At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, April 9, 2012 at 7:00 p.m. in the Buckingham County Agricultural Center, the following members were present: I. Monroe Snoddy, Chairman; Danny R. Allen, Vice-Chairman; E.A. “Bill” Talbert; Joe N. Chambers, Jr.; Cassandra S. Stish; Donald E. Bryan; and John N. Staton. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

Chairman Snoddy certified there was a quorum-seven members present. The meeting could continue.

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

Chairman Snoddy called the meeting to order. Supervisor Staton gave the invocation and the Pledge of Allegiance was said by all who were in attendance.

Re: Approval of Agenda

Supervisor Talbert moved, Supervisor Allen seconded and was unanimously carried by the Board to approve the agenda with the following addendum:

M. Committee/Commission/Agency Requests/Reports/Appointments.

5. Consider title of Building Official to Thomas W. Ranson, Building Inspector

Q. Information Items

3. Rabies Vaccination Clinic-April 28, 2012

Re: Approval of Minutes

Supervisor Staton moved, Supervisor Bryan seconded and was unanimously carried by the Board to approve the minutes of the March 12, 2012 and March 28, 2012 meetings as presented.
Re: Approval of Claims

Supervisor Talbert moved, Supervisor Stish seconded and was unanimously carried by the Board to approve the claims as presented.

Re: Announcements

There were none.

Re: Public Comments

Pete Kapuscinski: Good evening. Thank you for allowing me to speak tonight. I’m Pete Kapuscinski, District 3. I refer to April 9th Board packet and a letter in that packet from our Commonwealth Attorney applying to the Board to allow a $15,699 budget carryover for use in that departments discretionary spending this year. It’s not the amount of money but the principle I would like to address here. With respect, while it may be that the Commonwealth Attorney’s office will require these funds in this budget period, I would ask and I strongly encourage the Board to discontinue the practice of allowing budgetary carryovers for this or any other county department or organization and further encourage the Board, again, and with all due respect to force budgets to begin from a zero base. Budget excesses at the end of a budgetary period belong to the taxpayers in Buckingham and not to the county employees or executives to be used for discretionary spending. As a taxpayer of Buckingham, I am asking with the utmost respect, that the Board reject this request and take the steps in this case and every other situation like this to ensure that any money that is requested by County departments in any budgetary period is necessary and the detail of the requested funds is documented in the budget before being approved. Thank you.

Anthony Miller: I thank the Board for allowing me to come up here tonight. I’m speaking on a matter that’s…this is the combination of a couple years.

Chairman Snoddy: Sir, would you mind stating your name and where you live.

Anthony Miller: My name is Anthony Miller. I live over on Hardware Road. Two weeks ago was the topped it off for me. When pulpwood companies come in from daybreak to 8 a.m. doing the most noise…some people work second shift and they are getting in around 7:00 in the morning and try to get to sleep. Mars Rally was another one. They used to grind gears less than 30 feet from my bedroom window. But then they come back to yall and say we are complaining because they are acting without conscious regard to everyone else’s life. My question is when these companies doing their job…their rights supersede my rights as trying to do my work. Now I’m retired I’ve got a little more leeway, but when I’m trying to sleep at daybreak and those big diesels are powering up 300-500 yards from my house, it’s a little rough. I know it’s nothing that can be done but it’s a matter that needs to be looked into. Thank you.
Re: Road Matters

Talbert: Mr. Chairman, since VDOT is not here I’ll go ahead and address this. Here last month or a couple months ago, I made a comment about the trees and the danger in the road. They are now cutting it on 636. So that’s great. It makes me feel better because I feel like people’s lives will be saved. I know a couple people that trees fell on them and so far they lived through it and I’m glad to see them doing that.

Re: Consider request for Commonwealth Attorney E.M. Wright, Jr. in the amount of $15,699.

Mr. Wright: As you know we operate from 0 to 0 from year to year. Sometimes with capital improvements and otherwise we sort of plan but don’t have enough money to do what we need to do in one year without taxing those particular resources of the County so we try to accumulate a little bit. It’s always been the policy of the Board to allow us to carry that money over as you did with the Constitutional officers that requested in the past, in the last meeting I believe it was. No notion of trying to do something a little different, it’s the same policy we have always had and there are some capital things that are easier to spread over a couple years rather than asking you to appropriate money to buy them all in one year. Some of this will probably fall in that category. Some of it we were fortunate that we didn’t have the expenses we anticipated but it may happen before we finish this year. I ask for any favorable consideration that you may be able to give us.

Supervisor Talbert moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the carryover request of the Commonwealth Attorney in the amount of $15,699 from the 2010/11 budget to the current budget.

Stish: Mr. Chairman, quickly since we have a couple minutes, in light of what Mr. Kapuscinski brought to the Board, maybe at sometime we could have a discussion about that policy or if there needs to be anything else in place regarding carryovers. I think it’s a worthy point and is worth our consideration. Whether we change anything, I don’t know but I would like to see this Board consider it at length. Thank you.

Carter: I might add that it isn’t a written policy. It’s just a procedure that the Board entertains each request individually.

Stish: Thank you.

Re: Consider Procedure for the RFP Results for the GIS Mapping Software

Carter: Buckingham County did request for bids for proposals for potential GIS parcel upgrade providers. I think as Jamie Shumaker and Kevin Flippen talked to you about, we did receive some grant money to assist with this. We are delighted that we did receive eight proposals from potential GIS providers. What they would do is seek to digitalize all the parcels in the County and it would be a great benefit to taxpayers who wish to look up the property
online from their home computer or any computer. This once again will involve the use of both grant money and county money. We don’t know if you want to pursue this but I ask that if you do, that you form a committee to help us narrow down these eight proposals and interview and bring back to the Board a proposal. Our procedure is first to narrow down to interview based on qualifications.

**Stish:** Mr. Chairman, I recommend that we do have a committee to consider this. The scope of these services and the nature of these companies need to be compared to make sure that we are getting the right thing for the county.

*Supervisor Stish moved, Supervisor Talbert seconded and was unanimously carried by the Board to form a committee to go over the proposals for the GIS Mapping software.*

**Stish:** How will we form this committee, Mr. Chairman? How will it be formed? Who will be on it?

**Carter:** We would like to have two Board members, our IT person, Asst. County Administrator, County Administrator, Kevin Flippen and Commissioner of the Revenue.

**Stish:** I will volunteer, having some experience with GIS and extensive experience with software in general.

**Bryan:** I’ll volunteer.

*Supervisor Stish moved, Supervisor Bryan seconded and was unanimously carried by the Board to appoint Supervisors Stish and Bryan; County Administrator; Asst. County Administrator; IT Manager; E911 Coordinator; and the Commissioner of the Revenue to the committee to go over the proposals for the GIS Mapping Software.*

**Re: Consider Expansion of the Piedmont Area Transit Bus Route to Arvonia**

**Carter:** Last month we were tasked with trying to see how many people would ride the bus and we really don’t have a way of finding that out without a trial run. We talked to the people with Piedmont Area Transit about the possibility of doing a three month trial run and see how many people that would generate, however, they said they can do a three month trial but they recommend a period of six months. They gave you a price of approximately $4,000 to do it annually. So we figured it would be $2,000 for six months. So I ask your pleasure on this. Do you want to do a three month or six month trial?

*Supervisor Chambers moved, Supervisor Bryan seconded and was unanimously carried by the Board to do a six month trial with Piedmont Area Transit for an Arvonia to Farmville route at a cost of $2,000.*

**Snoddy:** I’ve had some calls on that so I’m glad we are giving it a trial. If it doesn’t work but I figure with gas $4.00 a gallon, we’ll have some riders.
Re: Consider Appointment to the Industrial Development Authority to represent District 2

Bryan: I would like to recommend Stephanie Oliver to represent District 2.

*Supervisor Bryan moved, Supervisor Staton seconded and was unanimously carried by the Board to appoint Stephanie Oliver to the Industrial Development Authority to represent District 2.*

Re: Consider Title of Building Official to Thomas W. Ranson, Building Inspector

Carter: Tommy Ranson is an official Building Official. He has passed all the tests and has his certificate to be a Building Official. Right now he carries the title of Building Inspector so I would ask that you add to his title Building Official/Inspector. At the present time I serve as Building Official and I’m not certified and he is so we would like to correct that make the title his title. He can serve in both capacities. At one time they wanted two different people.

*Supervisor Talbert moved, Supervisor Staton seconded and was unanimously carried by the Board to add Building Official to the title of Thomas W. Ranson who is currently Building Inspector.*

Re: Public Hearing: LINK, LLC-Special Event Request

Talbert: Can I ask a question, are we going to have a public hearing on both of them and then come back and vote.

Carter: Yes, this first issue is not on the towers.

This public hearing is regarding a Special Event request for Lionheart Resorts, LLC to hold a special event on July 27-29th. This event will take place on the LINK, LLC property which has a special use permit for a recreational facility. We have given you the information that describes the event and also the 20 some conditions that have been set forth on here by Mrs. Cobb. One of the events they want to hold is the National Cowboy Day and the grand opening of the Lionheart Resort. They have contacted the Sheriff’s office, volunteer rescue and fire department to make them aware and prepare for the event. The Zoning Department recommends holding a hearing for this request but believes that the conditions of the SUP will cover the needs and potential hazards of this request.

As you know Historic Buckingham and the Chamber have previously held the National Cowboy Day event, and they are going to actually work with them and look forward to them hosting it this year.

Chairman Snoddy declared the public hearing open.
**Teresa McManus:** One of the things that I want to tell you about is last year I had the opportunity to go to Cowboy Day. It was our first year here and I relived my childhood. I have been so excited about this. It is one of the highlights of what Dillwyn has to offer. If Dillwyn allows this not to happen, we are really losing a great opportunity here. It is to bring the youth back to see what we grew up with. They have no role models. They have no one that they can look up to and when they...if you have not been to it...it’s hot. But you need to go. We had the best role models. The guys were out there and they played with the kids and they talked to the kids. It was one of the nicest days that I’ve spent in a 105° weather with long sleeves and a hoop skirt. I actually dressed up and had fun. But if Dillwyn allows or Buckingham County allows this to fall by the wayside, because of a special use permit, it would be a sin to the County. Because of the revenue it will bring in and the people it can bring in. I think with a bigger venue where it’s going to be held, we could really put ourselves on the map as something that is really exciting. I ask the Board to grant this. I will be heartbroken if you don’t and you will see me cry. This is an exciting thing for us to have. Thank you very much.

There being no further comments, Chairman Snoddy declared the public hearing closed.

**Chambers:** I see no problem with it. I make a motion that we accept this request.

**Bryan:** I have a question.

**Staton:** I have a question and so does Donnie.

**Stish:** You want a second so you can open it for discussion.

Talbert and Stish seconded.

**Staton:** I’d like to know what the fees are if any. Public admission or entry fees or whatever.

**Bryan:** Is there someone from Lionheart here?

**Wade Brandt:** I’m Wade Brandt, Project Development Manager for Lionheart Resort. The fees have not been finalized at the moment. We initially wanted to put the permit in at Christmas because of other permits that were going through, Mrs. Cobb felt it was best to get those out the way before moving any further. Which is leaving it to the eleventh hour so we can get some concessions in. We don’t intend to be very high priced on the events. There is going to be an arrangement of different prices, whether you are going for the whole weekend or just going for the day. The only thing I will say to you about pricing is that we want people to come but we’ve got to cover the cost. We’ve got to cover the place. We’ve got to cover the sanitary. So we are not to sure yet. It sounds like we are a little bit unprepared but that is not necessarily the case. We’ve got to scale to what we can afford and we want to open our show and we want people to come and see us. We want to do it at minimum costs but we want to cover our costs. I’m sorry if I can’t be more helpful than that. Any other questions you would like to ask me?
**Chambers:** The Planning Commission has worked this thing out; I don’t see any problem with it.

**Carter:** This did not go to the Planning Commission. Special Events just come before the Board.

**Chambers:** But they approved the conditions of the Special Use Permit. I don’t see no problem with it.

_Supervisor Chambers moved, Supervisor Talbert and Stish seconded to accept the Special Events application from Lionheart Resorts for July 27-29, 2012 for National Cowboy Day and their grand opening. The motion passed with a 5-2 vote. Supervisors Chambers, Talbert, Stish, Snoddy and Allen voting in favor. Supervisors Bryan and Staton opposing._

**Re: Public Hearing-12-SUP-207 National Communications Towers**

**Carter:** You will be having two different public hearings tonight for the location of a tower on two different property owner sites that cover pretty much the exact same area. It is my recommendation that you use the Planning Commissions procedure and conduct both public hearings to hear citizen comments before you take action on either application.

The Planning Commission, however, is recommending approval of 12-SUP-208. According to our consultants, CityScape, the applications are virtually equal and either one will benefit the County and the carriers. That being said, CityScape advised that it came down to one issue and one issue alone and that was visual impact. Therefore, the decision made from the Planning Commission to recommend approval to you of Application 12-SUP-208 because the tower will be less visual.

I did attach for your information the minutes from the Planning Commission public hearings regarding these two applications for your review and also the vote from the Planning Commission. For Clear Signal Tower application 12-SUP-208, the Planning Commission voted to recommend approval and that the tower not be lit. This passed with a 5-3 vote.

National Communications Tower, application 12-SUP-207, the Planning Commission recommends denial with also a 5-3 vote.

So, at this point I will discuss the first public hearing which is National Communication Towers.

The first public hearing will be for: Applicant is National Communications LLC. Owner is Eddie Wood Living Trust information is Tax Map Section 84, Parcel 3 containing approximately 139 acres, on North James Madison Hwy Rt. 15 in the Marshall Magisterial District. The property is currently zoned Agricultural Comprehensive (A-C). The request is for a Special Use Permit to construct a 195’ monopole communications tower.
Chairman Snoddy declared the public hearing open for public comment.

There were none.

Chairman Snoddy declared the public hearing closed.

Chairman Snoddy asked the pleasure of the Board.

It was stated that both public hearings need to be heard.

Chairman Snoddy declared the public hearing open on the second tower for public comment.

There were none.

Chairman Snoddy declared the public hearing closed.

Chairman Snoddy asked the Board’s pleasure.

**Talbert:** I make a motion that we approve case 12-SUP-207 National Communication Tower, Eddie Wood.

**Chambers:** I second.

Chairman Snoddy called for question on the motion.

**Stish:** I just want to make note that is the recommendation of the Planning Commission and seeing our Consultants didn’t really have anything to say that would tip the scales other than visual impact and they seemed to have mitigated FAA concerns regarding that tower. I know that particular tower they say is going to give better in building coverage to the health center and for that reason I also think I would be in support of that. I think that is going to be a primary concern.

**Allen:** Sounds like to me you’ve got it backwards.

**Stish:** Huh?

**Allen:** The recommendation is for 208 and yall are recommending 207.

**Stish:** No, No, No. What?

**Carter:** Yes, we need to have the hearing on 208.

**Staton:** Let’s have the hearing on 208 and then get down to it.

**Stish:** He opened them both and closed them both.
Allen: He opened and closed it. Nobody knew we had it.

Staton: We have three gentleman down here I think are prepared…

Allen: They are 207.

Talbert: They are 207 and I made a motion and it got a second so…

Stish: Oh, I do have that backwards.

Staton: I’d like to address the issue, Mr. Chairman. Discussion, we haven’t voted yet. I hold a ASEL. For those that do not know what that is, it’s Aircraft Single Engine Land. I’m familiar with the FAA. I’m also familiar with fixed wing and rotary wing aircraft. I have a problem, safety wise, with the 207 site.

Allen: You’ve got the wrong one. You’re mixed up too. It’s 208.

Staton: Ok. The 208 site. I went down there this morning and looked at both sites. I took my trusty little gadget with me and did readings and the reciprocals thereof. The little gadget is called a compass. We have a 8’ clearance supposedly on the site across the road, I believe the Hoilman property. I’m not happy with that. Fixed wing aircraft or rotary wing aircraft have to take off and land into the wind. You take off and land to the wind, I don’t want to be on that helicopter if it doesn’t have an 8’ clearance and it all depends on which way the wind blows and the wind is predominantly out of the northwest. At the very least, that close to it, it should be lit if the Board approves it. The other site, behind Poor Boys up there, is not on the reciprocal of a direct flight to Charlottesville from the Health Center. It’s about 20-30° by my calculations off center from that. So it according to the testimony I read in the Planning Commission…that is predominant 95% of the time. So, I don’t want to be responsible for anybody’s safety other than my own. And I know the FAA well enough to know that if you’ve got 100-200-300…three boxes, and if you are at 195’ and it fits within the box, it’s ok with us. I don’t agree with that. I’ve flown in marginal conditions so forth and so on, but that’s my reason. I can not support it because of safety.

Chambers: Call for question, Mr. Chairman.

Stish: Wait, wait, wait.

Chambers: We voting on 207 ain’t we.

Stish: I want to make sure we are clear before we vote.

Allen: Yall have got them mixed up.

Chambers: 207 is what I’m talking about.
Bryan: You recommended 207.

Talbert: I made the motion for 207.

Chambers: I seconded it.

Stish: Following the Planning Commission’s recommendation.

Talbert: I have all the faith, I sat on it for four years, I have all the faith in the world of the Planning Commission but we do not have to follow their guidelines because we are the ultimate ones that have to make this decision and I just feel like this one’s the best. That’s why I made the motion.

Chambers: That’s why I seconded it.

Allen: I’m just trying to figure out which one you are voting on.

Chambers: 207

Talbert: Eddie Wood.

Carter: But that’s not what the Planning Commission recommended.

Talbert: 12-SUP-207

Snoddy: I’d like to say I live pretty close down there and I’ve had three landowners that connect to that in front of the health center and they have a concern about it. I would have a concern about it myself when these helicopters have to come in and land and I’ve talked to one of the landowners there today and he said he has seen it come in and he lives right at it and he said he’s seen it come in and most of the time if the wind wasn’t really off, he would circle out to the health center and back in that field and come back in and land on the slab there.

Allen: So which one do you have a concern with?

Snoddy: The one across from the health center.

Stish: What number is that?

Snoddy: 208

Staton: The motion was made, Mr. Chairman, was on 207.

Chambers: Yeah, 207. That’s the one I seconded.
Supervisor Talbert moved, Supervisor Chambers seconded to approve 12-SUP-207, National Communication Tower. The motion passed with a 5-2 vote. Supervisors Talbert, Chambers, Snoddy, Bryan and Staton voting in favor. Supervisors Stish and Allen opposed.

Allen: Now you’ve got to vote on the other one.

Snoddy: 208

Chambers: Nobody made a motion on 208 has it?

Carter: We have to have a public hearing on 208.

Stish: I make a motion to accept the application which the recommendation of the Planning Commission 12-SUP-208.

Carter: For 208? I haven’t read the introduction, location or anything on it.

Allen: Second.

Stish: Ok, I made a motion to accept the Planning Commission’s recommendation for 12-SUP-208. It is the Clear Signal Tower application.

Snoddy: I’ve got the motion and the second.

Carter: Could I clarify, did you open the public hearing for 208 because I didn’t read a description of it?

Allen: Yeah.

Talbert: I’m going to challenge this to our Parliamentarian. I figure you’ve got two things, you’re voting on them, like voting on anything else, you voted 5-2 on the first one as far as I’m concerned the second one is dead.

Carter: They are still warranted a public hearing.

Talbert: If they want to vote on it, that’s fine. I can’t see the principle of it. I just don’t see order of it.

Stish: Well, they are two separate applications. They are two entirely separate pieces.

Talbert: It’s the same thing. If we are voting on a building or something or a tower or something and you’ve got two different things, you should have a public hearing but this is the identical same thing.

Stish: But it doesn’t necessarily mean the other one is going to pass either.
Chambers: But we need to open the public hearing.

Allen: We’ve had the public hearing.

Snoddy: Ok. Call for the vote.

Stish: We had a motion, he seconded it, we opened a public hearing and we closed a public hearing.

Carter: Did they open a public hearing?

Stish: For 208. Are we clear on who is voting for what here? I don’t think so. I really don’t. I’m going to call for question one more time.

Talbert: We’ve done voted on it.

Stish: I don’t know if the count got taken though. I’m not sure.

Carter: A lot of hands came up.

Talbert: That’s what that lady is doing right down there. Give us a count please?

Lann: 5-2 vote for 207.

Stish: Do we have a count on 208?

Lann: You have not voted on that yet.

Stish: That’s what I thought. So we haven’t voted on that yet. So I make a motion once again. I move to accept the Planning Commission’s recommendation for 12-SUP-208 as submitted. There’s my motion. Danny seconded.

Bryan: Question.

Stish: Discussion.

Snoddy: So I declare the public hearing open, you say?

Talbert: No, you’ve already had the public hearing.

Stish: You’ve already called for a vote. He’s wanting discussion, sweetheart.

Snoddy: Alright.
Bryan: I have a question, your motion (referring to Stish). 207 was already voted on from Supervisor Talbert. You want to put 208.

Stish: Yeah. I’d rather see 208 move forward as the Planning Commission recommended. But they are considered separately. You can’t…

Allen: You had a public hearing on it look like to me you’d have to vote one way or other.

Stish: You can’t … you have to vote on them both. Just because we deny one doesn’t mean the other one is automatically going to be approved. It could be denied and we could say no to both of them if we have findings for it.

Talbert: Call for question, Mr. Chairman.

Supervisor Stish moved, Supervisor Allen seconded to accept application 12-SUP-208, Clear Signal Towers. This motion was defeated with a 5-2 vote. Supervisors Stish and Allen voting in favor. Supervisors Talbert, Chambers, Snoddy, Bryan, and Staton opposed.

Carter: I just want to clarify because Supervisor Talbert said the Planning Commission’s recommended 207 but the Planning Commission recommended 208. So I just wanted to make sure that you are aware of that.

Snoddy: Is everybody straight?

Stish: I believe so.

Re: Introduction to case 12-SUP-209-Commercial Equine Facility

Carter: First is an introduction of Case 12-SUP-209 Commercial Equine Facility. The applicant is Teresa McManus at 1059 Scotts Bottom Road, Dillwyn. Property information is Tax Map Section 152 Parcel 4, Lots 10 & 16 containing approximately 20 acres, on Scotts Bottom Road, (Rt. 632) in the Curdsville Magisterial District. The property is Zoned Agricultural 1. Ms. McManus is asking approval of her request for a special use permit for the purpose of operating a commercial equine facility. The Planning Commission did hold a public hearing and they do recommend to the Board to schedule a public hearing for the purpose of considering this request.

A commercial equine facility in an A-1 district does require a Special Use Permit. The property is part of Whispering Ridge Subdivision with most parcels consisting of at least 5 acres. The property is zoned A-1 and when Mrs. McManus purchased the property, there was already a barn and riding ring on the property. Most of the business will be conducted away from the property but some customers will come to the property. In your information, it stated that the applicant also plans to hold occasional clinics consisting of approximately six participants. I think this is the part that triggered the need for a special use permit. Mrs. McManus has visited my office and she said that she would like for you all to not put a limit on the number of participants that
come to the property for a clinic. Looking back through the information and I think in her introductory to Mrs. Cobb it stated in there that there would be approximately six participants but since she is going through the proper process and paying for the application and public hearings for a special use permit, if the board would consider, if they consider approval of this, of not limiting the number of people. I think with the conditions that are placed on this, I would recommend that you do not limit the number of participants that can come to a clinic on her property. I think the rest of the conditions would take care of that. Another issue that Mrs. McManus talked to me about that the Planning Commission put on the permit states that the County can come on the property at any time to inspect to make sure she is in compliance. I might add that the reason these issues are coming back to me is when the Planning Commission held the public hearing, the list of conditions had not been presented to Mrs. McManus so she didn’t know what those conditions were and that’s why she came to talk to me after the hearing. It may have been one of those slip up things that happened between Rebecca leaving or what, but she advised that she has gates locked on her property and she’s away a lot as she stated in her application with training horses. So she would like to have notification so someone could be there to unlock the property. She would just like to have notification due to everything being locked up. So at this time I would ask you all to schedule a public hearing for this equine facility.

*Supervisor Staton moved, Supervisor Stish seconded and was unanimously carried by the Board to schedule a public hearing for the May 14, 2012 meeting at 7:15 p.m. to hear public comments on the Commercial Equine Facility 12-SUP-209.*

**Re: Introduction of Case 12-SUP-210 Clear Signal Towers**

**Carter:** The next issue is an introduction to Case 12-SUP-210 Clear Signal Towers. The owner is Margaret Ellis, Tim Martin, Irene Ellis and Randy Leech. The applicant is Clear Signal Towers. The contact is Dorothy Brunetti. The property information is Tax Map Section 122 Parcel 4 containing approximately 251 acres on West James Anderson Hwy in the Maysville Magisterial District. The property is zoned Agricultural (A-1). The purpose of the Special Use Permit is for constructing a 195’ monopole communications tower.

Some concern has been brought to the attention of the county that the site is close to and directly in the flight path of a private landing strip. The County has received the review from the FAA stating that it does meet their requirements and does not have to be lit. CityScape has reviewed the application and recommends approval with conditions.

I have made sure that the applicant has received these conditions and have not heard a response back as to any concern with them.

*Supervisor Stish moved, Supervisor Allen seconded and was unanimously carried by the Board to schedule a public hearing at the May 14, 2012 meeting immediately following the previously scheduled hearing to hear public comments on 12-SUP-210 for Clear Signal Towers.*
Re: County Attorney Matters: Initial Presentation of the proposed Comcast Agreement

Mr. Wright: Mr. Chairman, members of the Board, you will find in your packet a copy of the Cable Franchise Agreement. If you remember last meeting you adopted the cable franchise ordinance. This is an agreement that will flow from that ordinance. I tender it to you for your review. We are in the process of discussing it. It’s like the thing that will never go away, so you will have a chance to look at it again next time, but this is the ground where we started from. I put it in there so you will have a chance to be familiar with it when we come back and if you have any comments or otherwise, please do not hesitate to let me know. Thank you.

Re: County Administrator’s Report

Buckingham County Day: The first item on my report is information provided to you by Town of Dillwyn regarding Buckingham County Day. Inviting you also to participate in the parade. If any of you all want to be in the parade please let us know as soon as possible so we can arrange for vehicles and get you registered.

Replacing of Sewer Facility Heat Pump: The second issue is something we did last week. We ran upon a problem with the Sewer Facility heat pump stopped working. Mr. Markley contacted someone to look at the system to see if it could be repaired or needed to be replaced. The system was about 19 years old and due to the emergency need, Mr. Markley did receive bids and it was under $10,000 so the bids are legal. He received bids from Huskey Heating and Air for $3,200; Maysville Heating and Air for $3,450 and Karl Dickerson for $4,525. I have attached each proposal for your review. I did award the bid to Huskey Heating and Air to replace the existing heat pump system, remove all old equipment from the site and provide a five year warranty on all parts.

Allen: Is it the same seer size?

Stish: What seer is that? Is it 13 or 14?

Allen: One said 13 the other said 14, what did Huskey have?

Stish: I don’t think it said on the Huskey one. I looked up the model number and couldn’t find one.

Staton: It’ says it on Maysville.

Stish: Maysville has 13 and Dickerson has 14. The thing about it is between the 13 and 14 for household usage, I think it’s a smaller 1 ½ ton, it’s about $1200 over the course of the lifecycle of the unit like that. For commercial rating, I don’t know what it would be. So, I’m sure it’s fine. It’s a Trane manufacturing piece from Huskey, they are good.

Allen: To me you should at least get the same seer size as what the rest of them bid on.
**Carter:** It was my impression, they were all supposed to be bidding on the same thing. So you are saying that they are not the same?

**Stish:** They are not. Karl Dickerson gave you a 14 seer which is considerably better saving of energy of the lifecycle of the piece of equipment. It could be as much as $2500 but the way energy prices are going up I don’t know.

**Carter:** I’m going to check on that tomorrow, I’m not sure if it’s been installed yet. Mr. Markley had recommended this but I see now that Huskey didn’t address the seer on it.

**Snoddy:** Check on that before we decide.

**Commonwealth of Virginia Transportation Board Public Hearing April 24th at 6:00 p.m. in Roanoke Virginia:** the next issue to make you aware that the Transportation Board will conduct a public hearing it says in our area to give citizens an opportunity to review and provide comments on projects and programs to be included in the Fiscal Year 2013-2018 Six year improvement program including highway, rail and public transportation initiatives. However this is going to be held in Roanoke and usually it’s held in Lynchburg. I’ve provided the information to you in case you are interested in attending.

**Stish:** Mrs. Carter, if any of us are going to go…I would be happy to take notices from the public here with me. Road concerns as a representative. Put them on my Facebook page.

**Carter:** If anyone has concerns just to let you know, is that what you are saying?

**Rabies Vaccination Clinic:** I see we have Rabies Vaccination Clinic under information, but just to let the public know there will be a Rabies Vaccination Clinic on April 28th from 1 to 3 at the Middle School Parking Lot. The cost will be $6 for dogs and cats. If you know anyone needing that service, it will be there.

That concludes my report, Mr. Chairman.

**Re: Other Board Matters**

**Talbert:** There has been a lot of talk about having rifles on the ground. We are not going to do anything tonight. I’m just bringing it up for information. I know Supervisor Staton over there is a safety officer in hunting. I’ve been talking to Alan Cox, he’s pretty good and also a safety officer. I think it’s something we need to look into and maybe Mrs. Carter can get it on the docket for next month or the following month. So many people, elder people and that includes me, climbing up trees. I don’t hunt. I haven’t hunted in 37 years and I’ll tell you why I quit. I stopped up at Vera one day and ask this guy in camouflage, I said “Sir, have you had any luck?” I heard a few sound shots, and said it’s time for you to get out the woods. I just lost interest in it but anyway, it’s got to be up to the individual handling that and I know John will tell you the same thing with guns, it’s up to the individual but I think it’s just as safe with rifle on the ground. We tried it up high and I know some people that have been in wheel chairs the rest of their life.
on account of this. Anyhow, I thought I’d bring it up and maybe we can talk about it in the next month or two and I’ll get Mrs. Carter to put it on the agenda and have a public hearing or something. I talked to Mr. Cox and he ought to know, he’s a state trooper and investigator and now he’s got a new position that travels four or five counties. I know John can help us.

Carter: What is it you want to look at?

Talbert: Maybe if we can come up with something at the next meeting to recommend to the Board with a hearing for hunting on the ground with rifles. One guy, as a matter of fact, he’s on the Planning Commission, he said, “Bill, it’s really foolish, I can stand right here and a man can stand at the back of me and hunt in Cumberland County with rifle and I’m on the Buckingham side, because he’s on the line in Cumberland County and I’ve got to hunt with a shot gun.” So this put me on good and is something we can talk about and get all the expert opinions.

Stish: I have an issue I’d like to bring up. Coming from Colorado like I did with a drought territory with water tables and everything and seeing it be this dry in Virginia this early in the year and the whole State was a red letter day with the winds. I was wondering if there was something we should do regarding water conservation and fire safety in combination with the Soil and Water Conservation District and Forestry people, maybe a series of workshops or fire safety. Maybe go into the schools and teach the kids about water conservation. I’m deeply concerned about drought, about wells going dry and about fire going across our very wooded county. Is there something we could do with that, you think? I could talk to them and see if they have anything. Maybe fire wise. Maybe make some presentations. But water conservation is the other one. Being aware of drought times and the water table. Be careful.

There being no further business, Chairman Snoddy recessed the meeting to reconvene on April 16, 2012 at 7:00 p.m.

ATTEST:

____________________________________ _________________________________
Rebecca S. Carter     I. Monroe Snoddy
County Administrator     Chairman