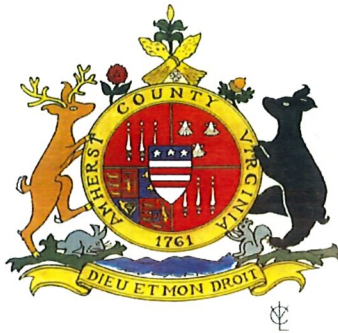


Board of Supervisors

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



County Administrator
Dean C. Rodgers

County Attorney
Michael W. S. Lockaby

AMHERST COUNTY BOARD OF SUPERVISORS

MINUTES

AGENDA

April 17, 2018
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened – 7:00 p.m.

- I. Call to Order**
- II. Approval of Agenda**
- III. Invocation and Pledge of Allegiance**
- IV. Citizen Comment**
- V. Public Hearing**
 - A. VDOT Rural Rustic Six-Year Priority List
 - B. Ordinance 2018-0001, removal of Board appointees
 - C. Special Exception – Heartpine Sign
 - D. FY2019 Budget
- VI. Consent Agenda**
 - A. Minutes – March 6, 2018 Regular Meeting, March 20, 2018 and March 27, 2018 Budget Workshops
 - B. Supplemental Appropriation for Circuit Court Clerk
 - C. FY18 Appropriation of Revenue to Dept. of Social Services
 - D. Appropriation of Revenue of Commonwealth Attorney
 - E. ASCO Appropriation Request
 - H. Community Development Block Grant
 - G. Credit Card Resolution 2018-0003-R
- VII. Special Presentation**
 - A. Commemorative Resolution 2018-0001-CR, Honoring the Service of Mr. Gary Roakes, Public Safety Director

VIII. County Administrator's Report

A. Projects Status Report

IX. County Attorney's Report

X. Departmental Report

A. Recreation & Parks Report

XI. Citizen Comment

XII. Matters from Members of Board of Supervisors

XIII. Closed Session

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

XIV. Certification of Closed Session

XV. Adjournment

MINUTES

At a Regular Meeting of the Amherst County Board of Supervisors and held at the Amherst County Administration building, Amherst, Virginia, thereof on Tuesday, the 17th day of April, 2018, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

| | |
|----------|---------------------------------|
| PRESENT: | ABSENT: None |
| | Claudia D. Tucker, Chair |
| | L. J. Ayers, III, Vice-Chair |
| | David W. Pugh, Jr., Supervisor |
| | Kenneth M. Campbell, Supervisor |
| | Jennifer R. Moore, Supervisor |

STAFF PRESENT: County Administrator Dean C. Rodgers, Deputy County Administrator David R. Proffitt; Michael W. S. Lockaby, County Attorney, and Executive Assistant Regina M. Rice

OTHERS PRESENT: Donald L. Austin, Sr., VDOT Residency Administrator
Public Safety Director Gary Roakes
Public Works Director Teresa Nuckols
Planning/Zoning Director Jeremy Bryant

I. Call to Order

Chair Tucker called the meeting to order at 7:02 p.m.

II. Approval of Agenda

Chair Tucker announced several amendments to the Agenda. The following items were added: Item VI.H. Data Sharing Agreement; Item VIII.B. Disposal of Excess Donations; and Item VIII.C. Declaration of Emergency Resolution.

By motion of Supervisor Pugh and with the following vote, the Board approved the amended Agenda for April 17, 2018.

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

III. Invocation and Pledge of Allegiance

Supervisor Ayers led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

Mr. Harvey Sellers, Sr. of Amherst, Virginia addressed the Board and advised he attends a senior group each week. Mr. Sellers asked the Board to consider an appropriation to assist with gift purchases for bingo on Fridays.

The public comment session was closed.

V. Public Hearing

A. VDOT Rural Rustic Six-Year Priority List

VDOT Residency Administrator Don Austin presented VDOT's Rural Rustic Priority List for FY19-24.

Mr. Austin advised the Rural Rustic Priority List was amended on April 3, 2018 per the Board of Supervisors' request. The list is amended to show as #14 - Beverly Town Road; #15 - Windy Ridge Way; and #16 - Wares Gap Road.

Chair Tucker opened the Public Hearing.

Proponents: None.

