At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, June 10, 2019 at 6:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Harry W. Bryant, Vice-Chairman; Robert C. Jones; Don Matthews; E. Morgan Dunnivant; Joe N. Chambers, Jr.; and Danny R. Allen. Donald E. Bryan, Chairman was absent. Also present were Karl Carter, Asst. County Administrator; Cheryl T. “Nicci” Edmondston, Zoning Administrator and E.M. Wright, Jr., County Attorney. Rebecca S. Carter, County Administrator was absent.

Re: Call to Order

Vice Chairman Bryant called the meeting to order.

Re: Establishment of a Quorum

Vice Chairman Bryant 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

There were none.

Re: Introduction of Nicci Edmondston, Zoning Administrator/Community Planner/Economic Development

Vice Chairman Bryant introduced Nicci Edmondston to the public as the Zoning Administrator/Community Planner/Economic Developer.

Re: Approval of Agenda

*Supervisor Allen moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the agenda as presented.*
Re: Approval of Minutes

*Supervisor Matthews moved, Supervisor Jones seconded and was unanimously carried by the Board to approve the minutes of the May 13, 2019 meeting as presented.*

Re: Approval of Claims

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

Re: Approval of First Quarter Appropriations

*Supervisor Matthews moved, Supervisor Jones seconded and was unanimously carried by the Board to approve the 2019/2020 First Quarter Appropriations as presented.*
Re: Public Comment

Vice Chairman Bryant declared Public Comment period open and reminded everyone they have three minutes to speak.

**Marie Flowers, District 3:** Hi everybody. I’m Marie Flowers, Third District. I know none of you want to hear this but I came here to point out that there was another massacre and it was in Virginia Beach. The Governor has presented a number of Common Sense Initiatives to curb these occurrences. Among them one gun purchase a month, no large magazine sales, no sales of silencers, and universal background checks. In my opinion none of these actions prevent gun ownership by responsible, law abiding people. I know I’m committing treason by asking the Board to support the Governor on this, but I feel like it’s not going to prevent anybody from having a gun except those who do not have good intentions. Now, the second amendment, I believe refers to a well-regulated militia and that probably applies to the Christian Heroes of Charlottesville but I can just see the NAACP walking down the streets of Dillwyn armed as the Christian Heroes were in Charlottesville. I’m hoping that you all will think about it and protect the people. By not doing anything tells me you don’t care. Is it more important that people have the freedom to carry or is it important for people to have the freedom to walk around without being shot? You know there is more people being killed than just the massacres. In the paper or on TV almost every night, somebody is being shot to death. I know some of these things won’t stop everything but I think it’s worth an effort. Thank you.

**Quinn Robinson, District 4:** Good evening gentlemen. Quinn Robinson, District 4. I’m out in Andersonville. I’ll be real quick tonight I hope. The same problem we’ve had for the last five years. It’s the issue with Dominion. I want to point out something that this is now over five years, at least for me it’s been that. There are no jobs. Nothing good to come that I can see. There’s no future. Actually it’s harming the county with all this turmoil. The reputation to follow is not going to be helpful. I hope at some point and I understand that Mrs. Carter is out, but we are going to have to have some better explanation about the money at Union Hill. What are the terms? What’s it going for? Even by Dominion’s claim that the very fact they put the money forward means they see some inadequacies in emergency response. So, be honest about it and deal with it for the good of the county. Let’s end this nightmare. Dominion operates on the fringes of the law and I say this, the things that have gone on in the courts, they are now suspended from any work on the pipeline because of the deficiencies and the formulation of their claims of the right to do it. The latest maneuver since they are stopped in the courts, they are going to go into congress and try to get the laws rigged up so they can go forward. That’s not how to do things. The Courts are tarnished already by their tactics. End of December I guess it was of 2017, I got a summons from Dominion. Its 464 pages. 225 pages. 464 legal citations. I had 21 days to respond. I’m sorry, I’m just not up to that. Its goes in part with the intimidation and discouragement taking it to court much less trusting the courts. I also had an occasion with surveyors putting up stakes on my property and when I called the State Police and they said take it up and I did. We were in court at that time discussing that very issue. It’s time to put an end to this for the good of the county. Send them on their way. Thank you.
Ivan Davis, District 4, Dillwyn Volunteer Fire Department: I thought I’d throw you off a little tonight. I wore my Farm shirt so you didn’t know where I was coming from. I apologize for not getting on the agenda but I can give you a more elaborate breakdown next month of where we are going with the Truck and Tractor Pull. I checked tonight and our goal is getting close to having enough funds to do this project which has become a massive undertaking. If any of you have been by you can see the track has been completed. We are working on getting lighting installed. We’ve met with health department about food. We’ve got the fire departments in the county, all of them, involved with food and preparation. We are going through some growing pains. The first year is always tough. To do something like this. Everybody has been extremely cooperative. Everybody wants to help. We met with John Deere the other night as a corporate sponsor. They are supplying the shirts. We are going to need about 200 working shirts. So it’s going to take a lot of people to pull this thing off with the help of fire departments and rescue squad and everyone else. It’s going to happen. So just put in an order to make sure it doesn’t rain that night. We are going to do this thing and it’s going to work well. Again, this wouldn’t be possible if yall hadn’t made a great location available to us and thank you very much and if yall have any questions.

Bryant: If yall need any help, but give us a holler.

Davis: We might take you up on it.

Dunnavant: When is the first event supposed to be?

Davis: The 27th.

Dunnavant: Of June?

Davis: 27th of July. We still have a month. We’ve got a lot of work to do. We’ve started mowing and trying to groom the property and getting things going. Put it on your books. Thank you.

