At a regular monthly meeting of the Buckingham County Board of Supervisors held on Tuesday, December 18, 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; Robert C. Jones; Don Matthews; E. Morgan Dumnivant; Harry W. Maxey; and Joe N. Chambers, Jr. Donald E. Bryan, Vice Chairman was absent. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; Rebecca S. Cobb, Zoning Administrator; and E.M. Wright, Jr., County Attorney.

Re: Call to Order

Chairman Allen called the meeting to order.

Re: Establishment of a Quorum

Chairman Allen certified there was a quorum. Six of Seven members present and the meeting could continue.

Re: Invocation and Pledge of Allegiance

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

Re: Announcements

Allen: Only announcement is I think this will be my last time being chairman this year. Thank yall for not giving me to hard of a time. I hope I haven’t been to bad. While I’m at it, I hope you all have a Merry Christmas and a Happy New Year.

Anybody else have any announcements? There were none.

Re: Approval of Agenda

Supervisor Jones moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the agenda for the December 18, 2018 meeting as presented.
Re: Approval of Minutes

*Supervisor Chambers moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to approve the minutes of the November 13 and November 30, 2018 meetings as presented.*

Re: Approval of Claims

*Supervisor Dunnavant moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve the claims as presented.*

Re: Approval of Third Quarter Appropriations

*Supervisor Dunnavant moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the Third Quarter Appropriations as presented.*

Re: Public Comments

**Marie Flowers, District 3:** Hello, Marie Flowers, Third District. I am here to comment on the robbery at the Millbrook’s Store. I saw the video on local news and it looked so easy. After being robbed a number of times before, I would have thought that the owner would have installed better protection. No vault for the guns, nothing to protect the windows. Why doesn’t our county have stricter rules for something like this? I know you can get a door with a…are you interested Mr. Jones? You can get a…

**Jones:** I can hear.

**Flowers:** a door with bars on it. I’ve seen in the city with the chain link that go down. It just looked so easy and I would hope that you all would think about developing some stricter
guidelines for any place that sells guns. Although I know you don’t want to make it too hard to own guns or to obtain a gun but how many more people have to die before our or you do some common sense stuff. It’s not going to cost the county anything to require stricter rules for businesses that sell guns. I know Mr. Matthews used to own the place and if I was going to rob his store I would have gone after the fried chicken. But I hope you will consider something like that. I’m surprised he can even get any kind of insurance. Thank you Mr. Jones.

**Quinn Robinson, District 4:** Good evening, gentlemen, Chairman, and fellow citizens. My name is Quinn Robinson and I live out in Andersonville. District 4 I believe. I just have a couple of things to raise on procedure pertaining to the request for the floodplain ordinance. It’s only on procedure. I sent a letter to Mr. Allen asking for it to be deferred or delayed at least until the New Year. It’s a great deal of information. Complex and although the staff of the county has been helpful in delivering information to us, we weren’t aware of it. Apparently the documents have been in the custody of the county since late 2017. It’s just not enough time to absorb and make sense out of all this. I’m certain that each of you have reviewed all the documents. They are extensive and ready to proceed but I’m struggling with it and more time would help very much. In an unrelated matter, this issue with a commitment to the community, I don’t understand how it got started but I think I have an idea but with whom are they negotiating? Assuming there is deficits in the county’s first responders then that should be an issue of public concern and this board and general throughout the county and throughout the Commonwealth. This deficit is being addressed to private individuals or church groups. That’s not the way business should be conducted. I hope if there is any involvement of the county, we should at least get some clarification that if anything is done it is done in the public and shared with everybody. There may be some new ideas or better ideas of what to do with various potentials. This back door dealing with private citizens on behalf of the county, how can this happen? You folks were elected to make the decisions and be responsible for running this county. Not some folks without any elected authority. Thank you very much.

**David Ball, District 3:** Good evening, David Ball, district 3. Supervisors, thank you for allowing me to speak and being here this evening. Several things I want to address. One, I’ve provided you with a package of information. This was sent by email last week when we anticipated a meeting before the snow storm, and the basic thing is from now until the county takes responsibility for livestreaming these meetings, which I’ve talked to Mr. Shumaker, would be a very inexpensive and very easy proposition for the county to video tape these meetings, livestream them out to the public and file them on YouTube for future review. So until that happens, we are going to be doing that and are going to make that available to the public. Other issues, you see a letter where I addressed last month, dam safety. Dam safety has now stepped in to take action of that issue. Also there is a letter in the meeting packet for the Planning Commission which I just want to get clarification. The letter is from Mrs. Carter to Mrs. Cobb regarding a conflict of interest with the Atlantic Coast Pipeline. I’d like to know the nature and time frame for that conflict of interest. If it’s existed throughout this process and that hasn’t been disclosed until now that creates a problem and I think we have a right to know what basically the conflict of interest is. I think the State Code requires you to disclose conflict of interest. Again, addressing the issue of the $5.1 million that Dominion has promised to the county or to the residents of Union Hill and Glenmore. There is nothing in here really that says anything, in this
article in the Richmond Times Dispatch. There is nothing that says whose going to be responsible for it or how it’s going to be administered. What the accountability is going to be, if it’s even going to be given out until the pipeline is approved. I think this is something that may be held in the hands of Dominion until they are satisfied and they get what they want. But nothing really in the article has disclosed anything to that. The other thing is November 30, you had a special meeting called after two days when three days is the required notice by State Code and there was an issue where the county might be sued or have a lawsuit issue that was one of the items, #2, and that means…what is that about?

Carter: Mr. Chairman, may I comment on the dam so we get it straight. They are not county owned dams. They are dams by the C&L Retreat that you all approved the special use permit. Originally those ponds were put in under agricultural use by the previous owner. Excuse me, the retreat has purchased that land and you all have approved for them to do the retreat. They know, they applied for this so they will know what they have to do. They will have to bring them into compliance before they can operate or build their retreat. So these are not Buckingham County dams. If you notice it is not written to me, it’s copied to the Chairman for our information.

Ball: Correct, but you approved it with my having disclosed to you at the previous meeting that that will be required to be done and that no construction move forward without that being done first.

Carter: It’s one of the conditions. It is under that all federal, state and local regulations…

Allen: It was said before you came up.

Ball: Actually they haven’t…

Allen: Thank you. They had. Thank you.

Heidi Dyivya Berthood, District 5: Good evening. Heidi Dyivya Berthood, James River District. We are on the eve of a momentous decision tomorrow. The Air Board decides whether or not to grant the air permit for the compressor station and I wanted to give you a little update of what’s going on with that by way of letter that was sent to Mr. Paler today and I’ll see how far I can get with it. After this meeting we are going to Richmond for an all-night vigil and you are certainly welcome. Our meetings are open to the public. Dear Mr. Paler, Given that state regulators have just rejected Dominion Energy’s forecast for future energy use in Virginia, Dominion’s justification for the need for the ACP and related Buckingham Compressor Station has fallen apart. As a result we the undersigned groups call upon the Department of Environmental Quality to inform the Air Pollution Control Board of recent regulatory developments and advise the Board to reject approval of the draft permit for the proposed compressor station. For the first time in Virginia’s history, state regulators have rejected Dominion Energy’s long term energy plan in an order issued December 7, 2018 the FCC expressed considerable doubt regarding the accuracy and reasonableness of the company’s load forecast for use to predict future energy and load requirements. This load forecast has provided
the justifications plans for highly controversial $7 billion ACP. Dominion has argued to regulators that the natural gas pipeline is necessary to meet the Commonwealth’s demand for power. With the FCC’s rejection of Dominion’s overstated load forecast, this justification completely falls apart. The Virginia Air Pollution Control Board is preparing to take action on a draft permit. As part of its review of the draft permit, the air board would consider facts and circumstances relevant to the reasonableness of the activity involved including the social and economic value of the activity involved. The statutory mandate requires the air board to consider the need for the ACP as a whole. The ACP is unnecessary based on lack of future energy demand as indicated by the recent FCC order then so to is the Buckingham Compressor Station. Based on the FCC’s order rejecting Dominion Energy’s overstated load forecast which was issued after the close of the public comment period, coupled with our well documented concerns about environmental justice, climate, ecological and health impacts of the compressor station we are asking the Department of Environmental Quality to take corrective steps...

Allen: Time is up. That’s the end of public comments.

Re: VDOT Road Matters

Shippee: Good evening, Mr. Chairman and members of the Board. From a maintenance standpoint, we are doing our typical maintenance activities for this time of the year. Doing gravel road maintenance after all this moisture that we’ve had. Working on shoulders, potholes and that type of thing. Working on our equipment maintenance after the last storm, making sure we are ready if anything else happens. And answering customer service requests as they come in. Other than that, comments, questions from the Board.

Dunnavant: Mr. Shippee, I just want to thank you for getting on the snow as quick as you did.

Shippee: Our guys did a fantastic job this year. I believe it was between 8-10 hours of the last snowflake our primaries were about 80% clear and I think we had been over our secondaries at least one time. So our crews in the field did a fantastic job for us this storm.

Bryant: They did a fine job.

The audience clapped.

Allen: We appreciate it.

Shippee: One last note, I’d just like to say it’s been a real pleasure for me to come home and work with the Board for the last six years that I’ve been with VDOT. This will be my last meeting as a representative of VDOT. I am leaving and going back to the private sector effective January 9th. January 10th, the Assistant Resident Engineer Carrie Shepheard will be stepping in as an Acting role while they work to fill that position. I wish you the best of luck and much success in the future and I’ll still be around, my folks are here, so I look forward to seeing you in the future.
Jones: What are you going to do now?

Shippee: I am going back to Hurt and Profitt. I will be their Director of Transportation Services.

Allen: We appreciate you and you did a good job.

Dunnavant: We will miss you.

Re: Public Hearing: Zoning Map Amendment for Turkey Houses Case 18ZMA264

Cobb: Yes, this is Case 18ZMA264, Owner/Applicant is Joel Steinruck, Tax Map Section 51 Lot 7 containing 115 acres on Sharon Church Road in the Slate River Magisterial District. The Planning Commission held their public hearing in October and at that time there were no comments in favor or against the request. At this time the Planning Commission is recommending approval with conditions. The applicant is here if you have questions for him.

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to including but not limited to obtaining an Nutrient Management Plan and Erosion and Sediment Control Plan prior to installation of any new intensive Agriculture Facility.
2. That all documentaiton submitted by the applicant in support of this request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
3. 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.
4. 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.
5. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the rezoning approval if it be the wishes of the Planning Commission or Board of Supervisors.
6. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property with proper notice, 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.
7. That the applicant(s) understands the conditions and agrees to the conditions.

Allen: Board members, anything you need to add or subtract? I will open the public hearing.

No one signed up to speak.
Allen: Does the owners want to say anything at this time?

Steinruck: Only if you have questions.

Allen: No questions. I will close the public hearing. Bring it back to the Board.

Chambers: Mr. Chairman, I move that we approve with the conditions.

Matthews: Second.

Allen: There is a motion made and a second to approve the turkey houses as presented. Any discussion? If not let’s vote. 6 yes so approved.

Supervisor Chambers moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the special use permit with conditions for 18ZMA264 for Joes Steinruck for turkey houses.

Re: Atlantic Coast Pipeline Seeking Variance from the Buckingham County Floodplain Ordinance

Allen: At this time I wish to announce that the Zoning/Planner will not be participating in anything related to the Atlantic Coast Pipeline due to the potential of conflict of interest. The County Administrator will be handling these items tonight. Mrs. Carter, County Administrator will be introducing the request of the variance for the Atlantic Coast Pipeline.

Carter: Thank you Mr. Chairman. The public hearing tonight is regarding a floodplain ordinance variance. The applicant Atlantic Coast Pipeline is seeking a variance from the Buckingham County Flood Plain Ordinance for the purpose of construction in Federal Emergency Management Agency (FEMA) identified floodplains. ACP has identified 6 locations that include 2 miles of pipeline construction and 1.2 miles of access roads in floodplains of James River, North River, Slate River, Willis River and Little Willis River. The application indicates that once construction is complete the original topographic conditions and contours will be restored. Currently the applicant doesn’t have an easement for the James River crossing. I believe they are working on that but currently they do not have that. The County has contracted with an engineering firm to review their application. The firm provides some perimeter for the variance and the ACP responded to those. The firm reviewed those suggestions of ACP and find that it would be consistent with our ordinance. This hearing this evening is to hear citizen’s comments on the request for the floodplain ordinance variance and any comments the public has regarding conditions. It’s my recommendation that I will give you prior to the hearing, that this evening you do listen to the comments of the public and at the end of the hearing you do not take any action but you refer the matter to the Utilities Committee which is myself, Supervisor Dunnavant, Supervisor Bryan, our County Attorney and our Finance Officer and ACP Representatives to pull these things together. We will take into consideration all the public comments, and bring back a recommendation to you all in January. Prior to opening the public
Emmett Toms: Good evening. We’ve distributed a package to you but we do have it on PowerPoint here so if you give us a moment we will be able to include the audience in this if you will. I’m Emmett Toms with Dominion and good evening, Chairman Allen and Board members. I’m happy to go over this with you and keep it informal here. I’ve got a presentation here to run through and kind of describe it a little better so the audience understands it as well. If you have questions going along, feel free to stop me.

As Mrs. Carter mentioned earlier, it is a 600 mile project of pipeline that comes through Buckingham County. We’ve had floodplain ordinances in over a dozen other localities and you are being the last one we are working with on the pipeline project in Virginia. The FERC, Federal Energy Regulatory Commission approved the ACP and we got our official Public Convenience permit in October of 2017. The details of that include the Floodplain crossings that we need to work with localities on. As Mrs. Carter indicated it will cross about 27 miles in Buckingham. It’s a 42” diameter pipeline where we will excavate, put the pipe in the ground and put the ground back with no change in grade or elevation. Under FERC, the approved route of the pipeline will cross approximately 2 miles of FEMA identified floodplain in the county. So we do have 6 pipeline crossings and one access road.

The primary purpose of the floodplain management ordinance is to regulate uses, activities and development within the floodplains that may cause unacceptable increases in flood heights, velocities and frequencies. So that’s about the basis for any floodplain ordinance in any locality. Local governments must adopt floodplain management ordinances consistent with FEMA performance measures in order for its citizens and businesses to have access to flood insurance through the National Flood Insurance Program. So any development activity in the floodplain that constitutes a manmade change to land triggers the need for a building permit issued with the county’s floodplain requirements. So that’s part of your criteria of the floodplain ordinance.

While most zoning permits for floodplain crossings are approved administratively the county’s floodplain regulations require the crossing in a floodway must obtain a variance from the Board of Supervisors before a building permit may be issued. So that’s why we are here tonight. There is only one floodway crossing in Buckingham for which a variance is required and this is the James River crossing from Nelson over to Buckingham side.

The pipeline will be constructed underground and will have a minimum of 5 foot of cover. It will be below all stream channels. It will be no above ground facilities or structures constructed in any floodplain in the county. The access road is not proposed to be improved in any capacity. It’s only to be utilized in its current condition. It will be an existing road we will utilize to get in and out of the construction area. Completed pipeline installation will not alter the elevation of any floodplain or adversely affect channel capacity. Construction activity will not negatively alter any existing channel or floodway of any watercourse, drainage ditch or any other drainage facility or system in the county’s floodplain districts as defined by your floodplain ordinance.
The ACP construction will comply with all federal requirements of FERC, the Army Corp of Engineers requirements for wetland and stream crossings. ACP construction will also comply with all state requirements including those with Department of Game and Inland Fisheries, The Marine Resources Commission and the Department of Environmental Quality, and the 401 Water Quality Certifications, and the approved E&S control plans. So those are the criteria we need to meet to do this. All floodplain crossings will be restored to preexisting conditions and elevations and will be revegetated to prevent erosion. Here’s an example of one that gives you a picture of a previous floodplain that we’ve done. If you look at the left quadrant of the picture you can see a post in there where the pipeline comes across. So that’s the revegetated crossing that’s been reclaimed.

In considering a variance request the Board considers the ordinance requirements and follows these factors: Danger to life and property due to increased flood heights or velocities. The ACP will not increase any flood heights or velocities and there will be no increase in base flood elevation. So basically we are taking the existing ground, putting the pipe in and putting it back to grade. Danger that materials may be swept on to other land or downstream to the injury of others. So in this consideration the pipeline will be anchored by its construction at least five feet below the ground so there’s nothing on top of the ground when we are through to wash away or whatever. There will be no permanent materials or facilities located on the site. So everything is below ground and nothing left above. You have to consider whether any water supply or sanitation system to prevent disease, contamination or unsanitary conditions. There will be no water sanitation system proposed by us or constructed in the floodplain. The project will not adversely affect existing systems. Another consideration is the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the facility owner. Being located underground the pipe is not susceptible to flood damage.

Another consideration is the importance of the applicant in the community. The availability of natural gas for electric power generation will enable Dominion to continue to reduce coal fired generation thereby reducing greenhouse gases.

The consideration of alternate locations. The route location has gone on for over 4 years and was approved by FERC on October 13, 2017. Alternate routes were evaluated. FERC approved the final route and was chosen as having the least environmental impact to serve the purpose and need of the project.

One consideration is the compatibility of the project with existing and future development. The construction of the ACP will not impact any existing or future development in the area except for the right of way and easement that we have it on. So it will be out of sight, underground. Further the FERC process considers local land use criteria and routing was approved with compatibility with land use.

Another consideration is the relationship is the proposed use and the comp plan in the floodplain management program for that particular area. The construction of the ACP, an underground pipeline, is consistent with the Comp Plan. The project satisfies all applicable floodplain management criteria set forth in your application.
Also need to consider safety of access by ordinary and emergency vehicles to the property during a flood. As an underground project, the pipeline will not require access by emergency vehicles if flooding occurs; however, the pipeline will have capability to allow emergency vehicles to drive across it to get across the pipeline right of way so it will not inhibit the emergency access of emergency vehicles crossing the pipeline.

The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site. There is no expected change in the heights. We are going back to normal grade, no velocity increase, duration, rate of rise, or sediment transport of the floodwaters at the site. As indicated we are going back to the natural grade that was there when we get through.

The repair or rehabilitation of historic structures. There are no historic structures identified in the floodplain that we have here in the crossings that we are asking for in Buckingham County.

One of the floodplains which is the James River crossings is a horizontal directional drill (HDD abbreviation). With exception of the drilling pads we will have a diagram here in a minute of each side of the stream, the pipeline and construction activity is completely below the floodplain and the river bottom. No clearing will take place in the HDD area outside of those drilling pads. The directional drilling proposed for the ACP is consistent with other HDD crossings of the James River including the current natural gas line that serving Bear Garden Power Plant and the Williams Transco Natural Gas Pipeline. The Colonial Liquid Fuels line goes under the James River. So this is not new to Buckingham/Fluvanna County. Also when Tenaska was built and we built Bear Garden, we also worked in the flood plain there to take water intake out on the Bear Garden side to take water across the river and take water into the county. We worked at that time to put in a line with a contract with the county if you do want to get water to Dillwyn so all that work was done in the floodplain. So it’s nothing new, it’s not a new concept to put pipelines in the floodplain.