Opponents: Mr. Ralph Davis, 395 Chestnut Lane, Amherst Virginia, addressed the Board regarding Rte. 729 Chestnut Lane. He advised that residents have been told in the past that the road would be surface-treated. He said that residents are constantly dealing with dust, pot holes and the wear and tear on vehicles. Mr. Davis requested that Chestnut Lane be moved up on the Rural Rustic Priority List.

Mr. Marvin Rogers, 308 Roberts Road/intersection of Beverly Town Road, Amherst, Virginia, addressed the Board and requested that pavement be extended to his home and other homes and to have the road maintained by VDOT. Mr. Rogers stated that a school bus would be traveling on this road beginning August 2018.

Mr. Ray Gordineer, 301 Windy Ridge Way, Amherst, Virginia, presented a petition signed by 69 residents requesting this road be surface-treated. Mr. Gordineer said he and other residents have seen other roads surface-treated in the County with fewer homes, and requested that Windy Ridge Way be moved up on the Rural Rustic Priority List. **(See Attachment 1)**

Mr. Scott Armstrong, 421 Jeffersons Trce off of Geddes Mountain Road, Amherst, Virginia, asked that this road be placed on the list. He said there are six residents there, a main power line that crosses the road as well as several historic homes. Mr. Armstrong said those residents suffer the same problems of dust and pot hole issues, and the wear and tear on vehicles. He asked the Board move this request forward and appreciated their help.

Chair Tucker stated that citizens should contact their Board of Supervisor member and the County Administrator, who would then communicate any information to VDOT for compiling a priority list.

Mr. Austin said that in 2013 there was a 40 vehicle count per day, which may need to be updated. He advised he would get a recount and put that road on the list.

Chair Tucker closed the Public Hearing.

Supervisor Pugh commented that once the Board receives a vehicle count, the Board can change the priority list based on the vehicle count and requests by citizens.

By motion of Supervisor Pugh and with the following vote, the Board approved the priority list ranking as proposed. **(See Attachment 2)**

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

B. Ordinance 2018-0001, removal of Board appointees

County Attorney Lockaby addressed the Board and advised of a change to state law last year that addressed IDA & EDA board members that directs that they may only be removed on a unanimous vote by the Board of Supervisors. This amendment will bring the County ordinance in line with state law.

Chair Tucker opened the Public Hearing.

Proponents: None

Opponents: None

Chair Tucker closed the Public Hearing.

By motion of Supervisor Ayers and with the following vote, the Board adopted Ordinance 2018-0001 as proposed.

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

C. Special Exception – Heartpine Sign

Planning/Zoning Director Bryant addressed the Board and presented Special Exception Request 2018-50 to allow Heartpine Sign to place a sign in the A-1 Agricultural District. The proposed sign would be ten feet tall and located on Union Hill Road, identified as Tax Map Number 111-A-53.

Mr. Bryant stated that the Planning Commission recommended approval of this request on March 15, 2018 and with no conditions.

Chair Tucker opened the Public Hearing.

Proponents: None

Opponents: None

Chair Tucker closed the Public Hearing.

By motion of Supervisor Campbell and with the following vote, the Board approved Special Exception 2018-050.

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

D. FY2019 Budget

County Administrator Rodgers presented the finalized budget for public comment.

Mr. Rodgers said the objectives were to have no tax increase, a balanced budget without drawing from savings, level funding for the Schools, a 2% cost of living increase for County employees, and maintain the quality of the County's operations.

Mr. Rodgers advised that an issue recently surfaced regarding a letter to the Sheriff from the School Superintendent, who suggested that the County needed to increase the number of SROs in the County schools. Currently, the number is three, however, the need is for six more SROs, which would cost approximately \$300,000, and funded with recurring revenue.

Mr. Rodgers said that other localities have not decided if they will fund additional SROs and the Governor has ordered a study and localities should know by the end of the year if the state is willing to fund additional SROs.

Mr. Rodgers recommended that the Board not fund any additional SROs until the state has determined if it is willing to fund that.

Mr. Rodgers reiterated that the operating budget is balanced with the existing revenues, and that the Board has approved six Capital Improvements projects, 18 Supplemental projects and the purchase of two school buses. The Board also has \$600,000 in contingency funds for the coming year.

