At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, January 8, 2018 at 7:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Building the following members were present: Danny R. Allen; Donald E. Bryan; 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; E.M. Wright, Jr., County Attorney; and Rebecca S. Cobb, Zoning Administrator.

**Re: Call to Order**

County Administrator Rebecca Carter called the meeting to order.

**Re: Establishment of a Quorum**

County Administrator Rebecca Carter certified there was a quorum. Seven 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: Board vote to confirm Chairmanship rotation schedule that will place Supervisor Danny Allen as 2018 Chairman**

*Carter:* We come to the matter of Chairman and Vice Chairman for 2018 calendar year. According to the rotation the Board adopted a couple of years ago, the Chairman for 2018 should be Supervisor Danny Allen. I would ask the Board to vote to confirm Supervisor Allen as the chairman.

*Bryan:* So moved.

*Supervisor Bryan moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to appoint Supervisor Allen as the 2018 Chairman of the Board of Supervisors.*

*Carter:* It’s unanimous. Congratulations Chairman Allen. I’ll turn the meeting over to you.

*Allen:* Thank you Maam. Good evening. Happy New Year.
Re: Chairman asks for vote to confirm the Vice Chairman Rotation schedule that will place Supervisor Donnie Bryan as 2018 Vice Chairman

Allen: Next on the agenda is the Vice Chairman. Like we say, we have a rotation and the Vice Chairman would be Mr. Bryan. Do we have a motion to put Mr. Bryan in?

Chambers: So moved.

Jones: Second.

Supervisor Chambers moved, Supervisor Jones seconded and was unanimously carried by the Board to appoint Supervisor Bryan as 2018 Vice Chairman of the Board of Supervisors.

Re: Appointment to the Personnel Committee

Allen: We have a few more appointments. We need two Board members for the Personnel Committee. Anybody want to volunteer or do you want to go back to what you had?

Chambers: I served on there last year with Supervisor Bryant.

Bryan: Mr. Chairman, I move that we leave the Personnel Committee as it currently stands. That would be Supervisor Chambers and Supervisor Bryant.

Allen: So you make a motion to that effect?

Bryan: Yes sir.

Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to reappoint Supervisors Chambers and Bryant to the Personnel Committee for 2018.

Re: Appointment to the Utilities Committee

Allen: Alright, we need two members on the Utilities Committee.

Bryan: Same recommendation, Mr. Chairman, as currently the Utilities Committee is Supervisor Dunnavant and myself because we are the two districts that have utilities.

Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to reappoint Supervisors Bryan and Dunnavant to the Utilities Committee for 2018.
Re: Appointment to the Finance Committee

Allen: Appointment of the Chairman to the Finance Committee.

Bryan: The Chairman would be you, Mr. Allen. I believe Mr. Matthews also serves on that Committee as well.

Matthews: Yes.

*Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to appoint Chairman Allen and Supervisor Matthews to the Finance Committee for 2018.*

Re: Announcements

Dunnavant: I have one question for you. Since you came off the Planning Commission…

Allen: No.

Dunnavant: You are still on the Planning Commission?

Allen: That’s a 4 year.

Jones: Mr. Chairman, since you are Chairman of the Board, does that still mean that you have that term finished up for Planning Commission. I would like to be on the Planning Commission as a representative of this Board if possible.

Bryan: I think members are 4 years. I don’t think we have anything…

Allen: It had been a four year thing. I would like to stay on it.

Jones: I would like to volunteer for that.

Dunnavant: I didn’t know if it went with the Chairman or how that went.

Allen: All I know it’s a four year appointment. Right, Mrs. Carter?

Carter: For the regular members it is. There is no stand for the Board representative. You’ve always just appointed a Board member with no standing terms. You were on there until…we don’t appoint every 4 years.

Jones: As I’ve said, I’ve been on the Planning Commission before and I would like to be on there for this coming year.

Chambers: Gentlemen, have a problem with him being on there?
Allen: I just like being on there. I can be off if you want me to be off. Whatever yall want me to do. Its yalls vote.

Dunnavant: I think that should be between you and Mr. Jones. Both have interest in it.

Bryan: Is there a motion?

Allen: Nobody’s made a motion.

Jones: Can I make a motion that I be on the Planning Commission?

Allen: I don’t see why you couldn’t. Do we have a second that Mr. Jones be on the Planning Commission? Let’s take a vote anyway.

Bryan: Second just for the vote.

 Supervisor Jones moved, Supervisor Bryan seconded to appoint Supervisor Jones to the Planning Commission. This motion passed with a 4-2-1 vote. Supervisors Chambers, Bryan, Matthews, and Jones voting in favor. Supervisors Bryant and Allen opposing. Supervisor Dunnavant abstained. Supervisor Jones has been appointed to the Planning Commission as the 2018 Board representative.

Re: Approval of Agenda

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

D.4. Appointment of two Board members to Personnel Committee
D.5. Appointment of two Board members to Utilities Committee
D.6. Appointment of Chairman to Finance Committee

O.4. Consider closing St. Andrews Solid Waste Site per recommendation from the Game And Inland Fisheries due to Bear activity at dumpsite*
O.5. Consider appointments to the CRC Comprehensive Economic Development Strategy (CEDS)

Re: Approval of Minutes

 Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the minutes of the December 11, 2017 VDOT Work Session and the regular monthly meeting 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 By-Laws and Rules of Procedure

Chambers: I just have a question, when Daylight Savings time ends, why don’t we change our meeting time up an hour during the winter months.

Allen: You want to change it to 6:00?

Chambers: Yes, during the winter months I think, like say the end of October or November.

Bryan: After Halloween isn’t it? The Sunday?

Chambers: Then in the spring, put it back.

Dunnavant: During Daylight savings time have it at 6:00?

Chambers: Yes.

Bryan: I’ve got no objections to that.

Allen: That’s in the By-Laws isn’t it? We need to change that.

Chambers: Is that a problem Mrs. Carter?

Bryan: Daylight savings time would be 7:00, wouldn’t it?

Allen: We have a motion and a second to change the time during Daylight savings time for the meetings.

Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to change the meeting times in November, December, January and February to 6:00 p.m. and March, April, May, June, July, August, September and October will be 7:00 p.m.
CREATION

The Buckingham County Board of Supervisors hereinafter called the Board is an elected body provided by the Code of Virginia, Section 15.1-527; it consists of seven (7) members elected from each of the voting districts.

SEAL OF THE BOARD

When affixed to any paper or document by the Clerk of the Board, the seal has the force and effect for authentication for the Board.

PRINCIPAL OFFICE

13380 West James Anderson Hwy, Buckingham Administration Complex, Buckingham, Virginia 23921. Mailing address: P.O. Box 252, Buckingham, Virginia 23921-0252.

CHAIRMAN AND VICE CHAIRMAN TO THE BOARD

At the annual or organizational meeting of the Board of Supervisors, the Board shall elect from its membership a Chairman and Vice Chairman, each of whom shall serve a term for one year expiring on December 31st of each year or until their respective successors shall be elected. In the case of the absence of the Chairman, the Vice Chairman shall preside at the meeting, in the absence of both the Chairman and the Vice Chairman, the members present shall choose one of its members as a temporary Chairman. Both shall be voting members and shall serve for one year. The election of Chairman and Vice Chairman shall be rotated annually among board members. In keeping with this policy the selected vice-chairman will be elevated the next year to serve as chairman. The guided principle of this is to alleviate the posturing and the division of the board at the start of each year. In doing this each elected member will have a chance to serve as vice-chair and as chairman. Should a member die, resign or not want to sit in the appropriate chair, then they will move down the list to the end of the rotations and elect the next member in line.

Commencing with the organizational meeting to be held in January 2016, the following would be an example of rotation based upon the members in office as of January 2016:
Chairman District Number       Vice Chairman District Number


The rotation will then follow the same schedule as previously stated.

The Board of Supervisors will still have to take official action to place the board members in the seat as Chairman and Vice Chairman.

**COUNTY ADMINISTRATOR**

The County Administrator shall be Clerk to the governing body and her general duty is set forth in the Code of Virginia, Section 15.1-117. She shall maintain an office at the same address as the Board.

**COUNTY ATTORNEY**

The County Attorney assists the Board of Supervisors, the Planning Commission, and the Board of Zoning Appeals in analyzing legal issues and provides advice and action in legal matters, and represents the Board in all civil actions.

**QUORUM FOR THE CONDUCT OF BOARD MEETINGS**

A majority of the Board shall constitute a quorum for the purpose of conducting Board meetings.

**PUBLIC SESSIONS**

Regular public sessions shall be held on the second (2\textsuperscript{nd}) Monday of each month at 6:00 p.m. in November, December, January, February and 7:00 p.m. in March, April, May, June, July, August, September and October in the Peter Francisco Auditorium of the Buckingham Administration Complex on Route 60 in the Village of Buckingham, unless otherwise scheduled by the Board of Supervisors.

**MEETINGS AND ATTENDANCE**

1. All meetings and business shall be conducted in accordance with the Code of Virginia, Robert’s Rules of Order Revised, and these by-laws.
2. Members who cannot attend a meeting, whether regular or special shall attempt to notify the County Administrator or the Chairman beforehand.

3. Meetings shall start at the appointed time, and if the Chairman is not present, the Vice Chairman shall preside. If neither the Chairman nor the Vice Chairman is present, the County Administrator shall call the meeting to order and preside for the election of temporary chairman.

4. For each regular meeting, the County Administrator shall draw up an agenda of items which are known to be matters which should come before the Board, and shall see to the preparation of a Board packet describing and concerning such matters and to its distribution to members at least 4 days before each regular meeting.

5. Persons or groups affiliated with the County such as county appointed committees, county agencies and those receiving county funding are eligible to be placed on the agenda before the Board for presentation. Any deviations will require the Chairman’s approval.

6. Any person making a written presentation or demonstration of a matter by way of brochure, picture, etc., shall provide the County Administrator 15 copies of the matter 7 days prior to the meeting at which they wish to make a presentation. This requirement shall not apply to citizens speaking during the Public Participation period.

7. Any approved person or group wishing to submit an item for consideration by the Board must do so via the Office of the County Administrator not later than 7 days before the meeting at which they desire the item considered. Any item submitted after this deadline will not be considered for action unless recommended by the County Administrator or a majority of the Board.

8. The County Administrator shall allocate time to items on the agenda to suit the convenience of the Board.

9. The Board shall consider all items docketed on the agenda before taking any other items unless an undocked item is brought by consent of the Board. If an item is not docketed, but never the less is considered by the Board by consent, and the adoption of the item would affect the budget by $500.00 or more, such item shall be tabled and considered at the next regular scheduled board meeting. This exception shall not apply to formal committee (as set forth in the By-Laws) recommendations or for an emergency situation. An emergency situation being defined as: The necessity of the expenditure must
occur or an issue must be resolved before the next regular scheduled board meeting. The Board of Supervisors may carry over to the next regular scheduled board meeting any request, item, or issue that is not docketed on the agenda.

10. Time permitting, items not on the agenda shall be heard as the final items of the Board’s business. If time does not permit, in the opinion of the Chairman of the Board, hearing items not on the agenda, such items shall be carried over to the next regular or special meeting.

11. The Chairman’s vote on all issues before the Board shall be recorded with the prevailing side, unless the Chairman clearly votes otherwise.

12. In the event of inclement weather, the regularly scheduled Board meeting will be held on the following Monday of the month.

ORDER OF BUSINESS

The Order of Business shall be as follows, subject to rearrangement by the Chairman absent objection by the Board:

A. Call to Order
B. Verification of a Quorum
C. Invocation and Pledge of Allegiance
D. Approval of Agenda
E. Approval of the Minutes
F. Approval of Claims
G. Announcements
H. Public Participation
I. Highway Matters
J. Public Hearings
K. Presentations
L. Zoning Matters
M. Agency and Department Requests
N. Appointments to Committees, Boards, and Agencies
O. Items for board Consideration
P. County Administrator’s Report
Q. Informational Items
R. Other Board Matters
S. Executive Closed Session
T. Return to Regular Session
U. Certification Regarding Items Discussed In Closed Session
V. Adjournment/Recess
• The Order of Business may be rearranged in the event of any other business items that may be necessary according to the County Administrator or Chairman.

CONDUCT OF BUSINESS

1. Motions shall be recorded with the number of yeas or nays except that a vote indicated as “carried” shall mean a unanimous vote. Any member may require a polling of the members and the Clerk shall record the same.

   A. On all votes, the Chairman shall announce the motion and call for a vote and the appropriate yes, no, or abstain button should be pressed. In the event the voting system is not operational, raising of the hands will be used to vote yes, no, or abstain.

   B. Board members shall press the appropriate yes, no, or abstain button and the vote shall be recorded on the voting system. If the voting system is not operational, Board members shall raise their hands to vote yes, no or abstain.

   C. After the final vote has been cast, the Chairman shall announce the vote results for the record.

2. The Chairman or any member may call for the question after all members have spoken, or it appears that all members have spoken who desire to speak. No vote on the call of the questions shall be taken unless a member shall require it.

3. When the question is called and there is no dispute, the Chairman shall call for the vote.

4. Any member abstaining on a vote shall so indicate following the call for the vote.

5. Exhibits before the Board shall become the property of the Board and shall be filed with the County Administrator.

6. Selection of speakers must be done in a predetermined and organized manner. Public comments are limited to Buckingham County residents and real estate owners for the county and have a three (3) minute time limit. Having a sign-up sheet will allow Buckingham County residents and real estate owners to indicate ahead of time their desire to speak. If this method is used speakers should be limited to those on the list. The sign-up sheet will be in the entryway prior to entering the board room. Anyone that desires to speak after the comment period has started and has not signed up will not be permitted to speak except with the permission of the Board.
Chairman. This also includes those wishing to speak during the time allowed during the public hearing section as well. An announcement will be given approximately 5 minutes before the beginning of the meeting to sign up if wishing to speak during public comment or public hearing.

 Citizens shall not speak at a meeting until they are recognized. Citizens shall request recognition by addressing “Mr. Chairman” or Mrs. Chairman” (as appropriate) and await acknowledgment. At his discretion, the Chairman may permit a dialogue without individual recognition between members of the Board or between a member and a citizen if such dialogue is orderly and contributes to the expedition of the business. Once recognized to speak, citizens shall begin by stating their name, district of residence, and by identifying the matter(s) they wish to address before the Board.

7. Should two or more persons speak at the same time, the Chairman shall indicate recognition of the first person to speak.

8. Should it be desired by the Chairman, any member, or by the County Administrator, the member making a resolution shall reduce the same to writing and deliver it to the County Administrator’s Office. The County Administrator shall transcribe verbal resolutions as accurately as possible, but when loosely worded or when unindicated “whereases” precede the motion, the County Administrator should use appropriate language to accomplish the intent of the Board.

9. Prior to initiating a public hearing, the Chairman shall recount the rules under which the hearing shall be operated, but he may amend the rules during the hearing by giving notice of the change to those gathered.

10. At the beginning of the public hearing, the Chairman shall call upon the County Administrator or the chairman of the committee handling the matter at hand or shall himself recount a description of the issue placed before the hearing.

11. Subject to revocation or extension by the majority of the Board assembled, the Chairman may in all matters establish a maximum time for consideration of the matter, and/or limit the amount of time available to each speaker on a matter and/or limit the number of times each speaker may address the Board on a matter. Notwithstanding the foregoing statement, every Board member shall be entitled to make a statement on every matter before the Board and the Call for the question shall not be entertained until all members who wish to exercise this right shall have done so.
12. All members or citizens shall limit their comments before the Board. The Chairman may prohibit questions from citizens until a speaker has finished his/her presentation.

ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.

2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Board wishes to debate the matter of the disorder or the bringing of order, the regular business may be suspended by vote of the Board to discuss the matter.

3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches; however, the Board may vote to overrule.

4. When a person engages in such breaches, the Chairman shall order the person to stand silent, or may, if necessary order the person removed from the County property.

5. In the absence of a law enforcement officer, the Chairman may direct the County Administrator and any member(s) to act as Sergeants of Arms.

6. While the Board is sitting, members and citizens shall refrain from standing, talking, or leaving their places unless necessary.

COMMITTEES

Ad hoc committees will be appointed by the Chairman, as needed. Constitutional officers may be appointed to committees. The following committees have been appointed by the Board:

Utilities Committee:
The Utilities Committee shall consist of two Board members, the County Attorney, and the County Administrator. The Utilities Director will be included on Water/Sewer issues only. The Solid Waste Manager shall be included on Solid Waste issue only.

It shall be the responsibility of this committee to review and study all aspects of the operations of the Utilities Department.

It shall be the responsibility of the Utilities Committee to act on behalf of the Board of Supervisors in all matters relating to the hiring, promotion, termination, and pay scale adjustments of all Water and Sewer Department employees below the Public Utilities Director level.

This committee will review and study water/sewer rate structures. All findings and recommendations of this committee regarding water/sewer rate structures will be heard by the Board of Supervisors and the Board may take whatever action it so desires with respect to the recommendations.

This committee will review and study Solid Waste and Recycling Management. All Findings and recommendations of this committee regarding Solid Waste and Recycling will be heard by the Board of Supervisors and the Board may take whatever action it so desires with respect to the recommendations.

**Finance Committee:**

The Board shall establish a Finance Committee that will consist of two board members, the County Administrator, the Finance Director and the County Attorney.

O All requests for funds, or actions that will encumber funds, shall be submitted to the Board of Supervisors. The Board of Supervisors may refer such requests to the Finance Committee. Departments wishing to have a request acted on by the entire Board at its regular meeting should submit the request, not less than fifteen days prior to the regular Board meeting, to the County Administrator.

O If a request is referred to the Finance Committee; the Finance Committee shall consider the impact of the request on the overall County budget and make a recommendation to the Board of Supervisors.

O After hearing the recommendation of the Finance Committee, the Board may take whatever action it so desires with respect to the request.

O This committee shall not direct the County Administrator’s preparation and submission of the proposed annual budget as required by statute.

O The County Administrator shall serve as an ex officio member.
**Personnel Committee:**

The Board shall establish a Personnel Committee that will consist of two Board members and the County Administrator.

- **O** It shall be the responsibility of the Personnel Committee to act on behalf of the Board in all matters relating to the hiring, promotion, termination, and pay scale adjustments of all County employees, except County water and Sewer employees, below the County Administrator level.

- **O** The Personnel Committee shall meet as necessary to review personnel matters as they arise.

- **O** The Personnel Committee’s actions shall not take effect until a report of its proposed actions has been made, in writing, in the County Administrator’s Report section of the Board packet to the entire Board. If the Board agrees with the proposed actions, then the proposed actions may take effect with no formal action by the Board being necessary, immediately following the Board meeting at which the report was filed. If no action is taken by the Board to the contrary, it will be assumed that the Personnel Committee’s actions are agreed to.

- **O** In the event that the Board disagrees with the proposed actions of the Personnel Committee, then the Board may take whatever action it desires with respect to the personnel issue at hand and thus overrule the Personnel Committee’s proposed action before it is enacted. In this event, the Board will need to take formal action during a meeting to achieve its aims.

**PARLIAMENTARIAN**

The County Administrator shall act as Parliamentarian to the Board.

**RULES**

These by-laws may be suspended or altered at any time by a majority vote of the Board of Supervisors.
CERTIFICATION


By the Buckingham County Board of Supervisors.

Re: Public Comments

Rick Ewing: Mr. Rick Ewing with the library, spoke in support of the reuse of the former Dillwyn Primary School to become the Buckingham Public Library and Community Center. He stated when first proposed, he was skeptical but after working with everyone on the project he was convinced that it would be better than the old plan of the new library next to the disposal site. He feels that this is the better place for it. He believes it’s a recipe for success. He thanked the Board and Mrs. Carter for including him in this.

Megan Almond: Ms. Almond, Youth Specialist for the library, spoke in favor of the library. She feels it’s a great idea having the community center and library in the same place. People will benefit from having the two areas together. She feels a new library will bring a lot of benefit for the youth. Having places for teens, and family use would be great. She wanted to say thank you and a lot of people are looking forward to it.

Dr. Cary Bryant: Dr. Bryant spoke in favor of the library. He stated he has been involved with the library since its beginning or before when it was just Friends of the Library. He spoke of the history of the library when the Women’s Club had the library in the bottom of the Bank of Buckingham. It was suggested to move to high school and it wasn’t a good idea to some. The first library was the book mobile purchased by Cary and Thelma Robinson and was put in his parking lot. That was found to be inadequate and they purchased the building they have now. He feels the school would be a good location.

Amy White: Ms. White is the Branch Manager of the Buckingham Library. She is excited about the library. She feels this change is a good thing. Now the children meet in the back room and the plan for the new library has rooms for each program. They will have more room to expand the collection of books and dvd’s and displays. Room for more computers are greatly needed. The location of Rt. 20 and 15 is a good location. She looks forward to working with the Board.

Quinn Robinson, District 4: Mr. Robinson had two items. Wanted to add his appreciation to what was being done to get the library going. Mr. Robinson read from a newspaper article about General Assembly hearings to be livestream. He thinks that is wonderful. He would like for you
to reconsider the decision made to abandon the verbatim recording of minutes in public comments. He thinks it’s wrong.

Re: VDOT Road Matters

Shippee: Good evening, Mr. Chairman and members of the Board. I’m glad we were all able to experience the heat wave today. It certainly helped us clear up some of those secondary roads which hasn’t been able to thaw out. Hopefully tonight will go well. There is a chance the temperatures will drop in the morning so be careful out there first thing. From a maintenance standpoint we are doing normal activities for this time of year. Doing some brush cutting, potholes are big this time of year and customer service requests. Other than that the only other thing is its getting close to thinking about the secondary six year plan. I have not seen what this year’s allocation is this year as far as what we can add to the plan. I would anticipate maybe adding a mile and a half to two miles this year. We’ve got some routes left over from last year. As we get to the upcoming months we will talk about that some more and set up a workshop. But start thinking about that. Aside from that, any comments or questions for me?

Bryan: Did you take care of that branch hung in the tree at 632 and 711?

Shippee: I’ve mentioned it to them. I haven’t actually seen whether it was done or not.

Bryan: Before the snow it wasn’t done.

Shippee: I will mention it again.

Matthews: How about those rough spots on 633 at Curdsville going toward Buckingham Springs? Several soft spots in the pavement.

Shippee: We’ll have to take a look at those. You say soft spots?

Matthews: Pavement break ups.

Shippee: If you can send me specific locations that will be helpful.

Matthews: Sure will.

Shippee: Thank you very much.

Re: Public Hearing: Special Use Permit: Private Landing Strip 17-SUP247

Cobb: Yes, this is applicant and owner, Edgar Morgan Dunnivant. Tax Map Section 150 Lot 5 containing 170 acres on Jerico Road in the Maysville Magisterial District. The Planning Commission held their public hearing on November 20, 2017. There were some comments at that time. One was in favor and one was against. The Planning Commission is recommending
approval with the conditions that you’ve been provided. I’m just asking you to hold the public hearing and make a decision.

Conditions:

1. That all federal, state, and local regulations, ordinances and laws be strictly adhered to.
2. That use of the airstrip shall begin within 24 months of the approval by the Board of Supervisors or this Special Use Permit shall be null and void.
3. That any FAA required permits, approvals or registrations be supplied to the County Administration prior to start up.
4. All use shall be by private aircraft with the exception of emergency use.
5. An erosion and sediment control plan must be submitted and approved prior to any land disturbance. All erosion and sediment control regulations must be strictly adhered to.
6. Any structural modifications to the airstrip that are not represented in the application that will require new FAA notification and approvals, will require a new permit unless applicant/owner can provide evidence of no increase of use, no increase in size of aircraft and no additional FAA requirements.
7. That all documentation submitted by the applicant in support of this special use permit 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.
8. 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.
9. Right of ways and roadway shoulders shall not be used for parking.
10. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, upon complaint with one day’s notice to check for compliance with the provisions of this permit.
11. 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.
12. 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.
13. That the applicant(s) understands the conditions and agrees to the conditions.
14. The property is land grant property and remains as such without surrenderring any rights that exist because of the land grant associated with this property.
15. As offered by the applicant, the applicant will indemnify and hold the County harmless from any liability because (from) the issuance of this Special Use Permit.

Allen: I have one more question, I know I think we’ve talked about it a couple times, #10, The administrator and one other staff member goes…it says upon a complaint they still give them a day’s notice. This particular one it might be alright but the one we had trouble with a few years back, you give them one day to think about it or know about it, they will have it fixed by the time
you get there. The person who complained about it would end up being called a liar. It’s not right. I don’t think we ought to give them a day. If someone calls you and complains, you need to go to the sight, call the person who owns the place and tell them you are coming or send somebody out there if you can’t come to look at it. To me. Then give them a time limit to fix it. We don’t have either one in there.

**Cobb:** You want that in this application or are you talking about future applications?

**Allen:** To me, #10 is something that we use in all applications and we ought to have a standard because this is a public hearing on this one and you’ve got three more special use permits and they are different than this and I want to get a standard to go by that we use all the time.

**Matthews:** I thought we changed that last year.

**Allen:** We’ve been back and forth. Don’t you think giving someone a day in particular if you’ve got sewage running across the ground given them another day?

**Matthews:** I’m in agreement with you as far as that. I thought last year we, we had to give notification before we go on the property.

**Allen:** That’s fine. Let them know and have the meet you there and have everybody look at it at one time.

**Matthews:** I don’t think it’s an issue of a time frame.

**Cobb:** So this condition, yes, we did talk about this last year. Last year it was requested to have the one day’s notice in there, and then later in the year it was asked to put upon complaint. That’s why both things are here for this.

**Allen:** To me, I like the upon complaint. The one day before you go look at it…

**Matthews:** I don’t think we need to put any time frame on it. Once you get a complaint, that’s the time to react in accordance. No 24 hour notice, just go ahead on out there and find out what the deal is.

**Allen:** I agree.

**Jones:** We should designate who should be doing this.

**Allen:** It’s in here. The County Administrator and whoever she appoints to be able to go at that time. Then I know on another permit, we have ten days. I don’t think we have on this one, we don’t have a time limit for…

**Cobb:** Not that is not listed on the conditions for this permit. You can amend it if you want.
Matthews: Last year it was a bed and breakfast that applied for a special use permit and we were concerned about health requirements which the state agriculture department inspects most retail situations so I think that was the issue on that. They are already being inspected if it’s a food situation going on. I think what we were concerned about was just anybody from the county just dropping in there when there shouldn’t be any inspections going on as long as they are following the letter of the law as far as agriculture department is concerned and health department. So I don’t see any purpose of any county employee going unless there is a problem. That’s my thought about that scenario.

Allen: That’s what I said upon a complaint.

Dunnivant: That’s pretty much what I remember. Previously some of them had at any time. That’s when we put the one day notice to give them notice you are coming. I think the objective…

Bryan: You don’t have to tell them why you are coming. Just say, there has been a complaint and we are checking on the SUP.

Dunnivant: The objective is to get it fixed. If they know you are coming and they fix it, it’s fixed. If they don’t start making fixes on it, they are the folks you are going to have to fight with.

Allen: So are you saying to give them a day. That’s what I’m complaining about. I think you just call them and tell them you are coming. If they want to meet you there and everybody look at it at one time or they are not able to go there, they can find somebody else to look at it.

Dunnivant: You’ve got to give them some kind of notice. If you are talking about a permit, you’ve got to give them some kind of notice. You can come look at this particular one here, even though I’m involved, I don’t want to be to chatty on this one, you can see everything on this from the highway.

Allen: I’m just trying to get something generic set up instead of changing it around. To me, I think we ought to take the one day out and Mrs. Carter and Mrs. Cobb’s discretion.

Carter: I see what you are saying if it a special use permit that’s supposed to have 50 of something or other, and we get a call that they have a 100 cows or whatever, if they call, I think what you are saying is if we call, by the time we get there they will have them taken away. Is that what you are implying? Situations like that.

Allen: If they have a building sitting there…

Carter: It depends on the situation.

Allen: Yeah.
Carter: But you may what you were talking about before you give a time limit that the enforcement officer, Rebecca or myself say would have 30 days to comply or 10 days to comply.

Allen: That needs to be added in there too. Once you find an issue. I’m not able to make a motion, so if anybody would like to make a motion to make that change, or you don’t or you do. Don’t like it or do like it.

Cobb: You can do that at the end of the public hearing if you want to as far as I guess to vote to approve it you can vote to approve it with the changes in conditions.

Allen: Have it with a change in condition. Is that what everybody wants to see or do? Anybody got any ideas? Alright, lets open the public hearing.

Quinn Robinson: District 4: Good evening. Quinn Robinson, District 4. I really don’t have a complaint about an airport except I’d like to make sure, I think there have been two or three crashes in Buckingham this year. I don’t know. What kind of insurance is there, I live quite close as you know, does homeowners insurance cover that?

Dunnavant: Virginia Department of Aviation requires me to carry liability insurance on the airplane.

Robinson: To what extent?

Dunnavant: $1,000,000.

Robinson: Ok. There won’t be any air circuses or rallies? I haven’t been able to follow this because my computer hasn’t been working. Ok. Thank you.

Allen: Would you like to speak since it’s your…

Dunnavant: I answered the question that was asked. I really don’t have any additional comments to put out. It transpires on my farm.

Allen: Thank you. I’ll close the public hearing. Board members, any comments or changes?

Bryan: I have a change. For item #10, take out the verbiage of one day’s notice. Basically it’s going to read “The County Zoning Administrator and one other staff member appointed by the County Administrator shall be allowed to enter the property upon complaint to check for compliance with provisions of this permit.”

Allen: Sounds good to me.

Dunnavant: There’s another question I think Mr. Wright was going to ask about. #15, identify…for me myself, to indemnify and hold harmless the County from any liability because (from) of the issuance of this special use permit” That’s not on any other special use permit
either. If I’m going to hold the County completely harmless, why are we here talking about this at all? #15

Allen: Mrs. Cobb, can you speak to that? Mrs. Carter?

Cobb: That was a request at the Planning Commission meeting, someone asked about I think because concerns about it crossing his driveway and they were concerned about what if someone turns down his driveway, a delivery truck or something like that. So the Planning Commission asked at that time if Mr. Dunnavant basically with this condition says and he said yes. So they asked if they could put that as a condition, so there it is before you.

Bryan: The way it reads, it was offered by you Mr. Dunnavant.

Dunnavant: One of the Commission members asked if I would hold the county harmless, I said well sure, sure anyways. Since there is asking for consistency on other items and special conditions, this isn’t on any other special conditions on anything else.

Wright: Mr. Chairman, I’m aware of that was developed. The liability doesn’t exist in the first place. (did not pick up on tape) He stated that Mr. Dunnavant carries insurance so condition is not necessary.

Bryan: I’d like to amend my motion then. As previously read for item 10, my amendment would be to also strike #15.

Allen: We have a motion and a second. Anybody got any more discussion? Let’s vote. 6 yes, 1 abstain. Passed.

Supervisor Bryan moved, Supervisor Bryant seconded to take out the verbiage on Condition 10 of one day’s notice to read “The County Zoning Administrator and one other staff member as appointed by the County Administrator shall be allowed to enter the property upon complaint to check for compliance with provisions of this permit,” and to strike #15. This motion passed with a 6-1 vote. Supervisor Dunnavant abstained.

Re: Introduction: Special Use Permit for Bed and Breakfast 17-SUP248

Cobb: Yes, this is Case 17-SUP248, owner/applicant Fran Hill Tax Map Section 189 Lot 46 containing 93 acres on South James Madison Hwy in Curdsville Magisterial District. The Planning Commission has held their public hearing and there were no comments at that time. They have recommended approval with conditions. Tonight I’m asking you to set a public hearing for this request.

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. The facility shall meet all safety requirements of all applicable building codes.
3. That commencement of the facility shall begin within one year 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. 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.
7. 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.
8. 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 Planning Commission or Board of Supervisors.
9. The County Zoning Administrator and one other County staff member, as appointe4d by the County Administrator shall be allowed to enter the property if a complaint is registered against the property for noncompliance with this permit.
10. That the applicant (s) understands the conditions and agrees to the conditions.

Bryan: So moved, Mr. Chairman.

Dunnavant: Second

Supervisor Bryan moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to schedule a public hearing on February 12, 2018 to hear public comments regarding Special Use Permit Case 17-SUP248 for Bed and Breakfast.

Re: Introduction: Special Use Permit for Campground, 17-SUP249

Cobb: This is case 17-SUP249, applicant/owner Lloyd Buckingham Farm LLC, Tax Map Section 121, Lot 8 containing 18 acres on Willow Lake Road in the Maysville Magisterial District. The Planning Commission held a public hearing on December 18, 2017. There were no comments at that time. The Planning Commission is recommending approval with conditions. Again, I am asking you to set a public hearing on this request.

1. That all federal, state and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to 12 VAC 5-540-VDH Rules and Regulations Governing Campgrounds.
2. That commencement of the business, as demonstrated by a certificate of operation, shall begin within two years of the approval by the Board of Supervisors or this special use permit shall be null and void.
3. There shall be no leakage of effluent from any camping unit, hoses or connections.
4. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
5. Right of ways and roadway shoulders shall be not be sued for parking.
6. Only trailers classified as Recreational Vehicle or Self-contained camping unit and with current registration shall be allowed.
7. That this temporary campground approval expires at the end of five years of operation, with six month extensions upon request. Self-contained camping units shall be removed within 30 days after expiration of this Special Use Permit.
8. The Buckingham County Noise Ordinance must be adhered to.
9. No campground structure shall be erected within 50’ of adjoining properties without adjacent landowners written permission.
10. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, upon one days’ notice, to check for compliance with the provisions of this permit.
11. That all documentation submitted by the applicant is support of this special use permit request becomes a part of the conditions. Documents include but are not limited to last submitted conceptual plan, application, etc.
12. 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.
13. 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.
14. That any infraction of the above mentioned conditions, if not cured within 10 days after notice to the applicant, could lead to a stop order from the County Administration or other authorized agents. And repeated or continued infractions could lead to discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
15. That the applicant (s) understands the conditions and agrees to the conditions.
16. The campground shall contain no more than five camping units.

Bryan: So moved, Mr. Chairman, right after the B&B hearing.

Chambers: Second.

Allen: Been a motion made and second to move on to public hearing. Any comments? If none, let’s vote. 7 yes to move to public hearing.

_Br_supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to schedule a public hearing for February 12, 2018 to hear public comments regarding Case 17-SUP249 for Campground._

Re: Introduction: Special Use Permit for Telecommunications Tower 17-SUP250
Cobb: Yes, this is Case 17-SUP250. Applicant Shenandoah Mobile, LLC. Property Owner: Jenny Kidd Ledford, Located at Tax Map Section 75, Lot 4 containing 45 acres on South James River Hwy, in the James River Magisterial District. The Planning Commission held a public hearing on December 18, 2017. There were two comments against this request. The Planning Commission is recommending approval with conditions. I’ll just note that the Planning Commission did vote to strike three conditions proposed by our consultants but I do recommend that you still consider those conditions for this permit and that you consider setting a public hearing.

1. All feed cables shall be hidden within the monopole and all access ports shall be sealed to prevent wildlife intrusion; and
2. Applicant shall install minimal landscaping along the northeast and southeast sides of the fenced compound; and
3. Prior to permitting, applicant shall provide a letter from the tower manufacturer certifying the proposed tower can support the minimum of six (6) arrays of similar design, including the primary user. The letter shall be signed by a licensed Virginia Registered Professional engineer; and
4. If an emergency power backup generator is used, it’s noise level shall not exceed 65dBa at the nearest property edge. Testing shall be limited to the hours between 9:00 a.m. and 4:00 p.m. (Monday through Friday) and,
5. Should the highest antenna arrays be lowered in the future for capacity needs, the unused top portion of the tower shall be removed; and
6. No advertising shall be installed on the fencing near the ground compound; and
7. That all federal, state, and local regulations, ordinances and laws be strictly adhered to.
8. 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.
9. 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 Planning Commission or Board of Supervisors.
10. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property at any time to check for compliance with the provisions of this permit. Upon entering the property the inspectors shall attempt to notify the landowner of their presence on the property.
11. If the building permit is not obtained within six (6) months from the date of approval then the Special Use Permit shall be null and void.
12. That the applicant (s) understands the conditions and agrees to the conditions.
13. Tower shall not be constructed until a tenant is ready to locate on the tower immediately after building.
14. The construction of the tower must be complete within 2 years from the date of approval or this permit is null and void.
15. The tower shall be constructed to fall within the lease area upon failure. Upon seeking a building permit, the applicant must certify and provide construction plans showing the break point technology.
Bryan: Is the applicant here?

Cobb: Yes.

Bryan: Are you aware of the three conditions stricken? No objections to adding them back in? (applicant stated that she was aware and no objections to adding them back in)

Bryan: So moved, Mr. Chairman. I would like to add 4, 5 and 6 back in.

Matthews: Second.

Allen: Motion made and seconded.

Jones: Question. Mr. Chairman, I have never seen an application with so many pages submitted in my life. Cityscape, they are not representing our county are they?

Cobb: Yes.

Jones: They are?

Cobb: They are the consultants that we use to review the tower applications. Yes.

Jones: We pay them to represent us?

Cobb: The applicant pays the fee that they request for their work.

Jones: Is that normal for all the towers?

Cobb: Yes.

Jones: No further questions.

Allen: Let’s vote. 7 yes. Move on to public hearing.

Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to schedule a public hearing for February 12, 2018 to hear public comments regarding Case 17-SUP250 for telecommunications tower.

Re: Consider Library/Community Center Project

Carter: Yes, Mr. Chairman, during the December meeting Josh Bowers, with Crabtree, Rohrbaugh, and Associates made a public presentation of the proposed library/community center project. It was the desire of you all, the Board of Supervisors to wait until January to take any
action before you move forward. I think the concept there was to see if you heard any comments from the public. So, at this point, if it is the Board’s desire to move forward with the project, I just want to bring to you the next steps that need to be made.

The first one would be for the Board to authorize the library committee to negotiate a contract with Josh’s firm for the design, bid documents and also administration of the project. We would bring that contract back to you hopefully at the February meeting for you all to consider approval. So if you do chose to move forward in the above stated manner, the next step would be to bring back and approve the final design and bid documents. Once that’s done we will have a probable cost for you with the final design and bid contracts. Then the library committee would consider the bid proposals that we receive and come back and make a recommendation to the full board to enter into a contract for the renovation and construction project. Presently we have $250,000 in the budget each year set aside for a debt service payment. That amount was based on a projected project costs for a new building of $3 million. This projection is several years old, probably about 4 years old. Of course we all want to know, the Board wants to know, can we do this project without a tax increase? We’ve been working with Davenport and Company. They have provided Karl with several options of how we could pay for this. We can say that it can be paid for without a tax increase. We will give you those options of how you would want to finance it and pay for it when we get the final numbers. They have given Karl scenarios. It would depend on which option you would like to choose but this project can be done without an increase in taxes if you don’t take on any larger annual every year projects. So I guess the next step would be if you want to move forward, you will need to authorize me to work with the library committee and Mr. Wright to negotiate a contract to bring back to you all.

Allen: Any discussion or motion?

Matthews: I make a motion that we proceed with the library committee to negotiate proposed contracts with Crabtree, Rohrbaugh for the contract and design of the Dillwyn Primary.

Bryant: Second.

Allen: You are talking about the total, not doing half and half, right?

Matthews: That’s right.

Allen: I just wanted to make sure. So there has been a motion and a second to continue on with the library committee and with the design. Any more discussion? Let’s vote. Unanimous. Seven. So we will head forward with that.

Supervisor Matthews moved, Supervisor Bryant seconded and was unanimously carried by the Board to authorize the Library Committee to move forward with negotiating a contract with Crabtree, Rohrbaugh and Associates for the design and bid documents for the renovation of the old Dillwyn Primary School for a library/community center.
Re: CRC: Proposal from the Commonwealth Regional Council for an Increase in Annual Membership Dues

Carter: I’ve provided you with a proposal from the Commonwealth Regional Council. This proposal addresses an annual increase in the County Membership Dues. That also provides for an increase of services to be provided with that increase. Normally, this would be taken care of at budget time, considered at budget, but I think CRC has asked each county to look at this at their January meeting so they will know how to plan their year. As you will see there is also some additions that they will return any money to the localities if an annual audit cash balance should exceed $500,000. So any amount over that $500,000 will be distributed evenly among the counties that are participating. That increase is asked to go from $15,700 to $19,000. I think another big issue with that is they will offer, right now if a fire department or rescue squad wants to apply for a grant through CRC, there’s like a $500 or $700 charge. That has to be paid by fire departments or squads even if they don’t get the money. With this increase, CRC would make those applications for them free of charge. If the project did get approved, they would get their money back through administration fee that’s usually in a grant. Supervisor Dunnavant is your representative on the Commonwealth Regional Council and he might want to add anything.

Dunnavant: I’ll add a few comments to that. I am on…I willingly took the county’s appointment to the Commonwealth Regional Council to get a handle on this grant money which quite frankly I’m not 100% in favor of because its tax money that’s taken out of everybody that’s not earmarked for a specific purpose. But that does seem to be the major source of revenue now. We have made the current makeup, the Commonwealth Regional Council board has made some major changes to that both personnel and policy wise. It is actually starting to become a beneficial agency and I believe this is a step in the right direction even though its going to cost us more to participate, the Commonwealth Regional Council has been made an upgraded Planning District where it’s been economic development administration grants which is a whole new menu of grant monies that have become available to it by making that designation. So I really see this agency being in a position to bring more money back into our community through these enhanced grant writings than we spend on them.

Matthews: What determined the $3300 increase? What’s the determination factor for that?

Dunnavant: Initially on that is to provide the grant writing services to all of our communities and we will have to hire another office personnel to do that duty. But that person can write the grants for all the school systems, for the rescue squads, fire departments, sheriff’s departments, libraries any other county operations. They will be writing those grants for them and administering those grants which frees up the personnel that would have been doing that to do their normal assigned duties rather than fool with the grant scenario.

Carter: I might add that due to the structure of the Commonwealth Regional Council and their By-Laws unless every county approves this, they can’t change it.
**Dunnavant:** Every member county has to approve on this. Cumberland withdrew some years aback due to the administration that was there, and Cumberland is currently anticipating, well I don’t want to say anticipating, but Cumberland is attending meetings sporadically and debating amongst themselves about actually rejoining the CRC since we have changed the direction and the demeanor of that organization.

**Jones:** With the information that we have here, to me the CRC is well healed. What I don’t like about that is the fact that we don’t have a say, if we say no, we are not going to increase then they are going to do it anyway.

**Dunnavant:** No, if we say no, it’s not going to happen. All member jurisdictions have to unanimously agree to increase the fee.

**Matthews:** What’s the consensus of the other counties?

**Carter:** I don’t know yet.

**Dunnavant:** The consensus from the last meeting I had, Lunenburg County had one person on their board that had been adamantly against the CRC since its inception, with this new proposal it swayed them over because of the grant writing offer. Like I say, the intent of the CRC is to be the grant administrator, a cooperative grant administration and writing agency for our member counties to get that grant money back in our community. Because it came from us. It came from everybody.

**Matthews:** How many member counties is it, do we know?

**Dunnavant:** Currently 5.

**Matthews:** So you are increasing the staff, what’s the staff amount now?

**Dunnavant:** 3

**Matthews:** 3 and they are going to increase to 4?

**Dunnavant:** It will be 5 because when Mrs. Hickman resigned, Mrs. Foster was promoted so we are already one down and advertising for that position. So the total…

**Matthews:** So if we call for assistance, they are going to jump on it?

**Dunnavant:** They are supposed to be the Johnny on the spot. If we call and they don’t answer, well, that’s like calling on me and I don’t answer because my seat is to see that we are doing what we are supposed to be doing as far as bringing this grant money back to our communities.

**Allen:** They have helped us out a lot over the years.
Matthews: It’s a huge need for the county and school system needs money. A lot of grants out there but I don’t want them dragging their feet. When somebody needs something they get right on it and not be fooling around.

Dunnavant: It’s got the potential. It’s got the potential to be a good positive. If it turns out it’s not, we can step back later. We can pull out at any time. If we don’t agree to this, then we’ve already disagreed with…it will not come forward. If all member jurisdictions do not approve it, it will not move any further than it is now and the agency won’t have an opportunity to be as successful as it can be.

Allen: If you think it’s a good thing, are you going to make a motion?

Dunnavant: I believe it is. I will move that we…

Matthews: It’s unusual for you to want to spend any more money.

Bryan: It must be a real good deal. I was sitting here thinking the same thing, if you are spending money must be a good deal.

Dunnavant: I do believe in spending money to make money and I did that all my years when I was out there driving them bulldozers every day. I do see this as an investment.

Bryan: Ok.

Allen: Motion made and seconded to move forward with CRC increase. Any more discussion? Vote. 1 abstain. 6 yes. Passed.

Supervisor Dunnavant moved, Supervisor Bryan seconded to approve to increase the Commonwealth Regional Council budget appropriation from $15,700 to $19,000 beginning 2018-19 budget cycle. This motion passed with a 6-1 vote. Supervisor Jones abstained.

Re: Consider Resolution to Adopt the Commonwealth Regional Council Hazard Mitigation Plan

Carter: Mr. Chairman, I received an email from Todd Fortune with Commonwealth Regional Council asking that you all do not vote on this tonight because he needs to wait on the APA letter from FEMA in order to proceed with this process. So he will be bringing it back when he gets that.

Re: Consider closing St. Andrews Solid Waste Site Per Recommendation from the Game and Inland Fisheries due to Bear Activity at dump site.

Carter: If I could address that. Actually the Game and Inland Fisheries has in talking with Lyn has suggested that you might want to close it. However they do have some grant money that
could help toward bear proofing our containers but that would make these containers to where a lot of the elderly people could not open them. The Solid Waste Committee met prior to this meeting. Their recommendation I think is to put some signs up to make people aware of the bear being there.

**Bryan:** Big bear.

**Carter:** That’s your recommendation, right?

**Dunnavant:** Inform people that bear are frequenting the site so you know they can take it on their own if they want to get out and throw their trash out of it they want to drive it on somewhere else.

**Allen:** So can you put a sign up there that bear activity is heavy in this area?

**Jones:** I don’t that’s going to do any good myself. We know that they bring trash in there and they throw it here and there. Why wait until gets mauled or a kid gets hurt to rectify the problem? Either appropriate the money to take care of it or do away with it like they are recommending here from what I read. I just can’t see putting a bear proof container and it’s almost human proof too.

**Carter:** They are not telling us what to do. You can do what you want to do.

**Allen:** Whose district is this in?

**Dunnavant:** St. Andrews Church.

**Bryan:** This is not a new issue. The bear didn’t just come there within the last 6 months to a year.

**Carter:** Back in 2008 we had problems there and somehow that bear got taken care of. These bear, I think it’s two of them and people have sent me videos and they frequent every night pretty much. One there was a couple kittens sitting there by the bear.

