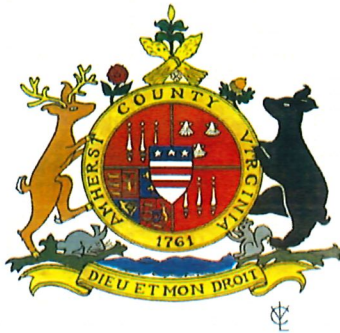


**Board of Supervisors**

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



**County Administrator**  
Dean C. Rodgers

**County Attorney**  
Michael W. S. Lockaby

**AMHERST COUNTY BOARD OF SUPERVISORS  
MINUTES – February 5, 2019**

**AGENDA**

February 5, 2019  
Administration Building - 153 Washington Street - Public Meeting Room  
Amherst, Virginia 24521  
Meeting Convened - 1:00 p.m.

**I. Call to Order**

**II. Approval of Agenda**

**III. Invocation and Pledge of Allegiance**

**IV. Citizen Comment**

**V. Consent Agenda**

- A. Minutes - December 18, 2018, January 4, 2019, January 7, 2019 and January 15, 2019 budget workshop
- B. Resolution - Winton Country Club Dam
- C. ACSO BOS Appropriations
- D. Proclamation for National Athletic Training Month
- E. Supplemental Appropriation Request 2018-2019 Fiscal Year
- F. Supplemental Appropriation for Schools
- G. Capital Improvement Projects for Schools

**VI. Special Presentation**

- A. Second Stage - Annual Report

**VII. Old Business**

- A. Landfill Discussion

**VIII. New Business**

- A. County Fair Appropriation
- B. VCA Grant - Second Stage

**IX. County Administrator's Report**

- A. Boards/Commissions/Committees - Board of Zoning Appeals

**X. County Attorney's Report**

A. Winton Update

**XI. Liaison and Committee Reports**

A. Lynchburg Regional Business Alliance Report

B. Local Government Council, January 17, 2019

**XII. Departmental Reports**

A. Departmental Spotlight - IT

B. EDA Quarterly Report

C. Treasurer's Monthly Report

**XIII. Citizen Comment**

**XIV. Matters from Members of the Board of Supervisors**

**XV. Closed Session**

A. A closed session under Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County, specifically relating to the opioid crisis.

**XVI. 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 5<sup>th</sup> day of February, 2019, at 1:00 p.m., the following members were present:

**BOARD OF SUPERVISORS:**

PRESENT: L. J. Ayers III, Chairman  
Kenneth M. Campbell, Vice-Chair  
David W. Pugh, Jr., Supervisor  
Jennifer R. Moore, Supervisor  
Claudia D. Tucker, Supervisor

ABSENT: None

COUNTY STAFF: County Administrator Dean C. Rodgers  
Deputy County Administrator David R. Proffitt  
County Attorney Michael W. S. Lockaby  
EA Clerk to Board Regina M. Rice  
Finance Director Stacey Wilkes

OTHERS PRESENT: Mr. Steve Johnson, former Amherst Co. bond counsel (via conference call)  
Ms. Lynn Klappich, Draper-Aden Associates  
Mr. Jerry Cifor, President of County Waste Virginia  
Mr. Delbert Beasley, Amherst County waste expert

**I. Call to Order**

Chairman Ayers called the meeting to order at 1:00 p.m.

**II. Approval of Agenda**

By motion of Supervisor Tucker and with the following vote the Board approved the Agenda for February 5, 2019.

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

**III. Invocation and Pledge of Allegiance**

Chairman Ayers led the Invocation and Pledge of Allegiance.

**IV. Citizen Comment**

There was no public comment.

**V. Consent Agenda**

- A. Minutes - December 18, 2018, January 4, 2019, January 7, 2019 and January 15, 2019 budget workshop
- B. Resolution - Winton Country Club Dam
- C. ACSO BOS Appropriations
- D. Proclamation for National Athletic Training Month
- E. Supplemental Appropriation Request 2018-2019 Fiscal Year
- F. Supplemental Appropriation for Schools
- G. Capital Improvement Projects for Schools

By motion of Supervisor Pugh and with the following vote the Board approved the Consent Agenda for February 5, 2019.

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

**VI. Special Presentation**

- A. Second Stage - Annual Report

Ms. Suny Monk of Second Stage presented the Board the annual report. Ms. Monk reported that the building is now 100% rented. They are currently working with the Agricultural Committee to support the local farmer's market and a summer program for middle school students focusing on the arts.

Ms. Monk thanked the Board for their support and renewal of Second Stage's lease.

Board members Pugh and Ayers thanked Ms. Monk and Second Stage for all that has been developed with the building over the past seven years.

**VII. Old Business**

- A. Landfill Discussion

County Administrator Rodgers opened the discussion regarding County landfill options. He advised the Board needed to decide how to spend the \$4M bond money for waste disposal, which must be spent by May 5, 2020. Several options the Board needed to consider would be to build the second landfill cell, build a transfer station at the existing landfill or at the Riverview Road site, or use the transfer station that is proposed in Appomattox County.

Mr. Rodgers stated that representatives of County Waste, Draper Aden Associates, and the county's former bond counsel were present to answer questions from the Board.

Mr. Steve Johnson, former attorney with Troutman Sanders Law Firm and bond counsel for Amherst County, provided an overview of the bond money that was issued May 5, 2017 for

waste disposal in the county. He outlined the implications if the money was not spent by May 5, 2020, and emphasized that a decision needed to be made fairly quickly.

Mr. Jerry Cifor, President of County Waste Virginia, provided information on building drop off centers and a transfer station.