David Ball, District 3: Hello, David Ball, District 3. Congratulations Nicci. Chairman, Supervisors, thank you for having me tonight. The first issue that I think is very important and it’s kind of a violation to the truth and honesty and openness of this Board and it’s the fact that when you go to the county website and you look for the meeting package for tonight, it’s not there. Last month’s is there. Emails were sent to the county addressing this issue today. Typically it’s put out 3 days, 4 days, or Friday or Thursday beforehand but it’s not there. So anybody or citizens of Buckingham County who would like to see what’s on the agenda for tonight, to find out what’s going on with the Board of Supervisors, that information is not available to the public and it’s not there. You have control of exclusive copies of that information. That’s not fair to the public, that’s not open, that’s not transparent. Transparency is critical to these days and age. We should all be able to know what’s going on. We need to have that information public. Also, I want to let you know I’m running for District 3 so campaign be on. Thank you.
Lann: Mr. Bryant, the Board packet was put on there. We did receive an email and the IT person said that sometimes the person has to refresh their browser.

Bryant: But it was on there?

Lann: It was on there since Thursday.

Re: VDOT Road Matters: Scott Fredrick, VDOT Resident Engineer

Frederick: Good evening Board of Supervisors, Mr. Carter. So the last meeting you guys brought up some issues and I wanted to touch base to see if they were addressed. The notes that I jotted down, the trees at 678 that ties into 20. I rode past there with Morgan Garrett, our foreman, I seen where he had cut it back and he told me there was a history there with the property owner and we try to stay with a happy medium and cut it back where you could see without it upsetting her to bad. Have you seen what we did?

Chambers: No, sir, I haven’t.

Frederick: If you don’t think its ok, let us know. I know it was brought up, 633 and 635, there was a rut there. I believe that’s been filled in.

Matthews: There’s still concern about normal maintenance and patching on that road. Several constituents have called me about it breaking apart and they are anxious for it to whatever you are going to do to it, just get it done. Moisture and several other things involved. It’s been going on since last year, last fall.

Frederick: It’s been incredibly wet which is making it tougher too. I rode down tonight on my way here to look at that section. It’s not the prettiest route we have, I admit, condition wise. That’s the only other things I had on my list. A gentleman spoke about the bridge, forgive me I forget the route number…

Bryant: 602.

Frederick: I pulled everything we had on file for it and there is no method of attachment. The way that bridge is made and the way they make guardrail now, there is no way for us to hook it that we know of. We are going to look into seeing if we can make something that would also not become a liability if we were to try to create that connection. It’s not going to be something we can do overnight but we will see what else is out there to pursue. It’s been looked at several times and there is no manufactured connections we can buy and put on there so it will have to be something that is made or the bridge will have to be replaced. I wanted to let you guys know that we are looking into that and I can’t make any promises but we are looking into what we have the ability to fabricate without liability.

Jones: I can understand not being able to attach something to the bridge but the big concern I was under the impression was needing some guardrail up close to the bridge.
Frederick: Leading up to it. I agree that if we are going to put it on the bridge we would run it in there but I don’t think we have enough room to terminate it properly. There is a little bit of a slope there and we need a certain amount of room to put guardrail in for it to get anchored in.

Dunnavant: Can you build the slope out like they did on primary roads when they came through with the last guardrail schedule? They built those shoulders out 5 or 6 feet.

Frederick: If you have enough room to do it on your property to do it. We’ve got a 30’ easement there.

Dunnavant: Given that the community wants that, I’m sure if you spoke with the landowner they would give you an easement. I suspect they would. It’s something that can be explored.

Frederick: We haven’t explored that yet. We have done it in the past in other locations and we can try to do that as well. We would have to get traffic engineering to tell us how much we’d need and it would be a process to get through. Right now we are trying to get it to where we can connect it to the bridge and we wouldn’t need to anchor there. Something we are looking at.

As far as routine maintenance, we are supposed to be finishing mowing our secondary routes for June 12, and I think they are about done now. Next Monday we are going to start mowing our primary routes. The other routine thing you will start seeing throughout the county is cutting back the tree limbs that are starting too grown out and block sight distance to our signs at intersections. We are going to try to make a systematic approach to that next month. Those are the big updates. Do you have any concerns that you would like for me to specifically look at?

Bryant: I have one on 602, Howardsville Road, down below Glenmore, about ½ mile down there or a little better, there is two holes on the side of the road that is pretty deep. If you could check it.

Frederick: An edge rut? On the edge or in the road?

Bryant: Edge of the road.

Frederick: You said 602, Howardsville Road?

Bryant: Howardsville Road.

Dunnavant: The same one we just talked about with the bridge and guardrail.

Bryant: Just below the intersection of Glenmore.

Jones: Scott do you have any plans to tar Rt. 15 from the James River Bridge south by Arvonia this year? You know we’ve had about 50 trucks a day that hauls from the quarry down across that bridge and that road is ready to just explode.
**Frederick:** I know it. We’ve gotten a lot of complaints about 15 all through there. I know we have a plan to do it but I think its next year. I think we are doing a lot of other sections of 15 to that area.

**Jones:** I think if you wait til next year we will have a dirt road there.

**Frederick:** Gravel road. Let me follow up and double check because I know we are making some adjustments between our primary routes and secondary routes right now. To try to get extra mileage put into the primaries. I’ll send you an email to let you know.

**Matthews:** Some concerns on Old Shephards Road and I can’t remember the road number but it’s on the Six Year Plan and you went in last year and surface treated that road but it’s been so hot early this spring there has been some tar melting and it needs some more stone. I think they went in last week or the week before and did some patchwork to a big pothole in the middle of that road but they really need to go back again and put some stone, I don’t mean tar. I’ve had three or four people complain about that. Some have actually talked to Bill about it so they are still complaining about it. I don’t know what the answer is.

**Frederick:** They are getting tar on their cars?

**Matthews:** Yes. They are concerned about that.

**Frederick:** That’s Old Shephards just south of 769?

**Matthews:** South of 636 which is the intersection of 15. Coming south it’s the first state road to the left. Coming south. They are happy with what you’ve done up to this point but real concerned about when its 90 degrees and its getting all over your car.

**Frederick:** Ok. Anything else? I wanted to bring up the Six Year Plan.

**Bryant:** That’s coming up.

**Re: Public Hearing: Virginia Department of Transportation Proposed Secondary Six Year Plan for Fiscal Years 2020 through 2025**

**Bryant:** I will open up the public hearing for the VDOT Secondary Six Year Plan. Is anybody signed up?

**Lann:** We have one.

**Bryant:** Ok.
David Ball, District 3: Hello, David Ball, District 3. First of all I don’t have a copy of the Six Year Plan to address all the routes on it but I can tell you there are a lot of concerns about the roads here in Buckingham County. There are a lot of concerns about the maintenance work, the repair work that was done to Oak Hill has never been completed. Some of the patch and scratch work that has been done on that road is just sad. Having been a VDOT employee, and an engineering contractor that has done work with VDOT, knowing that VDOT’s standards are a very high standard of construction for the benefit of the citizens and for the longevity and sustainability of the road systems. Also in the past with the gentleman’s predecessor there were concerns about the trees on some of the routes. Pretty much you can go through the county and yes there is overgrowth but there is a lot of hazardous trees. A number of the trees are actually situated on State property, not necessarily the VDOT right of way or adjoining the VDOT right of way because of the State Forest or the Wildlife areas that DGIF own and maybe that needs to be a little more communication between state agencies to get that taken care of. These are real hazards. You can see every time a storm comes through here there is trees along the roadway that come down and someone has to cut them off but they don’t remove them, they just push them to the side. The condition at Curdsville with the roads is just deplorable. With 633 going towards Plank Road and also to the west, the condition of the road is highly deteriorated and I think that should be addressed very quickly and prioritized. Particularly going toward Plank Road. That does become a significant travel way between Cumberland County and Buckingham down to Farmville. So, that road in all necessity should be addressed. It’s in terrible shape. Scratch and patch just doesn’t cut it. Some of the patch work done on Rt. 60 and some other routes along the shoulder area from midlane over was never properly leveled on those roads. It’s a waffling ride.

Bryant: Thank you. Times up.
At a regular meeting of the Board of Supervisors of the County of Buckingham, held at the Buckingham County Administration Complex on Monday, June 10, 2019 at 6:00 p.m.

Present were: Harry W. Bryant, Jr., Vice Chairman; Robert C. Jones; Don Matthews; E. Morgan Dunnivant; Joe N. Chambers, Jr. and Danny R. Allen. Donald E. Bryan, Chairman was absent.

On motion by Supervisor Dunnivant, seconded by Supervisor Matthews and carried:

WHEREAS, Sections 33.1-23.1 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2019 through 2024) as well as the Construction Priority List (2020) on June 10, 2019 after duly advertised so that all citizens of
the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, Scott Frederick, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2020 through 2023) and the Construction Priority List (2020) for Buckingham County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Buckingham County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2020 through 2025) and Construction Priority List (2020) are hereby approved as presented at the public hearing.

A COPY,

TESTE:

Rebecca S. Carter, County Administrator

K. Carter: We need to vote on the Six Year Plan. In your packet there should be a list of the project names.

Dunnavant: Mr. Chairman, I make a motion that we approve the Six Year Plan as presented in the packet.

Matthews: Second.

Bryant: Any discussion?

Allen: I want to make sure that Betties Branch Road and Muddy Creek Road. It’s at the bottom and was discussed but it’s not in the list.

Jones: You said Muddy Creek?

Allen: Muddy Creek Road, 651.

Jones: That’s on the list.

Allen: It’s down on the bottom but it’s not on the list to be worked on.

Jones: It’s on the draft proposal. It’s the last page of the section. It shows the draft priorities.

Allen: I see the Muddy Creek Road. Do you see Betties Branch Road?
Jones: Yeah, Bell Road.

Matthews: Betties Branch, proposed route 701, 651 Muddy Creek Road, 622 Sharon Church Road.

Allen: It’s all at the bottom. That’s what I’m saying. Is it not, is it just written down as a note. I don’t want to just skip over it and say we got it but we don’t have it.

Dunnavant: They are on there but nowhere near being funded yet.

Frederick: Once they are approved tonight, they go into the official Six Year Plan. They are six years out.

Allen: Right, I understand that but I didn’t see it on the list at all. I don’t see the other ones. Betties Branch is in terrible shape.

K. Carter: I think what he’s saying that once it’s voted on tonight, it will move up into that box.

Frederick: We can’t put it on there until it’s approved.

Allen: Good enough. I’m good to go.

Bryant: Motion made and second. Any more discussion? Call for the vote. 6 yes.

Supervisor Dunnavant moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve the Virginia Department of Transportation Secondary Six Year Plan as presented along with the resolution.

Re: Public Hearing: Case 19-SUP268 Atlantic Coast Pipeline LLC Request for a Special Use Permit for a Microwave Tower

Edmondston: Mr. Chairman, Members of the Board, I do have a memo prepared by Mrs. Carter. The Atlantic Coast Pipeline LLC received a Special Use Permit for the construction of a microwave tower at the proposed compressor station. The Special Use Permit was valid for eighteen months. The Board of Supervisors approved the Case 17-SUP242 on July 10, 2017 so this SUP expired January 2019. The Zoning Ordinance does not provide for authority to renew this same permit or to grant an extension. Due to this, the ACP, LLC has submitted a new application for a special use permit. This application seeks authorization of the same tower, on the same property and under the same terms. After reviewing the Case 17-SUP242 files I do not see any changes in the application in comparison with the new application. The balloon test results and City Scape reports are in the file. There have not been any changes taken place that would change the results of these tests or the City Scape report. The Case information is attached to this page along with the previous SUP with the exception that the Planning
Commission is recommending this permit be valid for thirty-six months instead of eighteen months. The Planning Commission unanimously recommends approval of this Request for a Special Use Permit. Before you open the public hearing, Mr. Emmett Toms is here for a presentation.

**Toms:** Good evening. I just want to run through real quick, I think you have this in your package but for the audience, I’ll run through the slides real quick.

**Proposed Buckingham Station Tower**

What you have here is the rendering of the station that we presented with the other permit with the tower in the back left corner.
On the second page you can see that by direction of the Planning Commission last time and approved by the Board we shifted the tower on the sight to allow over 200 feet to the property line. The tower will be 195’ tall and there was concern about if it fell it would still be on our property. And that’s what’s shown on the second slide.

**Proposed MW Tower Specifics**

- Tower to be a maximum of 195 feet tall.
- Tower will NOT have a light on top.
- Tower design to include provisions for Buckingham County E911 service communications.
- Tower located on station property to completely collapse within station property boundaries.
- Balloon Test indicated very limited visibility.
- Tower construction per code EIA/TIA 222, Class III for Communication Towers. Class III is the most stringent in industry.
These are some bullets about the tower itself indicating that it is under 195’ to keep it under the FAA requirement to have to have a light on top of it. The tower is designed to hold antennas for the county government should they want to put antennas on there for fire and rescue. So we do have provisions for that on the tower. It is a collapsible design tower which means that it’s designed to fall in place. We did move back on our property where if it does fall horizontally it will still be on ACP property. A balloon test was done in that area to meet your requirements and it does meet Class III construction for communication towers which is outlined in the request.

Next slide is our site location which most everyone knows where the compressor station is but it’s up on Rt. 56 next to the existing Transco Pipeline. With that, I’ll be glad to answer any questions after the public hearing or whenever you desire. If you want to go ahead with the public hearing I’ll be glad to come back up to address anything.

**Bryant:** The public hearing is open if anyone has anything to say. Has anyone signed up?

**Lann:** We have seven.

**Douglas Ange:** Hello. I’m here to speak on getting this thing out of our way. We have played with it. This is a whole lot simpler to put gas through a pipeline than on the back of a pickup truck. I approve of the pipeline and would like for yall to approve it. It will help to keep cost down and we need something here that will not raise our cost of living. Every time they do something we get a little cost of living. Cost of living is about to kill us so we need to get something here in the county to keep costs down a little bit. The pipeline is safe to transport gas.
to the power plant. That’s where it’s going. Not coming to my house or your house. It’s going to power house and I like my power. I’m sorry. I like my power so much I put a generator in just in case the electricity does stop. We can use some jobs in the county. The biggest thing we have now is watching our taillights go out of town. Our young people are getting jobs but not in Buckingham. Being a member of Mulberry Grove Baptist Church, we have a bunch of young children coming up. I like it. Sooner or later my income is going to get down and I can’t make the donation to keep the preacher. These young people are going to get some money coming to them. I don’t think this will solve all the problems in the county, financial or what, but it sure would be nice...people say I would love to get a job there. I think it’s a little over my head. I think my jobbing days are getting thin in the skin. It’s something that we can do to help and I like my electricity and power and I don’t want to have to cut firewood anymore. I’ve cut firewood. I’ve got lazy in my old age. My hands are a little soft and won’t fit the ax handle anymore. Anything I can do in my family to keep from doing that I like to do it. So if the pipeline would help it. Let’s go ahead and get it done. Thank you gentlemen.

Nelson Bailey: Good evening gentlemen. My name is Nelson Bailey and I’m from the 5th district. I’m very concerned about tower people. I’ve seen towers all around the county. I went and got my tower map. It seems there’s a bunch of them that doesn’t like to keep lights on. It’s like I have friends that are ultralight pilots and I’m studying to be a drone pilot and those towers occupy my air space and your air space. You are a pilot. I’ve got a couple thousand hours. I’ve done a lot of flying all over the world. I see towers lighted. I know what they mean. I know what an AO tower is. I’ve read the SUP’s on some of these towers. I see that one tower that was out with a no tam which is a notice of aviation was placed on, they had a May 20th performance date and they finally fixed it. I don’t want my friends creaming into towers. I don’t like places that aren’t signed and I don’t like people that don’t do the maintenance on their towers. Now I’ve worked for Dominion at their North Anna a long time ago and I worked at Williams in Richmond a long time ago and I know what they are. In my estimation, my humble opinion, I also know as I tack about this county and I say tack because I’m a Mariner, I tack about when I drive. I see the green boxes on the side of the road. I know the one that’s in the back of the library going over to 60, has been wrapped in a plastic bag for over a year and half. Now that’s not proper maintenance and why are we not requiring proper maintenance from these people. Why are we not putting these companies on the dime? You put me on the dime. I’ve got to pay my taxes or you will come get my property. So when I read one of these SUPs I found out we will do the maintenance as promised. I don’t do promises. I do raised seals and witnesses. I do PNI, Protection and Indemnity. You want to put a tower put, put $2 million in a surety bond that we can take it down, not Buckingham itself but a contractor can come in here and take it down.

Bryant: Thank you sir. Time is up.

Kay Carter: Hello. My name is Kay Carter. I’m from District 1. I live in Arvonia. I understand that you have approved this before. It’s the same thing. They ran into some legal problems as far as the pipeline goes. I think they will come pretty soon and hopefully by the end of the year construction will start. I think it is a very safe thing and when we talk about turmoil, I like turmoil because it is going to bring millions of dollars into Buckingham County and that’s not necessarily going to pay for schools for a lot of kids, but it’s just tax base right
there. It’s a very safe plan. You approved it before and I would appreciate if you would approve it again. I look forward to having more money and I don’t mind paying less taxes if it works out that way. Thank you for your time.

**Quinn Robinson:** Hello again. Quinn Robinson. District 4. I just wanted to say a couple things. One of the reasons no jobs have come of this is the same reason that few of them appeared before the Bear Garden Complex. Because there are not enough trained individuals that could pass a drug test. When Dominion came in and cut my forest down, my timber, there were people from Utah, Colorado, Texas, I think. Nobody from Virginia. They could have hired those people locally but they didn’t. The main thing, two issues tonight. The collapse of the tower is designed to do that and when I was looking at these plans it seemed to be clear of all the neighboring properties but was it clear of the compressor station? We have the Deep Water Horizon which is well designed but didn’t work and the Challenger. Now recently with Boing. They make these planes and they are fool proof except they keep falling from the sky. So how do we know that Dominion is going to be able to handle this? I don’t. I’m not at all confident. There were no measurements that I could see from the tower to the infrastructure of the compressor station. It is worth noting. What if it doesn’t fall in a heap? The main thing that we should be concerned with tonight is the action of the four Circuit Court Appeals in December. They have ordered…they’ve vacated Dominion to do anything until it’s cleared in court and that still stands. One of the conditions to this SUP and believe me there are lawyers that are going to be getting on this, they are already on it. It’s going to be rigorously reviewed, condition one that all Federal, State and Local regulations, ordinances and laws be strictly adhered to. Well, the court ruled in December that they are not adhering to several parts of what they are required to do so how can you put a condition in that they are not already meeting. Not only that but some earlier things about permits that are going to be reviewed. It would be a lot of work statusing to the halt and it’s going to be a lot of business for you and the people who work for the administration building here. It’s just not right. The other thing I found objectionable is condition ten, the severability nonsense.

**Bryant:** Times up.

**Ella Rose:** Good evening. Ella Rose, District 5, I received a notice from Mrs. Carter, Buckingham County Administrator on the telecommunication tower special use permit. I stated previously, over a year ago, that I objected to this tower placement. Now that 20 months have passed by I still object. This will be an invasion of my privacy and quality of my life as it exists. Now, having said that, I do understand the possibility of broadband could be provided nearby if, and I say if, because clearly I do not want any of this near me. But if it must be, then I want the best technology available to ensure my safety. You owe it to us to insist on this from Dominion. Thank you.

**J.B. Jones:** Good afternoon Board and Mr. Acting Chairman; my name is J.B. Jones and I reside in Cumberland County. I know I’m not a resident here but I’m here to express my support for both the ACP Pipeline and the compressor station. I’ve been a longtime supporter of the project. I’ve spoken at a few public hearings and most recently the Planning Commission committee. I think the compressor station and pipeline is going to be very important to the State of Virginia.
and it’s going to help North Carolina and it’s going to be very important to the economic welfare of Buckingham County also. As we all know, the pipeline has some experienced some delays but I feel these delays are going to be overcome and going to be surmounted and we are going to go ahead and the pipeline is going to be built. When that’s done the compressor station is going to be needed and as part of that compressor station the microwave tower is going to be needed. I don’t want to be redundant but it’s already been said that the permit is the same permit that has already been approved. I would like to encourage you all to approve it again. That’s all I’ve got to say. Thank you.

**David Ball:** Good evening. David Ball, District 3. I would like to think that microwaves are safe but actually they aren’t. That’s why if you have a microwave in your home, it’s shielded. There are warning on it. A friend of mine the building he works in, the door to the roof has a critical warning on it that says don’t go up there because of microwave radiation. Microwave radiation can broadcast out and can be focused but we don’t know what the shielding capacity is here. One other thing is glass is very good at picking up microwaves. That’s why spies like to use it as a way to spy on each other. Soviet Union was notorious of shooting microwaves at embassies. The downside of it was brain cancer and other cancers occurred. Wavelength that heats us tissue. That’s why we use it to cook. It’s also in the Russian embassy. Years ago, they were shooting microwaves to spy on the Brits. In between was our neighbor observatory and we lost some of our great astronomers to brain cancer because they were unknowably hit with microwave radiation. I’m sure I could sit here and talk about technology and all that and it would just fly right over your head. But you’ve got to wonder what’s the warning that you are going to tell citizens that are in the path? I understand that there is going to be another tower built because they need another tower. So, do we know how that’s going to work, the line of sight, the radiation path, and how much radiation is going to affect those in the immediate area of that tower? Again, the question of whether that tower falls back on the compressor station, that is in itself another question that seriously needs to be asked. Even though its designed to collapse downward. So, there’s a lot of questions. I don’t think there was much forethought in approving it and probably won’t be as much now but I do ask you to put a little more effort and time into looking at technology. I think 5G would be a better alternative. Research that I come up with says that 5G is far superior to the microwave and something they could easily implement. So I think that deserves consideration. Thank you.

**Bryant:** The public hearing is closed on the Special Use Permit.

**Toms:** I can answer any questions you may have.

**Bryant:** I don’t have any.

**Toms:** I do have one extra slide that I talked about at the Planning Commission that may be of interest to you about the microwave and activity that is going on in the County. If you desire me to spend a minute on that.
Just for the public one of the things we addressed at the Planning Commission was several comments were made about putting microwave in the area and putting fiber in the area instead of microwave. 5G is basically fiber. The microwave is one of the things we do for our own circuits that we are providing on. We don’t have a franchise to be in the 5G business or whatever as far as serving customers. That’s Sprint, AT&T and those folks of the world. To try to get internet to the rural communities there’s been a legislative law going on in Virginia for two years and I kind of outlined here if you will. Our intent is we have bought every school child in Virginia through our taxes, now has a Chromebook or laptop to work on and a lot of them can’t do the homework at home. So, through our legislative process and tax dollars we’ve looked at how we get internet service to everybody in the rural areas. The rural areas that don’t have it in a lot of places are ones served by the Co Ops. Co Ops as you know here it takes an investment on the dollar, even though they are nonprofit they need enough volume to justify doing that. This law has been going on for a couple years and legislature and Buckingham County was part of the implementing process last summer where they were interviewed to what we can do. There has been money allocated to both Co Ops, Central Virginia and Southside Electric to do that program. So this law has passed and it will go in affect the 1st of July but basically what it amounts to is our Co Ops are concerned just like franchised territories, if we got in the business and they didn’t want to be in the business. So basically what I’m showing you in the graphic is that our role in this would be to bring service to our substations where we can hand off to the Co Ops. The Co Ops have money allocated and there is about a million dollars right now for these two Co Ops that have been allocated to do some of this. They have done some of this at Wintergreen. They are looking at doing some of this in Buckingham County. The Co Ops go to the last home so we are going to kind of be the middle mile provider and the Coop is saying that if Dominion is going to be out there selling this service, we can’t compete because they are
bigger than we are and we don’t want to be in that business. So the Co Op’s are going to take
that if there is no other internet service provider to do that. So that’s the lay of the land and the
law goes into effect and there will be some impact on Buckingham this coming year and some
of the pilot money has been allocated. So I just wanted to give you some background on that. If
you have any questions?

Matthews: I do. We’ve been in discussions with Central Virginia Electric which District 3 is
going to be a test site for that particular 5 G situation. But my concern is we have three
providers in Buckingham County. Not just Central Virginia. You have Central Virginia,
Dominion which provides power to some areas and you have Southside. The two Co Ops, I
understand what’s happening with that, they are going to try to get internet service to every
household in the District 3 right off the bat. On down the road we want it for the rest of the
constituents in the county so I understand how it’s tying in but Dominion has to step up a little
bit because you are a provider. How are you going to work…I’ve asked Central Virginia myself
to try to get all the power companies to come on board and work it out amongst yourselves of
who is going to provide that situation to every household. Who is going to run the wire, who is
going to get it to every household? We’ve taken a step as a Board and myself as a member of
that Board to actually physically talk to the President or CEO of Central Virginia now I’m
talking to you. I want it for everybody in the county. Not just my district. That’s what I’m
saying. I want all power companies to be on board and work for the same end as far as getting
that situation to all the households in Buckingham County. Where are we standing on that?

Toms: Let me see if I can put that in the packet for you. We do serve about 2/3 of the state. So
we are feared a little bit by the phone providers of the world as well as the Co Ops. If we go
providing it to the house and they see us taking it away from them. So the compromise of the
deal is we would use our poles and lines to get it to their point of connection and they will take it
home. So they have the right in our service area if it’s not served and AT&T doesn’t want to do
it, Co Ops can set up internet service providers. So the compromise was that we stay at using
our poles and wires and we put that in a rate base so our other customers won’t be paying for that
and the Co Op’s will do what they can justify doing to get that done. It’s a competition issue
with us. So, if we were going to do it, they didn’t want to play. So that’s the bottom line. If you
think about the largeness, we serve 2 million customers in the state so if we were able to provide
service it’s going to step on the toes of the phone companies as well as the Co Op. The deal was
we let them use our poles to put fiber on, we would lease it to them and they would get it to
constituents in rural areas. That’s what is coming out of the pilot. It’s gone into law to be signed
by the Governor and will be affective the first of July and there are several localities getting the
pilot but the intent is in five years we try to have a better service throughout the state. The fear is
the franchise territory. Those are…competition hasn’t brought anybody to go to this area. Its
underserved so you need regulatory to bring it there. This is the pilot to try to work that out.

Matthews: We as a County, we are in negotiations with Central Virginia to bring some tax
based stuff as far as helping them with their equipment, not existing equipment but new
equipment to provide the service. We are taking that step too to try to help the Co Op get this
stuff to the citizens of Buckingham County. So I just want everybody here to know that we have
done that and now it’s just getting the groundwork laid to get it done. It’s coming. It’s not going
to happen today and it’s not going to happen tomorrow but it’s coming. We are working towards that situation for the citizens of Buckingham County. This Board has been very instrumental in doing that. I just want everyone to know that.

**Toms:** I think that’s a good starting point for the audience here tonight. We are both trying to work on this from every provider in the area. The providers are in it for a profit. Haven’t found a profit getting it to the areas so what do we do to get it to the areas underserved and this is the mechanism developed for Virginia to do that. Just a quick update. I know it’s been brought up several times and you are well aware of it.

Any other questions I might address?

**Chambers:** I know Mr. Toms has been very helpful in supplying us with information about this and I know we approved this in the last 18 months and I see the Planning Commission has provided 36 months but I think I will make a motion to table it for 30 days until we get more information on it.

**Bryant:** So just delay it for 30 days?

**Chambers:** Just delay it for 30 days.

**Jones:** July meeting?

**Chambers:** July meeting.

**Bryant:** Is that agreeable with yall? Ready to vote on it?

**Chambers:** We need a second.

**Jones:** I second that.

**Bryant:** Call for the vote. Carried.

*Supervisor Chambers moved, Supervisor Jones seconded to table Case 19-SUP268 Atlantic Coast Pipeline microwave tower until the July 8, 2019 meeting. This motion passed with a 5-1-1 vote. Supervisor Matthews abstained. Chairman Bryan was absent.*

**Re:** Buckingham County Chambers of Commerce Annual Update

**Barbara Wheeler:** I am Barbara Wheeler and I’m a member of the Board of Directors for the Chamber of Commerce. Some of whom are with me tonight. We appreciate being able to share our annual report with you. We have a Buckingham Guide Book for each of you and the Chamber has been very busy this year promoting our members and promoting the County. We hold 11 monthly meetings with a light meal at no charge. Our dues remain at an affordable $35 annually. We are pleased to have two of your Supervisors as members. Mr. Jones and Mr.
Matthews. Since we presented to you last year, we’ve been very busy. We had our annual photo contest accepting only pictures taken in the County. The winners are featured in the guidebook. This year’s contest will end July 31st. The Chamber holds our annual awards banquet in January at the Dillwyn Fire Department. In January 2019 the Lifetime Achievement Award was Pete Agee. The Volunteer of the Year was Betty Shapiro. The Youth Achiever was Jalyn Seay Anderson. The Business of the Year was the Spa of Buckingham. We encourage all Buckingham residents to enter candidates for these awards. The Chamber recognizes businesses which take pride in outer appearances with a Community Pride sign. Charlie’s Review is an opportunity for any citizen to commend a business for good service. This positive review appears in our newsletter and online at BuckinghamChamberofCommerce.com. Each month the Chamber Board recommends a member as Business of the Month. Pictures and info are shared on the Chamber Facebook page. Members are always available for a grand opening or ribbon cutting ceremony. The annual Christmas Tour last year was a success. We have a bake sale that is held Easter weekend with all funds raised to be spent at the downtown Dillwyn Halloween event which we cofound with the Town of Dillwyn. Last year’s Halloween event drew 1400 trick or treaters thanks to the safe streets so we extend our appreciation to the assistance of the Buckingham Sheriff’s Department. The Chamber gave financial support to Historic Buckingham, to the Youth League trip to North Carolina, and the JROTC trip to the National competition trip in Georgia. We also fed the football team prior to two of their games. Most recently we had the joint meet and greet with Scottsville and Fluvanna Chambers in Scottsville. Approximately 50 persons from the three Chambers had an opportunity to meet and a table to display our various projects and enjoy food and drink. Hats off to Scottsville for hosting. Finally the Chamber goal is to give an opportunity to the businesses and the professionals of the county and surrounding areas a chance to join together for the improvement of our members and for the good of the community. Thank you for your time.

Bryant: Thank you very much and thank you Ladies for being here. Hat’s off for all you do.

Re: Consider Letter of Appreciation to Lynette DeLong for her service on the Central Virginia Regional Library Board

K. Carter: Yes, sir Mr. Chairman. The first item you have up there is an appreciation letter for Ms. Lynette DeLong for her service on the Central Virginia Library Board. I’m asking that you take action to approve the letter thanking her for her service.

Bryant: Motion made and seconded. Any discussion? Call for the vote. Carried.

Supervisor Allen moved, Supervisor Chambers seconded and was unanimously carried by the Board to send a letter of appreciation to Lynette DeLong for her service on the Central Virginia Regional Library Board.
Re: Consider appointment of Donna McRae-Jones to the Central Virginia Regional Library Board

K. Carter: With the leaving of Ms. DeLong an opening came up and Mrs. Donna McRae Jones has agreed to serve in that place. If you would take action on that Board.

Bryant: Alright, consider Donna McRae-Jones. Any discussion? Call for the vote. Carried.

Supervisor Allen moved, Supervisor Matthews seconded and was unanimously carried by the Board to appoint Donna McRae-Jones to the Central Virginia Regional Library Board.

Re: Consider approval of the Robinson, Farmer, Cox engagement letter to provide audit services for the County of Buckingham for the year ended June 30, 2019

K. Carter: Number 2, Finance, I’ll do that one as well. In your packet you have an engagement letter from Robinson, Farmer and Cox, the firm that does our audit each year. What this is is an engagement letter that should be in your packet showing what they plan to do for us and what we have to give them. So, we have to sign before they do our audit. They will be coming... they are here now and will be coming back in the fall to do final audit for the county.

Bryant: Motion made and second. Any discussion? Call for the vote.

Supervisor Allen moved, Supervisor Dunnavant seconded and was unanimously carried by the Board to approve the Engagement Letter for Robinson, Farmer and Cox to do Buckingham County’s audit.

Re: Consider recommendation of the Utilities Committee regarding the bids for the Sprouse’s Corner Sewer Project

K. Carter: Recommendation from the Utilities Committee regarding the bids for the Sprouse’s Corner Sewer Project. In your package you have a letter from Mike Markley, Utilities Director. On May 16th we received one bid for the project and that bid was from Anderson Construction. It came in we thought kind of high at a $1.5 million. Our estimates for that project were $1.3 million. As a result the committee asked Mr. Markley to get with the contractor and see if they can come to some terms and negotiations to lower that price. Those negotiations are still ongoing now so we don’t have a final number for you to approve. So what we recommend is that you delay this to next month to give the Utilities Director more time to talk Anderson to get that number down.

Jones: I make a motion that we wait to next month.

Matthews: Second.

Bryant: Motion made and seconded to vote on this at the July meeting. All in favor? Alright.
Supervisor Jones moved, Supervisor Matthews seconded and was unanimously carried by the Board to delay consideration of the Sprouse’s Corner Sewer Project until the July meeting.

Re: Update on Bates Market Waste Site

K. Carter: Update on the Bates Market Waste Site. That is an item we were expecting to talk about tonight on where we are with that. We just received some information today before the meeting so the committee needs to meet again to discuss that so we will hope to bring that back to you next month. We just got the information today so the committee hasn’t had time to discuss the information.

Jones: That site has been awfully slow coming around. What has been the problem with that?

K. Carter: We’ve got some discrepancies on what the contractor should do I guess is the phrase to use. Morgan, do you want to add anymore to that?

Jones: It looks like a big hole out there.

Dunnavant: The first thing that happened is they didn’t move the phone line far enough. That was the county’s fault. Second thing there was a discrepancy in the grades and the verbiage or description of the grades that caused Pearson to dig that hole. We’ve since negotiated with Pearson to try to resolve that issue. Some resolve has come but not enough resolve has come yet. Simply as that. It’s a cascade effect. Once one thing happened and get out of line, then it’s hard to get it back in line.

Bryant: So we will move that to next meeting too.

Dunnavant: That’s right. That’s the need of the Utilities Committee.

Matthews: So moved to delay the decision to next month.

Allen: Second.

Bryant: Motion and a second. Call for the vote.

Supervisor Matthews moved, Supervisor Allen seconded and was unanimously carried by the Board to delay any decision on the Bates Market Waste Site until the July meeting to give the Utilities Committee time to meet.

Re: Update on Library

K. Carter: The library project is going on. We had bids that were due back last Thursday, because of the bid environment we decided to delay those for 30 days. So we should have more bid information to you to make an approval on next month. At the same time we’ve talked to our financing people and the financing plan has not been jeopardized at all so we still have that
package for another 30 days. We are just delaying the time for contractors to bid on the project to make sure we get enough good bids and not just a few so you will have more to pick from.

Bryant: So, we need to delay to next meeting?

K. Carter: We should bring back a recommendation next month after we meet with the architect and get their recommendation.

Dunnavant: I move we delay the bids for the library to next month.

Bryant: Motion made to delay until the July meeting. Any discussion? Call for the vote.

*Supervisor Dunnavant moved, Supervisor Matthews seconded and was unanimously carried by the Board to delay the bids for the library until the July meeting.*

Re: Consider a work session with the Planning Commission on June 24th at their regular meeting date

Bryant: Is this agreeable with you all? Do we need a motion for that or just say we are going to do it?

Matthews: At 6:00?

K. Carter: At 7:00 at the regular Planning Commission meeting.

Matthews: June 24th, is that a Monday? So moved.

Allen: Second.

Bryant: Any more discussion? All in favor with meeting with the Planning Commission on June 24th. Call for the vote.

*Supervisor Matthews moved, Supervisor Allen seconded and was unanimously carried by the Board to have a joint meeting with the Planning Commission on June 24, 2019 at 7:00 p.m.*

Re: Other Board Matters

There were none.

Re: County Attorney Matters

Wright: At your station you will find a memo of the last time we talked about the parking ordinance. We decided we’d do some revisions. After discussion, you indicated that Article 4 will create the violations. Article 4 creates general parking violations that deal with fire lanes. Article 5 deals with County owned property and Article 6 deals with unauthorized parking
spaces and parking in unauthorized parking spaces for persons with disabilities. Any one of those can be deleted or two or three of them if delete all three you don’t need the ordinance because there is nothing left to enforce. I offer to you, I took out the part dealing with towing and that cuts down on some of the issues that might flow from the County point of view. So you have it and I ask that you think about it and if you want any further information or want to place it on the agenda for July meeting, let other people know, but at this point I leave it up to yall. Any questions?

**Dunnavaant:** We don’t need any action?

**Wright:** Do not need any action tonight. Look at it and if you want to move forward just ask it to be put on the agenda for next month. If you want to say we’ve had enough, just don’t do anything.

**Dunnavaant:** Do we need a public hearing on it?

**Wright:** If you decide you want to move forward with it, you can set a public hearing in July for August and it could be adopted after the public hearing. You will need a public hearing.

Any other questions?

**Dunnavaant:** Mr. Chairman I make a motion that we put the parking proposed ordinance on the agenda for July meeting. Mr. Wright, would it be appropriate to advertise the public hearing at the same time.

**Wright:** If you are ready to do that, but you may want to wait and reflect on it. You can set the public hearing if you want to or you can come back together and see if there are any fine tunes you want to make to it and then set the public hearing. That is a policy question at this point.

**Chambers:** So what is your motion?

**Dunnavaant:** The motion is to re-entertain the parking ordinance and have it on the agenda at the July meeting to talk about it again. I don’t know if yall want to do a public hearing at the same time or wait and do it or whatever.

**Bryant:** I think we should wait. Any more discussion? Call for the vote.

*Supervisor Dunnavaant moved, Supervisor Allen seconded and was unanimously carried by the Board to put the proposed parking ordinance on the July meeting agenda for further discussion.*

**Re: County Administrators Report**

**K. Carter:** Yes, sir Mr. Chairman. She had one item on there and that is the US Rt. 60 Corridor Study that VDOT is doing. That is going from Amherst County all the way to Powhatan, the Rt. 60 that goes through Buckingham. They do this study every 20 years so it’s about time for
another to be done. They have identified 11 stakeholders that would be participants in this study including the six counties; Powhatan, Cumberland, Nelson, Appomattox, Buckingham and Amherst. They have some Planning Commissions in there as well. They are going to be asking county staff to participate in a lot of these studies and questionnaires going on. They will need access to our Comp Plan to know what part of the county we want to see growth in so we can plan Rt. 60 accordingly. They want to know the Boards future plans for certain aspects of the comp plan. They want to know do we plan to make this a growth area or not make it a growth area. They want to know basically input on everything of do you want to have a meeting in this certain place. Anything they think about doing they want Board or staff approval. They are going to issue a draft report and then a final report. After they issue that final report they are going to want the Board of Supervisors to bring it to the public to make the public aware of what they find in the study. They are going to be using VDOT data such as traffic counts, accident reports, everything to base the study on. It will be a pretty in-depth and long study they are planning on doing for the 103 miles. They plan on having it done by January of 2020. It will be good for the next 20 years, til 2040.

**Bryant:** Do we need to take action on this?

**K. Carter:** No, sir.

**Dunnavant:** I looked at the report and the only intersection that have listed for us is Sprouse’s Corner. Their comment to that is existing turn lanes do not meet VDOT Standards identified by AM and PM peak hours. All that is is school bus time. That’s the only time there is an issue at Sprouse’s Corner. Now, we do have issues at Rt. 60 and 24 which VDOT has looked at. That has got to be the worst intersection on the whole corridor. Now if there is a way that we can, I think we need to send them a message to include that in their brochure and look at that. If they want some comments on that, come on down here, open the door and step foot.

**K. Carter:** I’ll make sure they get that information.

**Re: Executive Closed Session**

There were no Executive Closed Session scheduled.

**Re: Recess**

There being no further business to discuss, Vice Chairman Bryant declared the June 10, 2019 meeting recessed to reconvene on June 24, 2019 at 7:00 p.m. for a joint work session with the Planning Commission.

**Attest:**

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**Rebecca S. Carter, County Administrator**

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**Donald E. Bryan, Chairman**