At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, August 13, 2018 at 6:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Danny R. Allen, Chairman; Donald E. Bryan, Vice-Chairman; Robert C. Jones; Don Matthews; E. Morgan Dunnavant; Harry W. Bryant; and Joe N. Chambers, Jr. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; and Rebecca S. Cobb, Zoning Administrator. E.M. Wright, Jr., County Attorney was absent.

Re: Call to Order
Chairman Allen called the meeting to order.

Re: Establishment of a Quorum
Chairman Allen certified there was a quorum. Seven of Seven members present and the meeting could continue.

Re: Invocation and Pledge of Allegiance
Chairman Allen gave the invocation and the Pledge of Allegiance was said by all who were in attendance.

Re: Announcements
There were none.

Re: Approval of Agenda

Supervisor Jones moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the agenda for the August 13, 2018 meeting as presented.

Re: Approval of Minutes

Supervisor Bryant moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to approve the minutes of the July 9, 2018 and the July 17, 2018 meeting as presented.
Re: Approval of Claims

Vice Chairman Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the claims as presented.

Re: Public Comments

Allen: We have a public hearing scheduled so wait for any discussion until we open the public hearing. Now is just public comments. It will be three minutes.

Janice Henshaw, District 4: Good evening. I’m a member of the organization Buckingham Citizens for a Safe Society who will make a presentation here tonight. I’m here to support that. When I was a little girl, we were in World War II and since then we’ve been in wars in Korea and Vietnam. But it seems like we are at war again but not with a foreign power. The enemy is with us in the United States. It’s the mentally deranged white man with assault weapons who have wounded and killed a great number of US Citizens in churches, schools, shopping centers, places like that. It’s time for us to take action. There is no reason why any United States citizen needs to have a machine gun or assault weapon. I’m in support of taking the first step to declare war against these men and I ask you to support the Citizens for a Safe Society by approving the declaration that will be presented here tonight. Thank you.

Catherine Emanuel, District 6: You guys should recognize me because I was here before. So first I want to say thank you gentlemen and Mr. Chairman for letting me speak. Next I want to say congratulations on starting out a new school year successfully. That doesn’t come without a lot of hard work. Next what I want to get to as you can imagine is the EMS service. Last time I was here I used statistics given to me by the head of the Buckingham County Volunteer Rescue Squad over the phone. I won’t do that again. I will not do that because the very next day he sends me an email telling me those statistics weren’t correct. He gave them to me. I will only deal with him in writing from now on. So, my trust is broken. That combined with the harassment from the vice president of the rescue squad, I am not sure they deserve my trust. The day after the news story aired my business was harassed by the volunteer rescue squad here in Buckingham. There is a police report on file with Albermarle County Police because my opening manager at my store in town, was in tears from being cursed at. I will only play part of what was left on my voicemail at work. (from the recording) “you are going to slam the rescue squad that you work for and for who I’m sure you didn’t volunteer to help them, it’s a disgusting disgrace that you would batter a bunch of people that are trying to do something that you don’t want to pay taxes for” I’m a disgusting disgrace. It goes on, I’m only playing the nice parts. That’s your leadership. So I’m going to ask you publicly. What happened since last time I was here? You guys were supposed to have a meeting. I sent an inquiry to the head of the Buckingham Volunteer Rescue Squad to which Rebecca Carter was copied and I never received a response and that was weeks ago. So what’s happened? What has happened to resolve the issues between Buckingham and Scottsville that doesn’t leave the north end of this county with no rescue service?
Allen: All I can tell you is it is being worked on right now. My understanding it is going to be a change with Scottsville but I don’t know how much.

Carter: We have a new E911 Emergency Manager and he is looking for ways that these numbers can be straight to…they are trying to get that worked out. The President of the squad said he was going to be working with Scottsville. We don’t know...

Emanuel: So, I’ve been in contact with Scottsville, they haven’t heard from him. I spent a good hour of my time off, what little time I have at the Scottsville Rescue Squad. They haven’t heard from him.

Matthews: Mrs. Emanuel, I’d like to say something. Buckingham Rescue Squad, we don’t tell them what to do. They have their own By-Laws and stuff. We give them suggestions but that’s a total...

Emanuel: You donate money. Lots of it.

Matthews: We give them money and we control that a little bit too. We’ve slowed up on giving them the funds that they need to operate until they get this issue squared away. We are in the process of getting this thing resolved with Scottsville. In years past, there’s been a mutual agreement with Scottsville and Buckingham. At some time that thing kind of got out of control for whatever reason it might have been. For whatever reason, we are trying to get that resolved and have a good relationship with Scottsville so it is some progress being made. I can tell you that from my standpoint because I’m on the committee to work it the rescue squad.

Emanuel: Did you know about this?

Matthews: I heard about it but I didn’t hear it until tonight, but...

Emanuel: If you want to hear more, I’ll bring my employee.

Matthews: There is going to be some repercussions about that. That’s coming from me.

Emanuel: I’m just giving you the PG version.

Matthews: You are hearing from me that there are going to be some repercussions on that particular phone call.

Carter: We’ve been told that the squad has taken some action on that.

Emanuel: Someone that had just lost their mother, and is dealing with the repercussions with a young child who witnessed everything shouldn’t be harassed. Shouldn’t have to be calling the police.
Matthews: Absolutely. I agree with you 100%. That’s one reason we are going to take some action for that particular conversation.

Emanuel: Thank you.

Sammy Smith, District 5: I choose not to speak at this time.

Quinn Robinson, District 4: Gentlemen, good evening. Quinn Robinson, still in District 4 up in Andersonville. I had a couple of things I wanted to mention. I’m glad the previous speaker mentioning the rescue squad. I can’t imagine that kind of response to a citizen calling in. It’s outrageous. It screams for correction, serious correction. I don’t think they should get another dime until this show straightened up. I have something on procedure I wanted to ask you indulgence for. You have this procedure for signing up to speak both for public comments and public meetings. Last month I wasn’t able to get here. The roads out up my way and I went the wrong direction and had to turn around. That’s partially my fault but in order to avoid that, I would like to ask that you permit registration or sign up by phone or email in advance so people won’t have to be running around at the last minute. There is also a great deal of people here and the parking lot was congested. I think that would be a thing that would be...(lights went out and recorder stopped) it’s a simple consideration. It doesn’t change control, it just adds more access. It’s something that caused this woman to not be here last week on time. We wouldn’t have heard about that. So if you could I would hope to hear from you on that. Another thing, is the pipeline. There are major problems that have come from the courts and FERC itself, I think it just calls for the complete reexamination of the whole thing. I think we are going to argue that in every venue that we can. FERC wrote a letter instructed Atlantic Coast Pipeline to cease operation until it came into compliance and it I’ll read part of it. It says there’s no reason to believe that the NPS, the National Park Service, as Land Managing Agency will not be able to comply with the courts instructions and do ultimate issue a new right of way that satisfies the court’s requirements or that FWS, will be able to issue an incidental tech statement that does likewise. Well, there is a reason to doubt that because FERC knew about that and the legion of lawyers that Atlantic Coast Pipeline and Dominion have should have known that. They are not ready for this. The whole thing about the geology which we are still waiting, they should have done that months before this began. Thank you.

Marie Flowers, District 3: Marie Flowers, 3rd District. I am here as part to support the group for Safe and Sane, anyway, I want to mention assault weapons. These weapons are only for killing. People become emotionally attached to an idea. I’m emotionally attached to my idea. Common sense gun laws do not take away one’s freedom. People who are murdered by automatic weapons have lost their freedom. People should feel safe and free from harm in going about their lives. Whenever laws are past, there are restrictions. Taxes, speed limits, laws against polygamy. Now why shouldn’t women have more than one husband? Common sense tells us we can’t outlaw hate or bigotry but we can to limit weapons of mass destruction. Now, is it the issue of I want it so I should have it or as long as nothing happens to me I don’t care. I’ve heard this so many times about different issues that people just don’t care. It doesn’t happen to them so then what is your definition of freedom? How about common sense? The thing that I just gave to you is about somebody that has committed murder with a semiautomatic weapon in
Australia. 35 people killed and 18 wounded. He was a loner. He had an IQ of 66. But just weeks after the tragedy the officials in Australia they passed, they outlawed semiautomatic and other military weapons across the country. So what happened? In a land of rough neck pioneers and outback settlers, Australia has never embraced government regulations. Anyway, Australian independence didn’t end. Tyranny didn’t come. Australians still hunt and do what they want. As for mass killings, there are no more. Not one mass killing in 22 years. Is this common sense? Common sense is what I’m asking. I understand emotional attachment because I have the same feelings. Ok. Thank you.

John Sykes, District 5: Good evening. My name is John Sykes. I live on Howardville Road in District 5. I’m here to support Frank Howell. I’m a member of the Buckingham Citizens for a Safe Society. I would like to just add to that that I’m a former hunter and I’ve hunted in Africa. I’ve hunted in Europe. I’ve hunted in various parts of this country. I’m quite familiar with rifles and quite familiar with various kinds of shotguns. I have hunted with both many, many times with dogs and friends and I have wonderful memories of that. Assault weapons, as members of Buckingham Citizens for a Safe Society wish to outlaw have no place in the duck blind, deer blind or anything else. I do support Mr. Howell’s presentation which will come out in a few minutes and I just wanted to be recorded as that. Thank you very much.

Re: VDOT Road Matters

Shippee: Good evening Mr. Chair, members of the Board. I’ll be very brief tonight. Primary focus right now is mowing and rural rustic routes. Still wanting to get those done. We’ve got the first shot on about ½ of them. We’ve got several of them finished and still working on the rest of them trying to work as best as we can to do that. Should be starting on mowing of primaries trying to get those finished up between now and Labor Day. We are constantly addressing customer service requests that come in. Do have one announcement, on September 6th from 4-6 p.m. there is an open house style public hearing for the Rt. 15/636 project at Shephards and that’s going to be at the Prince Edward County Agriculture Building which is the building right beside Lowes right off of 15 and 460. September 6th from 4 to 6 p.m.

Matthews: Why is it going to be in Prince Edward?

Shippee: I asked that same question.

Matthews: Those two roads are Buckingham County.

Shippee: I agree. I proposed Curdsville Community Center and did not get a response. That’s all I’ve got. I’m here to hear your responses.

Jones: The last time we had a meeting and I talked to you about the carriages and putting up the signs and what you stated about the more signs the more people will listen. We’ve had an accident and I’ve had several people come to my home and sit down and talk to me about the signs what they would like to see and I think it’s a good idea, is that each beginning of main roads that come into Buckingham have a sign. Traffic light at Sprouse’s, one for each direction.
15 and 60. At the end of each one of them as far as Buckingham County goes and if we put up a sign, just to let people know that’s coming into the county that we do have that. I think it will help a tremendous amount.

Shippee: Actually we are looking into something very similar to that except the Sprouse’s Corner. What I’ve been talking to our traffic engineer about is putting one of those signs at the entrances with a plaque that would most likely say something like Buckingham County Shares the Road. Something like that.

Jones: Ok. Thank you.

Bryan: What does Charlotte County do, Scot?

Shippee: We are trying to get the same kind of strategy because they are constantly doing the same. Their population is growing too. Theirs is a little more established than the one’s here. They’ve been here a little longer. In the past we’ve done the individual routes but they’ve gotten to the point that we need to start looking at the global approach. Prince Edward County too in the Prospect area.

Matthews: What about a caution light like on some signs? Can you put something like that on these signs?

Shippee: Probably not. Again, these signs are they are designed to alert nonlocal drivers to an unusual presence. The issue we are facing now is new to locals. Nobody has a good idea of what the established patterns are so that’s a constant struggle for us and what we are trying to do is take as much of a global approach as possible to addressing these. Now we get those signs up and we nail down the concentration, then yes we will look to supplement with some additional signs but we’ve got to start somewhere.

Matthews: Just a couple things. Where are we with some of the paving of 6 year plan roads? Is that after September 1st?

Shippee: That’s what I was mentioning with the rural rustics. We want to get them done as much as you want to see them done.

Matthews: Are some of them getting done now?

Shippee: We are working on several of them in different sections of the county.

Matthews: I don’t know if the state police have contacted you but there was an accident at the end of 769 last week and I would just about bet $100 that it was due the fact of sight vision there at the end of that road. There was a car coming down the hill and couldn’t get stopped in time to someone pulling out and went into the ditch past 769. Last year I think I told you the school bus liked to have got hit once or twice coming out of there. It’s some major issues right there on that
bank that you can’t see. I don’t know what else to tell you. It’s going to take somebody getting killed or something. Is that what it’s going to take? Where do we need to go to address it?

Shippee: I’ll talk to my traffic folks again.

Matthews: Also Wise Ridge Road, Mrs. Braxton called me again. Have yall done anything as far as speed survey or anything?

Shippee: It’s statutory speed limit on all dirt roads of 35 mph. It won’t be below that. It’s on the secondary six year plan. It is tentatively scheduled to be hard surfaced 2022 and spring of 2023. As far as any dust concerns, it I have a particular address number I can make sure its on the route typically for dust control. If a house is 200 feet or closer to a road, we will start 200 feet before and apply dust control through that and 200 feet beyond. We do not typically blanket an entire road but we can address a certain address if you have it.

Matthews: I think she is more concerned about the speed limit with school children up and down the road.

Shippee: Statutory speed limit on a dirt road is 35 mph. Wish I had a badge or ticket book but all I can do is what I can do.

Dunnavant: Is it posted?

Shippee: Most likely not. I can request but most of the time our traffic folks unless there is a significant number of houses there or a particular reason why to post it, usually it’s not. Most of the time a dirt road is rare to see a sign posted.

Dunnavant: I’m sure a great majority of the population doesn’t know that the statutory limit is 35 mph though.

Shippee: I want to say it was 2013 when the General Assembly passed that.

Dunnavant: A whole lot of people do not read the record.

Shippee: I understand.

Allen: I have a question about this Smart Scale coming up here on 15/617 turning about a turning lane coming from the south.

Carter: We put the application in.

Shippee: Your staff is typically the one that submits those requests and work with our folks about the best solution for that area. Turning lanes are part of that application but as far as talking to other property owners I don’t think that’s been done.
Matthews: Public hearing on 636 and 15, do they have an engineer drawing done?

Shippee: Yes, they will have some preliminary drawings there. That will be set up. It’s kind of an open house style format. The designers will be there. Different staff from the district working on it. You just go around and talk to those folks. There is no formal presentation on it. But they will take any type of comment on it and typically address those either with the plan or in writing.

Allen: Anyone else? Thank you.

Re: Public Hearing: Special Use Permit for Bed and Breakfast with Events 18-SUP258

Cobb: Yes, this is case 18SUP258. Application from Cynthia Henshaw. Tax Map Section 131, Lot 8A and 8D containing 135 acres on Old Thirteen Road in the James River Magisterial District. The Planning Commission held their public hearing on June 25th and is recommending approval with conditions. Also since the time of that public hearing I’ve received several emails and letters, comments included in the packet as well I believe you have one in front of you tonight. The applicant is here if you have questions for them. We do have some people signed up for the public hearing.

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to, including but not limited to 12 VAC5-450-VDH Rules and Regulations Governing Campgrounds
2. The facility shall meet all safety requirements of all applicable building codes.
3. That commencement of the facility shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
4. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions.
5. Ample parking for occupants shall be supplied on premises and no roadway shoulders shall be used.
6. Only trailers classified a Recreational vehicle or self-contained camping unit and with current registration shall be allowed.
7. No campground structure shall be erected within 50’ of adjoining properties without adjacent landowners written permission.
8. The Sheriff’s Office shall be notified three weeks prior to any event inviting or expecting 300 or more persons.
9. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
10. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
11. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
12. That the applicant obtains and utilizes a commercial solid waste container for multi-day events. The County Solid Waste Ordinance must be followed and adhered to.
13. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
14. The Buckingham County Noise Ordinance must be adhered to.
15. All archery events must use nonliving targets only.
16. Targets must be at least 100 feet off of adjacent property lines unless there is written consent from the adjacent landowner.
17. That the applicant(s) understands the conditions and agrees to the conditions.

Allen: Does the Board want to have any discussion before we open the public hearing or do you want to go ahead and open the public hearing?

Bryan: I want to hear what the public has to say.

Allen: We will open the public hearing.

Safford Gray, District 5: That was a pretty good Segway from the gentleman from VDOT. Mr. Chairman, Members of the Board, I’m Safford Gray and I’m residing at 213 Old Thirteen Road. Basic concerns I want to talk about is the safety impact on our community and general merits of the application. As stated in the Commissioner’s meeting, concerns around the safety of ingress and egress of Old Thirteen to the property of the events. 200-250 people per event doesn’t seem like much. That figure times how many people will be coming in and out plus vendors or caterers or anything like that for the events. That number quickly escalates to a significant traffic volume on our rural route. Yes, we do have children. They aren’t used to this kind of volume on the road. Residents are mindful of our children. But I’m not sure about the people attending these events. The application did say something about wine tastings and other alcohol provided events. As far as the dust, yes to Commissioner Maxey. We did build on a dirt road. Fortunately I built off the road approximately .7 of a mile so I won’t be directly impacted but my elderly neighbors will. When they built on that road 4 or 5 decades ago, I don’t think they anticipated that kind of traffic volume or the dust impact they will face. Mr. and Mrs. Henshaw, I too am a property rights advocate and I think people should be able to exercise their property rights within the restrictions of the zoning as long as there is no negative impact and what comes along with that is a responsibility to the neighbors. Has there been an impact study? I haven’t seen one. Yall stated in the meeting that there is not going to be a big enterprise here and nobody should have anything to say about it but your application says otherwise. This is exactly why we should have a say. I’ll see an impact. I will have to erect a gate at the end of my drive because I’ve already seen some people coming back to my residence looking for the bed and breakfast that the applicants currently operate. As for camping, is there going to be some oversight of attendees adhering to the no dumping of wastes? I share about 4,000 feet of creek downstream of the watershed...

Allen: Times up.
Gray: I just hope yall consider its own merits and everybody is kind to one another.

Valarie Carter, District 5: Good evening. My name is Val Carter and I oppose the SUP. My husband and I own Laurel Ridge Farm. If you have not read the Planning Commission meeting minutes, you should. One particular quote sticks in my mind that Danny said, it’s my land, I own it, I pay taxes on it and the Carter’s or anybody else should have anything to say about it. Isn’t it your job to say what any of us can and cannot do within legal limits that does have a potential negative community impact not simply because we all pay taxes. This is a serious matter. Although there appears to be some support for this from other people, they are not the ones who have to live and worry about what’s to come with such an open ended SUP proposal. Everyone enjoys a party somewhere else without having to worry about the potential hazards. We have previously had some security issues from a disregard to the law and that in fact imposed a very stressful quarantine period on us and our livestock all due to illegal activities that were upstream from us that left us and our livestock at potential risk. So tell me if this was beside you wouldn’t that raise some questions or concerns? Old Thirteen is too narrow and not designed for increased traffic load not to mention the blind spots and dust concerns that under normal circumstances would not be such a burden. We farm both sides of Old Thirteen, but it puts not only us but others at risk on that road especially with blind spots. God forbid an emergency occurred without proper ingress and egress. If any of you farm, you should understand the possibility of problems and stress placed on livestock and if you don’t I’ve provided studies that do. Many use GPS and we’d have to worry about privacy because we would have incoming people ending up on our private road due to lack of improper technology and it does and has happened. The list goes on and on with biosecurity of proposed animals brought on the property. Who will oversee that? Many illnesses can potentially eradicate livestock. I’m not referring to applicants animals but incoming animals. At very least please table this until an impact study can be done or consider imposing limitations. Putting calcium chloride down prior to events. Notification in the event of 100 plus people coming so we can work around traffic of that magnitude in our current farming operation. Limit what events that could potentially cause a negative impact on neighbors and livestock such as shooting. We’ve already had an incident of 30 minutes of nonstop shooting this past fall that sent a normally peaceful animals through our fence and caused a loss of life. Loud music. We are not as far away as the applicant suggests and sound carries.

Allen: Times up. Thank you.

V. Carter: The packets do have pictures of Old Thirteen if you have not been out there and information on that.

Robert Carter, District 5: Good evening. My name is Robert Carter. My wife and I actively farm beef cattle and horses sharing a common fence approximately 2000 feet long with the Special Use applicants. I oppose the SUP. First off it’s not difficult to drum support when the support has no vested interest in the property, live in close proximity or on the road that leads to the applicant’s property. My wife and I do. I have lived in this area my entire life and enjoyed the peace and tranquility and wish to continue. The peace is being threatened by the proposed
business. Part of which is already in operation and been actively advertised as an Air B&B. I’ve been told the B&B didn’t need a SUP because it was zoned Ag 1. Then told the events portion didn’t need an SUP. Clearly the application reads, for the purpose of a bed and breakfast and event location. So why are we here tonight? Some direct questions were asked by the Planning Commissioners were either disregarded or subject changed or answered very vaguely. Was the application for traffic impact determination completed? Were any issues found or acted upon? I ask the Board to read the Planning Commission minutes if they haven’t already done so before rendering a decision. This SUP is to open ended and without oversight. The proposed business cannot be seen from the State road so it raises the question and concern, if campers are onsite and no hookups are available then where will the sewage be dumped? This is a real concern since there are two streams from their property that converge on our property and flow into a pond that we swim in and livestock drink from. The applicant’s prior business ventures have given cause for concern. In the fall of 2006, the applicants wild hogs health were in question having pseudorabies and brucellosis disease that can be spread to people. Due to this our animals had to be quarantined and had to be tested by the Department of Agriculture. It is highly unlikely the county will benefit from the proposed business with close proximity to Appomattox and Amherst. Also the County has no taxation on vacation rentals or meals tax if patrons did visit. The patrons will only cause burden in the county’s infrastructure, road, trash, fire, police and rescue. In summary we feel as homeowners, landowners, and taxpayers in the county that our livelihood is as important as the applicants. Thank you.

Allen: Does the applicant have anything to say? Do you have anything to add?

Danny Henshaw: I’m Danny Henshaw and my wife, Cynthia. I listened to the concerns of the neighbors there. The things that we applied for is stuff that we have done. We’ve had weddings there. We’ve had people come. We are asking for an opportunity to rent our property. They have rental properties. They rent it and traffic comes in and out every day. Our main thing is going to be the Air B&B. The bed and breakfast. Yes, we’d like to have some weddings. I’ve had nieces come up and have weddings there. We’ve had other friends have receptions there. The annual thing we have every year called Fire on the Mountain where our children come and bring their friends and everything. We’ve been doing this for years and years. Some of the incidents they mentioned about in 2006, yes, I did have…they came in and they said we had some stuff however they killed 157 head of my stock but when it was all said and done, no virus was found. They did find antibodies but my stock came from Canada. They were quarantined in Canada and vaccinated for pseudorabies and some of these antibodies were found in the blood. But when the tissue samples were sent to Iowa, there was no virus found. My animals were healthy. They only made the mistake of coming from Canada where they do vaccinations and they don’t here. No one person every come to me, not from the Department of Agriculture…

Cynthia Henshaw: Antibodies, make sure you say that.

D. Henshaw: antibodies in the blood. Nobody asked me for health certificate which we had. Nobody asked me for papers which we had. Nobody asked me for paperwork or anything. They came in like a drug raid at 5:00 in the morning, arrested me and drug me off on a Class II Misdemeanor charge and they came in and started killing stuff and they stayed on our property
for 8 ½ months and everything was dead. That’s what happened in 2006. Pets and all. Ok. But again, no disease was found. I’m sorry for the inconvenience of the Carter’s and everything but that’s what happened then. We just want to share our property with people, yes we want to have a bed and breakfast and yes, we want to have some weddings and it may be a family reunion or something. I think in our application we mentioned a traditional archery event. Not compound, not crossbow but the old long bows and stuff like that. That’s just a hobby I’m into right now. That’s it.

**Allen:** It says here weddings, reunions, guest speakers, and traditional archery. Then lower, somewhere else I was reading it mentioned camp/I forgot what it was.

**C. Henshaw:** Dry RV or primitive camping.

**D. Henshaw:** We had some instruction kind of from the county and they said include everything that is a possibility that could happen. Well, when we have our annual Fire on the Mountain, we have people come in RV’s. We don’t hookup. They might plug into electric or something and water hose but no sewage is dumped. I don’t want sewage on my property. I won’t allow it. I live there. You know. I don’t want to do anything to harm my neighbors. If we have spots around and they have an RV or tent or whatever, if we have something, an event, I plan on having port-a-potties, portable showers and things like that that would be brought in and removed at the end of it.

**Allen:** I don’t know if that is in the conditions or not.

**Dunnivant:** It’s not.

**Cobb:** That’s because from…so, to address the campground thing, it is my understanding from talking to the Health Department who regulates the campground. They don’t allow the dry campground. So if they want to pursue that, the condition #1 that says they have to follow the rules and regulations governing campgrounds would cover those types of things about how they will handle the waste. That is why that condition is there.

**D. Henshaw:** If it’s a condition that we don’t allow it, then we don’t allow it.

**Matthews:** You have on there that could be expecting as many as 300 people. How often do you think that’s going to happen?

**D. Henshaw:** I can’t imagine that happening. I’m glad our neighbors have such high expectations of us.

**Bryan:** If you put it in there, there is a possibility of it happening. Listening to the concerns of our neighbors, it’s a very narrow road, if I lived on that road, I would have genuine concerns especially if you said I’m going to have a couple hundred people over and this goes on consecutively for a couple months because hopefully all years aren’t going to be as wet as this one, you could have really good weather and theoretically have events every weekend. The way
it’s worded right now, if you have over 300 people, you contact the sheriff’s office. So my concern is you have a reunion, I don’t have a big family, but you do and there is 1,000 people in my family and we have a reunion at your house. That’s 1,000 people. The only condition would be you contact the sheriff’s office and say hey, there’s going to be 1,000 people at my house.

D. Henshaw: Ok. That’s a theoretical thing and I’m going to have a theoretical thing. What if it was a bad accident on 60 and they detoured every piece of traffic through Old Thirteen Road. It’s a state road not a county road. They can detour everybody through there.

Bryan: Absolutely.

D. Henshaw: That’s happened before. We can’t regulate all possibilities. We are not…

Matthews: Have you ever had 300 guests?

C. Henshaw: No, sir. The most we have had is 125 for a wedding. We were told to increase that number just to cover anything. If we did, say there was 200 people, I doubt very seriously that 200 cars are going to show up with one person driving each car. More people usually ride in a car together. Say you have 100 cars with 2 people. It’s me. I’m the one running the place. I can’t clean up behind that many people consecutively. I’m going to manage that and you know so the events are in there because some of our guests might want to come and have an event like we have for our family which they spend the night and lot of fun. The Carter’s have always come to our events and there has never been a problem. So, if the problem now because we want to make money from this so I can stay here and live in Virginia. My husband has been living out of town since the incident that caused us to have to leave Buckingham is the one that the Carter’s brought up. We had no income and he went into the oil industry to save our home. He still has not been able to come live full time at home. So that was in January 2007 when he left.

Dunnavant: Question, on the bed and breakfast portion that you are running now…

C. Henshaw: I’m not running it now. They said I was running it now. I had a conversation with Mrs. Cobb. We took it down until this meeting.

Dunnavant: So you suspended the bed and breakfast.

C. Henshaw: We have not done one thing. I wanted to point out that Mr. Gray, since we opened this for business before we knew we had to get a permit first, we’ve had a total of 4 guests. I don’t know how many of those went down his driveway.

Matthews: When did you suspend the operation of the bed and breakfast?

C. Henshaw: The day after the zoning meeting. Our neighbors have rental property. They rent it out full time. I thought it was our property and we could rent it out full time.
**Dunnavant:** The neighbors, are they renting it out full time or are they renting it out to transients? There is a difference.

**C. Henshaw:** I think they rent it out permanently.

**Dunnavant:** Permanently is different than transient.

**C. Henshaw:** Right, that’s what I learned from Mrs. Cobb. So I know that now.

**Dunnavant:** I’m a land rights activist guy. Nobody yells from that podium louder than I do. But I’ve got some concerns with this volume of people being congregated tightly together. What I would like to see us do this evening is approve your bed and breakfast to a maximum capacity to what do you say 2 a day or? What is your accommodations? How many people can you accommodate?

**C. Henshaw:** I’d say 9 plus.

**Dunnavant:** What you are running, you can call it an air B&B, but what you are doing is running a quazy hotel/motel and from a county revenue standpoint it should fall under the county lodging tax.

**D. Henshaw:** Our fees are not in that category you are talking about.

**Dunnavant:** But the service you are providing is.

**C. Henshaw:** What is your point? I’m sorry.

**Dunnavant:** My point is the Bed & Breakfast, Hotel/Motel part of it, what is the maximum occupancy you can accommodate there and what I’m going to propose, from what I’ve heard here is that we potentially approve the Bed & Breakfast portion and we reexamine the events to get that narrowed down a little bit better.

**C. Henshaw:** I’ve requested some of you guys come and look at the place.

**Dunnavant:** The first I heard of it was when I got my book.

**C. Henshaw:** I talked to you on the phone and I talked to Mr. Bryant on the phone.

**Dunnavant:** Yes, yes we did speak.

**C. Henshaw:** You told me you didn’t need to come see our place.

**Dunnavant:** For the Bed & Breakfast.

**Matthews:** I think they need the numbers nailed down and the conditions nailed down…
C. Henshaw: I didn’t put the number that high.

Matthews: I understand that you didn’t put the number that high but listening to the community that live on your road I think they are concerned about the traffic. I don’t see you going to 300 people. That’s a lot of people for a wedding. I don’t see that happen to often. People don’t go to weddings like they used to.

C. Henshaw: Not a country wedding anyway.

Matthews: Let’s get more realistic with the numbers. I’m with Morgan about approving the Bed & Breakfast tonight and looking at the conditions for your special use permit on down the road and see if we can make everybody happy. You know what I’m saying. Let’s everybody try to get along. I know you’ve got to make a living. I appreciate that. I’m for private business. Anything that’s going to help the county and generate more taxes for us, that’s what I’m for. I don’t want to raise your taxes. If you are making money and working hard, that’s helping us. I want to do everything I can to help you but we also have to look at it from the citizens perspective that live there too. I’m just trying to help you in the long run here.

Dunnavant: When you and I spoke on the phone, I was under the impression it was a 1 or 2 room air B&B but if you have the potential for 9.

C. Henshaw: It’s one family usually.

D. Henshaw: Like somebody coming for a college graduation and everything is booked up and…

Dunnavant: I understand what you are speaking of and I’m for 100% in favor and I’m really in favor of your event facility. We just need to get it more defined. Part of what makes your facility attractive is you are in the sticks and isolated but you do have neighbors and good fences make good neighbors and distance makes better. Sounds like to me that your neighbors are concerned that some of it may be a little bit too close. It’s not really defined how big they may be and how often they may be and we need to sit down and work through that.

Bryan: It also says that a traffic impact study needs to be done too if I’m reading this correctly. It says a traffic impact study is required for 24 VAC and it says that there is minor work for site distance.

Dunnavant: Have you contacted VDOT about the entrance coming in the road?

D. Henshaw: Everything is in place. I put the commercial entrance and it was inspected today. Verbally he told me everything was fine. I do not have the permit in hand but Mr. Edwards came out and inspected it today and took some pictures and told me I can expect the permit.
**Dunnavant:** So you’ve done the entrance request so that accommodates what you are looking at Mr. Bryan.

**Bryan:** I’m looking here it says application for traffic impact determination it says for VDOT use only, they checked that traffic impact statement is required and it says that minor improvements and you said you took care of them, for sight distance and entrance geometrics.

**Dunnavant:** It sounds to me the commercial entrance being installed and cleaned the brush up, either way you’ve accomplished what that has asked for.

**Bryan:** But not the traffic impact statement.

**Dunnavant:** The traffic study I don’t know. I would have thought Scot would have mentioned something about that tonight after looking at the agenda.

**B. Carter:** The traffic impact study we’ve required on subdivisions before. It can be expensive.

**Cobb:** That’s the traffic impact analysis. There is a traffic impact statement and a traffic impact analysis and those are two different things. Morgan might know something about that. I would say we would need to check with Mr. Edwards or Scot to confirm it but I think if they’ve given the ok on the commercial entrance then that statement is ok. Generally that is information that VDOT can pull as far as traffic count and that sort of thing.

**Dunnavant:** If VDOT had an issue with the projected traffic that was going in, they wouldn’t have granted the commercial entrance for your proposed facility in your location so the traffic issue on the road I believe is mute. The volume…

**C. Henshaw:** Even before it was brought up the road was 8-9 feet in places. Pictures were provided and we did get to see the pictures and we went to those exact places and measured. The smallest section of gravel was 15-17 feet and we were told by VDOT to measure ditch to ditch. That was 23 feet.

**Dunnavant:** I’m on your side. Don’t go backwards here. When VDOT gave you the commercial entrance permit they know the traffic is not going to materialize out of the air. It’s got to drive from Rt. 60 or 26 down through James River State Park neighborhood to get to yall. So VDOT took care of that. There is not an issue with the traffic. Our issue is, I’m a land rights guy, we need to define a little closer these events. What kind of events? Is it simply weddings? Is it going to be target…archery?

**Matthews:** How many events did you have last year off the top of your head?

**C. Henshaw:** One.

**D. Henshaw:** We had one wedding.
C. Henshaw: No, that wasn’t last year. We had Fire on the Mountain, which is our personal private event and the Carters were there.

Matthews: How many people were at that event approximately?

C. Henshaw: 100. Maybe 100. Probably 75. Ask them.

Dunnavant: A private event is totally different. When you are trading dollars and somebody pays you to come in and use your property then all of a sudden there is an expectation that things are better than saying hey, I’m going to have a party at our house this weekend and we are going to party on the lawn until we can’t party no more.

C. Henshaw: It would be a better situation. Better planning. Better set up. Better everything because people are paying. It does make it different. Port-a-potties. At our event, people can just go in the house.

Dunnavant: It will be a commercial venue. Let us approve your Bed & Breakfast this evening if the gentlemen agree with that with a maximum of guests per day. Pick a number.

C. Henshaw: I would say 15 a day.

Dunnavant: 15. You’ve got more rooms than Star Motel has.

C. Henshaw: I’ve got 5 bedrooms and 3 couches.

Bryan: You have on your application that you are only using 4 of them.

C. Henshaw: Yes.

Bryan: So 2 per bedroom, queen bed, 2 x 4 is 8.

C. Henshaw: I’ve got twin beds, trundle beds, I’ve got it all.

Allen: My only issue is too many things open ended. It says no campground structure should be erected within 50 feet. That eludes to that you are going to build something for a campground. That probably shouldn’t be in here. 300 people. That’s too many in my opinion. Things like that we need to clear up.

Matthews: What about the camping? Would you be willing to eliminate that all together? I’m just throwing that out there.

D. Henshaw: We were instructed to put everything in the application.

Cobb: You are mentioning coming back with the other portion of the application. Are you wanting that at the next month’s meeting?
Dunnavant: I think the Planning Commission has some work to do to hammer this out between them and you and the applicant to present something back to us that we can look at and understand and know exactly what is supposed to transpire.

Matthews: When does the Planning Commission meet?

B. Carter: The Planning Commission has already made a recommendation.

Bryant: When it comes to events it’s wide open. It needs to be closed up. You could put a Nascar race track and have 300,000 people there. It fits because that is an event.

Bryan: Our options are we can turn down the SUP totally and send it back or partially approve the Air B&B portion and disapprove the events portion.

Bryant: I’m all for the B&B.

Dunnavant: The Bed & Breakfast, I don’t know if it has a specific definition, but you know I see that as 2 or 3 bedrooms in your house you rent out but 15 people, let me finish, then you can come back at me, but 15 people in your house that are paying you to live there, that’s stepping beyond the Bed & Breakfast definition to me and actually being hotel/motel scenario from my perspective.

Matthews: Not really. B&B’s are all across the country.

D. Henshaw: It’s not going to be all strangers. It would be one family or something. Not like you are going to have 3 guys paying by the hour coming in there to use the…

Matthews: Air B&B is the up and coming thing. People are going for that left and right when they are traveling.

Dunnavant: If they are all kin, I’ve got no problem with that. You don’t have 15 strangers.

Allen: That’s enough discussion. Any other statements you want to make? I’ll close the public hearing. Back to the Board. What do you want to do and how do you want to do it?

Jones: I think we are blowing this out of proportion, the number they put down could be something that is to justify anything that might come up as far as the amount of people or I would like to see that many people come into our county. I think it would be great but I think we are blowing the numbers out of proportion.

Matthews: I agree with Mr. Jones on that part of it but I do believe there needs to be some stipulations and ends that need to be closed up before we proceed. I don’t mind passing it as it is right now but until we get those 3 or 4 questions answered I think we need to table this thing
until we get to something at the end of the day that is going to satisfy the Henshaw’s and the rest of the community. That’s what we need to do.

**Dunnavant:** Would you agree to going ahead and approve their Bed & Breakfast so they can get their financial…

**Bryan:** I would like to at least approve the B&B portion of it because it’s income for them.

**Dunnavant:** Let me give this a try then, I make a motion that we approve the Bed & Breakfast aspect of the Special Use Permit 18-SUP258, the Bed & Breakfast aspect of it as addressed and take no action at this time on the events section of this permit and they can come back to us later once they get a more definitive request made. Does that make sense?

**Matthews:** Not really. I don’t want to take no action. I want to take it to the drawing board and complete what we are going to do.

**Dunnavant:** They’ve got a business enterprise. We don’t want to shut them down on that.

**Matthews:** I understand that. But it’s not going to be fair to them. We need to get Mrs. Cobb…

**Dunnavant:** My motion approves the Air B&B as noted in this application. Nothing taken away from it, nothing added to it as these conditions for the Air B&B.

**Bryan:** It would be conditions 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14 and 17 would refer to the Air B&B. You can agree to them in your motion.

**Dunnavant:** We can enumerate those conditions in there. What we are leaving out is 6, 7, 8, that refer explicitly to the events.

**Bryan:** 6, 7, 8, 15 and 16. Jennifer…

**Dunnavant:** The events portion will come back to us.

**Bryan:** Send the events portion back to the Planning Commission?

**Dunnavant:** Yes.

**Cobb:** Do you want it to go back to the Planning Commission or for me to sit down with the applicant and bring something back to you next month?

**Matthews:** That’s a good idea.

**B. Carter:** The Planning Commission has already made a recommendation.

**Matthews:** Let’s let Mrs. Cobb do her job.
**Dunnavant:** That’s fine. You work something out with the applicant that’s definitive and fits the parameters.

**Allen:** A motion has been made and a second to approve the Bed & Breakfast without the events with the conditions listed by Mr. Bryan.

**Matthews:** Does this make you happy?

**D. Henshaw:** It’s fine.

**Allen:** Any more discussion?

**Matthews:** Mr. and Mrs. Carter, is this making you happy?

**Bryan:** I understand the B&B portion that’s been operating there. I know that, you know that. I can read the correspondences. We do want to address the events portion of it.

**V. Carter:** That’s the biggest issue.

**Bryan:** Yes, maam. That was my biggest concern. I wasn’t concerned with the Air B&B. I’m more concerned about the events portion.

**V. Carter:** It’s potential traffic. I will tell you the same thing Mrs. Henshaw said, you are welcome. Please come out and look at the road. Look at her proposed application with the highlighted things.

**R. Carter:** I should go back to the Planning Commission because they let it go through like it is. They should have a hammer out.

**Allen:** Let’s vote. 7 yes. Approved the Bed & Breakfast and come back later with the events after Mrs. Cobb works it out.

*Supervisor Dunnavant moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve the Air B&B portion of 18-SUP258 for Henshaw along with conditions 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14 and 17 pertaining to the B&B portion and for the applicant and Mrs. Cobb to work out the details for the events portion of the application and bring back to the Board.*
Re: Presentation by Frank Howe, Buckingham Citizens for a Safe Society

Howe: I would like to make a correction to your agenda and future minutes, my name is spelled Howe. No L’s. I appreciate the opportunity to present to you this evening on behalf of Buckingham Citizens for a Safe Society. It’s important that we make it clear here in Buckingham, in the Heart of Virginia, that we see a difference. A difference between the valued and time honored traditions associated for hunting along with the weapons used for hunting and the sad destructive wave of mass murders in our country and the dangerous destructive weapons that are used to commit such atrocities. What we are suggesting is not about hunting. It’s not about the second amendment. It’s about saving lives within our community and within our schools. There currently are limits on what kind of weapons we can and cannot own. There are federal laws that carefully limit very dangerous weapons and specify what they are and what it would take for an individual to own them. Here in Virginia you can’t own fireworks. There are various fireworks that are illegal. Why are limits imposed? Why are these legal limits imposed? Because these weapons and these devices are considered too dangerous to be available without careful oversight and careful controls. But in Virginia, private citizens cannot own a fire cracker but they can own a weapon that can kill dozens of people in a minute. We have so often heard the tired, and trite rejoinder “Guns don’t kill people. People kill people.” But no one becomes a mass shooter without a mass shooter weapon. The numbers of fire arms in the country are astounding. In 2009, the report was 310 million firearms in private hands. More recent data, 2017 which is reliable data indicates that currently in the United States there are 393,300,000 weapons, firearms held by private citizens. That’s an increase of 83 million weapons in only 8 years which is a little over a ten million a year in the last eight years. We have 5% of the world’s population and we have 31% of the worlds mass shooters. What is a mass shooter? There is some argument on how you want to define it but typically the definition that’s most accepted is what you see in front of you. It’s the definition that is used in most of the reporting that you will see. Here’s the statistics. This is a 20 year trend of mass shootings and the death/injury that results from it. Notice the numbers in green. That’s when there was a federal ban on the sale of assault weapons. One sad occurrence you see in red, is Columbine and another mass shooting in Georgia. But if you look what’s happened since the federal ban has been lifted, it’s appalling and it’s frightening. Since I have asked this Board to consider a motion regarding this in May, 130 more Americans have been killed in mass shootings and 528 more Americans have been wounded. This is since I have spoken to you in May. What’s the current law in Virginia? To purchase an assault weapon, you have to have proof of age. You have to be 18 to buy rifles and shotguns and 21 for pistols and you have to prove citizenship. Meaning, in Virginia we won’t sell these citizens to noncitizens but otherwise we are a good state to buy assault weapons. It’s real easy to get them. The definitions you see before you are what Virginia calls assault weapons and what Virginia’s calling high capacity ammunition, high capacity magazines. I’ll point out to you that 18 year olds can buy assault rifles in Virginia. Not considered to dangerous. What other statutes apply? We have background checks but there are no background check requirement for private sale. This is called the Gun Show loophole. Anyone who is not functioning or licensed to sell arms can in fact sell them without any background check. There is no waiting period in Virginia. There is a wonderful Simpson’s episode in which Homer is angry at a neighbor and goes to a gun store and he arranges to purchase a gun and the man behind the county says now there is a waiting period and Homer replies in a frustrated voice, but I’m angry
now. In Virginia, Homer would have gotten his gun. There is no waiting period. Concealed carry in Virginia means if you want it and you pass a background check you have it. It’s a must issue state. There are two boundaries placed on this. One’s for domestic violence and one is for mental health issues. These are good and sensible precautions and again, private sales are not subject to these screenings. This is dangerous. This is madness. The motion we are putting before you, you have seen before. On behalf of the Citizens for a Safe Society, we are asking that you, the Buckingham County Board of Supervisors, consider and adopt this resolution. This is the right thing to do. It doesn’t impact hunters. It doesn’t impact sensible, reasonable gun ownership and it will save lives. Here is 32 reasons why you should do this. None of these people should have died because of a mass shooting. No more should. Here’s 20 more reasons why. None of these children should be dead. These children should be in middle school right now. It falls on me. It falls on everyone sitting in this auditorium. It particularly falls on you seven men. Our elected representatives. To say that this should never happen again. The last two times this motion was brought before you, you sat in stone, unblinking silence. But this is a matter of life or death and you can make a difference. So what will you do tonight? Questions? Comments?

Bryan: I do. I have a couple. I’m one of the people that say guns don’t kill people. People kill people. That’s a fact. I’ve got a gun in my house that I say stay, it stays in the drawer. It doesn’t come out. You mentioned the mass shootings. Ok. To mind comes Timothy McVeigh in 1995. He didn’t use a gun. He used a bomb. He blew up the federal bureau building in Oklahoma. The deaths there were tragic. 2014, there were 20 people injured in a mass stabbing. Ok. July 1st of this year there were 9 people and 6 injured in a mass stabbing. This is not a gun. This is a stabbing. I share your concern with the people that are mentally ill. 2013 the bomb in the Boston Marathon. You know. What do we do?

Howe: I’ll be happy to answer that question. First of all…

Bryan: Outlawing guns is not going to do it.

Howe: It absolutely will. Let me tell you why. You’ve asked me a question.

Bryan: Ok, so you’ve got Timothy McVeigh that didn’t shoot people. He blew people up. Ok. So if you want someone dead, you know, I hate to use this analogy, Frank, you know, if I wanted you dead, you are going to be dead. I don’t care if you put a tank out in front of your house…

Howe: It’s illegal.

Bryan: if the person wants you dead, you know they are going to get you. You know, I liked your presentation, I really did and I understand it. There are certain things in it I agree to and certain things that I don’t. As a second amendment gun holder, I’m like you, what do I need an automatic weapon for.

Howe: May I respond?
**Bryan:** Certainly.

**Howe:** Guns don’t kill people. People kill people. But you can’t kill 40 people in 35 seconds unless you have a gun that can do that.

**Bryan:** Or a bomb that can blow them up.

**Howe:** Guns can do it. Do you know how to make bombs?

**Bryan:** I can go to the internet and find out just like that.

**Howe:** So I won’t be able to prevent you from making a bomb but I sure can prevent you from buying a gun tonight and going into Buckingham Schools tomorrow and killing our children. If you can’t get that gun, you can’t do that. So to say other ways will occur. Yes, they will, so we shouldn’t stop this one, does not make sense to me. This is preventable and if we look at countries that have passed these laws, it stops the mass shootings. One of our speakers mentioned Australia which is an excellent example of this. They haven’t had a mass shootings in 22 years because they took up all these guns. They just don’t have them anymore. It doesn’t mean they don’t get killed there but 50 people don’t get shot in an afternoon. That’s what we are talking about. So to say other bad things happen so there is no point dealing with this one, that logistic doesn’t make sense to me.

**Bryan:** There were 8 people killed in Australia in a mass stabbing. Do you outlaw knives?

**Howe:** Do you do something to prevent mass shootings? I say yes. Do you want to take on other issues? I don’t know. This is preventable.

**Bryan:** So you are saying outlaw assault weapons? So, does that mean you are going to outlaw my 9 MM? I can load it with 9 and start shooting and just randomly shoot.

**Howe:** That comes down to the magazine and how many bullets it can carry and that part of the suggestion. But to say this shouldn’t happen because it doesn’t prevent all killings, to me doesn’t make much sense. This prevents killing. It absolutely does. We have seen it in other countries. If we don’t do it here, for a variety of conflicted reasons and misinformation, my God, gentlemen, we should do it. I’m asking you to be leaders this evening and stand up and say this is something we have to say no to. Other questions? Comments? Thank you for listening.

**Re: Zoning Matters: Update on Conservation Easement Request**

**Cobb:** Yes, so you guys recommended to the Planning Commission to look at a resolution for a conservation easement on property that’s identified in our Comprehensive Plan. All I can tell you at this point is that the Planning Commission is looking at it. They are taking it very seriously and have asked me for additional maps and I’ll be taking that to them next week and when I have more for you I will bring you more.
Re: Consider Nomination for the Board of Assessors

Allen: Mrs. Carter, you need 3 on the Assessors and 3 or 4 on the Equalization?

Carter: We’d like for the training to take place at the same time but the Assessors would be performing their duties before the Board of Equalization.

Allen: Can we say that the Board of Assessors be the even numbers like…

Carter: You can do it however it just has to be at least 3.

Allen: When I say even and odd, I’m district 7 so I’m the odd so I’d pick somebody.

Matthews: 1,3,5 and 7 is that what you are saying?

Allen: 1,3,5 and 7 do the Equalization. 2,4 and 6 would do the Assessors.

Matthews: Can we have those names next month?

Allen: Sure.

Chambers: Mr. Chairman, Louise Davis served on the Board of Equalization and she is out in the audience and she asked if she could serve again so I’d like to put her name in the pot. She served before with Mr. Bryant. He can’t serve again.

Carter: So you are looking at Louise Davis?

Chambers: Yes, Equalization.

Bryan: I had Alvin Thomas last time right? I tried calling him again tonight. I’m going to have to make a point to go over there and ask him.

Matthews: I’ve got a couple names but I’d like to contact them before I give them to you to make sure they would be interested.

Carter: Ok.

Allen: So would you like to do it the way I was talking about, everybody that has an even number do the Board of Assessors and odd numbers do the Equalization and that way we…

Matthews: That would be fine.

Bryan: I have one for the Board of Assessors. Lyndsey Tapscott.

Allen: So bring him back next time.
Carter: We can take those tonight if you have them ready.

Bryan: I would like to speak with Mr. Thomas.

Chambers: Mrs. Davis is ready tonight.

Dunnavant: Actually he stole mine.

Matthews: My understanding is the Equalization gets paid $50 a day if they work.

Carter: $50 a meeting.

Matthews: And mileage if they go to the site.

Carter: The Board of Equalization would maybe only go if there is a property that is appealed. They are the last appeal before the Judge of the Circuit Court. The Board of Assessors is first appeal and then the Board of Equalization and then Judge of Circuit Court.

Matthews: Danny, so what’s going to happen is 2, 4, 6 are going to do Assessors.

Allen: 1, 3, 5, and 7 will do Equalization. That way everybody will pick one and we will be good to go.

Carter: I’ve got it coming up where I’m asking you to award the bid to the firm to do the reassessment. We checked with the Department of Taxation to make sure I was correct in suggesting, sometimes it is hard to get people to be on the Board of Assessors because at times they would work every day all day long with the firm going to each piece of property in which you do pay mileage to them and you do pay them per day. The Department of Taxation says it’s perfectly fine if the Board of Assessors just wants to go to some pieces of property that may be in question or just to the one’s that are being appealed certainly they should go. That might be a way when you talk to someone that they will not be working every day. They could set up a schedule for them to go to certain properties.

Allen: If they are appealed or somebody complains.

Carter: Or if they just feel like going to some of them to see. I know in the past the county’s felt comfortable having local people be a part of that and is a good idea and they still would be. They will be part of the updates but wouldn’t visit every parcel. I mean you are doubling your pay there.

Allen: Anymore discussion about the Assessors?
Re: Consider Bid for Sheriff’s Vehicles

Bids were advertised for the purchase of three new vehicles for use in the Sheriff’s Department. Bids were due July 27, 2018 and we received only one bid. That bid was from Gilliam Motors Inc. for a total of $87,699 which is $29,233 per vehicle.

Bryan: So moved to accept the bid from Gilliam’s.

Vice Chairman Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to award the bid to Gilliam Motors, Inc. in the amount of $87,699 for three sheriff’s department vehicles.

Carter: I would just like the record to state that for vehicles there is $90,366 budgeted. We feel like this bid is just for the vehicle itself. We have found that the Sheriff is going over his budget in vehicles because of having them equipped so I’m going to be meeting with them to see how that can be absorbed within their budget maybe in some of the other line items. I just want you to know that the final cost on these after the equipment is going to be more than their budgeted. We are trying to work within their budget on that. We are having some meetings on that.

Dunnavant: May be some other big ticket items they can trim a little bit on.

Re: Consider purchase of listed parts with unused wastewater facility upgrade grant proceeds

The Utilities Department would like to request that the Board consider allowing them to purchase the attached list of equipment for the Wastewater Plant. Ed Smith with USDA has already reviewed and approved the requested items. We can purchase some of them from local vendors and others from the State Contract. It is not required, but we will be advertising for bids for the pickup truck. The funds for these items is grant money that can only be spent on this project and does not require any county funds. If the Board approves this request, it will close out this project.
**Bryan:** This is using only grant funds from…

**Carter:** Only grant funds that will go back if we don’t use it.

**Bryan:** So moved, Mr. Chairman. It’s not county money. It’s grant money.

**Carter:** I want to make a comment on the vehicle. Rural Development said that you all can get state bids if we want to but we said your procedure is to bid it out but that bid will have to go to
them for their approval too and then come back to you. If the state contract should be less, then you all would have to award it to who the federal government says they are going to pay.

**Allen:** For the tractor and the car?

**Bryan:** For the USDA vehicle? Ok.

**Carter:** I just want to make you aware that we will bid it out but they have to look at the bids too.

**Allen:** Motion made and second to approve the purchase of the wastewater items. Let’s vote. 7 yes. So approved.

*Vice Chairman Bryan moved, Supervisor Dunnivant seconded and was unanimously carried by the Board to approve to purchase the listed items from the Wastewater Expansion grant funds.*

**Re: Consider Bid for Reassessment**

**Carter:** We did receive only one bid for the next reassessment. This bid is from Wampler Eanes Appraisal Group LTD. It is the same company that performed the last reassessment and I believe the one before that too. The bid is based on $16.95 per parcel for full walk around site visits and is based on the RFP estimate of 13,236 parcels. The bid for the mobile homes is $8.00 each and that’s based on the estimate the Commissioner of the Revenue had of 1400 mobile homes. The contractor will coordinate with the Commissioner of the Revenue for the assessment year at no additional charge and then can provide valuation services for $33.00 permit/split following the reassessment cycle. They do that not and that’s helpful in the event that we don’t wait 6 years to pick up improvements and everything. It also make reassessment less painful for some people. The contractor will provide clerical and data entry, digital photos, door cards and will provide at no additional charge for three years from the effective date of the reassessment for appeals and court testimony. The county will provide office space, furniture and telephone, field cards, postage, notices and envelopes. The county provides computer software and tax maps. The software used interfaces with our county real estate software program. The total project contract price is $235,550. The cost will be paid over a period of two fiscal years. It goes into two budget cycles. This project is scheduled to begin October 1, 2018 and is expected to complete December 2019 for the reassessment book that needs to be signed by the professional assessor and certified by the Department of Taxation. I’ve provided you with the full schedule on page 7 of the bid document so you don’t have to read the whole thing and the Bidder Proposal for Work found on page 8 and 9 for more detailed listing of the services that will be provided. I have sent it to the Commissioner of the Revenue for her review. The County Attorney also has it but he is away so far what he sees it looks fine to him. But I would ask you to consider this based on their approval.

**Bryan:** How much did you allocate in this years budget for reassessment?
Carter: We didn’t. We will have to come back for an appropriation once we see how much it will cost this fiscal year.

Jones: Mrs. Carter, how does that $235,000 compare to last reassessment?

Carter: What did I tell you all? It is up but it’s been 6 years.

Smith: Mr. Chair, according to Roberts Rules of Order, I have to ask permission to come to microphone to make a comment, may I do that?

Allen: Yes, go ahead.

Smith: My name is Sammy Smith, I live in James River District. Six years ago or so when Wampler and Eanes was doing the reassessment, I had a younger gentleman, employer of Wampler, joy riding on my farm in a 4 wheel drive truck. All I ask is for the county to stipulate, if it says a walk around assessment it does not mean driving every trail, every power line, every food plot and every garden plot on the citizens property. I would just like to make that point.

Dunnavant: Mrs. Carter, I’d like to ask a question. I may show my ignorance but I may not. How does this duty, because the Commissioner of the Revenue is an elected constitutional officer with a budget from the state to cover these kind of costs. How does it fall to us and not through her office? How does that come into being?

Carter: No sir. It’s not through her office. It’s the Board of Supervisor’s responsibility to have this done. They might have a state budget but they get $70,000 some and that’s salaries. You are responsible for the rest of the budget.

Dunnavant: I know we are but what I can’t fathom, we’ve got a good group of folks back there but what’s the purpose other than keeping up with the tax book? What do they do? They are not doing the assessment and that was originally the constitution of Virginia the Commissioner of Revenue was to go out and meet the landowners. How has it gone this way?

Carter: The state requires you to have a Commissioner of Revenue unless you change your form of government and form a finance department. You would not have a treasurer and commissioner of revenue and then you wouldn’t get even the $70,000.

Dunnavant: The treasurer pays the bills.

Carter: We pay the bills.

Dunnavant: Ok. We pay the bills but they take the money in. They are accountable for taking the money in.
Bryan: Mr. Chairman, I move that we accept the bid for the reassessment since there is only one bid.

Dunnavant: It’s just a question. I’ll second that. I just wanted to know why it got away.

Allen: Motion made and second to accept the bids.

Bryant: That’s done in 2 payments, equal payments.

Matthews: Maybe we will get some money from the school division.

Allen: Let’s vote. 7 yes. So approved.

Vice Chairman Bryant moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to approve the bid to Wampler Eanes for a contract price of $235,550 to be paid out in two fiscal years.

Re: Consider request form Mecklenburg County Board of Supervisors for a Resolution of Support

Carter: This is being brought to you pursuant to Mecklenburg County Board of Supervisors asking us to, asking you to consider a resolution to the General Assembly to allow localities to have a referendum to vote the local sales tax from 5.3% to 6% with additional funds going to school construction or renovations. So this certainly is your authority of what you want to do.

Bryan: Are they tag teaming all the surrounding counties to do the same thing?

Carter: Yes, but I haven’t heard what any of them are doing.

Bryan: At the top of your head, give me a wag, Karl. What would .7% do? How much money are we talking about?

Jones: We can table it.

Dunnavant: Yeah, we can table it.

Allen: What do yall say, Mr. Carter, Mrs. Carter?

Carter: It’s asking to do a referendum, which means if you wanted to you can put it on the ballot to see if the people want to raise the tax for construction money for schools. It doesn’t mean you have to. The public would vote. Personally based on our sales tax it would take a long time to get any money to renovate or build a school. Every little bit I guess would help. It is additional taxation.
Dunnavant: Every jurisdiction, us included, even though I’m not advocating that we raise taxes but I think we should have the authority and ability to do it if the need arises. So I’m in favor of supporting them and if we had something of a similar nature I would hope they would be in favor of supporting us. I would like to go as far if we do decide to go with it, not that it be just for school construction and renovations, but also maintenance.

Carter: It’s something that you can authority to do but doesn’t mean you have to do it. Even the referendum would be nonbinding so you will not have to do it. But you would have the authority to do it if you wanted.

Dunnavant: They are just asking for our support for the General Assembly.

Carter: They want you to do a resolution also.

Bryan: You could use that provided that you use it for the school system.

Carter: Over a period of time it could build up. A construction fund or…

Matthews: What’s our sales tax revenue now?

K. Carter: We have budgeted for next $850,000. So if you take .7 of that it’s $595,000.

Bryan: So that would be $595,000 additional revenue coming in.

Carter: No, we are only asking for .7% increase. Point 7 percent.

Dunnavant: They want to raise it 6% and I’m not going to cooperate with that right now but I would be willing to cooperate with someone else to help them out. We are not in their shoes. They should be able to raise their taxes for their issues.

Carter: It’s 5.3 and we are asking for 6%. It’s not even a whole percentage.

Matthews: Theoretically how much was that Karl?

K. Carter: We have budgeted $850,000. So they are asking to go from 5.3 to 6.0 so that’s .7 difference. I get $595,000.

Carter: That’s almost 75% of what we are getting.

Bryan: That would be 75%.

Allen: It should be more like $50,000.

Matthews: It’s 7 tenths of a percent.
Bryan: 7 tenths of 1 % so that’s really less than 1%.

Matthews: $59,000.

Allen: In the 50’s.

Carter: Right at $59,000.

Allen: What do yall want to do?

Bryan: Morgan?

Dunnavant: I’m in favor of supporting them. I’m not in favor of doing it ourselves.

Bryan: I mean, it would have to go to referendum.

Carter: You don’t even have to do it if it passes referendum.

Bryan: We just want to be able to help Mecklenburg.

Carter: If Mecklenburg gets it you all will get it too. It’s asking for all rural localities to be able to do it.

Dunnavant: But we’d have to request that we do it.

Carter: If this passes you will be getting the authority to put it on referendum if you want to. You all would have to take action to ask for it to be put on the referendum through the courts but not back to the General Assembly. If this were to pass, the General Assembly will be giving rural counties authority to hold a referendum. I believe if the referendum failed, they would not let you do it. You could not do it if it failed. But it will allow you to do a referendum to see if the citizens wanted to.

Dunnavant: That’s what I’m saying. We can support Mecklenburg and their request to do this without us doing it ourselves.

Carter: Yes.

Dunnavant: I’ll move to see Mecklenburg in their venture.

Bryan: It doesn’t say we are going to do it. If the need arose we could certainly if it went in front of the General Assembly and we run into lean times and we needed $56,000 we could put it on the referendum rather than raise taxes.

Carter: If you start a new school project.
Bryan: The good thing about a local sales tax is everyone pays for it. If you buy something you pay for it. Your option is you don’t go shopping. You go give it to Prince Edward County.

Dunnavant: The one comment that I do have if I can put it in there is to also include maintenance. Construction, renovations and maintenance.

Bryan: That would be when you put it up for referendum, Morgan. If we did decide to do that you can put that in the referendum.

Carter: You would probably have to use whatever wordage they give.

Dunnavant: I’m happy to stand behind this.

Allen: Ok. Motion made and a second to pass this resolution for Mecklenburg. Any more discussion? If not let’s vote. 7 yes. So approved.

Supervisor Dunnavant moved, Vice Chairman Bryan seconded and was unanimously carried by the Board to adopt the Resolution of Support for authorization from General Assembly to allow local governments to put on referendum to increase sales tax from 5.3 to 6.0% and the increase be used for school construction, renovations and maintenance.

Re: Consider Resolution of Support for the Rt. 15/617 Smart Scale Application

Carter: This is an application through the Smart Scale that Rebecca has been working with. Commonwealth Regional Council had brought the resolution pretty much the same as last month to approve support of this. This is an application for the process on Rt. 15 for a southbound left turning lane onto 617, Gravel Hill Road.

Allen: So you going to put in a center lane, is pretty much what you are going to do?

Cobb: Right, so it would be heading south, get over to the middle and be able to turn to the 617.

Bryan: What’s the justification for that?

Cobb: Um, so these projects, they usually only allow them if studies have been done and show a safety need or something like that. This was one of those sites that ranked. Of 43 sites this was the 4th highest concern. It has a relatively lower cost to fix so that’s why that particular project stood a better chance of getting approval.

Carter: We had to choose out of that list what had a better chance of being funded.

Bryan: So moved Mr. Chairman.

Allen: Motion made and seconded to approve the resolution. Any discussion? No discussion, let’s vote. 7 yes. So approved.
Vice Chairman Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the resolution of support for the Smart Scale application for Rt. 15/617.

Re: Consider Support Letter for SERCAP’s USDA Housing Preservation Grant Application

Dunnavant: This right here, Mrs. Carter, I believe that this is possibly a duplication of efforts with what the CRC is doing with the USDA Housing program what they are administering in Dillwyn, getting cranked up now. What I’ve read here, I’ve got a CRC meeting coming up Wednesday, I’d like to defer any action on this tonight to get a chance to converse with the CRC staff to make sure this is not a duplication of what they are supposed to be providing us.

Carter: Is the CRC involved with this?

Dunnavant: No, I don’t think it is but this is doing it with USDA housing grants and that’s one of the major grants that the CRC chases and they are supposed to be tracking down…we are already paying them, I think we need to make sure that we wouldn’t be duplicating that effort with another set of office staff. I’m just going to check with them so I’d like to defer this to next month and I will report back from the CRC.

Bryan: This is a nonprofit organization.

Dunnavant: I’m sure they are nonprofit but somebody in the staff chases these things down.

Re: Consider scheduling a meeting with Central Virginia Electric Cooperative regarding the proposal for Rural Broadband Project in Buckingham County

Carter: I’ve provided you with a proposal from them but they would like to have a meeting to have a little more time than a public meeting to go over the proposal and ask and answer any questions you may have. They suggested maybe 5:00 at the next meeting, September 10, 2018, we would come in at 5:00. They would like to make a presentation and talk about this proposal they have given you. If that’s the case we would recess to reconvene at 5:00.

Dunnavant: Sounds like a winner to me. Anything we can do to get the internet looking better.

Jones: Do we need a motion on that?

Carter: Yes, sir.

Jones: I make a motion that we do that, work session at 5:00.

Allen: A motion made and seconded at the next meeting at 5:00.
Carter: I might add that today I was contacted by a consultant that has contacted me on behalf of Dominion Energy and it believes it may be doing the same thing for Dominion customers. So you kind of had the Central Virginia customers, that they were looking but we will have a meeting next week but they are looking into it too.

Matthews: How about Southside? Can you contact Southside and see if they want to get onboard with this thing because we’ve got customers in the County on Southside?

Carter: We do. This is something that’s starting to happen for many years has just been talked about or been able to financially do it or get the companies to do it so you all may go down in history.

Dunnavant: I think this is going to be the next REA that came through here in the 30’s, 40’s and 50’s where they were going to string wires and put electricity in every house. I think it’s got the same level of potential.

Allen: We’ve got a motion and a second to come in on September 10 at 5:00 to meeting the Central Virginia Coop. Any more discussion? Let’s vote. 7 yes. We come in early next month.

Supervisor Jones moved, Supervisor Matthews seconded and was unanimously carried by the Board to recess tonight’s meeting to reconvene at 5:00 on September 10, 2018 to meet with Central Virginia Electric Coop regarding Rural Broadband Project.

Re: County Attorney Matters

Mr. Wright was not at the meeting therefore there were none.

Re: County Administrator’s Report

Report on Courthouse Lawn Brick Wall Problems: The report of the lawn brick problem with the insurance company, they still as of today are still reviewing it. The administrator is now reviewing it. They keep saying it seems to be an ongoing problem. Still we have the insurance and still fighting to get it covered.

Lightening Damage at the Water System Facility: We had lightening give us about $40,000 worth of damage. Mike has met with the insurance company and so has Jamie. Things are moving along with that. They have everything in operation. Our guys from both water and sewer plant and Jamie worked all through the night for a couple nights to get things running. It was a lot of damage but no one was without water. That was really good.

The other thing you have in front of you and I’m bringing this up because this lady drove all the way up from Charlotte. She didn’t contact me in time to get on the agenda and someone mistakenly told her she could speak at public comments. But she is out of county so we couldn’t break the rules. Angela Cook, with Crossroads Services. If anyone of you is interested in the Piedmont Alliance for the Prevention of Substance Abuse there will be a meeting on September
13, 2018 at 5:30 at the Farmville Community Library. I believe this is something that they are trying to get started in our region. If anyone is interested in attending that for the opioid epidemic and other substance abuse/misuse, I think they would appreciate input from the county.

That concludes my report Mr. Chairman.

Re: Other Board Matters

Jones: I’m sorry I didn’t do this earlier, I hate that Mr. Hill have to stay here all this time but I have a question for him and our trash organization. I looked up how much money we paid for roll offs last month and I’ve come up with about $34,000 which is normally $10-12,000 more than what we usually have per month. Was that two months doubled up?

Hill: Yes, sir. That was two months. $18,000 for May. $17,000 for June.

Carter: Sometimes the bills roll in later. Mr. Hill has provided a very nice report that I will give you all prior to the next meeting so you will have time to look at it in case you have any questions. It goes back…

Hill: Goes back to 2012.

Carter: 2012 so you can see the differences.

Hill: It’s roll offs and landfill as well.

Jones: I would suggest if they haven’t started on the Bates Market clearing yet have they?

Carter: They are supposed to start in the middle of August.

Matthews: 28th I think.

Jones: I just want to make sure that when we put something like that out to bid that we tie it down to start and finish.

Carter: We do. It’s in the bid contract.

Jones: We’ve got one coming up later.

Bryan: Another thing, the money we donated to Youth League for our baseball time to travel to Lumberton. They finished 2 and 2 and they won the Sportsmanship Award. That says a lot about the coaches and the parents and the kids in general that they were a class act.

Jones: I would like to say I represented our Board for all of their games in Lumberton.
Carter: The team will be coming to the meeting next month to be presented certificates of appreciation because winning the Sportsmanship Award on a national level tells you a lot. I watched the game on YouTube and they were some good kids.

Dunnavant: I want to say I’m prouder of them for the Sportsmanship Award than if they had won the tournament.

Bryan: I wish they had of won the tournament too.

Dunnavant: Sportsmanship is what youth sports is supposed to be about.

Jones: Let me say this, Mr. Dunnavant, one of the games that our boys played was against North Carolina. They were really, North Carolina was really sharp, and to go along with that the Umpires were from North Carolina too. Need I say more?

Re: Executive Closed Session

Vice Chairman Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to enter into executive closed session under §2.2-3711.A.3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Re: Return to Regular Session and Certification

Vice Chairman Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to return to regular session and certification that to the best of each Board member’s knowledge only business matters related to the code of which the executive meeting was convened was discussed or considered in the closed executive session.

There being no further business to discuss, Chairman Allen recessed to reconvene at 5:00 p.m. on September 10, 2018.

ATTEST:

Rebecca S. Carter                     Danny R. Allen
County Administrator                Chairman