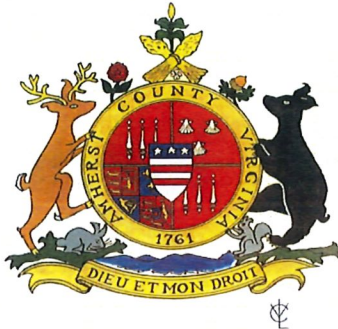


Board of Supervisors

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

December 3, 2019
Board of Supervisors
Administration Building - 153 Washington Street - Public Meeting Room
Amherst, Virginia 24521
Informal Luncheon – 12:00 p.m.
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 - November 5, 2019

VII. Old Business

- A. Second Amendment Sanctuary
- B. County Fair Funding
- C. Service Authority Board Appointment
- D. Amendment to Winton Farm Performance Agreement
- E. Creation of Regional Airport Authority

VII. New Business

- A. Road Naming -Will O' Wisp Lane
- B. Comcast Cable Franchise (First Read)
- C. James River Association Match Grant

VIII. County Administrator's Report

- A. County Administrator Change - Work Schedule
- B. Projects Status Report

IX. County Attorney's Report

X. Liaison and Committee Reports

- A. Lynchburg Regional Business Alliance, Exec Bd, November 21, 2019
- B. Central Virginia Planning District Commission, November 21, 2019

XI. Citizen Comment

XII. Matters from Members of the Board of Supervisors

XIII. 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 3rd day of December, 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
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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

OTHER STAFF PRESENT: Public Safety Director Sam Bryant

I. Call to Order

Chairman Ayers called the meeting to order at 1:01 p.m.

II. Approval of Agenda

By motion of Supervisor Tucker and with the following vote, the Board amended the Agenda for December 3, 2019 and moved VI. B. County Fair Funding to the December 17 Board of Supervisors meeting.

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

Ms. Suny Monk of Second Stage addressed the Board and provided information on “Giving Tuesday”. She explained that on December 3rd non-profits around the world encourage people and organizations to transform their communities by giving now and throughout the year.

Mr. Randy Hoilman of Amherst, Virginia, addressed the Board was pleased to see the support for the County Fair, however, he reminded the Board that “we need to live within our means”. He said the County cannot keep adding permanent jobs to the staff which will require more money and taxes.

Mr. Charles Mead of Madison Heights, Virginia, addressed the Board and suggested adding more businesses in the County and cutting the tax rates on homes.

V. Consent Agenda

A. Minutes - November 5, 2019

By motion of Vice-Chairman Campbell and with the following vote, the Board approved the minutes for November 5, 2019.

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

VII. Old Business

A. Second Amendment Sanctuary

Chairman Ayers advised the audience of the house rules and asked citizens to show respect to each other during the public comment session.

Ms. Gloria Witt of Madison Heights, Virginia, addressed the Board and stated for the record the NAACP was opposed to the Second Amendment Sanctuary Resolution. She believed that radical gun control is necessary with background checks. She suggested that the County remain silence on this issue, conduct a citizen opinion poll and/or place this on the ballot during an upcoming election to ensure having the full voice of the citizens of this County.

Mr. Bill Peters of Amherst, Virginia, addressed the Board and said he read the resolution carefully and pointed out his concern with the following section of the proposed resolution, “WHEREAS, the Board wishes to express its sentiments, together with the sentiments of the Amherst County community as a whole, with regard to this important matter, and its continuing intent to take lawful action to protect these important rights” He commented that the County should conduct a public opinion survey of its 31,000 residents and until that is conducted the Board is only “guessing” what County residents want. He stated he would veto this resolution.

Ms. Roberta Peters of Amherst, Virginia, addressed the Board and said it was necessary to have common sense background checks to prevent some individuals from getting certain types of weapons. She asked the Board to consider modifying this resolution.

Mr. Mike Eames of Monroe, Virginia, addressed the Board and said this resolution needs additional language to make it illegal to take weapons from law abiding citizens. He also proposed having an unorganized militia to help the Sheriff’s Department.

Mr. Don Wood of Madison Heights, Virginia, addressed the Board and stated he was a proponent of the Second Amendment Sanctuary resolution. He said he did not believe tighter gun control measures would solve the problem.

In addition, the following citizens came forward to address the Board as proponents of the proposed Second Amendment Sanctuary resolution: Edward Olavaris, Jim Thompson, Ms. Moss, Josh McKarsky, Matthew Steel, Jeff Wade, David Cash and Catherine Epperly.

In addition, the following citizen came forward to address the Board in opposition of the proposed Second Amendment Sanctuary resolution: Nancy Foster.

The Citizen Comment session was closed.

Chairman Ayers invited County Attorney Lockaby to provide an explanation to questions from the audience of what this resolution does.

Mr. Lockaby said it strongly sends a message to the General Assembly. He explained localities follow the laws of the state, and one of those laws is the Firearms Exemption Statue that states:

“No locality shall adopt or enforce any ordinance, resolution or motion, as permitted by [section] 15.2-1425, and no agent of such locality shall take any administrative action, governing the purchase, possession, transfer, ownership, carrying, storage or transporting of firearms, ammunition, or components or combination thereof”

County Attorney Lockaby said there are only one set of laws in the state and limitations of what localities can do in the boundaries of the law.

By motion of Supervisor Pugh and with the following vote, the Board adopted Resolution 2019-0018-R, as presented.

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

Chairman Ayers called for a five-minute recess at 2:06 p.m.

Chairman Ayers call the meeting to order at 2:11 p.m.