This is a picture to give you an indication of what a HDD pad and a drill does. Basically you set it up on each side of the river, drill a pilot line under the river bed, and pull a reamer through. Pull it back each way to make a big enough path to get the 42” pipeline. We did this down at Bremo/Bear Garden where we put the gas line in. We did this as Dominion Transmission. We started on that line from Spangler Farm Supply, went 16 miles down the James River through a bunch of floodplains and proposed to cross the river and we put it out to bid, we ended up getting Columbia gas to do it so Columbia did that most recently as an underground directional similar to what we are going to do at the James River. So it’s nothing new for the county and we’ve been through your floodplain process.

So in conclusion the floodplain permit application submitted to the county are in full compliance with Buckingham’s floodplain ordinance. As indicated earlier, this was submitted these back and started the process here like February of this year. It’s been a little over 10 months going through this process. We’ve worked with your consultant on quite a bit of opportunities they asked us to look at. So we consider we’ve cooperated and answered all their questions and we anticipate construction in 2019 and ask that you could consider moving forward with the
floodplain variance and doing administrative approval on the crossings and we are good with Mrs. Carter’s suggestion to have the public hearing tonight and move forward in January and work on consolidating your conditions if that’s so your choice. We are in agreement with that. Thank you for your time and consideration. Any questions, or any after the hearing takes place, it’s your pleasure.

Allen: We will open the public hearing. We have right many people signed up to talk.

J.B. Jones: Good evening. My name is J.B. Jones. I’m a resident of Cumberland County and a Dominion Energy retiree. I was with Dominion for 32 years and retired for 18. Mr. Toms did an excellent job of covering all the points that I was planning to make so I’m not going to waste your time repeating what he said. I do encourage you to consider this application and to me its cut and dried but I’m sure there are a lot of fine details you need to address but I do encourage you to approve this permit and the 6 crossings and the variance of the James River Crossing. I appreciate your time.

Marie Flowers: I’m back. Marie Flowers, third district. Mrs. Carter, you said that this committee will not have any community people. Nobody from the community. What good is the hearings? Is there anyone that works for the county that is qualified to monitor this? Who will monitor the work? If it’s somebody from the county, I know some people who work for the county and I don’t think they would turn their backs on any violations. If they don’t, will they be fired? If violations occur, who stops the construction? Do we have to call the military from the Mexican border? Also, you all are well aware, Mr. Jones, that there is no connection to any of the businesses anywhere in the county. But I’m very concerned about who will do the monitoring? Do we have to hire another person? Anyway, that’s my thoughts. Thank you.

Irene Leech: Good evening. I’m Irene Leech. You all got a letter from Friends of Buckingham giving you a lot of the specifics of what we are concerned about relating to this process. I was pleased to hear Mrs. Carter’s proposal of how this will be handled because I decided that what I was going to use my time for was to get you all to say that we need more information. You got a report from a consultant that recommended that we not approve it. There were conditions recommended by the consultant. Those should be considered. We’ve got some court cases out there right now that make the process questionable. Today is a big day in my life. It was my father’s birthday and a year ago today is when we were served with the court case condemning our land for the company to take our land for this pipeline. My father worked with the county in getting the water system, Troublesome Creek and all that and some of you probably remember that. Water is really important to farmers. It’s important to our future and we shouldn’t make mistakes. Just because other counties have already gone ahead, there are questions here that need to be dealt with and I hope you won’t fall to pressure to do something faster than we should and that we will do things in the right way. Thank you.
Jeeva Abbate: Gentlemen, Mr. Chairman. I’m from Harry’s District. 5th District. Yogaville is downstream from the ACP drilling site. We are concerned. We want to make sure we have a very conditioned permit if such is granted and we read the Rebecca’s outline of the issues. We believe the comprehensive plan for Buckingham was accurate when you stated that installations that could threaten an A-1 zone should be considered very seriously because we are way away from first responders. We know from Appomattox that these pipelines can leak. They can have devastating effects. There is an issue here that is not offered and that is safety if and when anything does occur. So I’d like to see that addressed. Again, the ACP currently lacks a permit for crossings of streams and wetlands based on the yanking of the permit of the National Forest and that is current and therefore, I would say you ought to wait and see what happens because if there are changes in that condition of how the construction is going to take place. I’m sure Dominion’s going to have a chance to come back and address those requirements but that may require a change in route or may require a change in construction which you all should take into account before you go to this. So anytime our resources are spent by the Board on this or KCI, we don’t want it to be wasted. You’ve invested in a good consultancy and that should go. Other points, there is no industry standard that was brought up by ACP. Well, KCI identifies numerous specific deficiencies in ACP’s calculations that prevent them from determining the projects compliance with the floodplain ordinance or eligibility for the waivers. ACP did not directly dispute that finding. That’s important. Finally the condition regarding nuisance that the ACP suggests is not an adequate substitute for the conditions regarding nuisance suggested by KCI. ACP’s proposed condition applies only to structures. The statute cited by ACP arguably could be read to limit any remedy by the county to simply removing the structure and not include the power to order a halt to construction. So in contrast the condition suggested by KCI would be triggered by excessive sediment transported downstream. We don’t want to have to deal with that. Our farm is right on the banks. Less than a mile away from where the crossing is going to go. So…

Allen: Times up.

Abbate: Thank you, sirs. I appreciate it.

Kenda Hanuman: Good evening. Kenda Hanuman from District 5. I’d like to say that you do have the power to ensure that our local water is safe. In case you were doubting that you had some power in any of this. Regarding water quantity modeling, retired engineer Kirk Bower states with development of the proposed pipeline it would seem the floodplain elevations would increase in Buckingham’s streams and rivers from the many acres of cleared land. But no water quantity modeling was done for the pipeline and we don’t know the impacts in floodplain elevations. I suggest stressing the need for water quantity modeling for adjustment of floodplain elevations. Regarding the legal right to request a variance, according to Virginia Law only owners can apply for variances. Owning an easement has never been determined to equate to ownership in Virginia. There is a legal challenge to easement language not being interpreted as permission by the owner for ACP to seek variances of any kind. There are multiple unresolved lawsuits pending. Most recently the Nelson County Board of Supervisors is defending their county’s water. I quote, “the lawsuit was filed in the Western District of Virginia’s Federal Court after the county denied Dominion Energy’s request to build the pipeline across their
waterways.” I feel a delay or denial of ACP’s Buckingham County Variance request is definitely in order. May we all remember Rev. Martin Luther King Jr.’s direction that we must chose to act not because it’s expedient or popular but because it’s right. What will you do to protect Buckingham citizen’s water? Thank you.