Chair Tucker clarified that a study on-going now for school safety for K-12 will be ordered by the Speaker of the House and not the Governor. This study will have subject-matter experts to provide guidance with what has been seen nationwide.

Chair Tucker opened the Public Hearing.

Proponents: None

Mr. Bill Peters of Amherst, Virginia, addressed the Board and asked Board members to refer to the budget on page 14, paragraph 2, "Challenges and what was unable to be funded." He said the Board has forgotten that the State refused to participate in the "*No Child Left Behind*" and refused to participate in the Federal program "*Race To The Top*", which would have put millions of dollars into the public school system in Virginia. Mr. Peters said the problem is with the General Assembly and not the Federal government and he challenged that statement. **(See Attachment 3)**

Opponents: None

Chair Tucker closed the Public Hearing.

Mr. Rodgers advised the Board will need to wait seven days after the Public Hearing, which would put the date of April 24th that the budget can be adopted.

Chair Tucker suggested the budget be adopted at the regularly scheduled Board meeting on May 1, 2018.

By motion of Supervisor Pugh and with the following vote, the Board directed staff to schedule a meeting of the Board of Supervisors for the purpose of adopting the finalized FY 2019 Budget and Capital Improvement Plan on May 1, 2018, at the regularly scheduled meeting at 1:00 p. m.

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

Chair Tucker advised of an additional amendment to the agenda and added item X.B. Storm Response Updates and provided by Public Safety Director Gary Roakes, Public Works Director Teresa Nuckols, and Planning/Zoning Director Jeremy Bryant.

By motion of Supervisor Pugh and with the following vote, the Board amended the Agenda and added X.B. Storm Response Updates by Public Safety Director Gary Roakes, Public Works Director Teresa Nuckols and Planning/Zoning Director Jeremy Bryant.

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

VI. Consent Agenda

- A. Minutes – March 6, 2018 Regular Meeting, March 20, 2018 and March 27, 2018 Budget Workshops
- B. Supplemental Appropriation for Circuit Court Clerk
- C. FY18 Appropriation of Revenue to Dept. of Social Services
- D. Appropriation of Revenue of Commonwealth Attorney
- E. ASCO Appropriation Request
- H. Community Development Block Grant
- G. Credit Card Resolution 2018-0003-R
- H. Data Sharing Agreement

By motion of Supervisor Ayers and with the following vote, the Board approved the Consent Agenda for April 17, 2017.

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

VII. Special Presentation

A. Commemorative Resolution 2018-0002-CR, Honoring the Service of Mr. Gary Roakes, Public Safety Director.

By motion of Supervisor Campbell and with the following vote, the Board adopted Resolution 2018-0002-CR.

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

Supervisor Ayers presented Commemorative Resolution 2018-0001-CR to Public Safety Director Gary Roakes.

VIII. County Administrator's Report

A. Projects Status Report

For Board information only.

B. Disposal of Excess Donations

Chair Tucker explained that a large out-pouring of donations were received regarding the April 15th tornado. She said any excess donations not used would need to be donated to local charities. The Board must take action to dispose of those donations.

By motion of Chair Tucker and with the following vote, the Board authorized the County Administrator to dispose of excess storm damage donations by donating excess supplies to appropriate local charities.

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

C. Declaration of Emergency Resolution

County Administrator Rodgers advised the Board of a proposed Resolution 2018-0004-R regarding the disaster declaration by the Board. The Virginia Department of Management (VDEM) has requested adoption of the resolution.

By motion of Supervisor Ayers and with the following vote, the Board adopted Resolution 2018-0004-R, declaration of emergency.

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

IX. County Attorney's Report

County Attorney Lockaby reported that the County was successful in the Winton County Club case, and now has the declaration from the Judge that the property was never under a trust.

X. Departmental Report

A. Recreation & Parks Report

Mr. Rodgers advised that Supervisor Pugh asked for an update the condition of picnic tables at the three County lakes.

B. Storm Response Updates - Public Safety Director Gary Roakes, Public Works Director Teresa Nuckols, and Planning/Zoning Director Jeremy Bryant

Public Safety Director Gary Roakes provided the following storm report:

- 146 structures impacted; 22/23 structures severely damaged or destroyed
- Over \$4.3 million in damages, overall number may increase
- Tree damage up at Wares Gap & Indian Creek
- VDOT, VDEM, VSP, Red Cross and various state agencies responded to the crisis
- Minor injuries and no fatalities
- Demobilization and volunteers ready to assist people in the community with assigned tasks
- VDEM lined up a one-stop shop at Elon Elementary School from 10:00 a.m. – 3:00 p.m. for the community to help with such items as replacement of driver's licenses, social security cards, obtaining postal services, and assisting with insurance, etc.
- Folks would be impacted by the tornado for at least 18-24 months
- The elementary school opened as a shelter on Sunday night around 9:30 p.m. The shelter closed on Monday afternoon as no additional requests were received
- State of emergency declared by Amherst County for additional resources and Governor declared a state of emergency for the Commonwealth to provide additional resources to the County

Mr. Roakes explained that a Federal declaration is based on a certain amount of dollar threshold and FEMA regulation, and not on the strength of the tornado.

Mr. Roakes thanked his staff, law enforcement, volunteers, fire and rescue, citizens, all staff, and the Board for their support.

Public Works Director Teresa Nuckols provided the following storm report:

- Activated the emergency contingency plan at the landfill to have George E. Jones & Sons provide assistance with equipment for the daily cover at the landfill
- Manned three staging areas at the landfill for VDOT's vegetative waste, residential vegetative waste both storm and non-storm related, and non-storm related brush piles
- Set up waste collection stations at Nottaway and Deerfield Drives with open containers and Hazmat station, as well as collection of white goods and appliances. Hazmat collection will close Tuesday night
- County staff currently hauling containers Tuesday night and remaining staff chipping up vegetative waste. County Waste will begin to haul containers and P&K Trucking to assist with hauling with vegetative waste
- Storm damage numbers to date – VDOT has collected 18,000 lbs. of vegetative waste; collect over a ton of construction debris, which will continue to increase; and collected over 42,000 lbs. of demo debris
- Have a contingency plan in place with VDOT for two separate staging areas outside of the landfill perimeter if needed

Planning/Zoning Director Jeremy Bryant provided the following storm report:

- Building Official Nate Young cross-coordinated with Building Officials from Nelson, Bedford and Albemarle Counties to assist with assessment of all structures
- 146 structure and homes reported damage; currently 22 homes severely damaged or a total loss; and 23 homes assessed as restrictive use
- County Building Official have used a 3 color system: green placards - some damage; yellow placards - restricted use; and red placards - severely damaged or total loss. Placards on homes until dwelling can be re-inspected. Continual assessment of structures that were partially damaged on Nottaway, Hunt Club and Deerfield Drives
- Compiled data using GIS map and tornado tract from the National Weather Service; plotted address points and have completed approximately 97% of that data; and inspected over 200 structures in two days

XI. Citizen Comment

Ms. Gloria Witt of Madison Heights, Virginia addressed the Board and commented that the budget was easy to follow and the great job negotiating budget requests that satisfied various needs. Ms. Witt applauded the Board for a job well done.

XII. Matters from Members of Board of Supervisors

Supervisor Moore had no matter to discuss.

Supervisor Campbell had no matter to discuss.

Supervisor Pugh thanked Public Safety Director Roakes for his service to the County and a job well done.

Vice-Chair Ayers had no matter to discuss.

Chair Tucker thanked Public Safety Director Roakes for his service and all the folks working for Public Safety. Chair Tucker acknowledged Mr. Sam Bryant as the interim Public Safety Director

XIII. Closed Session

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

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

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

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

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

CERTIFICATION OF CLOSED MEETING

Supervisor Moore moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

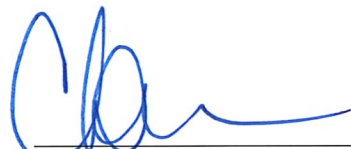
| | |
|--------------|-----|
| Mrs. Tucker | AYE |
| Mr. Ayers | AYE |
| Mr. Pugh | AYE |
| Mr. Campbell | AYE |
| Ms. Moore | AYE |

XIV. Certification of Closed Session

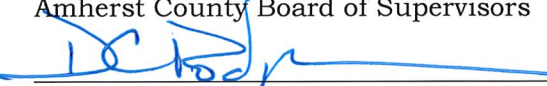
XV. Adjournment

By motion of Supervisor Ayers and with the following vote, the Board adjourned at 9:21 p.m.

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



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk