



BOOK 37
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AMHERST COUNTY
BOARD OF SUPERVISORS

Board of Supervisors

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

MINUTES

June 16, 2020
Administration Building - 153 Washington Street -
Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 7:00 PM

County Administrator
Dean C. Rodgers

County Attorney
Michael W. S. Lockaby

I. Call to Order

At a Regular Meeting of the Amherst County Board of Supervisors held on June 16, 2020 at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS: Chair Claudia D. Tucker, Vice-Chair Jennifer R. Moore, Supervisor David W. Pugh, Jr., Supervisor Tom Martin and Supervisor L. J. Ayers III.

ABSENT: None

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

Chair Tucker called the meeting to order at 7:00 p.m.

II. Approval of Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the agenda.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

III. Invocation and Pledge of Allegiance

Chair Tucker led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

There was no public comment.

V. Public Hearing

A. Ambulance Billing Ordinance

County Administrator Rodgers presented the amendment to Section 11.5-76 of an ordinance to increase service fees for Emergency Services.

Mr. Rodgers explained the proposed fee would be increased to 150% of the amount that Medicare has authorized to pay. Also, additional changes to the ordinance addresses charges for treat-and-not transport services and medical supplies such as oxygen.

Chair Tucker opened the Public Hearing.

Proponents: None

Opponents: None

Chair Tucker closed the Public Hearing.

Supervisor Martin clarified this change would allow Emergency Services to recoup a fee if a patient is not transported.

By motion of Supervisor Martin and with the following vote, the Board adopted Ordinance Amendment 2020-0005.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

B. Parking in Fire Lane Ordinance

County Administrator Rodgers presented the amendment to Section 9-7 of an ordinance to increase the \$10 fee for parking in fire lanes to \$100.

Chair Tucker opened the Public Hearing.

Proponents:None

Opponents:None

Chair Tucker closed the Public Hearing.

There was no Board discussion.

By motion of Supervisor Ayers and with the following vote, the Board adopted Ordinance Amendment 2020-0006.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

C. Waste Receptacles Ordinance

County Administrator Rodgers presented an amendment to Section 9-7 of the Comprehensive Parking Ordinance that would require businesses to maintain a waste receptacle outside of their establishment to accept trash generated by their business.

Chair Tucker opened the Public Hearing.

Proponents:None

Opponents:None

Chair Tucker closed the Public Hearing.

Supervisor Martin asked who would be responsible for enforcing this ordinance.

County Attorney Lockaby advised the Sheriff's Office will be responsible to enforce a violation which would be treated as a misdemeanor.

Supervisor Ayers said the County should notify all food businesses of this requirement to place waste receptacles outside for trash generated by their business.

Chair Tucker asked Mr. Rodgers if the Chamber of Commerce had been notified.

Mr. Rodgers advised they were included in this and he will be sending out a press release and placing a notice on the County's website. He said he would contact the Commissioner of the Revenue for a list of businesses to notify of this ordinance change.

By motion of Supervisor Ayers and with the following vote, the Board adopted Ordinance Amendment 2020-0007.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

D. CARES Act 2020 - Appropriation of Revenue into FY20 Budget
County Administrator Rodgers explained the County received \$2.75M from the Federal government to use for coronavirus expenses and grants up through December 30, 2020. He said that \$190K will be distributed to the Town of Amherst to use in the same manner. He advised the Finance Director will track the funds and the manner in which those are used.

Supervisor Martin requested that the Board be provided information on what the money can or cannot be used for.

Supervisor Pugh asked that the Amherst County Service Authority be included and to see if some of this money could be used for infrastructure.

Chair Tucker opened the Public Hearing.

Proponents:None

Opponents:None

Chair Tucker closed the Public Hearing.

By motion of Supervisor Martin and with the following vote, the Board adopted Resolution 2020-0014-R as presented.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

E. Small Business Recovery Assistance COVID-19 Urgent Need Community Development Block Grant (CDBG)

EDA Director Victoria Hanson addressed the Board with regard to a grant through the Department of Housing and Community Development (DHCD) that will provide funding to small businesses affected by COVID-19. This funding will help small businesses follow new procedures for safe and clean re-opening practices for the safety of employees and customers, and will be in accordance with Governor Northam's guidance.

Ms. Hanson advised the EDA will administer the grant distribution and administration processes.

Chair Tucker opened the Public Hearing.

Proponents:None

Opponents:None

Chair Tucker closed the Public Hearing.

By motion of Supervisor Pugh and with the following vote, the Board adopted Resolution 2020-0015-R, approving the Small Business Recovery Assistance COVID-19 Urgent Need Community Development Block Grant (CDBG) application, and authorized the County Administrator to execute the attached documents.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

VI. Consent Agenda

By motion of Supervisor Ayers and with the following vote, the Board approved the Consent Agenda for June 16, 2020.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

A. Minutes - May 19, 2020 5PM and 7PM

It was moved that the Board approve the Minutes of May 19, 2020 (5PM and 7PM) meetings.

B. National Park Service Grant

It was moved that the Board adopt Resolution 2020-0013-R as presented.

C. Riveredge Park Trail

It was moved that the Board approve combining the funds in Fiscal Year 2020 Supplemental Budget for Riveredge Park Trail Design 3A, 3B, and 4 so they can be used for design and construction.

D. Appropriation of Revenue - Commonwealth Attorney

It was moved that the Board approve the appropriation as presented.