B. County Fair Funding

C. Service Authority Board Appointment

County Administrator Rodgers advised that six letters of interest have been received for ACSA Board citizen appointments. He asked for the Board’s direction to conduct the interviews in closed session at an evening Board meeting.

Supervisor Pugh suggested scheduling two separate interviews for upcoming Board meetings. He would like to extend the deadline to December 15 and schedule the interviews in January, and suggested having a closed session for the Board to decide how many applicants to interview.

Vice-Chair Campbell commented that newly elected Supervisor Tom Martin should be involved in the interview process.

Supervisor Moore agreed with conducting the interviews during the first two meetings in January.

Supervisor Tucker was in favor of keeping the original closing date of November 30. She said that the interviews should be conducted in public since those applicants will be interacting with the public.

Chairman Ayers agreed and stated it was the Board's consensus to decide who will be interviewed at the January 7, 2020 Board meeting.

D. Amendment to Winton Farm Performance Agreement

County Administrator Rodgers addressed the Board regarding the Performance Agreement. He advised that Winton Farm, LLC has requested the County make the conservation easement optional and amend the agreement by changing the wording from "shall" to "may" in order for Winton Farm, LLC to obtain the tax credits, pursuant to IRS rules.

Mr. Rodgers invited Mr. Dave McCormack of Winton Farm, LLC to address questions from the Board including the proposed fairgrounds at Winton, improvements to the Manor House and the conservation easement.

By motion of Supervisor Tucker and with the following vote, the Board approved the Amendment Number One to Purchase & Sale Agreement for Non-Residential Real Estate and that the County Administrator be authorized to sign it on behalf of the County, following final approval by the County Attorney as to form.

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

E. Creation of Regional Airport Authority

County Administrator Rodgers asked the Board for direction regarding participation in the creation of the Regional Airport Authority.

Supervisor Tucker said she would like to receive more information that could assist the County to determine whether participation had the most value and exposure.

Supervisor Pugh commented he did not see any benefit the County was getting from the airport, and that the Board should proceed with caution since we are not aware of the financial commitment.

Supervisor Moore supported the County's participation by having a voice at that table.

Chairman Ayers said it would best to rely on in-house legal counsel and then come back with a recommendation.

By motion of Supervisor Tucker and with the following vote, the Board directed staff to participate in the development of the Airport Authority's origination so as to protect County interests and flexibility, to the extent possible, before the County decides whether to join such an authority.

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

VII. New Business

A. Road Naming -Will O' Wisp Lane

Public Safety Director Samuel Bryant requested the Board's approval to naming a private road, "Will O" Wisp Trail", to the designated highways for County Fire and EMS response. He advised the property owner is requesting a 911 response location be established for her home.

By motion of Chairman Ayers and with the following road, the Board approved a proposed section of road be named "Will O' Wisp Trail" and that it be added to the County's system of roads.

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

B. Comcast Cable Franchise (First Read)

County Attorney Lockaby advised this is an agreement between the County and Comcast, which has been negotiated for approximately six to eight months. Mr. Lockaby said it is now ready for public hearing.

By motion of Supervisor Pugh and with the following vote, the Board directed the cable TV franchise ordinance be forwarded for public hearing at the Board's December 17, 2019 meeting.

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

C. James River Association Match Grant

Ms. Shawn Rawlson, Program Director for the James River Association, addressed the Board regarding a proposed secondary public access ramp at Riveredge Park. This ramp would be utilized by the public for non-motorized use.

Mr. Rob Campbell of the James River Association advised the proposed 50/50 grant total is \$65,000. JRA would pay for half of that amount and the other half of \$32,500 would be the cost to the County.

The Board discussed the funding source for this project, which would come out of the County's share of the Fines & Forfeitures fund committed to County parks.

Finance Director Stacey Wilkes believed there would be enough funds available after the trail bridge repairs have been completed, however, she did not have a final figure.

Supervisor Pugh requested that the Board table this matter until financial information is available for further discussion.

The Board tabled this matter for further discussion and asked the Finance Director to provide additional numbers.

VIII. County Administrator's Report

A. County Administrator Change - Work Schedule

County Administrator Rodgers requested the Board accept CAC-3 revising HR Regulation Section 5.15 WORK SCHEDULE to allow flexible work schedules. The change will become effective January 1, 2020.

By motion of Supervisor Moore and with the following vote, the Board accepted County Administrator Change 3, Work Schedule as presented.

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

B. Projects Status Report

Mr. Rodgers reported the Dodds Store Convenience Center is open and operating.

IX. County Attorney's Report

X. Liaison and Committee Reports

A. Lynchburg Regional Business Alliance, Exec Bd, November 21, 2019

B. Central Virginia Planning District Commission, November 21, 2019

For information only.

XI. Citizen Comment

XII. Matters from Members of the Board of Supervisors

Supervisor Tucker inquired why the Warrick Barn Convenience Center was closed for two days. County Administrator Rodgers advised this was due to a manpower problem.

Supervisor Moore had no matter to discuss.

Supervisor Pugh had no matter to discuss.

Vice-Chair Campbell had no matter to discuss.

Chairman Ayers advised that this past Saturday both compactors were full at the Coolwell Convenience with attendants moving people to the open type containers. He understood there was an issue concerning available services at the landfill on weekends, and asked the County Administrator to look into that.

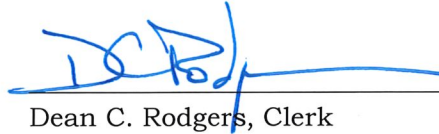
XIII. Adjournment

By motion of Supervisor Pugh and with the following vote, the Board adjourned at 3:20 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