

**Buckingham County  
Board of Supervisors  
Adoption of Budget  
April 20, 2015**

At a meeting at 6:00 p.m. of the Buckingham County Board of Supervisors to adopt the 2015/16 Operating Budget held on Monday, April 20, 2015 in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Danny R. Allen, Chairman; Joe N. Chambers, Jr., Vice-Chairman; John N. Staton; Cassandra Stish; E.A. “Bill” Talbert; and Donald E. Bryan. I. Monroe Snoddy was absent. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney.

**Re: Reconvene from April 13, 2015 Regular Meeting**

Chairman Allen called the meeting to order.

**Re: Quorum**

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

**Re: Invocation and Pledge of Allegiance**

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

**Bryan:** At this time I do need to read a statement since we are going to be talking about the budget. I do work for the school system. For a matter of record:

At this time I have a statement that I have to read. I am advising that I have sought an opinion from the Commonwealth’s Attorney concerning any conflict I may have in participating in discussions and voting on the County’s Budget because I am a school teacher for the Buckingham County School System. I have received a written opinion from Mr. Wright that I can participate in the discussions and vote on the Budget matters. The Code of Virginia requires that I make a statement concerning my situation.

Accordingly, I make the following statement for the record:

1. I will participate in the discussions and vote on matters relating to the adoption, as well as the adoption, of the 2015-2016 Board of Supervisors’ budget for the County;
2. I am a school teacher employed by the Buckingham County School Board, which is funded in part by allocations from the Buckingham County Board of Supervisors;

3. I am a member of a profession, the members of which are affected by the transaction; and
4. I am able to participate in the transaction fairly, objectively, and in the public interest.

**Re: Consider adoption of the 2015/16 Proposed Tax Rates**

<b>Calendar Year</b>	<b>2015</b>	<b>Real Estate</b>	<b>\$0.50</b>	<b>Public Service Corporation</b>	<b>\$0.50</b>
<b>Personal Property</b>	<b>\$4.05</b>	<b>Machinery Tools</b>	<b>\$2.90</b>	<b>Merchants Capital</b>	<b>\$1.00</b>
<b>Air Craft</b>	<b>\$0.55</b>				

**Allen:** Do we have a motion or discussion on the proposed tax rate?

**Staton:** I make a motion to accept the tax rates as proposed.

**Stish:** I second that.

**Allen:** A motion and second has been made to adopt the 2015/16 Tax rate as is. Any discussion? No discussion. Let's vote. 6 yes. Approved.

**Supervisor Staton moved, Supervisor Stish seconded and was unanimously carried by the Board to approve the 2015/16 Tax Rate as listed above.**

**Re: Consider Adoption of the 2015/16 Proposed Operating Budget**

**Chambers:** I move to approve it as presented.

**Stish:** Second.

**Bryan:** Yes, Mr. Chairman, for the money, this is for the money that you've allocated to certain agencies within the budget, so if we wanted to make a change, could we make that change here.

**Carter:** Now's the time to do it.

**Bryan:** From what I understand the After Prom Committee is very low this year. Is it possible to move the money from Straight Street to the After Prom Party?

**Carter:** In the budget process, what you are voting on tonight in the budget, the money cannot be released until July 1. So if you need additional money...

**Bryan:** It's not additional money, it's just taking money and moving it within.

**Carter:** But if you want that money for this year or next year...

**Bryan:** No, next year. Not this year but next year. 2016. Currently we have \$2000 going to Straight Street and

**Carter:** \$2000 going to After Prom.

**Bryan:** The After Prom is hit kind of hard.

**Chambers:** So you are saying give \$4000 to After Prom?

**Bryan:** Yeah, just give a little bit more to the After Prom.

**Stish:** Do you have a specific number in mind?

**Chambers:** Straight Street gets \$2000.

**Stish:** The whole thing. No, you don't want to give the whole thing.

**Bryan:** Right now Straight Street gets \$2000.

**Stish:** After Prom gets nothing?

**Bryan:** After Prom gets \$2000.

**Stish:** So you are wanting to what?

**Bryan:** Take a \$1000 out of Straight Street and give a \$1000 from that to After Prom.

**Stish:** Is Straight Street not active?

**Talbert:** No.

**Stish:** Just less active?

**Carter:** Probably less active.

**Talbert:** They been there for years and never done nothing.

**Bryan:** The building has not been occupied. It doesn't have indoor plumbing.

**Stish:** I'm in favor of making this change but I think we should discuss it again next year. Maybe we can get the people from Straight Street to come in and tell us what they are doing.

**Carter:** They have not been able to get an occupancy permit. Remember you all granted a Special Use Permit to have a batting or recreation facility there and they could not get the occupancy permit because of the water and sewer and stuff like that. It's not a completed

building. I don't know what funds they are using other than county funds. I'm sure they would come and talk to you.

**Bryan:** I'm curious as to what Straight Street does, just out of curiosity. The After Prom, I can see that.

**Stish:** I don't like taking money away from somebody especially if they are depending on it. Especially if they are trying to get their permit and trying to do something and they've been having this money and have no hint that we are going to take their money. That seems a little unfair to me. We can readdress this over the course of the summer maybe.

**Bryan:** I'd like to hear...

**Carter:** What you could do and I understand that the After Prom is struggling right now for this prom, you could leave budget as is and I could ask Straight Street to come talk to you and anytime during the year you can change that and amend the budget for \$1000, you wouldn't have to have a hearing.

**Stish:** Can we give a one time donation to After Prom?

**Carter:** Yes. That would probably be best.

**Stish:** Why don't we do that instead?

**Bryan:** I withdraw my motion however I would like someone from Straight Street to come in and address the Board. I know we had talked earlier Becky about hopefully at the end of the year the money we had set aside for the library, it doesn't look like we are going to get a library built in the next month, possibly using some of the...because we had already said use it to buy buses, maybe do a one time for After Prom for this year. I know the prom is probably May.

**Stish:** It will be before we meet again probably so we should go ahead...

**Carter:** We received the request today for the \$2,000, so if you decide to we can make that check for \$3,000.

**Stish:** Let's take it up as other board matters.

**Bryan:** I withdraw my motion.

**Allen:** We have a motion and a second to accept the 2015/16 Proposed Operating Budget. Any more discussion? Let's take a vote. 6 yes. Passed as is.

**Supervisor Chambers moved, Supervisor Stish seconded and was unanimously carried by the Board to approve the 2015/16 Operating Budget as presented.**

## **Re: County Administrator Update Regarding Decertification of Voting Machines**

**Carter:** Yes, Margaret Thomas, Registrar had advised that the Buckingham County Voting Machines have been decertified which means the county will have to purchase new voting machines. She said the price was about \$140,000. I asked if she would have the proposals for you all to take action tonight and she said she would not because the Electoral Board has to choose the vendor that they buy them from. So I am updating you to let you know that it looks like we are going to have to come up with about \$140,000. In this fiscal year, it would have to come from Reserve for Contingency or one of the other reserves. But most likely we will have that for the May meeting. I know the question was asked at the last meeting and we have found that our machines are definitely decertified so we will have to buy new machines.

**Allen:** \$140,000, do you think that's going to be the top?

**Carter:** That's what she said.

**Bryan:** Any word from our representatives in Richmond?

**Carter:** No. The Virginia Electoral Board made this decision.

## **Re: County Administrators Comments Regarding the Town of Dillwyn Considering Annexation of County Boundaries**

**Carter:** I know you all may have heard or read The Farmville Herald that the Town of Dillwyn is considering what they are calling boundary line adjustments but in reality it's annexation. I think we were all pretty shocked to know that was on the table from them. I did receive an email today with Peggy from the Town saying that the pros and cons that they talked about was written years ago and in no way would the Town proceed without the input and consulting with the Board of Supervisors. But they've been considering it for years. Just off the cuff, to tell you what I think this would mean. The people that would be hurt would be the taxpayers and the businesses. Buckingham County does not have a business tax. Any of those 37 businesses or all of those 37 businesses if the annexation or boundary line adjustment took place, all of those businesses would have to pay the Town of Dillwyn a business tax. The properties would be taxed for real estate and vehicles would be taxed to the Town of Dillwyn and to the County. That's a burden on the taxpayers and the businesses. Where the burden on the County would lie...even though the news article stated they didn't think the sales tax would be effected because it was per student or per child. That's the school sales tax. This would encompass the Food Lion sales tax, the McDonalds, Camryn Station, any business along that line and the Bank Franchise tax would go to the Town of Dillwyn. So immediately it caused a panic to me and again I'd say off the cuff, the people that would be hurt would be the taxpayers and businesses. Late this afternoon at 3:46 I got this email saying that they would not do anything without consulting with the county first. I have asked, because it was an eye opener for me, because the

zoning would change, the Town of Dillwyn would have control over the zoning of the industrial park, zoning of Sprouse's Corner. All the way through.

**Chambers:** Doesn't the state have something with the speed limit? Speed limit is most towns is 25 so that would be change in the speed limit for that distance they talk about.

**Carter:** There's quite a procedure that has to be gone through. Mr. Wright, do you have any comments on how it's done.

**Wright:** It's quite a process which there are two avenues to pursue. One of which yall can sit down and talk about if you are interested in pursuing it. If you don't there is a procedure that they can pursue that they can bring action to have ultimately a court decide whether they are planning to annex the county. There are specific criteria in which they would have to demonstrate for annexation from the county. Most situations that I've looked at is the Town looking to extend services into a joining (faded out) that will bring them in (inaudible)

**Stish:** They don't have any services.

**Wright:** Just seeking a financial benefit is not enough to justify annexation. If you want to direct staff to acquire more information on the procedure (faded) then you can decide whether you want to engage in discussions or whether you want to take a stance as to how you feel about it. The Town has it on their agenda for the May meeting.

**Stish:** Do they plan on paying for water and sewer? Is that what they plan on doing? Because where I'm concerned all those businesses they are talking about are there thriving because of the investiture the county has made with our funds. I don't see them doing that. As a matter of fact we took over their water system.

**Talbert:** You didn't take it over, you bought it.

**Carter:** The sewer system, we bought that too.

**Stish:** I think they are looking at this backwards then.

**Wright:** If you run down a list of services, water and sewer services are provided by the county, school is provided by the county, law enforcement services is provided by the county, library services with exception to a couple hundred dollars in conjunction but otherwise, I don't know what kind of contribution they make to the fire department basically the county provides the services. You provide planning and zoning for those areas. It's not that the areas are being ignored and don't have the things that are available if they take it in, at this point unless they have some other plans, there are not going to be any elevation of services being provided.

**Talbert:** I'd like to see the Town go back to County status. That way they can still call it Dillwyn but they have nothing. I don't think it's fair to the citizens of Dillwyn to have to pay a

double tax. They have nothing. Zero. I told Sammy that years ago when I first came on the board. He disagreed with me. When I was 12-13 years old and daddy and I carried pulpwood down there it was a booming town. There is nothing booming now. You've got a drug store and two lawyers offices and hey, I forgot about the ABC store.

**Staton:** Two insurance offices.

**Carter:** The area they are looking at annexation is certainly not being ignored. Everything is thriving and growing.

**Allen:** So should we wait until they make their next move.

**Wright:** If the board collectively knows what they want to do. You can wait and see or if you want to get more information, that's purely a board call.

**Chambers:** Is it possible to have a work session and sit down and talk with them.

**Bryan:** It is my district and rather than slam the door on them which would be rude. I'm open to sitting down and going over the pros and cons and discussing and asking the question why do you want to Annex and when. Like Mr. Wright said, is it based on services or based on funding. If it's based on funding then it's probably a moot point.

**Staton:** Why don't we research first before we sit down with them?

**Chambers:** I'm fine with that.

**Wright:** If we sit down with them and if they pursue it, they would have to have a specific plan which they outlined something in the newspaper but I can't...I'll just be quiet.

**Carter:** Something about street lights.

**Staton:** Let's get staff to get us as much information as possible and then we'll go from there.

**Chambers:** Is that a motion?

**Staton:** Yes, sir.

**Chambers:** I'll second.

**Allen:** There's a motion and a second to get all the information by Mrs. Carter and Mr. Wright and get all the information you can and bring it back to us for discussion. Any discussion?  
Vote. 6 yes.

**Supervisor Staton moved, Supervisor Chambers seconded and was unanimously carried by the Board to have Mrs. Carter and Mr. Wright get information regarding the annexation and bring it back to the Board for consideration.**

**Allen:** Really there is nothing we can do until they make a move, right.

**Wright:** You can express an opinion.

**Carter:** You can express an opinion that you are interested or not interested. Or you can listen to see what they have to say. It may be the fact that they are just looking at it. I understand the procedure takes quite a bit...

**Stish:** It's complicated.

**Staton:** And expensive.

**Carter:** Public hearings.

**Wright:** The survey of that area alone will be astronomical.

**Stish:** Not interested.

**Re: Other Board Matters**

**Allen:** The After Prom Party, yall said to appropriate an additional \$1000 for this year to help out.

**Bryan:** You can't make a motion for that Mr. Chairman, I move that we appropriate \$1,000 additional dollars to the After Prom Party if it's possible.

**Chambers:** Second.

**Allen:** A motion and a second to appropriate an additional \$1000 to the After Prom. Any discussion? Let's vote. 6 yes to add an extra \$1000 to After Prom.

**Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to appropriate and additional \$1,000 to the After Prom Party for a total appropriation of \$3,000 for this year.**

## **Re: Supervisor Stish: Resolution and Letter to FERC**

Docket#: PF15-6-000

The Buckingham County Board of Supervisors issues this letter to the Federal Energy Regulatory Commission on the subject of FERC Docket#PF15-6/Atlantic Coast Pipeline.

**Wingina Route:** The Wingina Alternate is proposing to route the pipeline directly into the heart of one of Buckingham's most diverse and developing communities; the Yogaville Village Center District (VCD). This VCD is identified, described and mapped in the Buckingham County Comprehensive Plan. The area the pipeline is proposing is slated for the future growth of the Yogaville community where pipeline under the surface would materially limit, detract and harm the ability for Yogaville to realize its potential.

**Using Highway Rights-of-Way:** Additionally, the Atlantic Coast Pipeline proposed Wingina Alternate would shunt this line right into some of the premier properties with James River valley and mountain view sheds. Using rights-of-way along highway corridors would minimize the impact on private property and preserve our Western-facing river and mountain view sheds.

**Accessing the Gas:** We further ask that FERC require Dominion to make gas access available to any and all localities along its route who are interested in tapping it. To this end, we assert that the ACP partners shall, as part of their construction process, provide and install the appropriate T's in the line that would assure future access. We request that in addition to Environment Impact Studies that FERC require Economic Impact Studies in each locality where strategic siting and collaboration with local partners may allow for greatly improved economic opportunities.

**Extend Scoping/Hold a hearing in Buckingham:** We request that FERC consider extending the Scoping period by 120 days to include a hearing in Buckingham County. Buckingham is slated to have a compressor station within its borders, and yet we have not had a single hearing here in this county. Please schedule a hearing in Buckingham for the citizens here, and especially those who would be near the proposed compressor station, can speak their minds and express their concerns.

**Delay for One Year:** Taken as a whole, with routing concerns, hearing concerns and economic impacts/opportunities being studied, we seek a delay in the approval of the project of at least one year.

Thank you for your consideration and for helping us serve those whom we represent.

The Buckingham County Board of Supervisors considers it of great importance that environmental impacts from the FERC Docket# PF15-6, the Atlantic Coast Pipeline (ACP), must be mitigated in order for the ACP to be safely constructed and operated in our community.

Buckingham County Board of Supervisors resolves to strongly urge FERC to mandate maximum environmental impact mitigation of the ACP transmission line, compressor station and all ancillary installations related to the ACP in order to protect the health, safety and welfare of our citizenry.

**WHEREAS**, the primary areas of concern for environmental impact of the ACP are related to noise, vibration, groundwater, surface water, soil and fire and rescue training and equipment, the Buckingham County Board of Supervisors seeks stringent and proven controls for;

**WHEREAS**, the ACP and its partners will benefit by passing through Buckingham County the ACP and all its partners individually or collectively shall make every attempt to protect the air quality in Buckingham County through the use of stringent, proven controls to reduce or even eliminate emissions from the Compressor Station.

**WHEREAS**, The Buckingham County Board of Supervisors must be able to track and measure any impacts on the environment as a result of the construction and/or operation of the Atlantic Coast Pipeline (ACP) FERC Docket # PF

15-6 and any of its ancillary processes, we request that FERC mandate the ACP partners pay the cost for the County to conduct a baseline study of air, groundwater, surface water, soil and noise levels to be conducted prior to any operation of the line or compressor station so that any changes may be measured against that benchmark.

#### **Noise Pollution:**

**WHEREAS**, the sound emissions from the compressor station should be minimized by all means necessary-even redundantly-to assure that the station is as minimally impactful as possible for sound, and;

**WHEREAS**, the ambient nighttime noise levels in rural areas is usually 35dBA a permitted continuous noise emission of 50dBA would seem very loud. Therefore, the threshold for noise emission should match that of the ambient level for the nighttime hours at the edge of the 500 ft. tree buffer. This should include but is not limited to:

- Building a berm around the station
- Requiring the maintenance of a healthy evergreen tree buffer no less than 500 ft. in all directions
- High performance two-stage exhaust system
- High performance two-stage inlet air system
- Low noise lube air cooler
- Placing piping below grade
- An acoustically-designed compressor building to contain the compressor unity noise

#### **Low-Frequency Noise/Vibration**

**WHEREAS**, the presence of Low Frequency Noise has been shown to have a negative effect on the humans, animals and plants that are exposed to it, the compressor equipment must be maintained to perform optimally to minimize the occurrence of LFN.

#### **Air Quality**

**WHEREAS**, the impacts of the emissions from the proposed compressor station must be minimized through state of the art gas recapturing systems that prevent gas or emissions from the burning of the gas to be emitted into the air. Buckingham County request to have access to all maintenance reports, issues and repairs as relate to the compressor station facility.

**WHEREAS**, these efforts could include but are not limited to the following; screening, measurement, filtering and scrubbing technologies to reduce eliminate noxious emissions from the compressor station techniques:

##### Leak Screening Techniques

- Soap Bubble Screening
- Electronic Screening
- Organic Vapor Analyzers (OVAs) and Toxic Vapor Analyzers (TVAs)
- Infrared Cameras
- High Frequency Acoustic Detection

##### Leak Measurement Techniques

- Toxic Vapor Analyzers (TVAs)
- Bagging Techniques
- High Volume Samplers
- Filtering of compressor engine emissions
- Scrubbers in the exhaust pipes

- Underground installation of feeder pipes

### **Groundwater Quality**

We request that the ACP partnership and/or Dominion be held financially responsible for any and all leaks of the natural gas product being transmitted in the ACP that affect groundwater quality in Buckingham County.

We further request that an official groundwater protection and incident response plan be filed with FERC and Buckingham County.

### **Surface Water Quality**

We request that the ACP partnership and/or Dominion be held financially responsible for any and all leaks of the natural gas product being transmitted in the ACP that affect surface waterbody quality in Buckingham County.

We further request that an official surface waterbody protection and incident response plan be filed with FERC and Buckingham County.

### **Soil Quality**

We request that the ACP partnership and/or Dominion be held financially responsible for any and all leaks of the natural gas product being transmitted in the ACP that affect soil quality in Buckingham County.

We further request that an official soil protection and incident response plan be filed with FERC and Buckingham County.

### **Safety and First Response**

**WHEREAS**, the Buckingham County Emergency Operations Plan will need to be updated to include emergency evacuation and response plan for the residents and landowners along the pipeline route and surrounding the compressor station.

### **Fire and Rescue**

**WHEREAS**, the Buckingham County first responders are primarily volunteers and have had no need to invest in the types of equipment or training needed to respond to a gas line or compressor station fire and/or explosion, we require that the ACP partnership and/or Dominion Power work with Virginia Department of Fire Programs to provide and administer the classes or certifications needed for our volunteer responders to be properly prepared.

### **Public Notice**

**WHEREAS** the ACP partners and/or Dominion shall keep Buckingham County informed of any planned maintenance, construction or other activity that may cause concern or any malfunction or suspected malfunction in a timely manner that would grant sufficient time to alert the public in the affected areas.

**Stish:** Ok, Gentlemen, again the same documents are before you as presented last week.

**Chambers:** I make a motion that we pass this.

**Stish:** Thank you. The only thing that changed on here is to request the scoping period be 120 days because by the time they get it and process it, it really needs to be 120. Is that ok?

**Chambers:** I just wanted the county attorney to check it out.

**Stish:** I just want the scoping period to be longer so they can have a hearing here in Buckingham.

**Chambers:** I just wanted it to be checked out. I have no problem.

**Stish:** Thank you, I appreciate it.

**Bryan:** So change the 30 days to 120 days?

**Stish:** Yes, sir. The scoping period portion.

**Allen:** Mr. Wright, do you think its fine and everything?

**Wright:** That's not what I'm saying. You've got to understand, you all asked me earlier to see what areas you might have in your quiver of local government action that might affect the pipeline and I told you it was really somebody else's decision to make as to whether it comes to Buckingham or not. We don't have zoning or rules that is can be associated with. What Supervisor Stish is asking is for a policy declaration from this board to ask to extend the comment period and also to investigate certain other items. That has nothing to do with the legal ditches I try to keep you between. That's merely a declaration of policy that you would ask the FERC to extend the comment period and also there are several enumerated requests in there that you want them to pursue those things so it's a policy declaration and so you are asking for their consideration. So from that perspective, I have no comment.

**Stish:** Thank you. No comment is good from the legal voice.

**Allen:** There is a motion made and a second. Any discussion? Call for a vote. I am abstaining because I work for Dominion and there have been complaints about it. 5 yes

**Supervisor Stish moved, Supervisor Chambers seconded to approve the Letter and Resolution to FERC with the amendment of changing the 30 days to 120 days. This motion passed with a 5 votes to approve. Chairman Allen abstained. Supervisor Snoddy was absent.**

**Re: Recess to reconvene at 7:00 p.m.**

There being no further business, Chairman Allen recessed to reconvene at 7:00 p.m. to meet with the Planning Commission.

ATTEST:

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Rebecca S. Carter  
County Administrator

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Danny R. Allen  
Chairman