County, I support the governor's requirement to wear masks in public, and very strongly oppose the measure coming up on Tuesday to cancel this requirement.

George Jurand 561 Muddy Branch Road Amherst, VA 24521

Fw: Vote NO on Both Resolutions Before the Board on January 19th

Dean C Rodgers to: Rachel A Carton

Cc: Board of Supervisors
Bcc: Rachel A Carton

01/19/2021 08:32 AM

For the Board packet attachments.

Dean C. Rodgers Amherst County Administrator (434) 946-9400

The mission of Amherst County's government is to nurture a vibrant and healthy community through transparent and fiscally responsible leadership and quality public services.

----- Forwarded by Dean C Rodgers/Amherst on 01/19/2021 08:29 AM -----

From:

Barbara J Pryor <saoirse2017@outlook.com>

To:

"dcrodgers@countyofamherst.com" <dcrodgers@countyofamherst.com>

Date:

01/18/2021 02:21 PM

Subject:

Vote NO on Both Resolutions Before the Board on January 19th

Dean Rodgers and Board Members,

Your mission is "to nurture a vibrant and healthy community".

What actions have you taken to assure Amherst residents that they live in such a community during the pandemic? Where is the effort to unify us to fight this pandemic?

Instead of focusing on cooperation and science this Board has instead decided to spend its time in giving credence to Anti-maskers under the guise of First Amendment rights. I say "BS".

This resolution is very much a partisan one. It is easy to determine that by just looking at its supporters: Virginia Constitutional Conservative, Bedford Republican Party, and the Amherst Militia. Who is behind the effort to sow dissension and distrust in our community? How do they benefit? How does it harm our community by pitting neighbor against neighbor instead of finding common ground?

I believe that efforts like this continue to breakdown our community and further divide us. The Code of Virginia clearly gives the Governor the power to issue executive orders. Executive orders may not have been necessary if this pandemic had been taken seriously.

When did treating people like you would like to be treated become an anathema in our public spaces?

I am a member of no party and try to find common ground with my fellow citizens. This has become extremely hard when lies are worshipped as facts, and facts are presented as lies. There are no such thing as alternative facts.

Facts are that wearing a mask saves lives as does social distancing and limiting exposure by staying home. When I go out, I wear my mask because I respect my fellow citizens regardless of their political views. I wear my mask because the people that wait on me at CVS, Food Lion, Tractor Supply, or any business depend on all of us acting to keep them safe. It is an act of a shared community.

When did not wearing a mask become a political statement?

The Board should have said 'No' to the initial resolution. That is all the Board had to do. Because they Board did not have the courage to say "No" they kicked it down to January 19 with the request that

the County Administrator, Dean Rodgers create one more fitting for Amherst County. To this I also say, "BS".

Our Nation is living in perilous times as seen in our Capital City and State Capitals. Division is not leadership. Leadership is when you study the facts and make decisions for the benefit of all.

Barbara Pryor

2464 Puppy Creek Road Amherst, VA 24521

We, the residents of Riverview Road (Route 672), Madison Heights, Virginia, are opposed to the Special Exception #2020-545 Request by Amherst County for a solid waste convenience center located on Riverview Road (Route 672, Tax Map #161-A-118) in Madison Heights.

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We, the residents of Riverview Road (Route 672), Madison Heights, Virginia, are opposed to the Special Exception #2020-545 Request by Amherst County for a solid waste convenience center located on Riverview Road (Route 672, Tax Map #161-A-118) in Madison Heights.

NAME 57 Relea & Mercy 58 Michael Marcy 59 Este Reven 60 Andron Wart 61 Day Dayson 63 Days John 64 Lange John 65 John H gates 67 Golden Jackson 68 Shelse Jackson 70 Shelse Jackson 70 Shelse Jackson 71 Michael Jackson 72 William Bislow 73 Shelley Bislow	ADDRESS P. O. B. O. C. O. C.

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	NAME	, ADDRESS	SIGNATURE
87	CLINTON MOORIEFIELD	168 Rivervice Rd	Cht MU
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59	Robert M. Johnson	462 Rivariew RD	Kirket M. John
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NAME	, ADDRESS	SIGNATURE
3 Rodney A. CAllands	119 CallAnds DR	R. Callonk
14 WARREN CANALA	137 CAILAND dr.	Van B. Comby
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