Quinn Robinson: Good evening again. Quinn Robinson, District 4. I urge that you deny this variance. On a personal quest of someone with poor hearing, could you please use your microphones. We can’t hear anything back there and when Mr. Shippee spoke for the Department of Transportation, not a word back to our level. We are here to take part and understand what’s happening and it doesn’t help so please extend us this courtesy. Thank you. You have the report from the KCI group and it noted the inadequacy of the Dominion ACP request. There are conditions that they wanted put into it. The county’s ordinance, the floodplain matters, mentions a 100 year event that is the standard for evaluation. Well times have changed. In the last 3 years, we’ve had two 100 year events. There have been dramatic floods. The Farmville Herald front page article about the floods. It’s a reality. Things are changing. I don’t think we want to rush this through until everything is thought out. I don’t think there is any need for this pipeline. This whole request is a further diminution of the rights of the people of Buckingham and Virginia. It’s just not right. There are interested persons who are best served by rejecting this waiver. The risk is just too great. I want to remind you of the coal ash issue. They earn and we pay. The estimated cleanup for the coal ash is $6 billion. They roll it into the new rates for electricity. What a deal. Talk about free enterprise. To fix the problem, the best to do is reject Dominion and ACP. They’ve already caused enough damage in Buckingham. Much is made of history in Buckingham and perhaps it’s a good thing because with Bear Garden and Solar Farms and now pipeline, it’s not much of a future. You cannot build an economy on pipelines, poisons and prisons. It’s just not right. By the way, one of the respondents from the article from Nelson said that the National Gas Act preempts requirements of floodplain. They really don’t need it. Why on earth did they request it? Why are they here tonight? Please reject this. Thank you.

Eleanor Amidon: My name is Eleanor Amidon. I live in Nelson County and I came to let you know that our Board of Zoning Appeals denied variances because they just would not, just could not meet the requirements. After that you probably know that Dominion sued the Board of Supervisors. Well, I am just a citizen, I’m not a lawyer. I don’t think they have a legal leg to stand on because as Hanuman said, having an easement is not the same as owning the property and you need to own the property to request a variance. What you are seeing here is bullying out and out. They are suing our Board of Supervisors. Dominion is trying to intimidate you. Don’t let them do that. You have to watch out for your land, for your water and your people because they are not going to do that. So, I think the idea of waiting and considering all the information that you get because I’m sure you will be getting a lot of information is a good idea and I think ultimately you will come to the conclusion to deny any variances to your precious waterways. Thank you.
Deborah Kushner: Hi. I’m Deborah Kushner from Nelson County. I’m so proud to say that floodplains are vital to our environment which is why they are clearly designated by zoning and why they are so carefully studied by FEMA. Floodplains play an important role in natural flood and erosion control by providing areas where floodwaters are stored and reducing flood velocities, flood peaks and sedimentation that’s put in releases by Pennsylvania Department of Conservation and Natural Resources. Virginia’s website says about the same thing. Floodplains work by collecting and then slowly absorbing access water. Again I quote, “when developing floodplains we reduce the floodplains storage capacity causing the next flood of equal intensity to crest even higher than the last.” Burying a 42” pipe into floodplain is like paving it. The clearing of trees and vegetation in the area further reduces the ability of the floodplains ability to filter sediment and store water because the soil is displaced and compacted. Buckingham’s Floodplain ordinance clearly states its purpose is to prevent. Prevent the loss of life and property. Prevent the creation of health and safety hazards. Prevent the disruption of commerce and governmental services, the extraordinary and unnecessary funds for flood protection relief by regulating uses, activities and development. So the ordinance perfectly describes why pipelines don’t belong in floodplains. Any 42” object buried in a floodplain would be problematic but this 42” pipeline will carry highly pressurized, volatile hazardous gas. Did you hear of the frack gas pipeline exploding last week? This week? This month? Just about every week goes by without such a catastrophe. Buckingham’s ordinance perfectly describes the inherent hazards of putting pipelines in floodplains. I really appreciated Buckingham’s request from ACP for the hydrology and hydraulic modeling which our information packet shows was declined twice by ACP. Hydraulic study and hydraulic analysis are two of the three modes FEMA uses in a flood study of a stream or river. ACP’s denial was accompanied by their reassurance of floodplain would be restored by its original contours and any equipment or materials temporarily on the floodplain during construction will be removed in the event of flood conditions. If you’ve been keeping up with the MVP construction you have seen long segments of pipe floating down swollen streams. Crews working in all types of inclement weather and woefully inadequate erosion and sedimentation control devices. ACP has also promised that Mountain Ridge’s Virgin Forest will be restored to original contours after they’ve been blasted away. Promises and reassurances are easy and huge corporation can easily afford fines. As we’ve seen with the MVP, hundreds of violations have not resulted in slowing work down. Even with scads of documentation and complaints. KCI spells out exactly the maps, models and tests it seeks from ACP. One has to wonder why won’t ACP provide this information.

Allen: Times up.

Kushner: Ok. Would you like a copy of this? It’s got some footnotes.

Allen: That will be fine. Leave it with Mrs. Carter.
David Ball:  David Ball, District 3. I want to thank you very much again and to Mr. Wright, behind the curtain. Really first off I want to commend Mrs. Cobb for stepping out. When I was Soil and Water Director the Attorney General’s office advised us if you have a conflict of interest in anything before a public board or hearing, you had to remove yourself from that setting. There are two board members before me that have stated in the past with regard to Dominion’s ACP, they have a conflict of interest. One because he’s an employee of Dominion and the other because he received money for easement on his property. I wonder from a legal standpoint, if those two directors should be present in this room for this hearing. Moving on, you will see in the package articles about Army Corp of Engineers revoked the permit 12, National Permit for all crossings of waters of Virginia. Why are we moving forward because they are the agency that’s going to oversee that? One we don’t know, I’m not sure, are you sure of the age of the floodplain delineation? Was that done at a time when the terrain was different? Was it more or less? You don’t have any idea. As far as that goes, you know, you are looking at something that is a very sensitive area. You are not just talking about floodplains. You are also talking about potential wetlands and with that you know you have to really have serious knowledge of how that’s done. Because the Army Corp of Engineers has said three day or 72 hour time limit, you have 72 hours in which to get across that floodplain from the minute you set foot to the minute you move out. You can’t do that with Little Willis or the James River. Also, 4th district has suspended any crossings as mentioned and really the other thing is about condemnation of property. As I understand it you have to have public condemnation and you cannot have that without compensation but also LLC’s. Do they have the right? Supreme Court has a case before it that they have to decide in the next six months or less whether or not an LLC has the right for eminent domain to take somebody’s property. So there are serious issues here and I also take issue with the fact that you are going to have a private meeting. Under the Sunshine Laws should be public. Everything should be public. That’s the concern we have. Not having public hearings. Every part of it.

Allen: Thank you. Time is up.

Sharon Ponton:  Hi, my name is Sharon Ponton and I live in Nelson County. I work for the Blue Ridge Environmental Defense League. I only have a couple things to say and won’t take up my whole three minutes. #1. They do not have a permit to cross any water body or wetland in Virginia. They do not have that permit right now. I think it is premature for you all to approve any variance request for crossing a floodplain when they do not have permission or permitting to cross water bodies. They also don’t have permits last week in the 4th Circuit Court they lost other permits that were vacated. They don’t have a biological opinion. They don’t have a permit for some of the endangered species. So all that stuff has to be settled before they can cross any water body or cross any wetland. I would ask that you please refrain from even considering these permits at this point and these variance requests. I also agree that a landowner has to make the request, not the Atlantic Coast Pipeline. The landowner is the owner of the property. Atlantic Coast Pipeline even if they have an easement still doesn’t own the property. They only own an easement. So, please consider that before you vote on this issue.

Allen: Thank you.
Heidi Berthoud: Hello again. Heidi Dhivya Berthoud. James River District. I also represent Friends of Buckingham. Their secretary and also the baseline testing project manager, I would like to say that we went to the health department early on asking them to do health risk assessments and they pointed us to the regional health department and they pointed us to DEQ which then turned us back to the health department. Nothing is happening. So we took it on ourselves. There would be 37 stream crossings in Buckingham if the ACP is built. We are doing stream monitoring and a number of folks here are doing the stream monitoring. We’ve done well testing all along the pipeline route. We’ve also done air monitoring and health risk assessments for around the compressor station. Recently I went to the FEMA’s recent discovery meeting for the Middle James Buffalo watershed held in Lynchburg on November 27th where we were asked to provide information on areas of concern and past risk assessment and mitigation projects. So, it’s been since 1979 since FEMA has done their maps. If you look at their maps for Buckingham County, there is a lot that’s not included there. So, the number one thing I want to say is let FEMA do its comprehensive work first. They trump FERC and they have not been consulted in this entire project. The cumulative impacts of the ACP crossing 18 special flood hazard areas in two adjacent counties, that’s Nelson County and the ACP is a valid reason why no action should be taken by the Board of Supervisors until FEMA completes their risk map assessment for the Middle James Buffalo, the Appomattox, and the Nottoway and Black Water watersheds. How many special flood hazard areas besides those in Buckingham and Nelson will be effected by the ACP? We don’t know what the accumulative effects are prudent thing to do would be to let FEMA do the good work. And when FEMA does its work properly then Buckingham can qualify for floodplain insurance. They are trying to get counties across the nation to improve their standards so that you, the county, is protected and also the people are protected. You need to step up to the plate and help them do that work.

Allen: Time is up.

Berthoud: Thank you.

Ernie Reed: Good evening. Thank you for the opportunity to speak to you tonight. My name is Ernie Reed and I’m the Central District Supervisor in Nelson County. I’m speaking today as a private citizen. As you know Atlantic Coast Pipeline, LLC has filed a lawsuit against the Nelson County Board of Supervisors because the Board of Zoning Appeals defended our Floodplain Ordinance and denied Dominion’s request to construct the ACP across Nelson County wetlands. I’d like to remind you that while ACP has received a Certificate of Convenience Necessity for the project that does not render any decisions at the county level mute. The way the process is done is once the certificate has been issued then it’s put on the shoulders of the applicant to get the federal permits that are required to finish construction. On this case we have vacated permits that have stalled construction of the pipeline throughout its entire route. I believe it’s premature to rule on the variances prior to the resolution of court challenges to the issuance of FERC Certificate of Convenience and Necessity for the project and critical site specific information essential to the analysis of the floodplain variance. Most importantly as been said, ACP at this time has no federal permit to cross any water bodies throughout the entire proposed route including sensitive wetlands. Legally that would render this application not ripe and therefore should not be ruled upon or should be denied. In addition, at
this time ACP doesn’t not have three other critical federal permits as all three have been vacated by the 4th Circuit Court of Appeals that includes permits from the United States Forest Service, United States Fish and Wildlife Service, and rights of ways to cross Appalachian Scenic Trail on the Blue Ridge Parkway which are park service lands. The Federal Emergency Management Agency, FEMA, requires that a community assure that all necessary permits have been received from those government agencies from which approval is required by federal or state law before issuing a floodplain development permit or considering a variance. That’s CFR 60.3A2. In addition ACP has failed to consider an alternative route that provides modification of floodplains in Virginia that minimized floodplain crossings. Executive Order 11988 requires federal agencies to avoid the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct and indirect support of floodplain development where there is a practical alternative. Finally based on the comments of the Nelson County Board of Zoning Appeals, the detail and number of recommended condition represented by the KCI Technologies in Nelson County were instrumental in bringing to life the possible liabilities inherent to those variance applications. So I suggest that the Buckingham County Board of Supervisors deny these variances at this time. ACP may reapply at such time as ACP receives all its required permits.

Allen: Thank you.

Wes Saxon: Good evening. It’s been an interesting evening. I’ve learned a lot. I heard things I hadn’t realized and understand are true. My comments tonight are directed at Vepco, Dominion, whatever the name is. But to the corporate not to the individuals that have served this county so well, it’s retirees and people who have worked and kept our power on for many, many years. I have a problem believing the hierarchy of Dominion. I think they have misled us for years. Go back the gentleman who spoke first who is from Cumberland County. Cumberland County was promised a power plant. Cumberland County didn’t get that. Dominion didn’t tell them. Someone else had to tell them because they read the report. The initial Atlantic Coast Pipeline proposal didn’t seem to be that bad. We’ve got pipelines running through the county but since those days, they’ve increase the pressure on the pipe by over 60% and have not done anything to increase the safety. They have not buried it deeper or increased the pipe size or anything. I went to the February meeting a couple years ago on that snowy night. Got a very nice tour around there and found out that my mother’s home was in the blast zone and from the Farmville Herald, I’m still waiting on the information telling her about that. She has not gotten that. I haven’t gotten it. Both of us are on the register there. I was told however that Luke wanted this to send jet fuel to Cove Point. Mr. Toms the following meeting after I said that vigorously denied it. I’ve worked gasoline dislets for years. I have an idea, I know what I heard. It may be that they misspoke to us up there I don’t know. Again it goes back to we can’t believe everything we’ve been told. In the presentation it said Atlantic Coast Pipeline will not affect future development. I can tell you I don’t want to be anywhere close to where the pipeline will be because of potential for explosions. The county’s going to lose money over this at some point. The last thing is, this is the communication my mother received. Now that’s going to an 88 year old widow and trying to get her to sign up for some service that is not needed by Virginia Power. We are being misled. That’s the bottom line. I hope their vegetation is better than the group that did the sidewalks in front of my house. You ought to see them Becky. They used sand. There is no vegetation.
Allen: We will close the public hearing at this time and due to the recommendation of Mrs. Carter and the recommendations that we have, we will carry this to the next meeting.

Carter: I would like a motion.

Allen: We still need a motion to carry over to next month. There’s been a motion and a second that we carry this over to next month. Any more discussion? No discussion, let’s vote. 6 yes. So moved.

*Supervisor Bryant moved, Supervisor Matthews seconded and was unanimously carried by the Board to carry the Floodplain Variance for ACP over to January meeting.*

Re: Dr. Daisy Hicks, Division Superintendent, Buckingham County Public Schools, FY19 Budget Update Request

Hicks: Good evening Mr. Chair and Board members, Mrs. Carter, Mr. Carter. I am here requesting approval of additional grants from the funds that we received as well as adjusting federal and state grants to the actual awarded amounts which we received.

Allen: Do you want to wait for some of this noise of the one’s going out of here?

Hicks: Again, I want to say this has no impact on the local budget. So we are not asking for money but to accept the grants of which the funding has been awarded to us and adjusting the actual federal and state awarded amounts that we were actually awarded this past year.

Chambers: What did you say Dr. Hicks, you are requesting...

Hicks: The money that we’ve been awarded from the grants we’ve written as well as the adjusted federal and state grant amounts. It does not impact our local budget at all.

Chambers: I so move.

Allen: Motion made and seconded to accept the budget updates. Any discussion? If not let’s vote. Six yes. So approved.

*Supervisor Chambers moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the FY19 Budget Updates as presented.*

Hicks: Thank you all and Merry Christmas.

Re: Zoning Matters

There are none at this time.
Re: Central Virginia Electric Cooperative Rural Broadband

K. Carter: Yes sir Mr. Chairman. As you may recall from our September Worksession when Mr. Gary Wood from Central Virginia Electric Coop. Mr. Wood stated that he was anxious to get started on their project to get broadband to the homes of Central Virginia Electric’s customers. Mr. Wood said they think they can make this economically feasible because they can install fiber on their existing poles. Mr. Wood also stated that he is looking for economic development incentives to help during the first five years of this project. Possible incentives could be in the form of tax reimbursement but not the waiver of taxes. Since CVEC is anxious to get started, my recommendation to you is to refer this to the Industrial Development Authority (IDA) to come up with possible incentives for CVEC. Once we have those we will bring them back to you for a decision to look at. They are going to want some statement or resolution from the county saying what we are going to do for them for the first five years.

Carter: I think what you all have discussed and agreed to is that the incentives would be rebates back of any new taxes for a certain period of time, I think it was five years. So you wouldn’t be giving up taxes we are already getting from Central Virginia but the incentive would be any new taxes that would come only due to this new broadband. So Mr. Carter would take this to the IDA and they would consider it. The money would be passed through and reimbursed by the Industrial Development Authority.

Matthews: I make a motion that we send it to the IDA for their input for them to get back with us after that decision has been made for us to review.

Dunnavant: Second.

Allen: A motion has been made to send this to the IDA. Any more discussion? Let’s vote. 6 yes. So approved.

Supervisor Matthews moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to send the Central Virginia Electric Cooperative incentive for broadband to the Industrial Development Authority for ideas and bring back to the Board.

Re: Sheriff’s Department: Consider appropriation of $42,493.51 Department of Criminal Justice Services for cost of Law Enforcement Equipment

From Memo from Sheriff Kidd: On April 4, 2018 I was notified of a successful grant award from the Department of Criminal Justice Services in the amount of $42,528 in federal funds under the Byrne/JAG program. Based on this award, we purchased out of budget specific law enforcement equipment approved by the grant. On November 26, 2018 reimbursement was received by Buckingham County in the amount of $42,493.51 to cover the cost of equipment. I respectfully request the funds be transferred from General Fund and placed into my budget to cover the costs of these expenditures.
Allen: Motion made and seconded. Any discussion? Let’s vote. 6 yes. So approved.

Supervisor Chambers moved, Supervisor Bryant seconded and was unanimously carried by the Board to appropriate the $42,493.51 received from a grant from the Department of Criminal Justice Services.

Re: Fire Departments: Consider request to appropriate $6,467 for the Lower Francisco Fire Association

Carter: This is the same amount that is annually given to them. It seems like it was a mix up last year. Dr. Hevener who generally requests the funds on their behalf, Dr. Hevener passed away and the request did not get to you all in time for the budget. So it appears that they are coming to you now asking you to appropriate that money in this budget year. For the first time they are providing you with how they would bread that down. These departments do get called into that end of the county.

Allen: Do I have a motion to approve?

Matthews: So moved.

Allen: Motion to approve and a second. Any discussion?

Matthews: I’d just like to say that we have always done this in the past and it’s a good situation for those people on that end of the county to get fire protection from Randolph, Prince Edward and Prospect. It’s a good situation and those constituents feel good about this scenario. It’s several guys, Ernest Bowling, Dr. Hevener, James Jones, Lyn Hill in their capacity as far as President and Vice President. It meets a lot of needs in the community. So I’d like to see us pass this.

Dunnavant: It’s not new, we just overlooked it.
Allen: Any more discussion? Let’s vote. 6 yes. So approved.

*Supervisor Matthews moved, Supervisor Chambers seconded and was unanimously carried by the Board to appropriate $6,467 to Lower Francisco Fire Association for the FY19 budget.*

**Re: Consider request from Dillwyn Fire Department for Use of County Property**

**From letter from Dillwyn Fire Department:** The Dillwyn Volunteer Fire Department would like to request that the Buckingham County Board of Supervisors consider use of the counties industrial park property for a fundraising activity. The property will be used to host a truck and tractor pull. In 2015, 23 conducted a pull that was very successful in raising funds for the fire department and rescue squad. However the property was sold and it has now become difficult to find a suitable location to conduct this activity.

The fire department believes the site owned by the county between the trash disposal site and the rescue squad building would be best suited for this activity. The area we would like to use is on the rear of the property near the tree line and would be easy to restore to its original condition after it ceases to be used for this activity. Local citizens have agreed to help us construct the track for the pull. The dimensions would need to be 375 ft. long by 40 ft. wide.

We will use Dragon Motorsports of Tappahannock Virginia to provide the sled and insurance for the pull participants. Insurance for the spectators would be provided by local agencies for the days of the event. With need for funds to operate our volunteer organizations and a lack of wholesome family activities we feel that this event could be a win-win for our community and volunteer organizations.

We would like for the Board to consider this an annual event until the property is sold or needed for another purpose. We will be available to meet with you to answer any specific questions.

Chambers: I make a motion to do with our County Attorney writing up the rules for it.

Allen: There’s been a motion to allow the Dillwyn Fire Department to use County property and our Attorney working up the rules.

Matthews: I’d like to step out and thank Patrick Jones and his partner in this endeavor. They are working with the fire department. The fire department and rescue squad will benefit tremendously from this endeavor. Thank you Patrick. Thank you sir for the County and helping our volunteers and taking it to the next level. We appreciate it.

Dunnavant: Did you want to say anything Chip?

Davis: I made the request, I didn’t know if you had any questions.

Dunnavant: I think we are all behind you. If you want to add anything to it.
Allen: Anybody else? Let’s vote. 6 yes. So approved to use county property.

Supervisor Chambers moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve for the Dillwyn Volunteer Fire Department to use county property for fund raising event and the County Attorney work up the rules for such event.

Re: Consider 2019 Monthly Meeting Schedule

Buckingham County Board of Supervisors
2019 Monthly Meeting Schedule

Monday, January 14 @ 6:00 p.m.
Monday, February 11 @ 6:00 p.m.
Monday, March 11 @ 6:00 p.m.
Monday, April 15 @ 6:00 p.m. (change due to budget)
Monday, May 13 @ 6:00 p.m.
Monday, June 10 @ 6:00 p.m.
Monday July 8 @ 6:00 p.m.
Monday, August 12 @ 6:00 p.m.
Monday, September 9 @ 6:00 p.m.
Tuesday, October 15 @ 6:00 p.m. (change due to Columbus Day Holiday)
Wednesday, November 13 @ 6:00 p.m. (change due to VACO conference)
Monday, December 9 @ 6:00 p.m.

Allen: A motion made and seconded to approve the 2019 meeting schedule. Any discussion? Let’s vote. 6 yes. So approved.

Supervisor Chambers moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the 2019 Monthly Meeting Schedule as presented.

Re: County Attorney Matters

There were none.

Re: County Administrator’s Report

Carter:

ByLaws Rules of Practice and Procedures: Yes, Mr. Chairman. I’ve provided for you a copy of the present By-Laws Rules of Practice and Procedures for you all to review prior to the January meeting where you will adopt those again. I remind you that you can change those anytime during the year but at the beginning of the year you will need to adopt the By-Laws Rules of Practice and Procedures. So if you have any changes you would like to see, bring it before the board at the next meeting. The way the agenda is done what I plan to do is to perhaps
put this early on in the agenda for you to consider before you start your January meeting because that’s when it comes effective.

**Virginia’s Possible Budget Choices as Presented at the 2018 VACo Annual Conference:** I’ve also provided you with Virginia’s possible budget choices as presented at the 2018 VACo Annual Conference. There probably have been changes made already. You do see some encouragement with the state money. I just wanted you to have that as we soon will be starting into our budget procedure.

**Nottoway County’s Notice to Withdraw from Virginia Growth Alliance:** They have written a letter to make you all aware of that.

**Personnel Committee Report:** Also I’ve provided a personnel committee report for your consideration.

That concludes my report Mr. Chairman.

**Jones:** I would like to ask at this time, Mr. Chairman, if this is the correct time to change our By-Laws to our County Attorney that we can put wording in there that prohibits in things involving many counties that we can stop people from other counties coming in telling us how to run our county. Is that correct? Can we do that?

**Carter:** Not for public hearing.

**Jones:** Can we change the wording to require…

**Wright:** Which part, public comments or public hearing? Are you talking about both? It would be difficult (several people talking at once could not hear Mr. Wright)

**Carter:** You already have in there for public comments is only county citizens. Public hearing is open.

**Jones:** I just don’t like someone from another county coming here telling us how to run our county. That’s the only problem I have.

**Allen:** So if we have changes, we need to wait to next month?

**Carter:** If anyone of you have in mind right now you can give it to me in case it needs to be researched by County Attorney, that would be good.

**Allen:** I don’t think it needs to be researched, but under public session need to remove everything that has to do with 7:00 because we are doing 6:00.

**Carter:** We’ve done that but not on this copy.
Re: Other Board Matters

Chambers: Mr. Chambers, I’ve got one thing. I want to make a motion that we close the offices on December 26 and January 2, the day after Christmas and day after New Year’s.

Allen: December 26th will be Wednesday. December 26th and January 2nd. A motion made and seconded that the county give the employees off December 26th and January 2nd off as a holiday. Any discussion? Let’s vote. 6 yes.

Supervisor Chambers moved, Supervisor Bryant seconded and was unanimously carried by the Board to give employees December 26 and January 2 off as holidays.

Re: Supervisor Jones: Discussion of information provided by him regarding Horse and Buggy Manuals

Jones: Mr. Chairman, on the next item I asked for information on the Amish. I hope that all of you read the article that I passed around. Due to the time involved tonight I would like to put this off until the next meeting in January. I would like for our members to come up with ideas that we can come forth with ways to help alleviate the accidents that we have seen in the past and hope we don’t have anymore. We need to in my opinion, we need to get with our board, the highway department and the governor of the Amish, the elder, we need to get with them to see what we need to come up with.

Dunnavant: Mr. Jones, I read the material that you put out and it’s all good stuff and I did pass it along to the Amish community through my neighbor that bought the farm in front of me. I noticed a few days after I gave it to him, all of his kids that were coming over tending his herd that he has on part of me were wearing traffic vests while scooting up the road on their scooter. So, it does make an impact. I just wanted to let you know the feedback that I put it out to them.

Jones: Don’t they have a bishop?

Dunnavant: I do not know exactly how their hierarchy works.

Jones: That’s all I have.

Re: Executive Closed Session

There was none.

Re: Adjournment

There being no further business to discuss, Chairman Allen declared the meeting adjourned.
ATTEST:

_____________________________________ ____________________________________  
Rebecca S. Carter     Danny R. Allen  
County Administrator  Chairman