Mr. Delbert Beasley, Amherst County waste expert, outlined the different types of trailers, the cost per payload and using the trailers to maximum capacity.

Ms. Klappich of Draper Aden Associates, addressed DEQ regulations and suggested the possibility of permitting a small transfer station that could be used only as a drop off center.

There followed a discussion of several options including building a transfer station, spending funds to close the existing landfill, examining the costs of tipping fees, and logistics of the costs of operating a county transfer station. The idea of building a pre-transfer station was also raised.

Chairman Ayers thanked Mr. Johnson, Mr. Cifor, Mr. Beasley and Ms. Klappich, for providing their expert information on the solid waste options for the County.

By motion of Vice-Chair Campbell and with the following vote, the Board directed staff to work up cost estimates for a transfer or pre-transfer station at the landfill and at the Riverview Road landfill, and to develop costs for possible convenience centers at the current landfill, at the Riverview Road site, at a site somewhere along Rt. 60 West, at Boxwood Farm Road as well as costs that might be contributed to the Dodds Store site, and also a self-operated single compactor at or near Long Mountain.

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

#### **VIII. New Business**

##### **A. County Fair Appropriation**

Finance Director Stacey Wilkes advised the Agricultural Committee has requested an additional \$35,000 seed money for the 2019 County Fair.

By motion of Supervisor Tucker and with the following vote, the Board appropriated \$35,000 to the 2019 Amherst County Fair from the unobligated General Fund balance.

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

##### **B. VCA Grant - Second Stage**

Finance Director Stacey Wilkes advised that each year the County applies for a grant to assist Second Stage in developing their programs. The grant, which is from the Virginia Commission for the Arts (VCA), would require a \$4,500 match from the County.

By motion of Supervisor Tucker and with the following vote the Board approved the VCA grant application and appropriate the local match of \$4,500 in the FY 2020 budget.

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

**IX. County Administrator's Report**

A. Boards/Commissions/Committees - Board of Zoning Appeals

County Administrator Rodgers addressed the Board regarding the term of Ms. Barbara Woody, which expires on February 3, 2019. Ms. Woody has asked to be re-appointed.

Staff advertised the vacancy in the News & Advance on January 6, 2019 and in the New Era Progress on January 10, 2019. Staff did not receive additional letters of interest from the public. The closing date was January 31, 2019.

By motion of Chairman Ayers and with the following vote, the Board recommended to the Amherst County Circuit Court that Ms. Barbara Woody be re-appointed to serve another term on the Board of Zoning Appeals Board.

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

**X. County Attorney's Report**

A. Winton Update

County Attorney Lockaby advised the Winton property is scheduled to close on February 7, 2019 at 10:00 a.m. He said the initial contract stated a closing date of January 31, 2019; however, Mr. Lockaby said all parties have agreed to close on the February 7<sup>th</sup>. He asked for the Board's approval.

By motion of Supervisor Tucker and with the following vote, the Board approved the Winton County Club real estate closing to take place on February 7, 2019.

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

Mr. Lockaby advised the Board on the following:

- Comcast has asked to renew its cable franchise agreement with Amherst County. There will be some negotiation on that process and he will be working on this.
- The Broadband project has applied for a grant from the Department of Housing and Community Development. Comcast has filed a challenge. He is looking into a response to that challenge.
- Several months ago the Sheriff's office requested an ordinance regarding parade/unlawful assembly. He will reactivate this request and bring back to the Board.

**XI. Liaison and Committee Reports**

A. Lynchburg Regional Business Alliance Report

B. Local Government Council, January 17, 2019

For Board information only.

**XII. Departmental Reports**

A. Departmental Spotlight - IT

IT Director Jackie Viar presented an overview of her department.

B. EDA Quarterly Report

EDA Director Victoria Hanson presented the following reports with an explanation to the Board:

- EDA Quarterly Financials Sept. 2018
- EDA FY18-19 Action Plan Updated
- EDA Strategic Plan Update 12-18 Operation Good News

Ms. Hanson thanked the Board for their continued support of the EDA.

C. Treasurer's Monthly Report

**XIII. Citizen Comment**

There was no public comment.

**XIV. Matters from Members of the Board of Supervisors**

Supervisor Tucker had no matter to discuss.

Supervisor Moore had no matter to discuss.

Supervisor Pugh had no matter to discuss.

Vice-Chair Campbell had no matter to discuss.

Chairman Ayers had no matter to discuss.

**XV. Closed Session**

A. A closed session under Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County, specifically relating to the opioid crisis.

Supervisor Tucker moved that the Amherst County Board of Supervisors convene in closed session under Section 2.2-3711(A)(7) of the Code of Virginia, 1950, as amended, for the purpose of consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the County, specifically relating to the opioid crisis.

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

Chairman Ayers motioned to come out of closed session and was approved with the following vote:

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

**CERTIFICATION OF CLOSED MEETING**

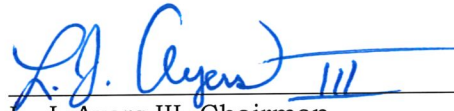
Supervisor Tucker moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion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


Mr. Ayers	AYE
Mr. Campbell	AYE
Mr. Pugh	AYE
Ms. Moore	AYE
Ms. Tucker	AYE

**XVI. Adjournment**

By motion of Vice-Chair Campbell and with the following vote, the Board adjourned at 3:19 p.m.

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

  
\_\_\_\_\_  
L. J. Ayers III, Chairman  
Amherst County Board of Supervisors

  
\_\_\_\_\_  
Dean C. Rodgers, Clerk