E. Appropriation of FY 2020 Grant Revenue

It was moved that the Board appropriate grant revenue as described.

F. Public Safety Transfer Request for Expense Reallocation

It was moved that the Board approve the transfers as described in the attached documentation.

G. CDBG Grant for Business Expansion

It was moved that the Board appropriate the CDBG Business Expansion grant funds to the EDA for administration pursuant to the attached agreement.

VII. Old Business

A. Central Virginia Planning District Commission Hazard Mitigation Plan Update

ACSA Director Robert Hopkins provided an update to the Board regarding the Hazard Mitigation Plan on behalf of the Central Virginia Planning District Commission. He advised that once the plan is approved, it will open the door for applications for federal hazard mitigation grants and disaster relief funds from FEMA. A second public meeting will be conducted by webinar on June 25. He asked that this information be placed on the website and social media.

VIII. New Business

A. CPMT Private Provider Representative

County Administrator Rodgers advised the Community Policy and Management Team (CPMT) is the group who oversees the CSA Coordinator's support to families in crises and the foster care program. State law requires that one seat on that team be filled with a private service provider. CPMT has recommended Amanda Moseley with Southstone Behavioral Health as the Private Provider Representative.

By motion of Vice-Chair Moore and with the following vote, the Board appointed Amanda Moseley of Southstone Behavioral Health as the Private Provider Representative to the Amherst Community Policy and Management Team.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY:None

ABSENT:None

ABSTAIN: None

IX. County Administrator's Report

A. Projects Status Report

County Administrator Rodgers provided the Board with the following updates to the Projects Status Report:

1) The Scottish Inn obtained a demolition permit on time and is moving forward with asbestos abatement.

2) A special meeting is scheduled in the Public Meeting Room on June 23, 2020 at 7:00 p.m. to conduct a public hearing to maintain the current real estate tax rate at .61 cents per \$100 and to adopt the County's FY21 Budget.

3) Beginning July 1, Public Works has changed its hours of operation:

Landfill - open Monday - Saturday - 8AM-4PM

Coolwell Convenience Center - 7 days per week 7PM-7PM

All other centers will be open 5 days per week 7AM-7PM and closed on Tuesdays and Thursdays

This change will be advertised making it convenient for all citizens as well as reducing the manpower budget by \$7,000-8,000.

4) At the July 7 meeting, business tax proposals will be presented along with a proposed ordinance change to allow non-county residents to tip at the landfill and convenience centers for a fee.

The Board discussed the matter of having a first meeting in July. Historically, the Board cancels this meeting due to the 4th of July holiday and vacations.

After a discussion between members, it was the Board's consensus to hold its first meeting in July on the 7th.

X. County Attorney's Report

A. ACSA Articles of Incorporation

County Attorney Lockaby addressed the Board with an update on advertisement of the ACSA's Articles of Incorporation for amendment. He informed the Board a public hearing will be held at the second meeting in August. The SCC will return its certification and everything completed by September 1.

Mr. Lockaby advised that bond counsel raised a question seeking clarification of the existing language in the Articles that provides the "Authority shall not borrow in excess of one percent (1%) of the assessed valuation of the real estate of the County subject to taxation without a public hearing". He said it was unclear of what this language meant and asked the Board for direction. He advised he could add the following language, "more than one percent (1%) in a single issue or if there will be an issue exceeding more than one percent (1%) cause the total indebtedness to exceed one percent (1%)".

Chair Tucker asked what would give the County the greatest flexibility.

Mr. Lockaby advised that bond counsel suggested that you could not have more than one percent (1%) in a single issue.

Supervisor Martin understood that you could not exceed that, however, a public hearing would need to be held first. He said to be financially prudent since the County is responsible for ACSA's debts, the County should limit it to \$25M without having a public hearing .

By motion of Supervisor Martin and with the following vote, the Board approved the one percent (1%) to be the aggregate of the County's taxable assessed value.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None

ABSTAIN: None

Mr. Lockaby said the Articles of Incorporation can be advertised for a public hearing at the 2nd August meeting. The advertisement will go out early July to meet the 30 day waiting period as required.

XI. Liaison and Committee Reports

A. Lynchburg Regional Business Alliance, Board of Directors, May 28, 2020
For information only.

XII. Departmental Report

A. General Fund Availability Report

The Board received a monthly report.

XIII. Citizen Comment

There was no public comment.

XIV. Matters from Members of the Board of Supervisors

Supervisor Ayers had no matter to discuss.

Supervisor Martin asked for an update when construction would begin on the Boxwood Farm convenience center and transfer station.

Mr. Rodgers reported that both items will go before the Planning Commission on June 24 for review.

Supervisor Pugh had no matter to discuss.

Vice-Chair Moore had no matter to discuss.

Chair Tucker had no matter to discuss.

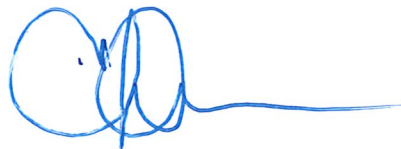
XV. Adjournment

By motion of Chair Tucker and with the following vote, the Board adjourned at 7:41 p.m.

AYE: Mrs. Tucker, Ms. Moore, Mr. Pugh, Mr. Martin and Mr. Ayers

NAY: None

ABSENT: None



Claudia D. Tucker, Chair
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk

