



**BOOK 38**  
**Pages 743-755**



**AMHERST COUNTY**  
**BOARD OF SUPERVISORS**

**Board of Supervisors**

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

**MINUTES**

**September 6, 2022**  
Administration Building - 153 Washington  
Street - Public Meeting Room  
Amherst, Virginia 24521  
Meeting Convened - 3:00 PM

**County Administrator**  
Dean C. Rodgers

**County Attorney**  
Mark Popovich

**I. Call to Order**

At a regular meeting of the Amherst County Board of Supervisors held on September 6, 2022 at 3:00 p.m., the following members were present:

**BOARD OF SUPERVISORS:**

David W. Pugh, Jr., Chairman  
Tom Martin, Vice-Chair  
Claudia D. Tucker, Supervisor

**ABSENT:**

L.J. Ayers III, Supervisor  
Drew Wade, Supervisor

**STAFF:**

Dean C. Rodgers, County Administrator  
David R. Proffitt, Deputy County Administrator  
Mike Lockaby, County Attorney  
Kristen Freeman, Clerk

Chairman Pugh called the meeting to order at 3:00 p.m.

AYE: Mr. Pugh, Mr. Martin, and Mrs. Tucker

NAY: NONE

ABSENT: Mr. Ayers and Mr. Wade

NOTE: All Board of Supervisors' meetings are now being streamed live on Facebook and on YouTube.

**II. Approval of Agenda**

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

V. Consent Agenda, Item B. DSS Reimbursement Revenue Appropriation and XIV. Closed Session, Item B. A closed session, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended, to evaluate the performance of the County Administrator were stricken from the Agenda.

AYE: Mr. Pugh, Mr. Martin, Mrs. Tucker  
NAY: None  
ABSENT: Mr. Ayers, Mr. Wade

### **III. Invocation and Pledge of Allegiance**

Supervisor Tucker led the Invocation and Pledge of Allegiance.

### **IV. Citizen Comment**

There was no public comment.

### **V. Consent Agenda**

By motion of Supervisor Tucker and with the following vote, the Board approved the Consent Agenda for September 6, 2022.

AYE: Mr. Pugh, Mr. Martin, Mrs. Tucker  
NAY: None  
ABSENT: Mr. Ayers and Mr. Wade

#### **A. DSS State Revenue Appropriation**

It was moved that the Board appropriate \$277,101 of additional state revenue into the DSS FY23 O&M budget as described.

#### **B. DSS Reimbursement Revenue Appropriation**

This item was stricken from the Agenda.

#### **C. Resolution 2022-14-R - SmartScale Funding**

It was moved that the Board adopt Resolution 2022-14-R, as presented.

#### **D. FY 2024 Budget Calendar**

It was moved that the Board adopt the FY 2024 Budget Calendar as presented.

#### **E. Minutes - July 19, 2022**

It was moved that the Board adopt the minutes of July 19, 2022.

#### **F. Minutes - August 2, 2022**

It was moved that the Board adopt the minutes of August 2, 2022.

#### **G. Minutes - Planning Workshop August 15, 2022**

It was moved that the Board adopt the minutes of August 15, 2022.

#### **H. Minutes - August 16, 2022**

It was moved that the Board adopt the minutes of August 16, 2022.

### **VI. Old Business**

#### **A. Public Safety Volunteerism**



County Administrator Rodgers addressed the Board and stated that at various past meetings there have been discussions about the need for increasing the number of personnel available as volunteer firefighters and as EMS career staff. One of the ideas was to make it possible for our career staff to volunteer with fire companies and for members of fire companies to volunteer as many of them carry the same certifications. The problem is the Federal Employment Law and the Fair Labor Standards Act. They make this challenging because it makes the county subject to payment of wages, so when a volunteer is working in a similar type of work for which they're being paid they can't really volunteer without also being paid. Mr. Rodgers said he asked the County Attorney to do some research and come up with some tools that would make it possible to allow people to volunteer in both areas. A form was created and presented to the board in their packet. Mr. Rodgers stated this form exists to limit our risk, it simply puts the employee on notice that they are volunteering and shouldn't expect to be paid. He said the County Attorney is prepared to address the risks that we still assume in this area. Mr. Rodgers told the Board the question for them is whether or not they want to assume those risks in order to increase the pool of people available to serve on EMS crews.

Mike Lockaby, County Attorney, then addressed the Board. He said the basic issue here is a person cannot volunteer to do the same job they are paid to do. A person who is non-exempt, which is to say that they are paid hourly, cannot volunteer to do the same job they are paid to do, they need to be paid time and a half for hours that they do the same job that are over and above. The question that comes up in this particular situation is whether or not volunteering with a volunteer fire company would be permissible for somebody who is working in a career part of the Fire EMS service on the EMS side, whether that puts us in any jeopardy, and it raises a question that does not have a clear answer under federal law at the moment. He said that right now it is pretty clear that if a person who is working as an EMT cannot volunteer for a rescue squad and it be ok. However, if they are working for EMS and getting paid and volunteering for the fire department, you have then created a definite separation between the two jobs which he believes to be defensible. He did say, however, that he does want the Board to be aware that there is some risk there that they must be willing to take to foster and encourage volunteerism and make sure we have people that really care be able to volunteer. This is putting in place clear parameters. There are further ways we can limit the risks such as limiting the number of volunteer hours that somebody can do.

Chairman Pugh stated this is something they have talked about as a Board for quite some time and he thinks this is great and a way to get some of these individuals that want to volunteer in our county to be able to do that for us. He said they have all the experience that you could want and they are willing to do this just to be a part of the county and give back. He said he received an email from an individual in one of the volunteer organizations and he agrees with what they said. He stated they were asking to make sure that no paid staff who also volunteer be allowed to hold the position of Captain or Chief Officer ranks because of the conflicts of interest that could take place. Mr. Pugh said if we haven't dealt with that then we should and moving forward he would like to see that go into effect.

Vice-Chair Martin stated he agrees fully with what Mr. Lockaby stated. He said he thinks the reward outweighs the risk and he is in agreement with limiting the holding the position of an officer in the volunteer department.

Supervisor Tucker directed a question to Vice-Chair Martin and asked if they are a paid EMTs but also running fire calls does that mean they are dually trained? Mr. Martin answered yes but their primary job duties are different.

By motion of Chairman Pugh and with the following vote the Board moved to allow County EMS staff to volunteer for the volunteer Fire companies operating in Amherst County and that no paid staff will be able to hold the positions of officers in the company.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade



## B. ANAC Feasibility Study

County Administrator Rodgers reported that Architectural Partners was hired by Nelson County to do a feasibility study of the proposed site for the Amherst/Nelson Agricultural Complex. It is a 300-acre site and there were several questions to be looked at. The Architectural Partners concluded that the site is suitable for what has been proposed for it and they did not answer all the questions. In particular, they can't tell us how much water is there but that there is water there. He asked the Board to decide whether to continue to proceed with this or stop moving forward. He said if they wanted to move forward, the next step would be to hold a joint meeting with the Nelson County Supervisors and determine whether they are interested in proceeding with the purchase of this property.

Supervisor Tucker stated she knew that Mr. Rodgers has had a lot of conversations with the Nelson County Administrator partly encouraging them to get the vendor to give them the answer they sought in the beginning and she asked Mr. Rodgers how those conversations were coming along. Mr. Rodgers said they failed. He said he insisted that they go back to the contractor, Architectural Partners, and tell them they got \$60,000 and the thing Amherst County wanted the most from their \$30,000 share was a draw-down study on the existing wells. Architectural Partners came back to the Nelson County Administrator and said they would do the test for an additional \$9,000. Mr. Rodgers stated he gave her some tips on how to hold the line on that and she did not and accepted the feasibility study as done and paid for.

Supervisor Tucker suggested meeting with the Nelson Board members.

Chairman Pugh stated he would like to put this off until the October 4th meeting when there is a full board present.

Supervisor Tucker agreed with that recommendation.

By motion of Chairman Pugh and with the following vote the Board moved to table this discussion until the October 4, 2022 meeting when there is a full Board present.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

## C. Strategies for Goals & Objectives

County Administrator Rodgers stated that at the August 15, 2022 Planning Workshop the Board produced the goals and objectives for the County. They took the original eight goals and reduced them to four and then added nineteen objectives to achieve. The staff has now developed strategies on how to achieve each of those objectives. Mr. Rodgers told the Board he is now looking for their approval, adoption, modifications, changes, anything they want to pull out. He stated nineteen objectives with at least two strategies each is a lot to try and accomplish in a year. He asked the Board for their guidance on what they actually wanted accomplished.

Chairman Pugh suggested the Board take a look at this and put this off another month or two to provide time to make suggestions and reduce the list as it is a substantial document.

Vice-Chair Martin said he has read the document and would like more information on the EMS Academy. He said the rumor mill was that there would be an EMS and Fire Academy and there have been no

conversations with the volunteer chiefs about that and that could severely affect how we train our volunteers if the resources are moved towards that if it is held during the day. He stated it would negatively affect our volunteerism so he would like to know more about that before proceeding doing a regional fire academy.

Supervisor Tucker said she appreciates the work put in by the County Administrator and Staff on this.

County Administrator Rodgers stated the staff will proceed forward with these strategies and if there are any that need funding the Board will see the request for those whether it be in the Supplemental, Capital or O&M budgets.

Chairman Pugh stated some of these items probably need to be removed and said they will look at that again in the future.

## **VII. New Business**

### **A. VDOT Discontinuance of Maintenance - 747 Rising Sun Circle**

Robert Brown addressed the Board and stated that the reason this has been brought to the Board is due to Rising Sun Missionary Church paving their parking lot that incorporated a part of the state-maintained road and rather than trying to bring that parking lot into VDOT's commercial entrance standards, what made the most sense was to discontinue maintenance of a short section of Rising Sun Rd that was within the secondary maintenance system. He said there was one property owner at the end of that road that had rights to enter his property that has been contacted and has no issues, that property owner sent a letter stating he had no issues with the discontinuance of maintenance. Mr. Brown stated this is a discontinuance, not an abandonment of the right of way. VDOT is just discontinuing maintenance of that small portion of the road that goes through the church parking lot and they retain the original 30-foot prescriptive easement, so if that property should be sold in the future they still have that legal ingress and egress to the property behind the church.

By motion of Vice-Chair Martin and with the following vote the Board adopted Resolution 2022-0011-R as presented.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

### **B. Permit Fee Increases**

Building Official, Nate Young, presented the Board with a proposed permit fee increase. He stated he has brought for the Board's discussion several changes to the current fee schedule. Most are reductions in fees and these were requested changes and this was researched with other localities.

By Motion of Chairman Pugh and with the following vote the Board approved the proposed fee changes as presented.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

### **C. SRO Grants**

Stacey McBride, Finance Director, addressed the Board. She said the Department of Criminal Justice has awarded an additional grant to the Amherst County Sheriff's Office for six more SROs for the years of 2023-2026. The first year is funded 100 percent by the grant and the latter years of the funding is reduced. She



stated the amount of the county percentage is not known yet. Mrs. McBride said this grant money only covers their salaries and benefits so in order to completely outfit all six officers \$78,000 per officer is needed for a total of \$468,000. She said that is one-time money and then their vehicles will be rolled into the operating budget.

Supervisor Tucker asked what the SROs would be doing the rest of the year when school is not in session.

Juette Renalds, Amherst County Sheriff's Office, stated there is only about 4 to 5 weeks that the SROs are not inside the schools for summer break as there is also summer school. The SROs will be attending different trainings during the few weeks they are not assigned to reporting to the schools. The state has said they will pay their salaries for the full calendar year. Mr. Renalds said there will be digital threat training and active shooter training during the summer for these officers.

Supervisor Tucker asked if the SROs work for the Sheriff's Office or the School Administration.

Mr. Renalds stated they work for the Sheriff's Office and they have a MOU between the Sheriff's Office and the school system.

Vice-Chair Martin asked if the \$78,000 per officer includes their vehicle.

Mr. Renalds replied that yes it does it includes everything to get them out the door and operational.

Supervisor Tucker asked what Sheriff Viar thinks about this plan.

Sheriff Viar said he thinks it is great to have SROs in all schools, but he wants to make sure that the Board will continue to fund them after the grant. He said he wants to offer them a job after the grant money runs out and that training alone will take almost a year with six months of that being spent going through the academy.

Supervisor Tucker asked if they could be used as regular deputies when school is out and Sheriff Viar responded, yes, they are regular deputies.

Vice-Chair Martin asked if the percentage for the next fiscal year was known at this time in terms of salary.

Mrs. McBride stated those figures are not known at this time but she did not anticipate the county portion to be more than 40 percent and the county would take on 100% funding after 4 years. She stated they would be starting out at the regular starting deputy salary for the County.

Mr. Renalds stated he is very proud of the relationship established with the new school superintendent. Some of the disciplinary problems will be identified on the front end instead of the back end. There are currently four SROs in the schools that float between the schools and this grant would allow each school to have an SRO consistently present.

Supervisor Tucker asked when the deadline is for this to respond.

Mrs. McBride said the deadline for the grant is October 18th and the deadline for ordering the cars is in one week due to supply chain issues.

Chairman Pugh said this will have a financial effect on the taxpayers in the county but you can't put a price tag on safety. It's a situation where you are better to be on the safe side than doing nothing.

By motion of Chairman Pugh and with the following vote the Board authorized the County Administrator to accept the DCJS SRO grant for FY 23-24, appropriate \$468,000 for the equipment needs of the officers from

the Unobligated General Fund Balance, and plan to provide for the local match required in FY 24-26.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

#### D. Bus Repair - Parks and Recreation

Randy Nixon, Recreation and Tourism Director, spoke to the Board and reported they have had some issues with their 2006 model recreation bus. It is an older model and sat for two years during COVID. Parks and Recreation is trying to get back into their senior trips and discovered the tires are dry rotted and there are six of them totaling around \$1200 to repair. The air conditioner also went out which will cost \$2,022 to repair. The floor also is weak due to water damage from leaks and will total \$8500 in repair costs. With those several items needing repair it will cost almost \$12,000 to fix the bus.

Chairman Pugh stated he was unsure how he felt about moving the FY24 funds to replace the bus to the FY23 funds.

Supervisor Tucker asked how many miles are on the bus.

Mr. Nixon stated 41,000 miles.

Supervisor Tucker asked Vice-Chair Martin if the Parks and Rec Board had weighed in on this.

Vice-Chair Martin stated yes and they have been asking for a bus for several years.

By motion of Vice-Chair Martin and with the following vote the Board appropriated funds to repair the 2006 recreation bus in the amount of \$11,722.00, and appropriated funds for the purchase of a replacement bus in the amount of \$108,750, drawing those funds from the unobligated General Fund balance.

AYE: Mr. Martin and Mrs. Tucker

NAY: Mr. Pugh

ABSENT: Mr. Ayers and Mr. Wade

#### E. Monelison Fire Engine Purchase

Jarred Scott, Interim Public Safety Director, spoke to the Board regarding a Fire Engine Purchase for Monelison Fire Department. They have looked into the replacement schedule and trying to get some quotes. He stated there is a substantial discount if the apparatus is ordered now. He stated they are trying to avoid inflation costs and the apparatus would take 20-24 months to receive. The discounts available are dependent on the amount that is put down. The current bid is \$942,240.22 if ordered by September 15, 2022. This is being brought to the Board before the regular CIP schedule due to the increase in cost.

Vice-Chair Martin asked how much is in CIP for next year for this engine.

Mrs. McBride stated a little less than \$800,000.

By motion of Vice-Chair Martin and with the following vote the Board appropriated \$914,758.43 from the unobligated general fund for the purchase of a Sutphen Heavy Duty Rescue Pumper as proposed, making a full prepayment within 30 days of signing a contract.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade



## **VIII. County Administrator's Report**

**County Administrator Rodgers gave an oral report on the following subjects:**

**Landfill** - Mr. Rodgers spoke regarding the transfer station, he said in a recent meeting the board was presented with the history of why and how we got here. He was directed to keep investigating whether it would be cheaper to open another landfill cell or ship the trash and to look closely at the cost of the new cell and hauling. He told the Board we are evaluating opening a new cell and engineers estimate that cost at \$2.7 million. Diesel fuel remains high. Today the process of uncovering the backside of cell number one and uncapping it to allow continued use of the airspace above it has begun. The cap was supposed to be 2 feet of clay and 2 feet of soil on top of that and it was discovered that there is 12 feet of cover. With the additional 8 feet of space, the length of life for that cell is extended by 2-4 years. Mr. Rodgers stated the county has enough land for two additional cells. All previous calculations were based on fuel at half the price it is now.

**Parks and Rec Plan** - At the Planning Workshop the Board indicated they would like staff to hire a consultant to do the Parks and Rec plan. Mr. Rodgers said staff will put the request for that funding in the supplemental budget that won't take effect until next July. Once the plan is done it will be presented to the public for more input. So, staff will continue to produce the plan and the Board will have the opportunity to hire a consultant if it believes further refinement is needed.

**Lynchburg Rd** - This is the road in front of the train depot. All the paperwork is in place and VDOT will start construction in May of 2023.

**Vehicle Maintenance** - The landfill has a vehicle maintenance barn, they have their own mechanic taking care of the hydraulic equipment. In January, Public Works will begin testing out minor maintenance and upkeep of the 35 county vehicles and seeing if it will have an impact on manpower and resources and if it makes sense to do that.

**CVTC** - The county was informed a few weeks ago that we should expect the Department of Behavioral Health and Developmental Services to declare that property excess as early as this week. That notification will be made to the Department of General Services and staff has been in touch with DGS. The ground survey of the property has been completed as well as their survey of outside agencies to see if there is any interest in that property and there is none. DGS is still waiting on a Brownfields determination from DEQ and one other determination from the Department of Historical Resources. They will then notify Amherst that the property is available to the county. Mr. Rodgers has informed DGS and the Alliance that our intention is to take that 180 days and use those days for marketing but we probably do not desire to take control of the property. It is more than we can handle to demolish, refurbish, market and find a use for 98 derelict buildings. The Alliance does have several developers that are interested already.

Supervisor Tucker asked where we were on the litigation of the asbestos, sewers and waterlines.

County Administrator Rodgers answered that it is assumed that the lines in the ground will be abandoned with the buildings. He said the Service Authority obtained funding from DBHDS in the amount of around \$250,000 and laid a waterline directly down to the trailer park so that they have a source of water.

**Public Safety Director Selection Panel** - Mr. Rodgers reported this selection panel will meet on September 9th to review applications that have been received. Once the applicants they are interested in have been identified, those applicants will be asked to fill out a complete county application. He said once those applications have been filled out and submitted the panel will then meet again and decide which ones they want to interview and that date has not yet been set.

**EMS Academy** - Mr. Rodgers stated that one issue we have been trying to solve is how to increase the



manpower that's available to us. He said every region is experiencing this shortage and that several County Administrators got together and decided to tackle the front end of it. They met with the Medical Director, CVCC, and Public Safety Directors of all the surrounding communities and they learned that CVCC has a lot of kids that take the course and only a small number want to be EMTs. Out of 30, this summer, 2 wanted to be EMTs. He said the issue really has become one of recruiting. Our own EMS staff has stated recruiting is the key. Sept 12th is the recruitment day for CVCC. Mr. Rodgers said each locality has their own FireFighter 1 class that they do at different times in different ways but what they are going to try to do is collaborate with CVCC on recruiting and providing a FF1 class managed by CVCC, immediately following the EMT class.

Vice-Chair Martin expressed concern over the Regional Fire Course. He said none of the volunteer side has been spoken to about this and they run their academy on nights and weekends and he is concerned this will effect that funding and put a strain on the selection of instructors that are available. He expressed concern over those who are going thru this academy to volunteer and have regular day jobs not being able to attend. He stated this would put the volunteer service out of business. He asked that before any steps are taken on a Regional Fire Academy discussion needs to be had with the volunteer fire chiefs.

Chairman Pugh said he agreed with Vice-Chair Martin that if anything happens with moving forward on this the volunteer fire chiefs should be included in discussion.

Supervisor Tucker asked how long the EMT course is.

Chairman Pugh answered 16 weeks.

#### A. Dual Enrollment Programs

County Administrator Rodgers stated this was a topic that came up at the August 15, 2022 Planning Workshop. Mr. Rodgers said one of the Board's goals is to pursue academic excellence, so the question was raised can the Board help fund more students going to CVCC. He stated the four basic programs available to students at our high school are CVCC Early College Program, Governors School/STEM Academy, Dual Enrollment College Credit, and CTE Academy. Each of those programs is already funded and built into the school division's budget for the most part except for the CVCC Early College Program in which costs are paid for by students and parents. Mr. Rodgers said if the Board wanted to devote funding toward assisting students at CVCC they could set a dollar amount, give that dollar amount to the Central Virginia Community College Foundation with the rule and parameters they would want to enforce for that money to be expanded for Amherst County students.

Mr. Rodgers said the problem with the Governors School/STEM Academy is that all schools participate in that. Therefore, each school has a limited number of slots and Amherst has six slots and we cannot get any more. The funding for those six slots is already worked into the school's budget.

Dual Enrollment College Credit is where students can earn credit for college courses while they are still in high school and the high school pays for those credit hours. He said the county could devote funding towards that but the school already has that built into its budget. There is enough funding for all students that want to participate in this program.

With the CTE Academy, all school divisions are participating. They have sufficient funding for all students who want to participate.

Vice-Chair Martin asked if it was known how Beacon of Hope is set up, Beacon of Hope offers any student in Lynchburg Schools two years free at CVCC.

Mr. Rodgers replied, yes, he submitted a proposal to the Board two years prior to Beacon of Hope starting on how we could do that in Amherst County. He stated for the most part it's done with donations. Mr. Rodgers

said that back then when he first proposed this that each student coming in would agree to sign up for all the FAFSA funding available and once they receive that funding it goes into the foundation. Giles County and Western Virginia Community College have similar programs. Mr. Rodgers said he can show the Board members a business plan to be able to do this in our county.

Vice-Chair Martin said he thinks this would be well worth revisiting.

Supervisor Tucker agreed and said she like the idea the first time she heard it.

**B. Boards/Commissions/Committees - Central Virginia Community College  
Board vacancy**

By motion of Chairman Pugh and with the following vote the Board appointed Stacey McBride as the County's representative to the Central Virginia Community College Board for a 4-yr term.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

**C. Boards/Commissions/Committees - Quarterly update (October 1 - December 31, 2022)**

For information only.

**IX. County Attorney's Report**

The County Attorney had no matter to discuss.

**X. Liaison and Committee Reports**

**A. Lynchburg Regional Business Alliance, Government Relations Committee,  
August 12, 2022**

For information only.

**B. Lynchburg Regional Business Alliance, Board of Directors, August 25, 2022**

For information only.

**C. Planning Commission - David Pugh**

Chairman Pugh stated there are some rezonings coming forth with the Morcom property regarding an assisted living facility and some apartments. He said there are also some short term tourist rentals coming to the Board and to be prepared for public hearings. He then commended Jeremy Bryant and his staff.

**XI. Departmental Reports**

**A. CPMT- Annual Report**

Jennifer Blodgett, Community Policy & Management Team Chair gave an annual report to the Board. She is the FY23 CPMT chair. She stated that CPMT is made up of several different agencies including a representative from DSS, Community Service Board, Juvenile Probation and the schools. She said their job is to help at-risk children in the community with the services they need to be successful. They are part state-funded and part locally funded. She said they have seen a significant increase, since COVID, in children with mental health issues.



Joni Tables, Child Services Coordinator, presented the Board with a handout (See Attachment 1). She said that the state reimburses our locality, depending on the service employed, to each child and each service has its own local match rate.

She said the biggest challenge is prevention. She said the need for mental health and special education services continues to increase and there is a real need to provide prevention services/funding to our families that currently do not qualify for CSA funds.

## **XII. Citizen Comment**

Mr. Sam Bryant stated that history repeats itself and he wanted to speak to them about their FLSA decision. He said the Department of Labor was in Public Safety and in Amherst County in 2012 and the law is crystal clear and the county is willfully violating the law which means the penalty of liquidated damages that are very expensive. Mr. Bryant said he is coming to the Board first as a constituent and active life member of the Amherst Life Saving and First Aid Crew and also a taxpayer. He said the county can get past this by just paying the people, if the volunteer fire companies need to help that much pay them the overtime to help them because that's how you get can get out of this. He asked the Board to take into consideration that if these young men and women want to volunteer their time off to be part of the fire departments pay them the overtime. He said there are open billets and there has been a lot of work put into trying to have an EMS Academy. Mr. Bryant said he wants to see Amherst County prosper and move forward and everyone work well together.

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

Supervisor Tucker had no matter to discuss.

Vice-Chair Martin wanted to thank the Amherst County Sheriff's Office, especially Amanda, for taking care of the horse issue out on Route 29. They were able to get all of those horses moved out to a horse rescue.

Chairman Pugh said he had a concern from a constituent out on Boxwood Farm Rd near the convenience center. The citizen stated she was almost hit by people going at a high rate of speed while she was pulling out of that exit. Chairman Pugh said he was unsure if a sign could be put up or if it can be taken a look at to make sure everything that can be done is being done to make that area safe.

## **XIV. Closed Session**

- A. A closed session, pursuant to Sec. 2.2-3711(A)(6) a discussion or consideration of the investment of public funds where bargaining is involved, which, if made public, would adversely affect the financial interest of the County.

Chairman Pugh moved that the Amherst County Board of Supervisors convene in closed session pursuant to Section 2.2-3711 (A)(6), a discussion or consideration of the investment of public funds where bargaining is involved, which, if made public, would adversely affect the financial interest of the County.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker

NAY: None

ABSENT: Mr. Ayers and Mr. Wade

- B. A closed session, pursuant to Section 2.2-3711(A)(1) of the Code of Virginia, 1950, as amended, to evaluate the performance of the County Administrator.

This item was stricken from the Agenda.

**XV. Certification of Closed Session**

Chairman Pugh motioned 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. Pugh: AYE  
Mr. Martin: AYE  
Mr. Ayers: ABSENT  
Mrs. Tucker: AYE  
Mr. Wade: ABSENT

By motion of Chairman Pugh and with the following vote the Board commits \$30,000 to the County Fair Committee to obligate to entertainment at the 2023 County Fair.

AYE: Mr. Pugh, Mr. Martin and Mrs. Tucker  
NAY: None  
ABSENT: Mr. Ayers and Mr. Wade

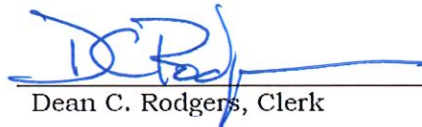
**XVI. Adjournment**

By motion of Chairman Pugh and with the following vote, the Board adjourned at 4:58 pm.

AYE: Mr. Pugh, Mr. Martin, Mrs. Tucker  
NAY: None  
ABSENT: Mr. Ayers and Mr. Wade



David W. Pugh, Jr., Chair  
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk