

**Buckingham County
Board of Supervisors
Planning Commission
Work Session
May 17, 2010**

At a work session of the Buckingham County Board of Supervisors and Planning Commission held on Monday, May 17, 2010 at 7:00 p.m. in the Buckingham County Agricultural Center Auditorium, the following members were present: Board of Supervisors: I. Monroe Snoddy, Chairman; Joe N. Chambers, Jr., Vice-Chairman; John D. Kitchen, Jr.; and Danny R. Allen. Also present were Rebecca S. Carter, County Administrator; Karl R. Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney. Those absent were E.A. "Bill" Talbert; F.D. "Danny" LeSueur; and Dr. Brian D. Bates.

For the Planning Commission, those present were John E. Bickford, Chairman; Cassandra Stish, Vice-Chairman; R. Patrick Bowe; Henry Hagenau; Alice Gormus; and Danny R. Allen. Also present was Rebecca S. Cobb, Zoning Administrator. Those absent were James D. Crews, Sr. and Royce Charlton III.

Re: Quorum Present

Board of Supervisors Chairman Snoddy certified there was a quorum-four members present and that the meeting could continue.

Planning Commission Chairman Bickford certified there was a quorum-six members present and that the meeting could continue.

Re: Call to Order, Invocation, and Pledge of Allegiance

Chairman Snoddy called the Board of Supervisors meeting to order.

PC Chairman Bickford called the Planning Commission meeting to order.

Commissioner Gormus gave the invocation and the Pledge of Allegiance was said by all who were in attendance.

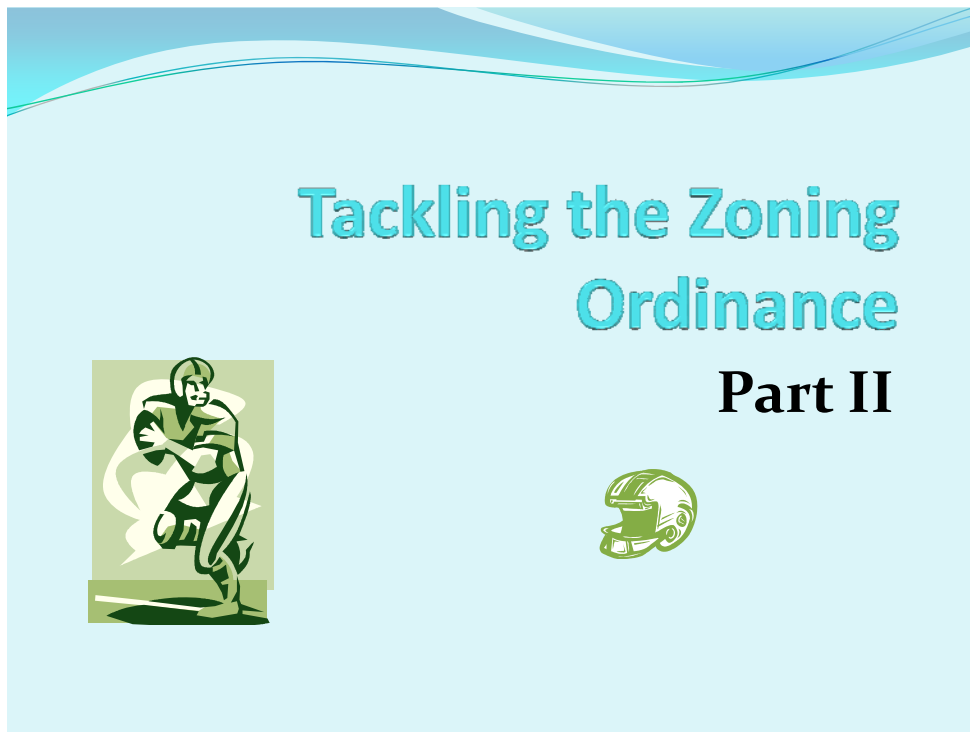
Re: Approval of Agenda

Supervisor Allen moved, Supervisor Kitchen seconded and was unanimously carried by the Board to approve the agenda as presented.

Commissioner Hagenau moved, Commissioner Stish seconded and was unanimously carried by the Commission to approve the agenda as presented.

Re: Rebecca Cobb, Zoning Administrator: Changes to the Zoning Ordinance

Mrs. Cobb showed a slide presentation on the proposed changes to the Zoning Ordinance for the next section.



Types of Changes

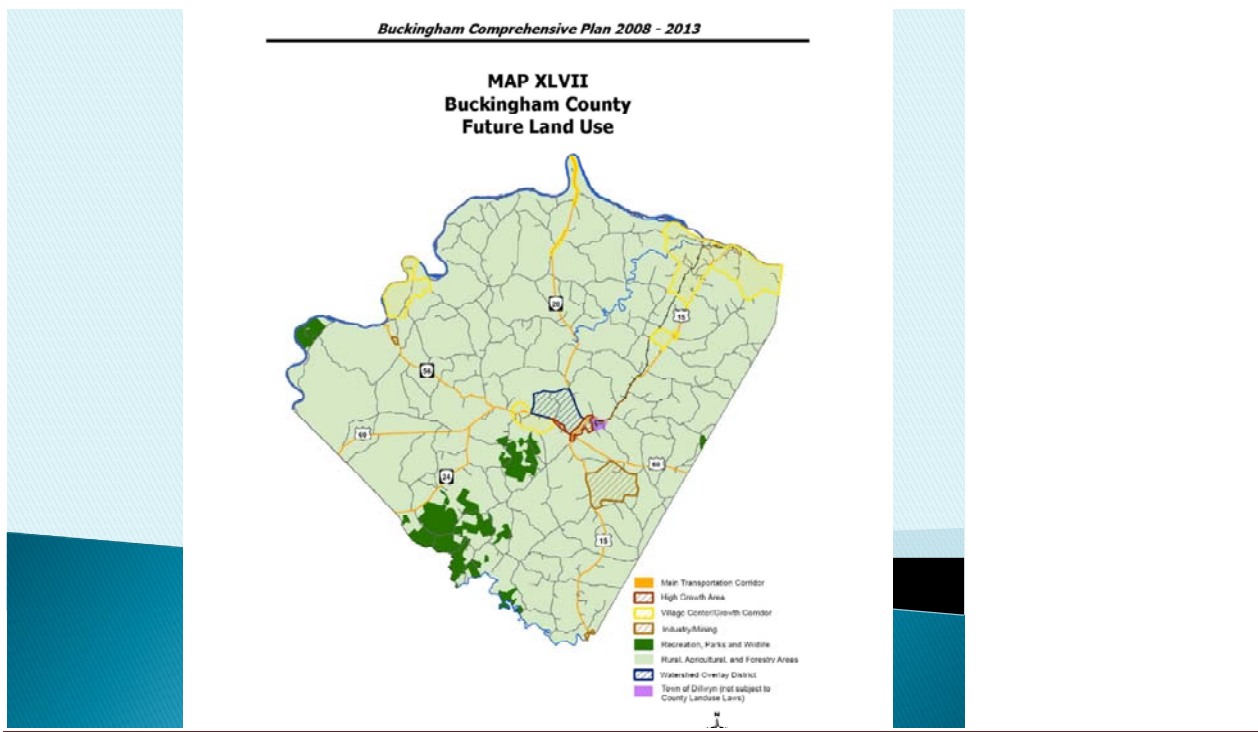
- Clean it up
- Make it more concise
- Address frequent problems
- Mesh with the goals, strategies, and overall Plan

Mrs. Cobb: Ok. This is "Tackling the Zoning Ordinance, Part II." This is the second phase of changing and again the types of changes we are doing is cleaning it up, making it more concise, addressing frequent problems, and the main thing why we got started with this is to mesh it with the goals, strategies within the Comprehensive Plan.

Tonight

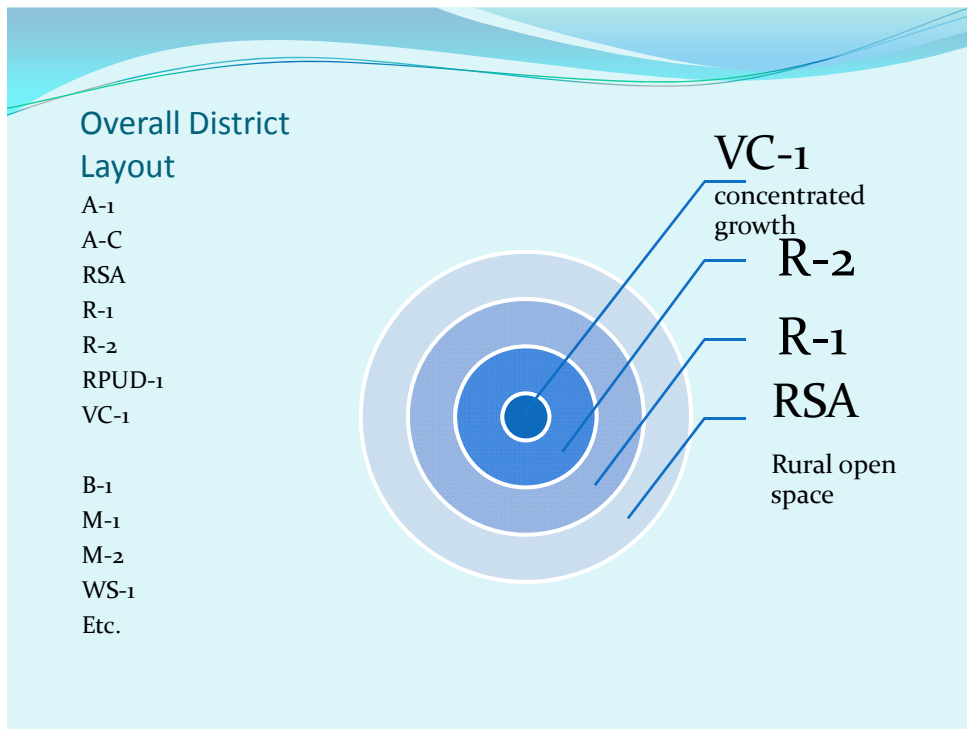
- Review the Future Land Use Map
- Walk through the RSA, R-1, and R-2 districts
- Discuss and get feedback

Tonight we are going to review the future land use map which is within our Comprehensive Plan. We are going to walk through the RSA, R-1 and R-2 districts, and then have a little platform discussion to see if we are all in agreement.



So the first thing is the land use plan which is in the Comprehensive Plan. You will see on this map the yellow patch areas are noted as Village Corridors or Village Centers and growth corridors. There's an area just out of Dillwyn going to 60, which is considered a high growth area. So we need to keep these things in mind while we are looking at the districts tonight. And we will refer back to this map several times.

You saw in our first meeting together, this is the districts layout. You've got an A-1, A-C which we have already been through and made changes to. RSA which we've made some changes to and then R-1 and R-2 we will be discussing more tonight. The Residential PUD is not quite ready, we've done a lot of work on it but feel like we need more discussions about that and then we will talk tonight about Village Center. So you remember that the concept that we are looking at from the Comprehensive Plan is that there are growth areas within the County and so the center of that would be Village Center and then out from that would be what we are creating in the R-2. That would be a new district. Then further out from that is R-1 and then RSA. The purpose of this to help preserve our more rural areas, the areas we want to stay agricultural. We can kind of maintain these in cluster groups so we can preserve our farm land.



So when we start on that circle, the middle of the bulls eye, Village Center, and work our way out. Village Center, the changes that we are seeing, keep in mind this is not a complete list, I have provided you with portions of the ordinance for you to look at tonight and then later on. But I'll just go through a couple of the items right now.

Village Center District (VC-1)

Permitted Uses

- Added clarifying language to storage of manure, garages, and Multi-family housing.
- Specific requirements about signs
- The individually listed businesses were deleted and replaced with broad qualifying and quantifying language.

Special Uses

- Deleted the Light Industrial uses

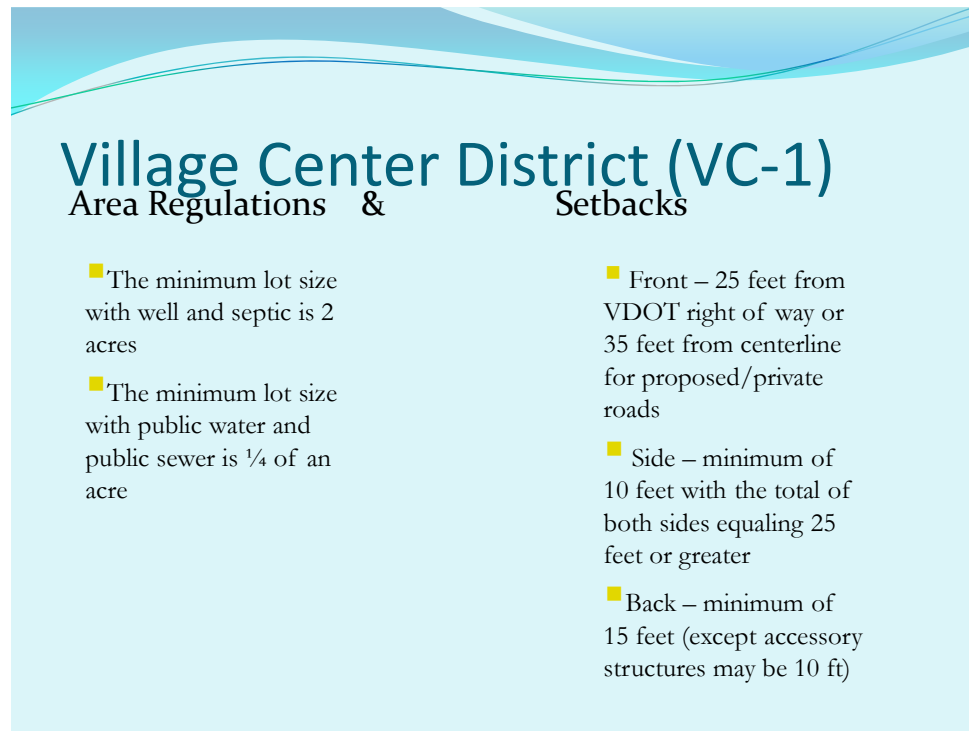
The permitted uses, we are adding clarifying language to the storage of manure. What is says right now is that they can't have smells and odors and that type of thing outside, but we wanted to make sure that people understood that while you can't do that, they could have a household compost type of thing, so. We also changed the language for garages to make that more, for private use garages. For multi-family housing, we explained that that means apartments, townhouses, duplexes, triplexes, all that.

The signs, that are permitted, we have gotten more specific with that, limiting the size, the height and the location of signs throughout the districts, if you will remember.

The individually listed businesses have been deleted because that list is just getting longer and longer. Every time somebody wants to come forward with a new business, we have to change the ordinance and add language. So what we've done is taken out listing each individual business, and we've come up with a list of criteria. You will notice in your packet, there are things like number of trips per day, that they not have big delivery trucks and that their hours be from 7:00 a.m. to 7:00 p.m. So if they can follow these things, they would be considered a permitted use. If not, if they are above those, then they could be a special use. This will be the same for if something was established as a permitted use and they are growing, then they would have to come forward for that special use permit and be approved to do that. I have been in conversation with E.M. Wright about this just to make sure, because it is a little bit different, to make sure that we are legally okay. We may be switching some of the language because it does just say businesses and there could be argument later about, well this is a business, those could

be an argument and we could be getting into more things than what we would really want in a residential mixed area. But we will have some fine language on that soon.

The special uses, we deleted the light industrial uses. If you look at the ordinance, the light industrial uses is quite a long, big list and we didn't feel comfortable adding some of those right now to the residential houses and that type of thing. So we've completely taken that out. But I would say that we would be open to see how that list changes as we get to the light industrial section of the ordinance.



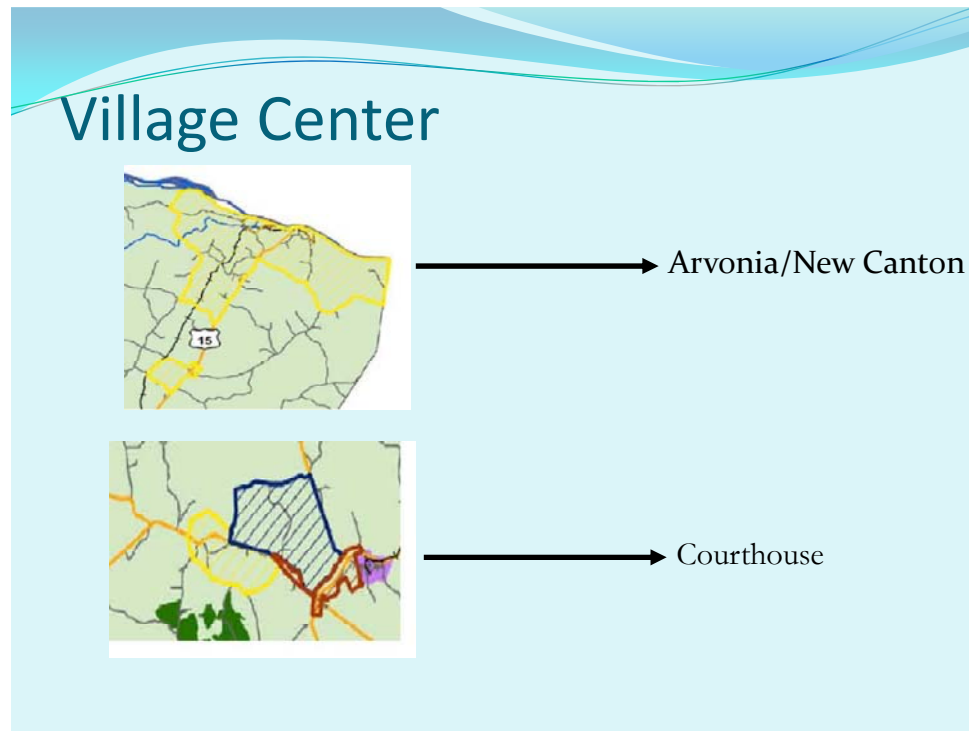
Village Center District (VC-1) Area Regulations & Setbacks

- The minimum lot size with well and septic is 2 acres
- The minimum lot size with public water and public sewer is ¼ of an acre
- Front – 25 feet from VDOT right of way or 35 feet from centerline for proposed/private roads
- Side – minimum of 10 feet with the total of both sides equaling 25 feet or greater
- Back – minimum of 15 feet (except accessory structures may be 10 ft)

For area regulations, the minimum lot size with well and septic is 2 acres. That is the same as you have today, so that is not going to change. The minimum lot size with public water and public sewer is a ¼ of an acre, which is very close to what is in there now although, now is determined by square feet and we just kind of changed that to acreage terms for people who were out in the public and just have a plat that doesn't say anything about square feet. It just shows the acreage. This is just to help everybody out there who might now understand exactly what they have. It's just kind of simplifying there.

The set backs have seen some changes. What we are trying to do here is allow for more lee way. Have the community kind of environment where people know their neighbors. You know, talk over the fence to one another or borrow butter and eggs and that type of thing. So, the front setbacks are 25' from the VDOT right-of-way. This is for already approved roads. If somebody is doing a new development where they are going to propose a road, make a new private road, then what we can say is that it will be 35' from the center line of that road. Now these roads would be still to VDOT SSAR standards which says that roads are more narrow and that type of

thing. It works for that community. The sides will be a minimum of 10 feet with a total of both sides equaling 25' or greater. The back will be a minimum of 15 feet and the accessory structures could be a little further back, 10' would be that minimum for accessory structures.



So, you remember from the first map that we looked at; there were village centers on that map. This is the outlook in 20 years of where we are going to see growth. So these areas are pegged to be Village Center or be growth areas. So this is just kind of to put an area in your mind while you are thinking about it.

Residential District (R-2) family life environment

Permitted Uses

- Single Family dwellings
- Parks and Playgrounds
- Public Schools
- Adult/Child Day Care

Special Uses

- Multi-Family – Apartments, Duplexes, Triplexes, Townhouses
- Private Schools

The Residential District R-2 is completely new, something we are creating because we saw the need in our Comprehensive Plan. This is residential, it is a very short list of permitted uses and special uses because it is supposed to be single family and anything else that would be special use would be multi-family apartments and that type of thing. So basically, what you see here is just about the whole district is dwellings and parks and things for families.

Residential District (R-2)

Area Regulations

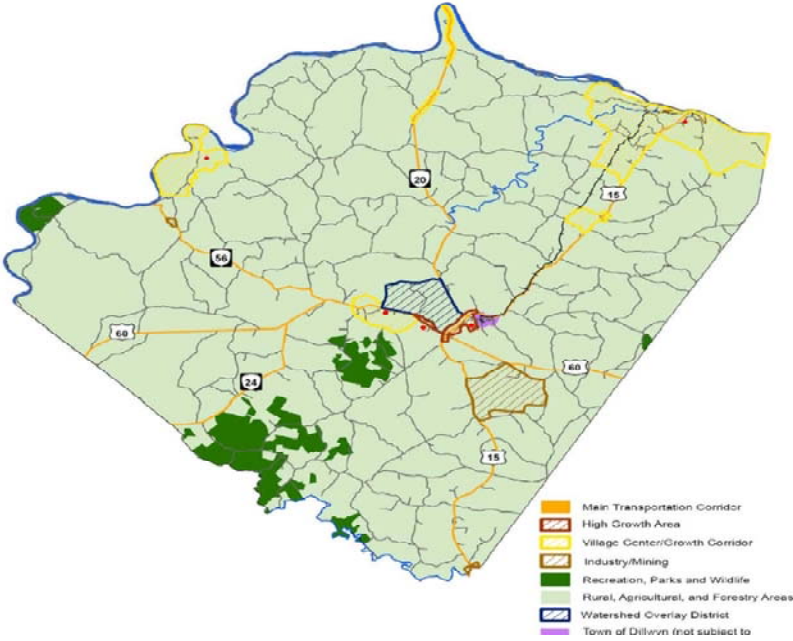
- 2.9 acres to $\frac{1}{4}$ acre
- The minimum lot size with public water and public sewer is $\frac{1}{4}$ of an acre

Setbacks

- Same as Village Center

The sizes within this district, allow a little larger than the Village Center. You see 2.9 acres and it drops down to the $\frac{1}{4}$ acre like the Village Center did. Again, that $\frac{1}{4}$ acres would be if there is public water and public sewer. The setbacks will be the same as we proposed within the Village Center.

**Buckingham County
Future Land Use**



So you remember, the bulls eye, the Village Center was the very minimum and R-2 was just out from that. That is why a lot of these things are the same. If you look at the land use map, I have put a few little dots within those yellow patch areas to show where R-2 sites could be located. This is certainly not all locations, but just to say something way out in the middle of nothing, is not really where we are planning for an R-2 to be.

Residential District (R-1)

Permitted Uses

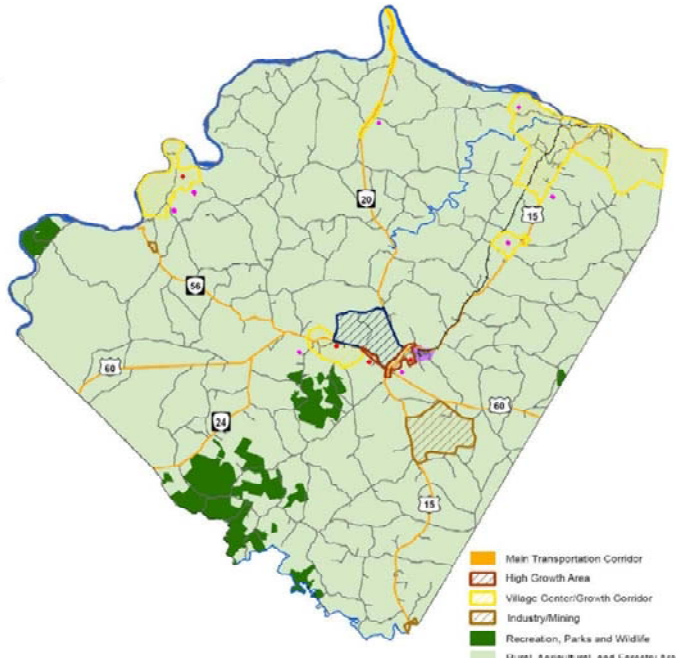
- Much like R-2
 - Except larger lot requirements
 - 6.99 to 3 acres
 - 200 feet road frontage for existing roads
 - 200 feet at the building line for all new constructed roads that meet VDOT's SSAR

Special Uses

- Deleted – Multi-family housing, Emergency Facilities
- Added – Convenience store specs.

So R-1 district again follows the lines of R-2 but again we are stepping out a little bit larger lots. This is going to be 6.99 to 3 acres with 200 feet of road frontage for existing roads. Again, we are doing a little bit different for proposed roads that are constructed to VDOT's SSAR, then we will allow 200 feet at the building line for those new constructed roads. We have for R-1 deleted multi-family housing because we trying to gear that to R-2 and Village Center. We deleted emergency facilities, just because we don't think that needs to be listed as a special use, because that would allow, unless I mean you get into hospitals that is a completely different thing. Then we added language for the convenient store talking about size and number of gas pumps and that sort of thing, so it's not to big right in the middle of a residential area.

**Buckingham County
Future Land Use**



So then, here's your land use map and I've mapped some additional dots there and you can see that, the original dots are still there and this is going to be further out from that. You can see we are kind of branching out from there.

Rural Small Farm District (RSA)

Permitted Uses

Special Uses

Already completed with first phase of changes

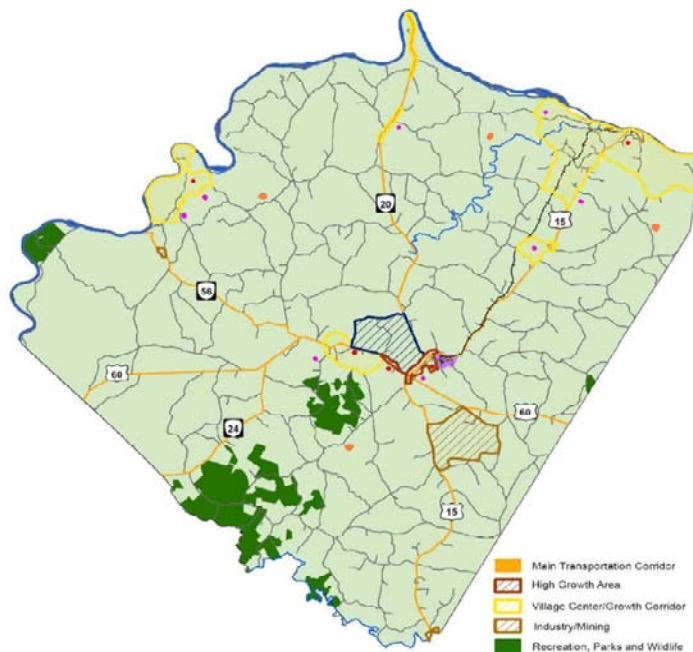
Rural Small Farm, we did the permitted uses and special uses last time. But now we are working on area regulations. The setbacks will apply to all structures. We did that in A-1 and A-C because we do have a problem with accessory structures being on property lines and that type of thing. The lot size is changing.

Rural Small Farm District (RSA)

Area Regulations

- Setbacks apply to all structures (50 feet and 25 feet)
- Lot size will be 19.9 to 7 acres with no further divisions
- 300 feet minimum road frontage

**Buckingham County
Future Land Use**



This is going to be from 19.9 to 7 acres with no further division. Our thought here is if you remember the RSA right now has the lot sizes, the minimum is larger than the 7 acres. We are bringing it down to 7 acres we feel that people do need the opportunity to have a small lot, to be able to afford, they want to be kind of in an open space but they can't afford 30 acres or 50 acres

so we are running these down to kind of tie it in with the other districts and by putting in the no further division that is preserving that 7 acres and it will never be smaller than that. We have also put in 300 feet minimum road frontage requirement. So then from this area you can see the larger dots that are further out would possibly be RSA, so these are coming out further than the growth area but certainly not completely off to itself. So in that when you look at this whole map, ok we have the essential areas R-2, R-1, RSA we still, I think, if this goes forward, then we are doing a good job of preserving our agricultural land which is what the Buckingham Citizens said they want.

Next Step ?

- ✓ Change the Subdivision Ordinance to match the changes in the Zoning Ordinance
- ✓ Approve changes to the Zoning and Subdivision Ordinance
- ✓ Work on remaining districts (RPUD, business, industrial, etc.) then approve
- ✓ Work on other portions of Zoning & Subdivision Ordinance and then approve



So then the next step, and I have a little piece of cake down there because I'm hoping that's going to be a piece of cake and not as hard as discussions that we've had with the districts, but we need to move forward with the Zoning Ordinance with the districts, change our subdivision ordinance because we are looking at lot sizes and road frontages and we want them to say the same thing. That's the problem we've had all along so we need to do those changes at the same time. So tonight, if I get the feeling that you are happy with the way the zoning ordinance is looking, I can basically just copy the same language that I've shown you here and put it to the subdivision ordinance and then you can all review that and have that approved. After that the remaining districts are to finish up the residential PUD, to work on the business districts and the industrial districts and the other districts that we have, but I have listed the main one's there. Then the next item would be to again look at the Zoning Ordinance and the Subdivision Ordinance and clean those up, clean those other areas of those ordinances up and have that approved.



Discussion

So that's the end of my spill and I'll leave it up to you to see what you guys think.

Mrs. Carter: Becca, I see where you deleted private and commercial greenhouses out of RSA and it was deleted from special use also?

Mrs. Cobb: Yeah, I found that it was listed twice as a permitted use and a special use, so I took it from the special use since we already had it as a permitted use and then it said private and commercial, so I just took those words out. The nurseries and greenhouses will still be allowed, but private and commercial is just extra language. If you are going to allow private and commercial, there's nothing else left so the nurseries and greenhouses are allowed as permitted use.

Supervisor Kitchen: On your Rural Small Farm, what is the minimum; it was 400 feet in the old ordinance?

Mrs. Cobb: Yes, it was both, 300' and 400'. The rule that is there now in the subdivision ordinance says 3 acres to 14.99 is 300' and then 15 acres and above is 400' and what we are thinking is if we want to have these larger lots saved, if we want to create lots or keep lots large, then we don't want to sort of punish the developers by making them have a huge road frontage. So we are hoping that it will encourage the larger lots by slacking off a little bit on the road frontage.

Supervisor Kitchen: You don't use the word developer. They are not developing anything. The only thing they do is buy a piece of land, subdivide it, subdivide it not develop it, subdivide the land and sell it at a profit. They are not developing anything. Look it up in the dictionary and see what the definition of developer is and you will see that it's all together different. You are using the wrong word.

Mrs. Cobb: Well, I am saying any individual land owner.

Supervisor Kitchen: I'm just saying, they are not developing anything. But you know I thought the 400' on the larger lots was to keep people from having what you call a key shaped lot, because they go to widening out. When it was put in, I thought that was the purpose of it. It was my understanding. I don't know why you are cutting back to 7 acres when you are talking about small farms and keeping the County rural. When you cut it back to 7 acres, you are going to have more and more and more. In this proposal, are they still going to be able to have a second home or third home on these lots?

Mrs. Cobb: The subdivision ordinance, I believe it is, says you can't have more than 2 houses on 15 acres right now.

Supervisor Kitchen: How about the 7 acres? You going to be able to have 2 houses on that?

Mrs. Cobb: No. We haven't gotten to that part of the subdivision ordinance yet.

Commissioner Stish: If I may, part of our thinking about how to come up with 7 acre minimums is to be able to provide something that are not dividable right now. People divide it in 2 acre lots. We were hopeful that if we provided this RSA tool that brought the acreage sizes down a little bit to a more median range, that it would promote that sort of development in A1. People are going to divide their large tracks at some point, when you divide large tracts at some point when you've got a 200 or a 100 acre farm and grandpa is getting old and the kids don't want anything to do with it, what are you going to do besides subdividing? So we tried to find a tool that might be better. Now I recognize what you're saying about road frontage, I think we are trying to encourage people to use the SSAR which is the Secondary Street Assessment Requirements from VDOT and they will not be able to make driveway cuts on existing roads. It's not going to be allowed to be done that way. They're going to have to make interior roads. So they will have to develop.

Supervisor Kitchen: So, on 19 acres, are they still be able to build a second home or are you going to change the rule?

Commissioner Stish: We haven't discussed that yet.

Supervisor Kitchen: If you have 19 acres, are you going to be able to put a second home on it?

Mrs. Cobb: The subdivision ordinance right now says 15 acres. I don't believe we changed the top number there, only the bottom number is what we've changed on the RSA.

Supervisor Kitchen: I was just wondering about the 7 acres, are you going to allow two homes on that or is it going to be the same thing?

PC Chairman Bickford: Myself, just my opinion, 7 acres with no further division, I would like to keep it as one residence, that's just my opinion. Just like Mrs. Cobb said, we haven't gotten that far but that's what I think.

Supervisor Kitchen: Maybe we can cut it off to say two per 10 acres, 12 acres.

Commissioner Stish: Well I think to keep it neat, just to have it that two dwellings as full time houses, guest houses are used periodically...

Supervisor Kitchen: Is that on 10 acres, 12 acres...

Commissioner Stish: I think it should be 20, you have 20 acres you can have 2. Maybe that's the way to go, I don't know.

Mrs. Cobb: You talk about multiple homes on a large tract, the thing that I've seen, the problem that I've seen in the office is that for somebody that wants two homes on a larger tract and I say you can't do that, the next week they come in and they have divided the property. So if they have 10 acres and our minimum lot size is 2 acres, then they just cut off 2 acres and they put the second home on the property. So they are still getting around the rule. You can say, you know, that they have to have 30 acres or whatever. As long as they have 4 acres, they are going to cut it into two.

Supervisor Kitchen: You are always going to have somebody smart enough to go around it. You just hope for the best.

Mrs. Cobb: That's right. In RSA they wouldn't be able to further divide it.

Supervisor Kitchen: As long as it says in there, it can not be divided for any reason whatsoever, you know, you are going to have somebody buying 5 acres lots, or 15 acres or whatever, you want to go. How far do you go before you start allowing them to have two houses on there?

PC Chairman Bickford: That's what we haven't discussed.

Supervisor Kitchen: That's what I say; we need to see how far we want to go.

PC Chairman: The present says that you have to have 14 acres or larger to do...or you can say that in RSA there is only one house on any lot.

Mrs. Carter: If you have 19 acres RSA, if someone brought that to me and decided that they wanted to divide it into smaller 8 acre lots, can they?

Mrs. Cobb: No

Commissioner Stish: Even if it is divided as RSA, it cannot be further divided.

Mrs. Carter: I'm just trying to think of all the ways that people do stuff.

Commissioner Bowe: Do we want to get so restrictive that any one of y'all could have a parent just like I do, that is totally incompassitated. I feel like it is my moral obligation to bring my mother to a place where I can take care of her. We've got 300 minimum foot regulations, who can tell how deep that property runs? What difference does it make if its 7 acres deep or 19 acres deep, the frontage is still 300 feet? I think we can hurt ourselves here, or hurt the people, not ourselves, the people. I think everybody sooner or later is going to run into the exact thing I'm talking about.

Supervisor Kitchen: What I'm saying is, where are you going to cut it off with 1 and 2?

Commissioner Bowe: I don't think we ought to cut it off, personally. But that's just my opinion. I think if I got the property, I've got the right to ----off of that property.

Supervisor Kitchen: You are going to have 7 acres with no division, in other words, one house...

Commissioner Bowe: Ok, what if you don't divide it, it's my parents, I don't need to deed it to them, that's not a decision.

Supervisor Kitchen: That's when you go the appeal board and get a variance. That's not a big problem.

Commissioner Bowe: That's not a division though.

Supervisor Kitchen: No it's not a division, it's a hardship. They have a provision in there for it.

Mrs. Carter: We have a provision for temporary housing for that kind of situation.

Supervisor Kitchen: That's for any lot.

Mrs. Cobb: Does anybody have any comments, we've talked about the RSA, do we have any comments on R-1 or R-2?

Mrs. Carter: At this point we just want your blessing on what we've done so far so we can bring it to the subdivision ordinance?

Mrs. Cobb: Yeah, the next thing I'd like to do is take these changes and put them into the subdivision ordinance so we can bring both of those documents at the same time for approval.

Mrs. Carter: I'd like to suggest that we actually make the subdivision ordinance an article of the zoning ordinance. So when someone comes in to get the zoning ordinance they can also get the subdivision ordinance. That's what we are working on, is to make all of our ordinances a code. This is the main one; this is the heart of all our ordinances.

Chairman Snoddy: I think that's a good idea.

Supervisor Kitchen: I run into it with the real estate business, subdivision ordinance says one thing; the zoning ordinance says another thing.

Mrs. Cobb: So do I have your approval, blessing...

Supervisor Kitchen: I'm just one head; I don't know what you got with approval. I think go forward with it and we can look at it when you get the finished product and see what it looks like.

Supervisor Chambers moved, Supervisor Kitchen seconded and was unanimously carried by the Board to approve for the Planning Commission and Mrs. Cobb to move forward with the changes that have been made so far.

Re: Other Board Matters

Mrs. Carter: I would like to call your attention to information provided to you by the County Attorney regarding Rutherford Enterprises vs Buckingham County. He advises that this is going to litigation and should not be discussed in public. This is just for your information.

Mrs. Cobb: This has been provided to the Planning Commission as well.

Supervisor Allen: I've had a complaint about our noise ordinance. Right now the police department can't do anything until after 11:00 at night. I think it ought to be 9:30 or 10:00. All I would like for you to do is think about it to see if we can change it or if the Board wants to change it.

Mrs. Carter: We've discussed that a few times, I don't think we can revise it to 9:00 or 10:00 but E.M.; we discussed that a little bit the possibility of us needing to do some work on that ordinance.

E.M. Wright, Jr.: (This is summarized due to being inaudible) The noise ordinance has been determined to bring scrutiny in Commonwealth, especially in the past few years.

There is a work group of local government attorneys that trying to come up with what's acceptable.

I think if you want to redo it, maybe start from the ground and rebuild it. I won't undertake unless you task me.

Mrs. Carter: I would like for you all to consider a motion tasking Mr. Wright to rewrite this ordinance.

Supervisor Kitchen moved, Supervisor Allen seconded and was unanimously carried by the Board to task the County Attorney, Mr. E. M. Wright, Jr. with rewriting the noise ordinance.

Mr. Wright: I will try to get together a suggestive ordinance for you to take a look at.

Re: Other Planning Commission Matters

Mrs. Carter: I think I would like to, while the two groups are together, bring up something, Mr. Wright you might want to sit in on this, this would be in the Zoning ordinance I guess where in some cases, our ordinance says that with Special Use Permits, the Board of Supervisors can accept the Planning Commission's recommendation or they can have a public hearing before they make a decision. And, you know, we're running into, like with the Seminary, the Board chose to have a public hearing because it was controversial. With the mobile home park, the Board did not have a public hearing. I don't think we have any real clear direction as to whether we should have a public hearing. You can also task Mr. Wright to look into the Code of Virginia, I guess with the pending litigation, we are about to find out but if we can maybe have some more guidelines as to whether the Board should have a public hearing, not just when it's controversial, but maybe some guidelines for the Board to go by so we can make sure that we are doing things correctly.

Supervisor Kitchen: We should have one every case, picking and choosing might get us trouble.

Mrs. Carter: Yeah, we can change to ordinance to where we do have one on each case but say for small things like say, a little country store up there where there are no homes on each side, you can do that.

Commissioner Stish: They claim that we didn't follow the process. We need something more clearly stated as to...

Mrs. Carter: In the ordinance.

Mr. Wright: (This is summarized due to being inaudible) I prefer not to discuss this matter in public session as it may pertain to this case. We can go into executive session. I prefer not to discuss because this will become recorded in the minutes and could be pick it up and see what we talked about. It's not the fact that it involves this particular case, I ask that you defer.....that question at this point could be strategy.

Mrs. Carter: I was referring to the Seminary but, I've asked that question on several applications of whether we had to have a public hearing. So do you want to go into executive session and discuss this case?

Mr. Wright: (This is summarized due to being inaudible) We can go into executive session and discuss this case. We can't go into executive session to have a general discussion of the ordinance.

Mrs. Carter: Can we have a general discussion about this...?

Mr. Wright: Generally, the ordinance right now is to discuss that case, so I mean if you want to discuss it generally, yes we can discuss it generally but everything you say generally applies specifically to that case so all that does is tell everybody what we are doing.

Mrs. Carter: I was just thinking since we had both of the groups together and because we are working on the zoning ordinance, this would be the time to discuss it.

Commissioner Bowe: It will be a joint executive session?

Mr. Wright: Sure.

Chairman Bickford: The Village Center discussion, Route 631, is that scheduled for next week?

Mrs. Cobb: I don't know. I'd have to go back and look at the minutes to see what time frame. They are talking about the Village Center, the Comprehensive Plan changing that to make that area smaller and stop it at 631 instead of right now it goes to 656 across from the High School. So Danny wanted that proposed to make that area smaller and the Planning Commission decided to set a public hearing to do that. I don't remember what the result of that was.

Re: Executive Session

Supervisor Allen moved, Supervisor Kitchen seconded and was unanimously carried by the Board to enter into executive session under the following code:

Commissioner Allen moved, Commissioner Bowe seconded and was unanimously carried by the Planning Commission to enter into executive session under the following code:

Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefings in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. (Code of Virginia; 1950, §2.2-3711-A.7)

Re: Return to Regular Session

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously carried by the Board to return to regular session.

Vice Chairman Stish moved, Commissioner Gormus seconded and was unanimously carried by the Commission to return to regular session.

Re: Certification

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously carried by the Board that to the best of each member's knowledge only public business matters as were identified by the motion by which the closed meeting was convened were heard, discussed, or considered in the Executive Closed Session.

Commissioner Allen moved, Commissioner Hagenau seconded and was unanimously carried by the Commission that to the best of each member's knowledge only public business matters as were identified by the motion by which the closed meeting was convened were heard, discussed, or considered in the Executive Closed Session.

Re: Planning Commission Matters

Chairman Bickford: Becca, I looked at the minutes, we tentatively set the discussion for 631 in May.

Mrs. Cobb: We can't do that, it hasn't been advertised. We will have to discuss it this time and set it for June.

Chairman Bickford: Any other Planning Commission Matters? I would very much like to thank the Board of Supervisors for meeting with us.

There being no further business to discuss, Chairman Snoddy declared the Board of Supervisors meeting adjourned.

There being no further business to discuss, Chairman Bickford recessed the Planning Commission meeting until Monday, May 24, 2010.

ATTEST:

Buckingham County
Board of Supervisors/Planning Commission Work Session
May 17, 2010

Rebecca S. Carter
County Administrator

I. Monroe Snoddy
Chairman