

BOOK 33**VIRGINIA:**

At a continued meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 16th day of November, 2010 at 1:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Mr. D. Kidd Ms. C. Tucker Mr. R. Vandall Mr. R. Curd Mr. F. Campbell	ABSENT: None
----------	--	--------------

OTHERS PRESENT: Mr. G. Christi, Facilitator
Deputy D. Givens
Captain M. Robinson
Sheriff L. Ayers
Jeremy Bryant, Planning
Teresa Nuckols, Solid Waste
Glenn Sullivan, Social Services
Kenneth Campbell, Building
Gary Roakes, Public Safety

Mr. D. Kidd, Chairman, called the meeting to order, proceeded to thank everyone for attending and turned the meeting over to Mr. Christi.

Mr. Christi asked each board member to start with what they hoped to get from this workshop.

Mr. Kidd – wanted the Board to let staff know how far they wanted to go – wanted priorities set.

Mr. Campbell – wanted a road map to follow

Mr. Curd – wanted to look at the noise ordinance

Mr. Vandall – standard process to get us to where we want to go

Ms. Tucker – agreed with the other Board members – she also wanted to look at what other localities are doing.

Ms. Bowyer – County has a lot of authority to enforce their ordinances – she's looking for direction

Sheriff – looking for direction

Ms. Nuckols – guidelines – would like direction ahead of time as to what's going to affect the landfill.

Mr. Sullivan – spoke on issues that affected Social Services

Mr. K. Campbell – has problem identifying problem areas – compliant oriented – does not have time to cover all that he's expected to handle

Mr. Lintecum – same as other members – would like direction from the board

Mr. Roakes – will help and do whatever he can

Mr. Kidd would like all the departments to communicate

Sheriff – largest percent of substandard housing than any other county and something needs to be done

Ms. Tucker – where will these people go if they are turned out

Mr. K. Campbell – if he turned people out he is responsible for having someplace else for them to go

Mr. Sullivan – told him and the board that was where they came into the situation – just have them come to Social Services

Mr. Roakes informed the Board that they were already able to computerize these problems, send out to whatever department that was needed and keep record of what was done to resolve the problem.

Mr. Christi tried to priorities these problems:

- Poor quality building
- Noise
- Weeds, grass and trash
- Not only rental property but any property

How to pay for this: Any funds collected should go in fund to pay for other problems.

Sheriff's Department, Public Safety and Solid Waste left meeting.

The Board resumed with talking about planning and zoning issues, abandon vehicles and other items.

IN RE: A RESOLUTION, TO MEMORIALIZE THE PROCEEDINGS OF THE WORKSHOP ON PUBLIC NUISANCE THAT THE BOARD HELD ON NOVEMBER 16, 2010, AND TO DIRECT THE COUNTY ATTORNEY AND THE COUNTY ADMINISTRATOR TO TAKE CERTAIN ACTIONS IN SUPPORT OF THOSE PROCEEDINGS.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST that the proceedings of the workshop on public nuisance that the Board held on November 16, 2010, are memorialized as follows:

WHEREAS, the Amherst County Board of Supervisors held a meeting on November 16, 2010, to discuss the question of public nuisance, and

WHEREAS, participants in that meeting included all members of the Board of Supervisors, the County Attorney and County Administrator, the Sheriff's Office, the Director of Solid Waste, the Building Code Official, and the Director of Planning; and

WHEREAS, all participants agreed that dilapidated residential and commercial structures, illegal trash dumping, and noise are key problems for the County; and

WHEREAS, the Board of Supervisors seeks to ensure that these problems are addressed in the coming year; and

WHEREAS, there are contained in the County Code at Chapter 4, Articles IV (Unsafe Buildings), VI (Public Nuisances), VII (Grass and Weed Control), and VIII (Refuse) provisions authorizing the County to identify and abate various conditions that constitute public nuisances; and

WHEREAS, there are not currently established regulations or procedures governing the implementation of those Code provisions; and

WHEREAS, the Board of Supervisors directs the County Attorney and the County Administrator (hereafter "staff") to give priority attention to the development of regulations, model communications, and written procedures to help facilitate the effective and consistent application of those Code provisions; and

WHEREAS, the Board of Supervisors directs that during at least the balance of calendar year 2010, and throughout calendar year 2011, staff focus their attention on efforts to address existing nuisances that are plainly apparent throughout the County, rather than attempt to identify nuisances that are not plainly apparent.

NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST that the Board of Supervisors instructs the County Attorney to undertake as an immediate priority the institution of legal action against properties that already have been identified by the Building Inspector as public nuisances for purposes of abating those public nuisances.

BE IT FURTHER RESOLVED that the Board of Supervisors instructs the County Administrator to have his staff prepare, for the County Administrator's presentation at the meeting of the Board of Supervisors on March 1, 2011, a written outline describing: the process used to identify structures that pose public nuisances; the criteria used to determine that structures should be condemned; the steps, including timeframes, that should be taken to notify owners that the County is contemplating demolition of their building; and any other information necessary to place the case before the County Attorney for legal action.

BE IT FURTHER RESOLVED that the Board of Supervisors instructs the County Attorney to develop, for presentation at the meeting of the Board of Supervisors on March 1, 2011, pleadings and other legal documents that can be used to secure a court order relating to demolition of a building once County staff have communicated the necessity of such a demolition to the County Attorney.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to outline, for presentation at the meeting of the Board of Supervisors on March 1, 2011, the process for establishing liens on properties so as to ensure that the County can recoup any monies it expends on abatement of public nuisance conditions, including the extent to which the County can compel the sale of property carrying such liens.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to review all County ordinances addressing public nuisances and to identify any necessary revisions to those ordinances and to propose those as ordinances to the Board of Supervisors no later than the meeting of the Board of Supervisors on April 5, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to prepare a noise ordinance for its consideration no later than the meeting of the Board of Supervisors on April 5, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors will consider at its meeting of December 21, 2010, the question of appropriating funds to support the purchase of hidden cameras to track and identify persons violating the County's ordinances banning the improper dumping of solid waste, and towards that end instructs the County Administrator to supply no later than by the meeting of December 21, 2010, estimates of the costs of such cameras.

BE IT FURTHER RESOLVED that if the Board of Supervisors appropriates funds to support the purchase of hidden cameras, the County Attorney shall prepare the pleadings necessary to pursue civil penalties so that the County can respond promptly to any evidence of improper dumping captured by the cameras.

This resolution shall be in force and effect upon passage.

IN RE: ADJOURNMENT

On motion of Mr. F. Campbell, seconded by Mr. R. Curd and with the following vote, the Board adjourned.

AYE: Mr. D. Kidd, Ms. C. Tucker, Mr. R. Curd, Mr. R. Vandall and Mr. F. Campbell

NAY: None

Donald W. Kidd, Chairman
Amherst County Board of Supervisors

C. Lee Lintecum
County Administrator