**Matthews:** How about getting Game and Inland Fisheries to trap them?

**Dunnavant:** That question was asked in the Utilities Committee and they won’t do that.

**Bryan:** The bear will take care of itself.

**Carter:** We don’t own that property. They are taking that trash back down in the woods and our guys are going down in there every day when they clean up in the mornings.

**Dunnavant:** Ultimately when the new dumpster program comes on, the problem will be basically solved anyway. But in the interim until that comes online if the board choses to put
that online, it may behoove us to put signs up saying that bears are known to frequent this area. Be advised. Kind of like Beware of Dog.

**Bryan:** Do you want a motion for a sign since the Utilities Committee did recommend that we put signage up?

**Carter:** Unless the Board wants to do something different, we can take care of the signage.

**Allen:** Good enough. Put signs up. Moving on.

**Re: Consider appointments to the Commonwealth Regional Council Comprehensive Economic Development Strategy (CEDS)**

**Carter:** Yes, sir. I didn’t get this in time to put this in your packet so I’m bringing this to you so you will have some time to think about it. This is the Commonwealth Regional Council has been awarded an Economic Development Administration grant for the creation of a Comprehensive Economic Development Strategy for the region. The first step in this process is to create a CEDS committee to oversee the process. So Melanie with CRC has provided you with information and I have provided this to you all so you can be thinking about who you would like to put on this committee. I’ll bring it back to you in February.

**Re: Consider the 2018-19 Tentative Budget Calendar**

**K. Carter:** Yes, sir, Mr. Chairman. I’ll take that one. This is our standard calendar that we’ve had for the past few years. Like last year we had some problems with advertisement between our work session and the final April meeting. So once again like last year we are asking that the April meeting be moved to the 3rd Monday instead of 2nd Monday to give us time between meetings to have the proper advertisements. But everything else is the same as years before with including the March 21st meeting being first a joint meeting with the school board if you guys chose to do that and then having our own work session when the school board is done. If you want to adopt this, right now with this calendar the April meeting will go from April 9th to April 16th.

**Bryan:** Dr. Snead, are you aware of the March 21st? (he was aware) Do you want a motion for that Mr. Carter? So moved, to adopt the 2018-19 budget calendar.

**Chambers:** Second.

**Allen:** We have a motion and a second to adopt the budget calendar. Any discussion? Vote. 7 yes. So approved.
Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the 2018-19 Tentative Budget Calendar as presented.
Re: County Attorney Matters

Wright: Mr. Chairman, two matters. One of which is just by matter of information and is in the Board package that the Condemnation concerning the Bates property is complete and that property is now vested in the County’s name. Property value was determined to be $12,000 because of the amount of land so it reduced the amount in consideration of being paid. That property now belongs to the County. As you see item R-2 has those documents in there. Just to make you aware of that.

Second, item is a little bit more significant in terms of what I’d like to talk about. One of which is last time I told you that we had engaged in discussions with EPA with the Love Landfill Site about limiting the exposure of the County that a claim that was in excess of approaching $5 million monetary claim with a settlement of that of $125,000. We are still on track with that. We’ve engaged in some conversation because in that settlement decree there are certain things that the county needs to do. I spent a good hour on the phone with the Department of Justice and EPA the other day. They are in the process of studying that site. There is probably going to be a new remedy imposed. They haven’t quite finished identifying all of the things they need to do over there. They are not ready at this point to make a commitment as to what land they feel comfortable totally releasing whether it be a restriction on. We did have some discussions about the area that we can anticipate that happening. I think with things moving in the direction that they are that we would be advised to deal with this settlement agreement because that puts us in a posture that’s finished and as they move to implement whatever rod they might for the record of decision what they might have to do with that, we’d be in a position where we won’t have exposure. What I’m asking your permission to do is go ahead and enter into that consent decree with the EPA that will limit the exposure to the County for past exposure, for current exposure and for future exposure to that $125,000. That will have to be approved by the Federal Court for the Western District which will be sitting in Lynchburg or Charlottesville. We don’t anticipate any problem with that. The process will take maybe 30-60 days and once that’s approved the funds will be transferred to EPA and that will end the financial exposure. We will still have some obligations to maintain at the site to give access and those types of things. With your permission tonight, I am asking your approval of entering into that decree with EPA to determine and end the County’s exposure, present, past and future.

Bryan: So moved, Mr. Chairman.

Matthews: Second.

Allen: We have a motion and a second to move on with the agreement.

Wright: I’d be happy to answer any questions you might have.

Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to authorize Mr. Wright to enter into a settlement agreement with EPA for $125,000 for past, present and future exposure.
Re: Other Board Matters

Allen: I have something, I’ve had a couple different people talk to me about a couple of different things. One was the RV’s. I said something to you about the tax on RV’s and changing it back to $0.55.

Carter: You are talking about Recreational Vehicles.

Allen: Is there any way you can check on that to see what we would lose? I think over time we would gain more people.

Carter: Right now it’s taxed at personal property rate and you want to look at…

Allen: See what it would be for $0.55 same as airplane.

Carter: Based on our base now of what is taxed? Is that what you want us to look at?

Allen: Yes, see how much it would hurt us and what it looks like. I’ve had a lot of people come to me about the trash cans still being closed. Does anyone want to open them back up from 11 or 12?

Bryan: No sir. We found out today that the figure that we’ve saved, Morgan, correct me if I’m wrong, is in excess of $16,000.

Matthews: Since June?

Bryan: Since we’ve been closing them. We’ve saved $16,000.

Morgan: Lyn quoted that.

Bryan: That’s the current figures so I’m opposed to reopening them.

Matthews: Is that trash or …?

Bryan: That’s tipping fees.

Dunnavant: Tipping fees at the landfill since we closed them to track them. The proposal to gate all the sites with the automatic arm gates, look like that’s going to be able to go through and we will probably be in a position to offer that proposal at the next board meeting won’t we Mrs. Carter. At that one of my campaign promised was not to close the dumpsters. You are going to be able to dump your trash whenever you want to. This proposal keeps that promise. The sticker that you get on the car will let you in. We’ve just got a little bit of tweaking to do on that. That will eliminate the bear problem also.
Matthews: What about the landowners that do not live in the county but own land here? What are you going to do with those?

Bryan: We are addressing that too.

Carter: Right now they come in and we give them a permit, we will have a special decal they will get too.

Dunnavant: It will be very similar. Nobody that’s operating like they should, should notice any kind of change.

Matthews: I’ve had a couple people that own land but don’t live here ask me that question.

Carter: They come in now and at no charge we give them a sticker to use.

Allen: Any other Board matters?

Carter: I will add, I don’t want to mislead anyone, if the Board does agree next month to move forward with this new concept, it still will be several months before the sites will be open 24/7 to the residents of the county. I don’t want them to think that next month they will be…

Allen: We will adjourn to 6:00 February.

There being no further business to discuss, Chairman Allen declared the meeting adjourned until 6:00 p.m. February 12, 2018.

ATTEST:

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Rebecca S. Carter                             Danny R. Allen
County Administrator                        Chairman