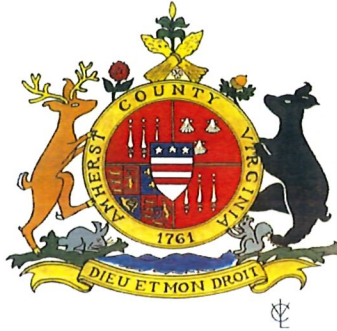


**Board of Supervisors**

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**

**May 21, 2019**  
Board of Supervisors  
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. Ordinance 2019-0002, amending § sections 1402.02, 1402.03, 1402.04 and 1402.06 of Article XIV of Appendix A - Zonings and Subdivisions to the Code of the County of Amherst to address changes to the Board of Zoning Appeals.

B. 2019-131 – Winton Farm LLC – Special Exception Request

**VI. Consent Agenda**

A. Minutes – April 16, 2019  
B. Amherst County Schools Supplemental Appropriation for the 2018-19 Fiscal year  
C. Appropriation – Commonwealth Attorney

**VII. Special Presentation**

A. Census Bureau 2020 - Presentation

**VIII. New Business**

A. New Position Request – Commonwealth Attorney

B. New Transfer Station

**IX. County Administrator's Report**

- A. July 2<sup>nd</sup> BOS Meeting
- B. Administrator Podcasts
- C. Projects Status Report

**X. County Attorney's Report**

**XI. Liaison and Committee Reports**

- A. Lynchburg Regional Business Alliance, Exec. Bd. May 10, 2019

**XII. Citizen Comment**

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

**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 21<sup>st</sup> day of May, 2019, at 7:00 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

**STAFF PRESENT:** County Administrator Dean C. Rodgers  
Deputy County Administrator David R. Proffitt  
County Attorney Michael W. S. Lockaby  
EA Clerk to Board Regina M. Rice  
Community Development Director Jeremy Bryant  
Commonwealth Attorney Lyle Carver

**I. Call to Order**

Chairman Ayers called the meeting to order at 7:01 p.m.

**II. Approval of Agenda**

By motion of Supervisor Pugh and with the following vote, the Board approved the Agenda for May 21, 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. Public Hearing**

A. Ordinance No. 2019-0002, amending § sections 1402.02, 1402.03, 1402.04 and 1402.06 of Article XIV of Appendix A - Zonings and Subdivisions to the Code of the County of Amherst to address changes to the Board of Zoning Appeals.

Community Development Director Jeremy Bryant presented Ordinance 2019-0002 which included modifications to comply with State Code. He advised that the Planning Commission held a public hearing on April 18, 2019 and recommended approval.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board adopted Ordinance 2019-0002.

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

B. 2019-131 – Winton Farm LLC – Special Exception Request

Community Development Director Jeremy Bryant reported on a special exception request by Winton Farm LLC at 559 Patrick Henry Highway to designate 286 acres as a Planned Unit Development (PUD) in the A-1 Residential District.

Mr. Bryant explained that the PUD designates land use into certain areas such as retail/business expansion, future age restricted/residential, and golf/open agricultural. On April 18, 2019, the Planning Commission recommended approval of the request with the following conditions:

1. Exterior Lighting. All exterior lighting should be installed to prevent glare on adjacent properties and streets. (Comprehensive Plan, page 155)
2. Water and Sewage Disposal. All future uses and future buildings shall meet the regulations of the Virginia Department of Health prior to the issuance of a zoning permit.
3. Transportation. The applicant should meet all applicable regulations in accordance with the Virginia Department of Transportation. (Comprehensive Plan, page 86)
4. Trash Disposal. If a dumpster is located on the parcel(s) it shall be screened from view from all residential districts. The dumpster should be screened with solid wood fence or solid material that is opaque. (Zoning Ordinance, Sec. 1601)
5. Sign. If a sign is erected, it should meet the requirements of the Amherst County Zoning Ordinance. (Comprehensive Plan, page 122)
6. Zoning Ordinance. Requirements of Section 911 will be met.
7. Site Plan Approval. The owner shall seek site plan approval from the Planning Commission prior to issuance of a zoning permit.
8. Removal of Uses. The following uses are excluded from future zoning approval: Automobile service station, marinas, docks and boating facilities of a commercial or club type, churches, manses, parish houses, schools, day care centers, indoor theater, library, emergency services, time-share projects.

Mr. Bryant explained item 8. addressed those uses which were removed by the Planning Commission based on concerns from citizens living near the area.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Tucker and with the following vote, the Board approved special exception request 2019-131 with the conditions recommended by the Planning Commission on April 18, 2019.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None

#### **VI. Consent Agenda**

A. Minutes - April 16, 2019

B. Amherst County Schools Supplemental Appropriation for the 2018-19 Fiscal Year

C. Appropriation – Commonwealth Attorney

By motion of Supervisor Tucker and with the following vote, the Board approved the Consent Agenda for May 21, 2019.

AYE: Mr. Ayers, Mr. Campbell, Mr. Pugh, Ms. Moore and Ms. Tucker

NAY: None

ABSENT: None

#### **VII. Special Presentation**

A. Census Bureau 2020 - Presentation

Ms. Kathleen O'Connell, of the U.S. Census Bureau, presented information regarding the upcoming 2020 census population count. She explained how citizens are counted and the process of how the questionnaire can be completed online, via telephone or by paper.

Ms. O'Connell advised census takers will visit homes of citizens who are hard to reach and non-responsive citizens. She emphasized the importance of an accurate count as it does affect funding received by the Commonwealth and the community. She reminded everyone that Census day is April 1, 2020.

