



BOOK 37
Pages 560-572



**AMHERST COUNTY
BOARD OF SUPERVISORS**

Board of Supervisors

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

MINUTES

January 18, 2022
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 18, 2022 at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:
David W. Pugh, Jr., Vice-Chair
Tom Martin, Supervisor
L. J. Ayers III, Supervisor
Claudia D. Tucker, Supervisor
Drew Wade, Supervisor

ABSENT: None

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

County Administrator Rodgers called the meeting to order at 7:00 p.m.

NOTE: All Board of Supervisors' meetings are now being streamed live on Facebook and on YouTube.

II. Invocation and Pledge of Allegiance

County Administrator Rodgers led the Invocation and Pledge of Allegiance.

III. Amherst County Board of Supervisors - Reorganization for 2022

A. Election of Officers

County Administrator Rodgers opened the nominations for Chairman of the Amherst County Board of Supervisors for 2022.

Supervisor Martin nominated David W. Pugh, Jr. to serve as the Chairman of the Amherst County Board of Supervisors for 2022. Supervisor Ayers seconded the nomination.

The nominations were closed.

The Board declared David W. Pugh, Jr. as Chairman of Amherst County Board of Supervisors for 2022.

AYE:	Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY:	None
ABSENT:	None

Chairman Pugh opened the nominations for Vice-Chair of the Amherst County Board of Supervisors for 2022.

Supervisor Ayers nominated Tom Martin to serve as the Vice-Chair of the Amherst County Board of Supervisors for 2022. Supervisor Tucker seconded the nomination.

The nominations were closed.

By motion of Supervisor Ayers and with the following vote, the Board declared Tom Martin as Vice-Chair of Amherst County Board of Supervisors.

AYE:	Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY:	None
ABSENT:	None

B. Appointment of Liaisons

The Board made the following appointments:

Liaison to Planning Commission:	Pugh
Liaison to Department of Social Services:	Pugh

Liaison to Emergency Services Council: Ayers
Representatives to the Joint Board Committee (School Board): Tucker and Wade
Liaison to the School Board: Tucker
Liaison to Agriculture Committee: Tucker
Members of the Building Committee: Martin & Tucker
Community Development Block Grant Mgt Team: Wade
Workforce Development Council: Wade
Transportation Planning Organization, Policy Board: Wade
Parks, Recreation & Cultural Development Board: Martin
Members of the Redistricting Committee: Pugh and Wade
Member of the Madison Heights Master Plan contractor advisory group: Martin
PDC Local Government Council: Tabled for a future meeting and discussion.

By motion of Supervisor Tucker and seconded by Chairman Pugh, the Board appointed the liaisons for 2022.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

C. Meeting Schedule

By motion of Supervisor Tucker and with the following vote, the Board adopted 3:00 p.m. as the regular meeting time for the first Tuesday meeting of each month and 7:00 p.m. as the regular meeting time for the third Tuesday meeting of each month.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

D. Adopt Rules of Procedure

By motion of Vice-Chair Martin and with the following vote, the Board adopted the Rules of Procedure for 2022, as proposed.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

IV. Approval of Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the agenda for January 18, 2022.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

V. Citizen Comment

Mr. Daniel Warner of Bearfield Road, Amherst, Virginia addressed the Board regarding a potential development around Mill Creek Lake, specifically a push for a mountain bike trail. He voiced his concern about destroying this area as well as jeopardizing the pristine natural resources of the lake.

Chairman Pugh commented that at this time it is all conjecture about what may or may not happen with regard to a mountain bike trail around Mill Creek Lake.

Ms. Ruth Ann Warner of Bearfield Road, Amherst, Virginia addressed the Board and said she had previously spoken with the County Administrator regarding the potential development around Mill Creek Lake. Ms. Warner said she enjoys the serenity of the lake and the beauty of the wildlife but believed there would be a lot of destruction of the area as well as a concern regarding the value of her property. Ms. Warner said she would like to work together with the County if this idea does move forward.

VI. Call to Order- ACSA

Chairman Pugh called the ACSA meeting to order at 7:18 p.m.

ACSA Board Members present:

David W. Pugh, Jr., Board member

Tom Martin, Board member

Drew Wade, Board member

Turner Perrow, Board member

Wesley Woods, Board member

VII. Public Hearing

A. Ordinance 2021-0012, 2022 ACSA Water/Sewer Rate Adjustments

ACSA Director Robert Hopkins addressed the Board regarding an increase in water and sewer rates and fees for 2022. He said that rate fees are periodically increased to offset a substantial financial impact on utility customers.

Mr. Hopkins reported that the ACSA Board approved Ordinance 2021-0012 at its November 2021 meeting, which increased water by 5.00% and 6.00% for sewer.

Chairman Pugh opened the Public Hearing.

Proponents: None

Opponents: None

Chairman Pugh closed the Public Hearing

By motion of ACSA Board Member Perrow and with the following vote, the ACSA Board adopted Ordinance 2021-0012.

AYE: Mr. Pugh, Mr. Martin, Mr. Wade, Mr. Perrow and Mr. Woods

NAY: None

ABSENT: None

By motion of Supervisor Ayers and with the following vote, the Board of Supervisors adopted Ordinance 2021-0012.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

By motion of Chairman Pugh and with the following vote, the Amherst County Service Authority meeting was adjourned.

AYE: Mr. Pugh, Mr. Martin, Mr. Wade, Mr. Perrow and Mr. Woods

NAY: None

ABSENT: None

B. Coolwell Utility Easment

Purchasing Agent David Proffitt addressed the Board and advised that the County is adding four new electrical compactors and a small attendant shed at Coolwell Convenience Center.

Mr. Proffitt said that the electrical service will need to be upgraded and Appalachian Power Company requires an easement for their power line. He said a public hearing is necessary to complete this transaction.

Chairman Pugh opened the Public Hearing.

Proponents:None

Opponents: None

Chair Pughman closed the Public Hearing.

By motion of Supervisor Ayers and with the following vote, the Board authorized the County Administrator to execute the Utility Easement, as presented.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

VIII. Consent Agenda

A. Minutes - December 7, 2021

By motion of Supervisor Tucker and with the following vote, the Board approved the minutes for December 7, 2021.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT:None

IX. Special Presentation

A. Commemorative Resolution 2022-0001 - Jennifer Moore

By motion of Supervisor Ayers and with the following vote, the Board adopted Commemorative Resolution 2022-0001.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

X. Old Business

A. Planning Commission Charter Revision - Section 12.1 Youth Participation

Assistant Zoning Administrator/Planner Tyler Creasy addressed the Board and presented the Planning Commission's Charter that identifies changes to Section 12.1 regarding youth participation, as follows:

12. Youth Participation.

12.1 It is the intention of the Planning Commission to not only encourage civic involvement of the youth of the County, but to also obtain their input in as many areas of County government as possible. The term will be for one (1) academic year, i.e., September thru May. The Planning Commission members are responsible for interviewing and selecting applicants for these positions. These positions are non-voting. The mandatory requirements are: resident of Amherst County between the age of 16 -20.

The process would be as follows:

May - Advertise for positions

July - Interview and select

August - Orientation

Sept - Youth Participates in meetings

Mr. Creasy advised that the Planning Commission recommended those changes and asked the Board of Supervisors to approve the same.

By motion of Supervisor Tucker and with the following vote, the Board approved the changes to section 12.1 of the Planning Commission Charter as presented.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

B. Use of ARPA Funds

Finance Director Stacey McBride addressed the Board regarding the use of ARPA funds and advised of new guidelines addressing revenue loss that now can be claimed.

Mrs. McBride provided a list of the items that are funded and said the County has \$6.1M that will need to be spent by December 31, 2024.

Mrs. McBride said that the Board would need to hold a public hearing to address this amendment to the budget. (See Attachment 1)

The Board discussed the water and sewer infrastructure and ASCA Director Bob Hopkins provided input to those questions. It was the consensus of the Board to leave the list as presented. (See Attachment 2)

By motion of Chair Pugh and with the following vote, the Board adopted the ARPA spending plan as agreed and directed staff to schedule a public hearing to receive public input on the proposed use of the funds.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

C. Davenport Funding Options for High School Renovation

County Administrator Dean Rodgers presented information and asked the Board to decide on the option and project for the Amherst County High School renovation.

The Board heard comments from R.T. Taylor of Davenport, Dr. Rob Arnold and Dr. William Wells from the School Board.

Mr. Taylor presented additional information and asked the Board which of the project amounts they chose to fund; \$13.8M or \$19.1M. There was a discussion on an additional option addressing the parking lot area, which was a projected increase of \$300,000.

It was the consensus of the Board to move forward with the additional

\$300,000 for the parking area, and that amount would increase the total funding to \$19.4M.

By motion of Supervisor Martin and with the following vote, the Board directed staff to undertake all steps necessary to acquire \$19.4M.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

XI. New Business

A. Nationwide Retirement Solutions 457(b) Plan Additions

Human Resource Director Linda Warner presented information to the Board regarding two proposed changes to the County's 457(b) deferred compensation plan managed by Nationwide Retirement Solutions.

Ms. Warner explained the two options of the proposed changes; 1) adding a Roth IRA that would give an "after-tax option" to employees and would add a greater return for them; and, 2) a NWIPP fund adding a group fixed annuity to the plan that would allow employees who are near retirement to have less risk when they are investing their funds.

Chairman Pugh inquired if there were fees or costs. Ms. Warner said that Nationwide is the only County's vendor, and the fees are built into the return of investments employees make and there would be no cost to the County.

By motion of Chairman Pugh and with the following vote, the Board directed staff to add a Roth 457(b) option and the Nationwide Indexed Principle Protection group fixed annuity fund to the County's 457(b) deferred compensation plan.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

XII. County Administrator's Report

A. Boards/Commissions/Committees - EDA vacancies

County Administrator Rodgers presented information to the Board regarding two EDA vacancies.

Mr. Rodgers advised the term of Calvin Kennon, Jr., (District 3) expires on January 18, 2022. Mr. Kennon submitted a letter of interest on December 8, 2021 requesting reappointment to serve a new four-year term on the EDA.

Mr. Rodgers also advised that the term of Andrew Proctor, (District 1) expires on January 18, 2022. Mr. Proctor submitted a letter of interest on December 14, 2021 requesting reappointment to serve a new four-year term on the EDA.

Staff advertised the two vacancies in the local newspapers with a closing date of January 7, 2022. Staff did not receive any additional letters of interest.

By motion of Supervisor Tucker and with the following vote, the Board reappointed Calvin M. Kennon, Jr. as the District 3 representative to the EDA and reappointed Andrew F. Proctor as the District 1 representative to the EDA.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

B. Amherst County Regulation 1-3, Internal BCCC

County Administrator Rodgers informed the Board that Regulation 1-3 addresses internal boards, commissions and committees and includes the charters. He asked for the Board's approval of the regulation since it addresses the bodies that the Board has created and makes appointments to those.

By motion of Supervisor Wade and with the following vote, the Board adopted ACR 1-3, Internal Boards, Committees, Commissions & Councils.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

C. Revision to HR Regulation Chapter 7

County Administrator Rodgers addressed the Board and said that this revision is to "match up" with state law if a mass layoff should occur within county government. He said that Supervisor Martin had asked for a modification of the language to include that the County Administrator must notify the Board prior to making any layoff decisions.

By motion of Chairman Pugh and with the following vote, the Board adopted the addition of the layoff policy to Chapter 7 of the HR Regulation and with the added modification of language that the County Administrator must notify the Board prior to making any layoff decisions.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

D. ACSO and Public Safety Salary Discussion

County Administrator Rodgers addressed the Board regarding salary adjustments for Public Safety and the Sheriff's Office.

Mr. Rodgers said that Human Resource Director Linda Warner put together a salary structure chart, which was included in the Board's packet. He said that Amherst County's starting salary of \$42,300 for deputies is the highest among the neighboring counties.

Supervisor Martin asked that we continue to monitor this not only in law enforcement but also in Public Safety.

Mr. Rodgers said to keep up with state salaries, he would propose a 5% cost of living increase, which would raise that salary significantly and retain its competitiveness.

Chairman Pugh expressed his thanks to HR Director Warner for the time she took to put all this information together.

XIII. County Attorney's Report

The County Attorney had no matter to discuss.

XIV. Liaison and Committee Reports

A. Planning Commission - David Pugh

Chairman Pugh advised he did not attend the Planning Commission meeting.

B. Agriculture Committee - Claudia Tucker

Supervisor Tucker advised that the AG Committee would be coming to the Board to ask for \$30,000 for funding for this year's County Fair.

In addition, Supervisor Tucker said that Amherst and Nelson counties have scheduled a meeting next month to have a discussion on the joint Agriculture center.

C. Parks, Recreation & Cultural Development Board- Tom Martin

Vice-Chair Martin advised that the Parks & Recreation Board is working with P&R Director Patrick Nalley on a 10-year master plan.

D. Emergency Services Council - Jimmy Ayers

Supervisor Ayers advised that the ESC meeting last Wednesday night was well attended. He said the ESC is working on renovations to Station 3 Monelison that is close to completion.

Chairman Pugh asked what was the amount of the appropriation for the renovation. Public Safety Director Sam Bryant responded it was \$63,000.

E. Lynchburg Regional Business Alliance, Government Relations Committee, January 11, 2022.

For information only.

XV. Citizen Comment

There was no public comment.

XVI. Matters from Members of the Board of Supervisors

Chairman Pugh had no matter to discuss.

Vice-Chair Martin had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Tucker had no matter to discuss.

Supervisor Wade had no matter to discuss.

XVII Adjournment

By motion of Chairman Pugh and with the following vote, the Board adjourned at 8:26 p.m.

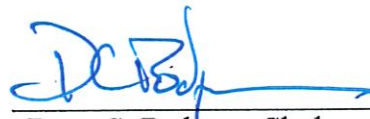
AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None



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



Dean C. Rodgers, Clerk

CURRENT ARPA SPENDING PLAN

TOTAL FUNDING		\$ 6,138,901
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COMMITMENTS:

ACSA for sewer projects (normally funded annually)	1,000,000	
Broadband (\$200,000 to come from schools)	2,825,400	
PPE	20,000	
UNEMPLOYMENT	30,000	
OTHER COVID EXPENSES	25,000	

ARPA PROJECTS FUNDED:

Building Inspector - vehicle and computer*	40,000	
Scentral Bark	150,000	
Pedlar Squad 34 1999(46,642 from ESC for full project)	478,358	
Nonprofits supporting youth sports	50,000	
Water and Sewer Infrastructure	1,000,000	
Public Safety Command Center*	110,000	
Lake Trails	44,243	
Premium Pay Bonuses *	222,900	
Public Safety Training Console*	40,000	
Mill Creek Improvements	103,000	
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	2,238,501	

Total Projects		6,138,901
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Remaining Funds		\$ -
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* Already obligated

ARPA PROJECTS FUNDED

Building Inspector - vehicle and computer	40,000
Scental Bark	150,000
Pedlar Squad 34 1999(46,642 from ESC for full project)	478,358
Nonprofits supporting youth sports	50,000
Water and Sewer Infrastructure	1,000,000
Public Safety Command Center	110,000
Lake Trails	44,243
Premium Pay Bonuses	222,900
Public Safety Training Console	40,000
Mill Creek Improvements	103,000

PROPOSED ARPA
PROJECTS NOT FUNDED

Fire Marshall(3 yrs includes vehicle and equipment)	348,000
Mill Creek Campground	100,000
Courthouse Security* year 1	200,000
Courthouse Security* year 2	253,115
Cybersecurity	50,000
Animal Shelter Water & Sewer	1,500,000
Other CIP projects for FY 2022 and FY 2023	
Public Safety Vehicles	1,475,750
Courthouse Fire Alarm	82,500
Library Playground	150,000
Monacan Park Playground	50,000
Coolwell Splashpad	200,000
Breakrooms Renovations	80,000
Stonehouse Trail	100,000
Medic 1 - County Portion	150,000