



**BOOK 38**  
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**AMHERST COUNTY**  
**BOARD OF SUPERVISORS**

**Board of Supervisors**

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

**MINUTES**

**June 6, 2023**

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

**County Administrator**

Jeremy Bryant

**County Attorney**

Mark Popovich

**I. Call to Order**

At a regular meeting of the Amherst County Board of Supervisors held on June 6, 2023 at 3:00 p.m., the following members were present:

**BOARD OF SUPERVISORS:**

Tom Martin, Chairman  
L. J. Ayers III, Vice-Chair  
David W. Pugh, Jr., Supervisor

**ABSENT:**

Claudia D. Tucker, Supervisor  
Drew Wade, Supervisor

**STAFF:**

Jeremy S. Bryant, County Administrator  
David R. Proffitt, Deputy County Administrator  
Mark Popovich, County Attorney  
Kristen Freeman, Clerk

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

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

**II. Approval of Agenda**

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

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker, Mr. Wade

**III. Invocation and Pledge of Allegiance**

Chairman Martin led the Invocation and Vice-Chair Ayers led the Pledge of Allegiance.

**IV. Citizen Comment**

Chris McCloud addressed the Board and spoke in opposition to any removal or alteration of the monument plaque on the Courthouse grounds.

Carter Gill addressed the Board regarding his opposition to any change to the monument plaque.

Samuel Bryant addressed the Board regarding the monument at the courthouse. He stated his personal belief is the monument and plaque are not hurting anyone.

Linda Orasi read a message to the Board on behalf of Phillip Hamilton, owner of Hamilton Historical Records and GOP candidate for Senate, expressing his opposition to any change or removal of the monument and plaque.

Eric Orasi addressed the Board, stating his opposition to any change or removal of the monument and plaque. Mr. Orasi stated history is what makes us, and we have to understand where we came from to understand where we are going.

Isaac Owen addressed the Board, stating he has supported Amherst for many years and used to work here. He also stated he has ancestors from Amherst County. Mr. Owen expressed his opposition to any removal or changes to the monument and plaque and stated the words "noble cause" on the plaque refer to independence, not slavery.

Fred Loving addressed the Board regarding the monument and plaque. He stated he is the former Vice-Chair of the Amherst County Civil War Sesquicentennial Committee appointed by the Board of Supervisors, serving from 2008-2015. He stated a previous Board of Supervisors made a change to the county seal removing the battle flag with no input from citizens and he felt that was sneaky. Mr. Loving stated he urges this current Board to seek out public input and input from historic organizations in making any decisions regarding the monument and plaque.

Sam Patel addressed the Board thanking them for their consideration of the code changes to the Mixed Use Traditional Neighborhood Development Ordinance.

Sandy Esposito, a local historian, addressed the Board. She stated history is complicated and it can not be fully understood with our current conditions. She stated this particular conflict with this monument and plaque is about concerns of defending slavery and that is not what this plaque is about. She said we as people need visual reminders of things that happened whether they be bad or good and she asked the Board to consider keeping the monument there and possibly provide some interpretation of why this monument is there and what it means.

Brandon Dorsey addressed the Board on behalf of his Amherst County ancestors. He stated he was also here to speak on behalf of Daniel Winston, a black Confederate soldier that he believes is honored by the monument at the Amherst County Courthouse. He also spoke on his opposition to any change or removal of the monument and plaque.

Delbert Beasley addressed the Board regarding the Transfer Station and stated his company is Wasteco. He stated he is interested in approaching the county about an alternative on trash disposal that will save money.

## **V. Ordinance - First Read**

### **A. Ordinance 2023-4, Mixed Use - Traditional Neighborhood Development**

The Planning Commission held a workshop on February 2, 2023, to discuss code changes to section 711 of the Amherst County Zoning and Subdivision ordinance. The changes that were discussed at the workshop, as well as changes made during the Planning Commission public hearing, are reflected in the attached



ordinance. These changes include but are not limited to density, setbacks, and design requirements, i.e. lighting, sidewalks, etc.

The Planning Commission recommended unanimous approval of the changes on May 18, 2023.

Chairman Martin asked staff to go back and look at the following items.

1. The individual building floor plans.
2. Changing the no max setbacks for single-family attached and multi-family dwellings.

By motion of Supervisor Pugh and with the following vote, the Board directed staff to advertise Ordinance 2023-4 with the noted changes for a public hearing at its June 20th meeting date.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

## **VI. Consent Agenda**

By motion of Vice-Chair Ayers and with the following vote, the Board approved the Consent Agenda for June 6, 2023.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

### **A. Minutes - May 16, 2023**

It was moved that the Board adopt the minutes from May 16, 2023.

### **B. Appropriation of Revenue - Social Services**

It was moved that the Board appropriated funds received into the Social Services budget as described.

### **C. Commemorative Resolution 2023-2-CR**

It was moved that the Board adopted Commemorative Resolution 2023-2-CR as presented.

### **D. Appropriation of Revenue - Amherst County Public Schools**

It was moved that the Board appropriated \$ 303,900.61 of additional funds to the 2022-2023 School Operational Budget.

## **VII. Special Presentation**

### **A. Second Stage-Annual Report**

Sunny Monk and Jessy Shipe addressed the Board with an annual report on Second Stage Amherst.

## **VIII. Old Business**

### **A. Transfer Station Options**

Brian Thacker, Director of Public Works, addressed the Board, presenting them with Transfer Station options. (SEE ATTACHMENTS 1 & 2)

The Board directed Mr. Thacker to compare residential trash pick-up costs in other localities. Additionally,

Vice-Chair Ayers asked staff to meet with Delbert Beasley to learn about his proposal on trash.

By motion of Chairman Martin and with the following vote, the Board voted to table this discussion until their next meeting.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

**B. Bolton 457(b) Plan Analysis Report**

For the Boards Information.

**C. Continuation of Bolton Consulting Services**

By motion of Supervisor Pugh and with the following vote, the Board directed staff to execute the new contract with Nationwide Retirement Solutions negotiated by Bolton Consultants and authorized staff to use \$13,500 in surplus HR funds to contract with Bolton Consultants to provide continued evaluation and oversight of the County's 457(b) plan through June 30, 2024.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

**IX. New Business**

**A. Potential Code Change: Postponement of Public Hearings**

By motion of Chairman Martin and with the following vote, the Board directed staff to prepare an ordinance that will be sent to the Planning Commission for a public hearing.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

**X. County Administrator's Report**

**A. Project Status Report**

For the Boards Information.

**B. Revisions to the HR Regulation**

By motion of Chairman Martin and with the following vote, the Board accepted the revisions to the HR Regulation recommended by the County Administrator which will become effective July 1, 2023.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

**C. Change to Meeting Schedule - July 4, 2023**

By motion of Supervisor Pugh and with the following vote, the Board canceled the July 4, 2023 meeting.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

## **XI. County Attorney's Report**

### **A. Legal Services**

By motion of Supervisor Pugh and with the following vote, the Board authorized the County Administrator to execute the retention letters for legal services with the firm of Gynn Waddell, PC and Spilman, Thomas & Battle.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

NAY: None

ABSENT: Mrs. Tucker and Mr. Wade

## **XII. Liaison and Committee Reports**

### **A. Planning Commission - David Pugh**

Supervisor Pugh reported that there have been a few special exceptions that have come forth to the Planning Commission that will now be coming forth to the Board of Supervisors. He stated there was also a revoking on a special exception permit that has been brought to the Planning Commission and will also be brought forward to the Board of Supervisors. He said Planning Commission will also be holding a workshop in the future regarding large-scale solar projects.

## **XIII. Citizen Comment**

There was no public comment.

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

Chair Martin stated that the Amherst Lancers Baseball team will be playing in the quarter-finals for the state championship. He encouraged the citizens to come out and support them. He also stated that on June 25th the Sheriff's Office, Monelison Fire Department, Amherst Fire Department, and possibly Public Safety will be having a softball tournament to raise funds for school supplies and invited people to come out and support that. Mr. Martin also thanked staff for their quick response to some maintenance issues with a torn flag and broken handrail and for fixing them so quickly.

Vice-Chair Ayers had no matter to discuss.

Supervisor Pugh had no matter to discuss.

## **XV. Adjournment**

By motion of Vice-Chair Ayers and with the following vote, the Board adjourned at 4:30 pm.

AYE: Mr. Martin, Mr. Ayers, and Mr. Pugh

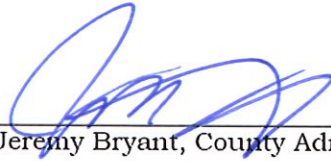
NAY: None

ABSENT: Mrs. Tucker and Mr. Wade



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Tom Martin, Chair  
Amherst County Board of Supervisors



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Jeremy Bryant, County Administrator





PUBLIC WORKS

# TRANSFER STATION OPTIONS

June 6, 2023

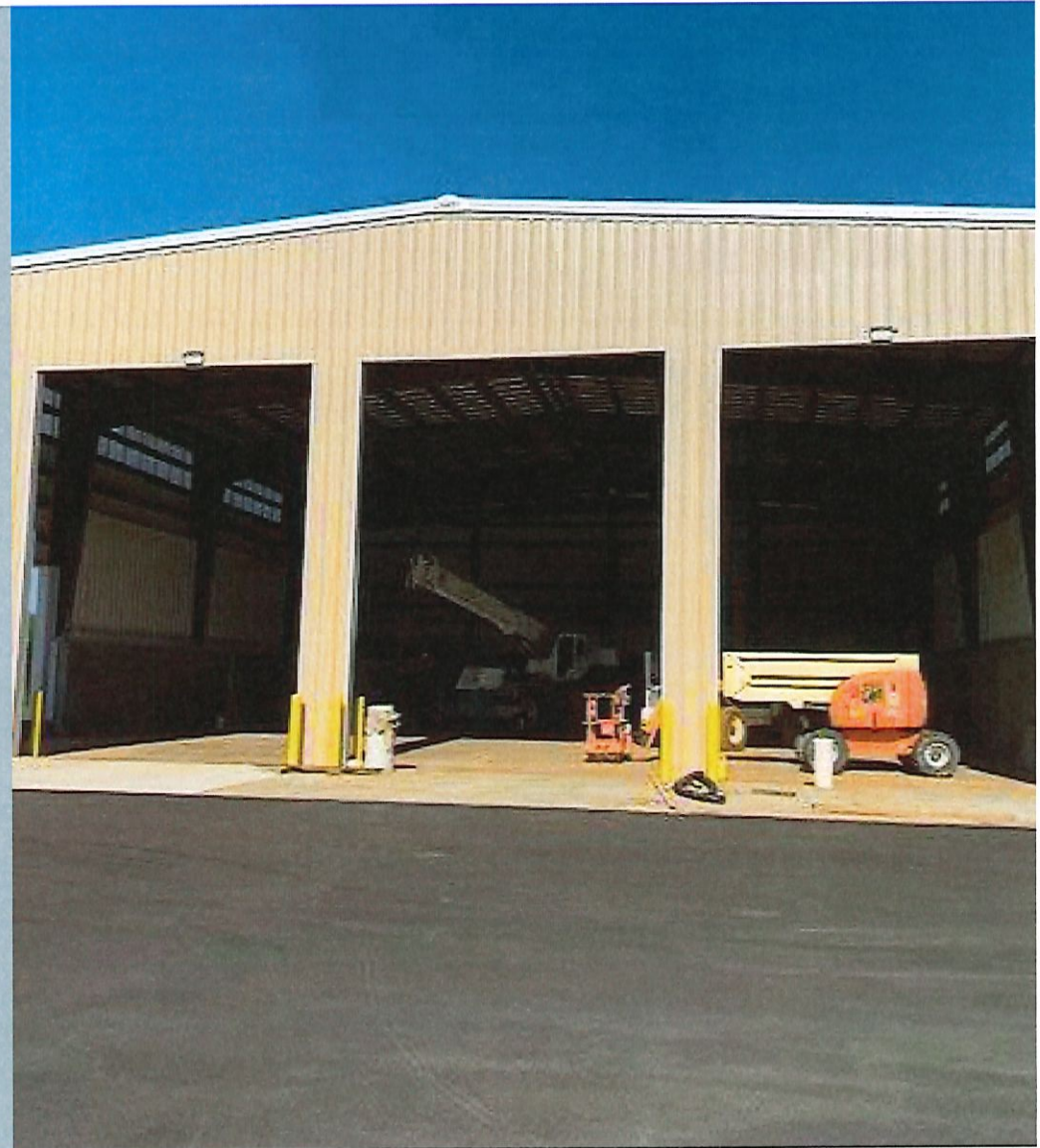




PUBLIC WORKS

## THREE OPTIONS TO CONSIDER

- 1) Continue to Operate as Transfer Station
- 2) Convert into Modified Convenience Center
- 3) Close Transfer Station entirely







PUBLIC WORKS

## SCENARIO 1: CONTINUE TO OPERATE AS TRANSFER STATION

### Pros

- Investment of \$2,600,000 being fully utilized
- Citizens pleased: Ease of use, paved ingress & egress
- Two full-time dedicated staff, allows for interchangeability between landfill and other Public Works operations, including outside projects and keeps County in compliance with DEQ permit

### Cons

- Slightly more costly to operate than proposed convenience center
- Not truly using as a dedicated transfer station
- Building, adjoining roads sit atop permitted future Cell 3 of landfill



PUBLIC WORKS

## WAYS TO FUND PERSONNEL NEEDED UNDER TRANSFER STATION MODEL: RATE ADJUSTMENT

<u>Locality</u>	<u>Standard Rate</u>	<u>Discount?</u>	<u>Tonnage/month*</u>	<u>Residential Hauling Rate (Tipping)</u>	<u>Notes</u>
<b>Amherst</b>	<b>\$53.00</b>	<b>Yes</b>	<b>2,000 lbs.</b>	<b>0.00</b>	<b>\$44/ton for commercial haulers</b>
Region 2000	\$40.25	No	500 lbs.	\$40.25	Must be a member of Authority to use
Nelson	\$55.00	No	N/A	\$55.00	
Bedford City	\$60.00	No	500 lbs.	\$60.00	
Bedford Co.	\$59.00	No	1,000 lbs.	\$59.00	
Blue Ridge**	\$66.50	Yes	N/A	\$66.50	\$59.50/ton for Rockbridge, Lexington City
Appomattox	-	No	N/A	-	Does not accept commercial waste
<u>Average</u>	<u>\$55.63</u>				

\* Tonnage per month indicates amount of free waste residents can bring in on a monthly basis

\*\* Blue Ridge Resource Authority has multiple rates: \$59.50 for Rockbridge and Lexington, \$66.50 for members, \$74.38 for Buena Vista, & \$76.88 for non jurisdictional commercial haulers

- Amherst County has some of lowest rates in Central Virginia
- Landfill rates have not adjusted since the year 2000
- Board can adjust rates as desired, no specific change needed to County code
- Rate changes can take effect after 60 days





PUBLIC WORKS

## OPTIONS TO FUND PERSONNEL

Funding Option	Revenue	Notes
<u>Remove free comm./res. tipping</u> 6,839 tons received in 2022	\$ 379,565	No other localities in Central Virginia include free disposal for commercial haulers <i>Figure provided is at \$55.50 per ton for commercial discount</i>
<u>Eliminate commercial discount</u> Increase from \$44 to \$55.50/ton	\$ 149,500	Most other localities do not include a commercial discount
<u>Raise commercial tipping rate</u> From \$44 to \$50/ton	\$ 78,000	Combined with \$66,000 of recurring FY 2024 funds would cover cost needed for personnel
<u>Increase standard rate</u> From \$53 to \$55.50 average	\$ 32,500	Brings Amherst's tipping fee rates consistent within region <i>No increase since the year 2000</i>



PUBLIC WORKS

## SCENARIO 2: CONVERT INTO MODIFIED CONVENIENCE CENTER

### Pros

- Slightly less expensive than operating permitted Transfer Station
- Citizens can continue to utilize, albeit with different layout
- Passenger cars & trucks still avoid dangerous landfill face, surrounding areas

### Cons

- Must forgo DEQ permit, unsure of costs, conditions to reestablish at a later date
- Lose interchangeability of full time staffing options
- Requires retrofitting new building to accommodate citizen-only traffic flow
- Would still require one full-time landfill employee to spend at least half of day at site
- No commercial traffic allowed





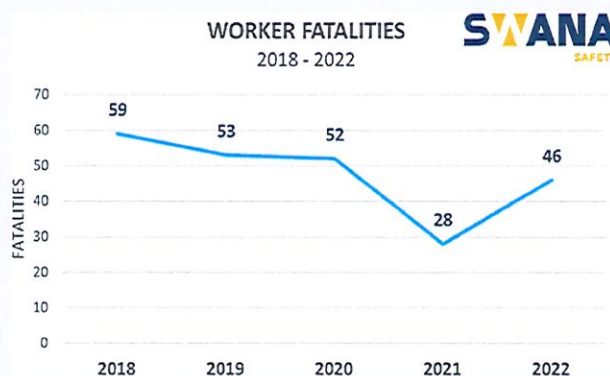


PUBLIC WORKS

## SCENARIO 3: CLOSE TRANSFER STATION FACILITY ENTIRELY

### Pros

- Least expensive of all options
- Allows for potential return of site to Cell 3 landfilling space at a later date
- Most operationally efficient of all options



### Cons

- Highly dangerous to send all traffic to landfill face, or:
- Would have to revert to using roll-off containers for citizen dump site
  - Extremely inefficient to return to utilizing 20-yard dumpsters (next slide)
- Wastes \$2,600,000 County investment



PUBLIC WORKS

## SCENARIO 3 COROLLARY: 20-YARD CONTAINERS VERSUS 53' TRAILER

### 20-yard containers

- What was used previously for citizens
- Better than using landfill face directly, but extremely inefficient and dirty



### 53' Transfer Station trailer

- Efficient means to transport waste to landfill
- Already setup for utilization



***Equals***



## Attachment 2

Transfer Station 3 Scenarios			
	Transfer Station	Convenience Center	"Moth Ball"
Operator's Salaries/Pay	\$110,000	\$50,000	
		*Any waste hauling would be completed by LF Operator	*Any waste hauling would be completed by LF Operator
Equipment Maintenance	\$19,000	\$10,000	
Building/Site Maintenance	\$5,000	\$5,000	\$25,000
Utilities	\$10,000	\$5,000	
Annual Cost	\$140,000	\$70,000	\$25,000
Transfer Station Closure	\$0	\$57,000	\$57,000
Future	Keeping the Transfer Station operational allows seamless transition from LF to TS at any point	Update the facilities & Equipment and re-permit the TS upon conclusion of Cell 2 life expectancy	Re-build or re-establish the building on-site, repermit the TS; Tear down building, remove asphalt, relocate power, waste, waterline and hydrant, and shop to prepare for Cell 3