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

A. New Position Request – Commonwealth Attorney

County Administrator Rodgers explained that the General Assembly mandated an additional Assistant Commonwealth Attorney position be created to specifically review body camera film. He reported the Commonwealth Attorney's office currently has \$16,000 in reoccurring funds to use this year to supplement this position. An additional appropriation of \$60,502 is necessary to fully fund the position. He advised that money could be taken from the unobligated general fund for FY 2020 to full fund the position.

Supervisor Pugh said he understood this was a state mandate, however, was opposed to funding another reoccurring expense. He did not like the manner in which it was mandated and requested the Board send a communication to the local delegates expressing the Board's displeasure.

Supervisor Tucker agreed with Supervisor Pugh regarding unfunded mandates. She said she understood the legislature requires that body camera films be reviewed, however, requested the Board send a "strong letter" to the local delegates addressing this issue.

Chairman Ayers said once again the burden is on the taxpayers and agreed with Supervisors Tucker and Pugh.

Commonwealth Attorney Lyle Carver agreed and said he would advocate in the future that this position be state funded.

Supervisor Tucker said this mandate was included in an appropriation bill and that our local delegation had a responsibility to give us a "heads up" regarding the unfunded mandate.

By motion of Supervisor Tucker and with the following vote, the Board appropriated \$60,520 for the additional Assistant Commonwealth's Attorney in FY 2020 from the unobligated General Fund balance.

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

The Board directed the County Administrator and County Attorney to draft a letter to the County's local delegation expressing the sentiments of the Board.

B. New Transfer Station

Deputy County Administrator David Proffitt presented information regarding the new transfer station. He advised that Draper Aden Associates is developing concept plans that would be used in the procurement process. By using that process, the County would not need to use the Building Committee, however, would engage a project manager service.

Mr. Proffitt advised that past experience utilizing the Building Committee would add significant time to the project and recommended that the Board not assign this project to the Building Committee. A tentative proposed timeline was provided to the Board. **(See Attachment A)**

Chairman Ayers said the County needs to move forward with the project and follow the PPEA process.

Supervisors Tucker and Campbell said they would like to sit in on those meetings and felt there was not a need to use the Building Committee.

Supervisor Pugh asked that the County keep the permit on the landfill for future use, and that the location of the transfer station would allow, if needed, future use and accessibility of the landfill by the public and the County.

Mr. Rodgers reported that the transfer station would not be built where the next cell would be, which would give the County the most flexibility.

It was the Board's consensus not to reinstate the Building Committee on this project. Supervisors Tucker and Campbell offered to participate on the evaluation committee as needed.

**IX. County Administrator's Report**

A. July 2<sup>nd</sup> BOS Meeting

By motion of Supervisor Pugh and with the following vote, the Board cancelled the July 2, 2019 Board of Supervisors meeting.

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

B. Administrator Podcasts

County Administrator Rodgers advised he has begun producing a podcast that will provide information to the public of the Board's actions as well as information on other topics and upcoming events. He advised podcasts will be available on the County's Facebook page and website.

C. Projects Status Report

**X. County Attorney's Report**

County Attorney Michael Lockaby provided the Board an update of items that he is currently working on:

- Finalizing documentation with telecommunications grant.
- Updating the trash ordinance with Mr. Young, Deputy Meeks and Ms. Drumheller of the Commonwealth's Attorney office.
- Advised the Board would be required to take a FOIA training every two years, which he will give a presentation at the first or second meeting of the new year.
- A COIA webinar will be available on line at year's end and he will provide a link.
- Updating several ordinances that are based upon this year's state legislation.

**XI. Liaison and Committee Reports**

A. Lynchburg Regional Business Alliance, Exec. Bd. May 10, 2019

County Administrator Rodgers reported the Local Government Council has agreed to contribute from its reserves \$150,000 to be applied to the match for a GO Virginia match to fund a \$500,000 redevelopment study for the CVTC.

The Business Alliance will draft the application to GO Virginia asking for the \$500,000 and will know in September if the county will be awarded this grant.

**XII. Citizen Comment**

There was no public comment.

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

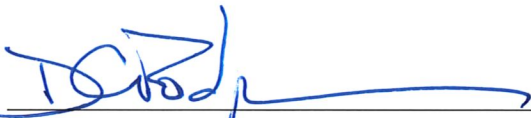
Supervisor Tucker had no matter to discuss.  
Supervisor Moore had no matter to discuss.  
Supervisor Pugh had no matter to discuss.  
Vice-Chair Campbell had no matter to discuss.  
Chairman Ayers had no matter to discuss.

**XVI. Adjournment**

By motion of Vice-Chair Campbell and with the following vote, the Board adjourned at 8:09 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

**AMHERST COUNTY**  
**SOLID WASTE TRANSFER STATION**  
**PROPOSED PPEA PROJECT TIMELINE**

Develop Scope & Advertise Project	45 days (June 1 – July 15, 2019)
Solicitation/Advertisement Period	45 days (July 15-Sept 1, 2019)
Interview/Proposal Evaluations	45 days (Sept 1- Oct 15, 2019)
Approval by County, Award of Project, Contracts	30 days (Oct 15 – Nov 15, 2019)
Design Development (35%)	60 days (Nov 15 – Jan 15, 2020)
Bid Plans & Specification Development	90 days (Jan 15- April 15, 2020)
Mobilize Contractor	45 days (April 15 – June 1, 2020)
Construction	270 – 365 Days

(Assuming no building committee)