# Buckingham County
# Board of Supervisors
# Monthly Meeting
# August 8, 2016

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, August 8, 2016 at 7:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Joe N. Chambers, Jr., Chairman; Robert C. "Bobby" Jones, Vice-Chairman; Donald E. Bryan; Don Matthews; E. Morgan Dunnevant; Harry W. Bryant; and Danny R. Allen. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator and E. M. Wright, Jr., County Attorney.

**Re: Call to Order**

Chairman Chambers called the meeting to order.

**Re: Quorum**

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

**Re: Invocation and Pledge of Allegiance**

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

**Re: Announcements**

**Re: Approval of Agenda**

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

**Re: Approval of Minutes**

***Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve the minutes of the July 11, 2016 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: Public Comments**

**Marie Flowers:** Good evening. Marie Flowers. District 3. I'm representing Friends of Buckingham today. I have a couple of questions. First of all do any of you own any Dominion stock or any? Okay. Mr. Dunnavant, you had that project at Fuqua to help students build a plane. Have you gotten any funding from Dominion?

**Dunnavant**: No it hadn't.

**Flowers:** Thank you. I have a couple of things from the newspaper that I'm going to read. It's just in case yall were too busy to read it and if you have read it, it doesn't hurt to reinforce. The first one is "Compressor Station Will Impact Everyone." It is written by Dr. Lakshmi Ford. A scholar and residence in the Department of Anthropology at the University of Virginia who specializes in public health, disasters, race and disability. She's also a Friend of Buckingham. She says, "Regarding the proposed Atlantic Coast Pipeline project, Dominion has filed for only a minor source special use air emissions permit with the Department of Environmental Quality because the existing air quality is so good in our area. This allows the only proposed compressor station in the entire State of Virginia, in Buckingham County, and industrial complex of intersecting pipelines to run 24/7 almost 58,000 HP engines that emit methane, carbon dioxide, benzene, and formaldehyde at hazardous levels without close environmental protection agency inquiry or ACP purchase of the latest technology to reduce the toxic emissions. Compressor stations must routinely vent methane to stabilize volatile fracked gas or risk explosions. Pipelines leak methane at hazardous levels." Dr. Ford goes on to say, "Physicians for social responsibility in the American Medical Association have called for a moratorium for fracked gas development because new scientific studies show that methane is far more toxic than claimed by the gas companies. It is now known to be many times more toxic than CO2. The health hazard culprit that trucks down the coal industry. Fracked gas is neither clean energy as advertised nor abridged to renewables. The toxic cocktails to chemical pollutants emitted is part of routine operations to this now supersized compressor station in Buckingham will impact everyone. Not just those living next to it as most people hope who breathe a sigh of relief when it's not in my back yard.

**Chambers:** Times up.

**Flowers:** I've used my 5 minutes?

**Chambers:** You had 3 minutes.

**Flowers:** I'm representing Friend of Buckingham.

**Chambers:** Ok.

**Flowers:** Air monitors flying over compressor stations reveal high levels of these toxic pollutants for up to 100 miles plus depending on the winds but Buckingham will face the greatest health impacts from these hazardous and financial costs. Not Dominion or stockholders but

individuals and families in medical costs for known respirator, cardiac, and a host of other illnesses including depression and anxiety associated with proximity to the compressor station. Dominion plans to pass on the costs of building the compressor station to its rate payers while limiting its liability by forming a subsidiary ACP LLC to shield its executives and stockholders from its true economic costs. I have another one too from Joe Abbate. He's the manager at Yogaville. "As the Buckingham County property owner for more than 30 years who lives and works within ½ mile of the planned ACP pipeline and within 5 miles of the planned compressor station, I want to note some issues that concern us. None of the Virginia property owners or adjacent residents impacted by this project will have any use of the natural gas as it is intended only for existing distributors at the end of the line. Those distributors already have access to surplus natural gas at historic low costs. Extensive scientific research for more than two years on this project so far…

**Chambers:** I gave you the extra minutes Mrs. Flowers.

**Flowers:** Can I finish the sentence? Have revealed that these industrial compressor stations operating with flammable gases under 1,440 lbs. per sq. inch of high pressure are subject to periodic failure in compression control.

**Quinn Robinson:** Thank you. My name is Quinn Robinson and I live in District 4 and I'm also speaking about the pipeline. There is scheduled or in the works a public hearing about the special use permit and I'm urging that it be delayed until October at the earliest. It may not be able to happen then the way the calendar is moving. This is a complicated matter and extensive documentation needs to be reviewed and we've already experienced a number of instances where corrections are made with information that Dominion has shared with us. Two points with that is where the identification at the community advisory group of two distinct locations 5 miles apart for location of the compressor station. That's a pretty fundamental error and nobody there seemed to realize it at the time. So you've got to have time to review this and I look forward to having these documents that Dominion has submitted available for the public to read. It's a public hearing. Public access is important. I would hope that we could expect about 100 paper copies from Dominion since there are so few residents with computer skills or access to them in the county. I think that's very important and I hope you share that concern. There is another issue that impacts me directly. In the course of the past couple of weeks, I received a document from Dominion asking for more permission to do things which I denied. They gave a map of my property. I have a two acre pond which is a great investment to me. There is a line, it's hard to tell from their codes and description what the line meant, but I went right through the pond. If they are intending on disrupting the pond or destroy it in the course of this construction I have real issues with that. I'm also going to inform the Corp of Engineers because they can't tamper with a water shed of this nature without complications downstream and for other things so it's important. We need time to factor all this and for people to understand what they are getting into. There is very little to be gained from this pipeline. We've said it time and time again. I know most of you don't agree but unless Buckingham's going to harness its future to the pipelines, prisons and poison then full speed ahead but I think that's a dangerous way to go. You are forfeiting another generation of potential. Thank you.

**Ivan "Chip" Davis for Farm Bureau:** Thank you, I'm Ivan "Chip" Davis and I reside in District 4 and I am here on behalf of the Farm Bureau. As you can tell from the crowd we have representation at all of the meetings and we report back to the Board of Directors the activities of your board. All in all we have been very pleased and we support what this board is doing. We are very…we know it's a thankless job. You never get anybody to tell you that you do a good job but we do appreciate what you do and what you can do. We are not here asking for anything tonight. We want to invite you to the Annual Producers meeting. It's the annual membership meeting. We know that yall can't come but we will be sending an invitation to you by Mrs. Carter. This is on September 20th. It will be at the Middle School at 6:00. I know a lot of you have been there before and has done this and participated with it. This is to educate you on what we are doing and offer you our services. Anytime that you have anything that you need from the Farm Bureau or information that we can help you with in the area of agriculture because you all know as well as I do we are your largest business in the county. By far we pay the most taxes and we are probably a major employer in the county. With that it does us well to provide you with information to help you make the decisions that you have to make. We thank you and we hope you can come or send somebody on the 20th.

**David Ball**: Good evening. David Ball. I want to talk about the library. I have talked to a couple of Supervisors about this, my suggestion for a proposed site. I've talked to Supervisor Bryan at the site and we've discussed a number of aspects. I've discussed it with our librarian and his biggest concern of course is that this site not become a daycare for kids after school. It seems that this is the most practical and reasonable site to locate the library. It has easy access to the high schools and middle schools for kids to go to after school to study if the library hours are shifted to later in the day to accommodate those study activities. It's a level building site. There is very little need to clear trees. It has good soils for building. There is infrastructure in place. High school parking in the evenings and weekends can be used for overflow parking for special events and programs. The property is owned by the county. It is a large site. Also houses the primary school. The funding for it could be done by a bond or a 1¢ tax on property, real estate in the county which would be a reasonable way to fund it. If we need to do a bond we can get a referendum put out for the voters to approve. I think it should have a secure Virginia room to hold the county history as well as records from families and other groups that might contribute. It just seems to be the best site location for it. Also note that last month there was a Mr. Peaks here letting you know that he was planning to run for the Virginia 22nd Senate seat should it become vacant. There are several other people interested in that. Should Tom Garrett advance to the US House of Representatives, it's my intention to pursue that seat and bring some rural values to the General Assembly. If anyone wants to talk or look at this proposed site. You have your soil breakdowns. I'm sure that Mr. Dunnavant is well aware of those. Thanks.

**Re: VDOT Road Matters**

**Shippee:** Good evening, Mr. Chairman, Members of the Board. I'll start with a project update. We are planning on shooting asphalt on Georgia Creek Road this week but rain has us delayed on that. We are going to do it as soon as it dries up enough for us. If any of you have rode out there, I think it looks good. The stone they put down is going to be very good out there. Rt. 610 over Green Creek. That bridge project is supposed to start on the 15th of this month. That will

last about 12 weeks. It will be closed while they do it. Maintenance. We are doing a lot of brush cutting. We are finishing up mowing secondaries and getting ready to jump back on the primary routes again. Doing some ditching. Doing some tree removal and tree cleanup from these storms we've had lately. Answering citizen concerns and complaints. Anything for me?

**Allen:** Anymore about repaving that part in Dillwyn?

**Shippee**: I haven't heard anymore. I know they have it marked out there but I don't know what the schedule is.

**Bryan**: Yeah, I see where they marked it off, the washboard.

**Shippee:** I don't have a timeframe. It's kind of up to them. They've got a contract they have to meet.

**Allen:** That's not part of it.

**Shippee:** No, it is part of it but they still have that deadline they've got to meet to get all of it done.

**Bryan**: Is there a pothole number?

**Shippee:** What's that?

**Bryan**: A pothole number? If somebody notices potholes to call you.

**Shippee:** It's just the normal customer service number. It's 1-800-FOR-ROAD. Anytime anybody has that, they call that number and get their tracing number and all that.

**Re: Public Hearings**

**There were none.**

**Re: Presentations**

**There were none. Mr. Womack cancelled til September.**

**Re: Zoning Matters**

**There were none.**

**Re: Consider carryover of funds for County vehicle**

**K. Carter:** Yes, sir. Mr. Chairman. I'll take that one. Back in FY15/16 we had in the county budget $25,000 for a county vehicle to keep up with the rotation of one a year. As some of you on the Board knew, we had a purchase delay with the Animal Control Vehicle that lasted over a year and a half. I misunderstood or just forgot that those monies were for FY14/15 and not the current fiscal year at the time of 15/16. So that means there is still $25,000 in the 15/16 county budget for a vehicle that we didn't spend. So I'm asking if you so wish to approve to move those funds over to the current fiscal year of 16/17 so we can purchase a new vehicle and stay on rotation of our county vehicles.

**Allen:** I make a motion that we move the $25,000 into the 16/17 budget.

**Chambers:** Motion by Supervisor Allen, second by Supervisor Bryant to move $25,000 to the 16/17 budget.

**Bryan:** I have one after we vote about the type of vehicle.

**Jones:** I have one question, is it necessary, do we need another vehicle?

**K. Carter:** What we try to do is buy one a year so that we don't be stuck in 2 or 3 years from now having to buy multiple vehicles in one year. So we try to get one vehicle each year. If you remember the budget we are in right now does not have money for a county vehicle. So if we don't get it this year, we will go two years without a vehicle.

**Carter:** We will look at all the mileage and look at it and if it so happen that we don't need one we may ask to carry it over again to the next year. We just don't want to in one year need two. We continue to carryover the money we will have a reserve for it and will not have to appropriate new money. We are not sure yet, we have to look at the department's mileage and see who will be next. We generally have a rotation.

**Dunnavant:** So we are not approving to spend it just to carry it over.

**Carter:** We will have to bring it back to you all to bid it out and approve it.

**Chambers:** Ready to vote. 7 yes.

***Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the Board to carry over $25,000 not spent on a county vehicle to the FY16/17 budget.***

**Re: Sheriff's Department: Consider bids for Sheriff's Department Vehicles**

**From memo:** The bid opening for three SUV vehicles for the Sheriff's office was August 3, 2016 at 10:00 a.m. We had only one vendor participate which was Gilliam Motors. Their bid per car is $28,180 for a grant total of $84,540 for all three vehicles.

**Chambers:** You have the handout about the Sheriff's vehicles. Total of $84,540 for three vehicles. What's the Board's pleasure?

**Dunnavant:** I have a question on that for Mr. Kidd.

**Bryan:** So moved.

**Chambers**: Hold on just a minute. Do we have a second?

**Allen**: Second.

**Chambers:** We have a motion by Supervisor Bryan, second by Supervisor Allen.

**Dunnavant:** Mr. Kidd, do you have the funds in your budget now to buy all three vehicles?

**Kidd:** Yes. (Inaudible, no mic in the back)

**Dunnavant:** So it exceeds the budget by how much then?

**Kidd:** $3,975.

**Carter:** It doesn't exceed the budget.

**K. Carter:** It doesn't exceed it.

**Carter**: I don't think it exceeds it. I think the bids are under what's budgeted. Is that right, Sheriff?

**Kidd:** Yes.

**K. Carter:** I think the cars are $3,975 more than they were last year but I don't think it over.

**Carter:** It's more than it was last year but it doesn't exceed what you all appropriated to buy the vehicles.

**Dunnavant:** So it's within the budget. That was my question.

**Chambers:** Ready to vote? 7 yes.

***Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to award the bids for 3 vehicles for the Sheriff's department to Gilliam motors at a cost of $84,540.***

**Re: Circuit Court Clerk's Office: Appropriating $1,857.42 for Maintenance reimbursements**

**K. Carter:** What this is Mr. Chairman, the Clerk's office has some bills they had to pay, fortunately for us I guess how you look at it, the State decided to reimburse them $1,857.42 for it and the funds have been received in the Treasurer's office already.

**Bryan:** So you just need to put it back in the Clerk's budget?

**K. Carter**: Yes sir.

**Allen:** So moved.

**Bryan:** Second.

**Chambers**: Motion by Supervisor Allen and a second by Supervisor Bryan to put this money back in the clerk's budget. Any questions? Let vote. 7 yes.

***Supervisor Allen moved, Supervisor Bryan seconded and was unanimously carried by the Board to appropriate the $1,857.42 reimbursed from the State to the Clerk's office budget in line item 4-10-21600-6001.***

**Re: Consider Industrial Development Authority Appointment for District 5**

**Chambers:** Mr. Bryant indicated that he wanted to wait to next month to appoint somebody to the Industrial Development Authority.

**Re: Consider acceptance of the Virginia Department of Emergency Management Performance Grant in the amount of $7,500.**

**Matthews:** I've got a question. Does this preclude the next item? Is this grant paying for that?

**Carter:** Yes. This is the grant money we get for the emergency code system.

**Allen:** So moved.

**Chambers:** Motion by Supervisor Allen, second by Supervisor Bryant that we accept this. Any questions? Let's vote. 7 yes.

***Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the board to accept the grant of $7,500 from Virginia Department of Emergency Management.***

**Re: Consider proposals for the County Emergency Alert System**

**Carter:** Currently we are paying $16,400 for instant alert system that includes unlimited minutes of county generated messages such as parks & rec, sheriff's office and office closure. We have been looking, Mr. Flippen and Jamie Shumaker, have been looking to find better offers for this. They tried during the year to negotiate down on the price for Code Red when we realized what we were being offered by other companies. So I believe Mr. Carter sit in on it. I believe they had presentations particularly by Rave and I think Everbridge. So you have 3 offers there. Code Red: a three year agreement of $9,950. Everbridge: a three year agreement of $8,000. Rave: a 3 year agreement of $7,000 and $1800 one time set up fee. After they sat through the demonstrations with both Rave and Everbridge, with their working knowledge of Code Red, we have had some dropped calls and calls that didn't make it through. Mr. Flippen and Mr. Shumaker and I believe Karl are recommending Everbridge. Their annual cost is $8,000, is does have the unlimited messaging where we can also use it for recreation cancelations or anything like that, closing of the buildings. They have more experience working with the State. That way we know if it's working for them, we can feel confident because it is a serious system that when it's needed it has to work. The committee's recommending that you all approve the 3 year agreement with an annual payment of $8,000 with Everbridge. This will begin in October.

**Bryan:** Everbridge is the lowest anyway. By the time you go through Rave, Rave is $7,000 and $1800 set up fee so that's $8800 and Everbridge is also on the State Contract.

**Dunnavant:** That would be $7600 for 3 years. Take $1800 and divide it by 3 years, they are still cheaper.

**Carter:** We have to rebuild our database and get everyone's contact numbers and names in there but they will do it with emails and everything. We'll be able to rebuild it from what we have and then we will send alerts out to everyone to update their information if there is a change.

**Dunnavant:** Is this a different system than the school system uses for their closings?

**Carter:** It is.

**Dunnavant:** Is this something that we are required to have by the State Emergency Management?

**Carter:** It's not something that we are required to have but as you notice the item before, it's a Homeland Security Grant.

**Dunnavant:** It's paying for it right now?

**Carter**: It's not paying that $16,400. That was like a match.

**Matthews:** It's going to be a savings if you go with this company because you've got $16,400 and this is $8,000. It's an $8,400 savings.

**Carter**: It's cut in half. If you could also include that the County Attorney look at the contract and review it before we sign it.

**Dunnavant:** Can we count on this grant to continue to pay for this?

**Carter:** We've been getting it for quite a few years now. With grants you never know. But with Homeland Security we generally get that money every year.

**Dunnavant:** I read they allow 2% increase every year for program escalation costs. I won't fuss about it anymore.

**Bryan:** Mr. Chairman, I make a motion that we go with Everbridge.

**Chambers:** Motion by Supervisor Bryan, second by Supervisor Matthews to go with Everbridge. Any questions?

**Allen:** We need to add on for Mr. Wright to look over contract.

**Chambers:** The County Attorney to look over the contract. Let's vote. 7 yes.

***Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to award the bid to Everbridge for $8,000 per year for a 3 year contract and for the County Attorney to review the contract prior to signing.***

**Re: Consider Appointment of a Board Member to the Virginia's Heartland Board of Directors**

**Carter:** Currently I do serve as the appointee to the Virginia's Heartland Industrial Authority Board that is governing the regional industrial park that is in Keysville, Virginia. I might add that the county does not have any money invested in this but we are a member. The Charter reads that each locality shall appoint to that Board of Directors the County Administrator and either a member of the governing body or a member of the Industrial Development Authority. We need to confirm those appointments since we had a Board change. Right now we don't have anyone that sits representing the Board or the IDA. There is going to be an organizational meeting held on August 25th at 2:00 to work on possible changes to the Heartland's organizational documents and ordinance. They haven't been updated since their origination in 2002. So it's requested that the 2nd member that's appointed will be able to attend that meeting with me also. I don't know how to tell you how much time it's going to take. Generally we don't meet unless they call a special meeting unless we change the By Laws to have a set meeting. Generally we don't waste time unless we have an issue to discuss.

**Chambers**: Is there a Board member that's interested in serving on it?

**Bryant:** I'll do it.

**Allen:** So moved.

**Bryan:** Second.

**Chambers:** A motion by Supervisor Allen and second by Supervisor Bryan to appoint Supervisor Bryant and Mrs. Carter to the committee. Are there any questions? All in favor. 7 yes.

***Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the Board to appoint Supervisor Bryan and Mrs. Carter to the Virginia Heartland's Regional Industrial Authority Board of Directors.***

**Re: Streetscape Project: Presbyterian Church Entrance**

**K. Carter:** I don't know where to start. As some of you know the project down at the courthouse heading west, they have started demolition work and have started pouring more sidewalks and they've started on entrance ways. Last Monday our phone started ringing and we found out that Maysville Presbyterian Church, they have three driveways. One of them was taken out by VDOT so we got a bunch of phone calls saying why was our driveway taken away. We did some research and looked at it and came to find out that yes, when the original plans were sent to VDOT all the driveways were the same. VDOT took out that driveway. The reason, I gave you the email correspondence from me and VDOT saying that they took it out because they had multiple entrances and that one has the least sight distance. Once they took that entrance away, all the church goers were very unhappy with the entrances now. Me, Morgan, and Supervisor Bryan, Donnie, met with the church. We got back in touch with VDOT. What we found out from VDOT was that their opinion on this was they did their work to VDOT standards. If the County wanted to change it back to the way it originally looked then the County would have to pay for it. That was the dilemma. Today I tried to get in contact with the contractor to find out how much that change order would cost. I left a message on his voicemail, sent him an email and his office number and we did not get in touch with him at all today. The contractor is coming back I think tomorrow to do some more concrete pouring so what they want to know is do we want to put this driveway back or leave it the way it is now? What me and Morgan talked about, you know, it would be cheaper now because they already have their equipment on site. They should be able to do it pretty quickly. If we wait a little while longer, they would have to bring their equipment back up here and it would be costly. We did get an estimate from the contractor and I haven't been able to talk to him to find out where that number came from. I think he's on vacation. It took me a while to get that estimate number. The estimate that he gave Lyn Hill was $7,400 to put that driveway back to where it was. We thought that number was kind of high so we are trying to figure out what his percentages are and how he got that number. That doesn't help us tonight because we don't have that information yet. What I've got before you is the church is asking to

have this driveway put back. Right now it's been changed but eliminated so I'm asking your guidance on what to do with this.

**Matthews:** As slow as VDOT is how in the world did that happen that fast?

**K. Carter:** This is the contractor. The contractor was moving. He wanted it done quick. He wanted to get back to…It wasn't VDOT.

**B. Carter:** I think there have been a couple errors there. One may be…one in particular is the church was never contacted. The church had no idea this was going to happen.

**Matthews:** They saw the work going on.

**B. Carter:** That's when they started calling when they saw the work going on. You read from VDOT says our land use engineers considered that entrance an access management safety concern. So they closed it and now they come back and say if you all want to pay for it we will open it back up.

**Matthews:** I was under the impression there were three parcels there so every parcel should be entitled to a driveway so if they took that upon themselves without researching those three parcels, it doesn't look like to me that we should pay for it. It should be their responsibility if they did that. They closed it on their own.

**B. Carter:** If the closed it as a safety issue and said to all of us we are sorry it's a safety issue, you know. Now they are saying we can reopen it. We can reopen it if we pay for it. Was it closed for a safety issue? Is that safety issue not going to be there if we open it back up? The church has used that entrance for 60 some years.

**Dunnavant:** The bottom line is the church needs that entrance back. They do have 3 parcels of land that front on Rt. 60. Independent parcels. If hard times fall on them they could sell one of them. It's got to have access as a private entrance, not necessarily a commercial entrance. It's got to have it. VDOT told us we have to pay for it and they designed it out, but somebody on the design phase didn't do their due diligence as far as getting with the church. Not the employee of the church, the pastor, oh yeah, that will be ok is how I understood it went. They didn't get with the Board of Deacons in a meeting and get everybody's input on it. Everybody knows when it comes with the church it's done by committee kind of like up here. So, we need to plan on putting it back and we need to pursue VDOT for a valid cost estimate or the contractor for a valid cost estimate. I think we need to look to VDOT to some extent, not our local VDOT because this was approved in Lynchburg for reimbursement for the costs. If you look at the actual contract unit item costs, it's in line with what it should be, about $1000 worth of work. To take out the curbs there and put back the driveway entrance. We've got that obscene figure they quoted Karl earlier, I don't know. Maybe they pulled it out of the air and said maybe I'll get lucky today.

**Matthews:** Didn't that come out of grant money to pay for that?

**Carter:** Yes it did.

**Matthews:** Is every cent of that being used?

**K. Carter:** No sir, but they are saying they are not responsible for this change order. So if we pay for it it's out of pocket on it.

**Dunnavant:** Another thing that transpired out of this thing and we didn't find out until all the storm was going on, the engineers stamp on the plan was July 19th. When did they break ground on it? The week of the 20th wasn't it? We had no time to review it before they released it for construction.

**Matthews:** How about Rural Rustic? Have you checked for funds possible from that? There is funds available through the rural rustic and I would think that would qualify for that even though it was a mistake.

**Carter:** Somebody to pay for it. We haven't thought about that.

**Bryan:** Someway other than our dime.

**Carter**: We haven't thought about that possibility. I think that the way they have talked, the longer we wait the more it would cost because they are laying the sidewalk.

**Dunnavant:** I think the most it should cost us is you take the breakdown of the contractor's bulk item quantities and put those on to that site. What was it when we talked about it? $1,091 or something like that.

**K. Carter**: I think it was $960.

**Dunnavant:** That's a small price to keep peace with the church initially and then we can pursue VDOT or the architects down the road for reimbursement. We didn't have an opportunity to look at it in its final stage before it went to construction. We turned it over to those folks and signed off on it but they plan that they put out initially showed all three entrances being returned to service at the church is what was in the original approved plans. Then these edited plans came back and put out for construction. They didn't run the plans by the church or us or any landowner for that matter for the changes incorporated in it before they turned the contractor loose. That was a breakdown on their side, not our side.

**Matthews:** Actually the safety issue is that bank past the church going out, west on the highway. The driveway is not a safety issue there. I believe that bank that you can't see around going west because if you happen to…it's 35 there but in just an instance it turns to 55. You are going down a grade. It's not an issue of the driveway. The driveway is east of that. I don't think they have their information right.

**Carter:** By the looks of the cones there, they've already been tore up pretty bad.

**Dunnavant**: There is another driveway west of this one that's even in poorer condition but they put that one back.

**Bryant:** I can't believe they can close an entrance without notifying landowners. I don't know if it was done or not but I don't think it could have been done.

**Carter:** Through the process with Mr. Carter and the committee and all and the Commonwealth Regional Council worked with this. They worked with the right of ways and easements and right of ways for the property. But never in any of those documents is there anything about closing that particular property's entrance.

**Dunnavant:** In the original plan the church was going to get all three entrances back. Everything that was there was going to be put back. I'll go on the record again, I think it was a waste of a perfectly good sidewalk anyway, but that will be neither here nor there. The plan was to put everything back like it was. The plan they approved on July 19th, 2016 that they are working was not shared with the landowners or us or Commonwealth Regional Council or anybody. VDOT just drew it out and said go to work.

**Matthews:** Rubber stamp it.

**Chambers**: So what are we doing?

**Dunnavant:** I think what we need to do is instruct them that we want the driveway put back and we'll argue with you about who is going to pay for it later.

**Chambers:** It doesn't work that way does it?

**Dunnavant:** I don't know if it's going to work that way or not. Do we want to postpone it and the contractor gets away from here, I don't know…what are those numbers you had, Karl?

**Chambers:** We need to do something now.

**Dunnavant:** Like I say, by the contractor's own schedule of values, it shows it being about $1000 or $1091 to take out the curb they poured back and to replace it with square footage with what do they call it, a driveway apron.

**Allen**: What do you think go ahead and fix it now and worry about getting with VDOT?

**Dunnavant:** I think we'll be safe with making a motion to fix it now at the value not to exceed $1100 which corresponds with the contractor's schedule of values for that project.

**Matthews:** And pursue the Rural Rustic.

**Carter:** What happens if they come back and say no?

**Bryan:** Is that the cost to put it back that way? You are going to ask them to rip up what's there too.

**Dunnavant**: It's coving that. What they did is they come through and dug up everything. They poured back about 20 feet of curb and gutter. The value, they've already been paid to take it out one time. What's in this $1091 is we are paying them to take out that curb that they put in. Paying them demolition cost to take out that curb and paying them their cost per square running foot to put a driveway entrance back in its place. The contractor is not losing anything.

**Bryan:** How much are you saying?

**Dunnavant:** $1,091.

**Carter:** The contractor will get more money.

**Matthews**: How many yards of concrete is it?

**Dunnavant:** Maybe 2.

**Matthews:** I think that's pretty reasonable for them to do that. I think we have options to pursue with rural rustic and we may not get but we may get it.

**Dunnavant:** I mentioned to Mr. Shippee before the meeting started and he was pretty much in agreement with my mindset you know that this is the schedule of values here. I found them in my stack of stuff. You use the contractor's breakdown that they turned in with their bid and the value to take out the curb and gutter that they put in place and the new driveway just like the one next door to it, I'd say comes to $1091.

**Matthews:** A lot of difference from $7800.

**Dunnavant:** Yes it is. If I had been the contractor on it and got the opportunity to throw a big ball number on it, I might have tried it to but I'd be compelled to back down to these schedule of values. Let me make a motion here, see if I can form it into words. I move that we instruct the contractor to reinstall the removed entrance from Maysville Presbyterian Church at the cost associated with their schedule of values as we estimate to be at $1,000-$1100.

**Matthews:** Second.

**Chambers:** A motion by Supervisor Dunnavant, second by Supervisor Matthews that we pursue for the contractor to put the driveway back not to exceed $1100.

**Allen**: Is there any if's there so if they don't, we need to put something else in it so we can get the driveway done and worry about the extra cost later. It sounds like now the driveway getting fixed is the biggest deal.

**Dunnavant:** That's the big deal. The schedule of values is as valid as the contract. It's just a matter of measuring the units and holding the contractor's feet to the fire.

**Bryan:** Was it the contractor's fault or VDOT's fault?

**Dunnavant:** It's VDOT's fault.

**Bryan**: The contractor was only doing what was in the plans.

**Dunnavant:** The contractor was doing what was in the plans. He was not at fault at all. But neither were we.

**Carter:** We should be writing the letter to VDOT not the contractor to have them fix the problem, right?

**Dunnavant:** Who is administering this contract? Who is the inspector on the job looking after it?

**K. Carter**: WW has an outside firm come in and look at it.

**Dunnavant:** So WW is doing the consulting engineering on it so WW is who we need to write the letter to and copy that letter to VDOT. We need to wrap that up in the motion to get that intent there.

**Carter:** Because they are contracted through VDOT they will have to have VDOT's approval to do this. But we will work on the letter and join them both together.

**Dunnavant:** Another option we've got since we didn't have time to review plans and I know this is getting off subject but we can accept the project have them accept the project right up to where that driveway started and leave that section of improvement out and pick up that project on the other side of that driveway. We could have done if we were given the option to look at it but that was not given to us to look back at it. Then we got in the firestorm with the church which the church was right to be upset.

**Carter:** They are.

**Bryant:** Absolutely.

**Chambers:** Alright, any question on the motion. Ready to vote. 7 yes.

***Supervisor Dunnavant moved, Supervisor Matthews seconded and was unanimously carried by the Board to that we instruct the contractor to reinstall the removed entrance from Maysville Presbyterian Church at the cost associated with their schedule of values as we estimate to be at $1,000-$1100.***

**Re: Consider appointment of a review committee for the Dillwyn Primary School RFP Responders**

**Carter:** The deadline for the submittal of responses for the RFP for the Dillwyn Primary School is August 19th. To date when I wrote this we had 16 interested firms that requested our information. It's probably more than that now. 17 which is really good. We generally don't get those kind of responses. So after the deadline of the responses we will need to follow the procurement procedures with that being said, the next step will be to review and rate all of the experience and qualifications of the submitting firms. Then narrow it down to ultimately decide how many and which firms you want to interview. The first submittals do not provide cost estimates. The first submittal is how we look at their experience and go from there. The one's we interview we start negotiating costs in the second round. I would like for at least two board members to be involved on a review committee if you so wish.'

**Matthews:** I'll do it.

**Dunnavant:** I'll volunteer.

**Chambers:** Supervisor Dunnavant and Supervisor Matthews. Can I get a motion?

**Bryan:** So moved Mr. Chairman.

**Allen:** Second.

**Chambers:** A motion by Supervisor Bryan, second by Supervisor Allen to appoint Supervisors Matthews and Dunnavant to the review committee. Any questions? All in favor? 7 yes.

***Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to appoint Supervisor Matthews and Supervisor Dunnavant to the review committee for the RFP's for Dillwyn Primary School.***

**Carter:** I might add, my recommendation also includes the County Administrator, Building Inspector and/or General Properties Manager and the County Attorney. Then we would bring this project to a point where we would come back to the Board of Supervisors and recommend a contract with a proposed firm.

**Re: Request from Town of Crewe, Lottery for localities letter to legislators**

**Carter:** Yes, I just received this today. I wanted you all to have an opportunity to consider it. You have a letter from the Town of Crewe and you can see it's been sent to pretty much all the counties requesting…it's a form of request from elected leadership of Nottoway County to legislators requesting a change in the current Virginia State Law to allow a 5% return of lottery sales to Virginia localities. The plan as proposed will not take any money away from the school system. Other than the money coming from the school, we do not get any proceeds from the lottery money. I guess it's worth requesting it but we have to make sure it doesn't take away

from the money going to the school. That certainly has decreased over the years. Of course, it will be based on the lottery sales in our county. So do you all want to join in with the other counties to make this request to the legislators?

**Chambers:** What's the pleasure of the Board?

**Bryan:** So moved Mr. Chairman.

**Allen:** Second.

**Chambers**: A motion by Supervisor Bryan, a second by Supervisor Allen to join in with other counties. Any question on the motion? All in favor? 7 yes.

***Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to join with other counties to request from legislators to change the Virginia State law to include 5% of lottery sales to come back to the localities but not change the amount going to the schools.***

**Re: County Attorney Matters**

**Grant Award for the Victim Witness Program:** It's not actually a County Attorney matter per say. It really deals with the Commonwealth Attorney's office. The State of Virginia a long time ago gave grants to localities that established a victim witness coordinator which worked with victim crime and facilitated those events. The additional money dried up probably about 15-20 years ago. It has not been available for any localities to participate in that program. Federal Government in its infinite wisdom allocated this past year a big hunk of money to the various states for various programs around the country. Part of that money made it possible to apply for a grant to establish that program. I've always thought there was a need for that if the funds were available but I never felt that it was appropriate to come ask you to finance that event. We have been awarded that grant and are getting ready to move forward subject to county being willing to serve as a fiscal agent for that money. The person will have access to the benefits of state employees and local employees but I have factored enough money into the grant application that it should be income neutral to the cash flow. Obviously it will impose a little bit of extra work on the people who cut the checks and keep the books and sign the reports. Otherwise, that is appreciated. I'm inquiring tonight whether you will allow Buckingham County to serve as a fiscal agent for this program. I point out to you too that it is a federally funded program and I will have a very frank discussion with whoever applies for it that this program will exist, is guaranteed to exist only as long as the funds are available. We have a pretty good indication that that should be about 4 years before we have to think of anything different. I will have an understanding with whoever takes that job that there is no obligation to the county should that program go away then you will not be expected to pick up the funding. I have always been leery of lost leaders. So…

**Matthews:** So we will not have to pick up.

**Wright:** You will not be obligated to pick it up. There is no match required. The only thing required would be the extra work that will be required. I might come and ask you but I want you to understand that there is no obligation for you to do that. I will make sure whoever is in that position or who we ultimately hire understand that this is not a job secure position.

**Dunnavant:** It depends of grant coming.

**Wright**: Exactly right. If you are amenable and care to task the administration to serve as fiscal agent I would certainly appreciate it and ask that you approve it. Do you have any questions I'd be happy to talk about that?

**Chambers:** What is the Board's pleasure?

**Allen:** So moved.

**Matthews**: Second.

**Chambers:** Motion by Supervisor Allen, second by Supervisor Matthews to support this. Any question on the motion? All in favor? 7 yes.

**Wright:** Thank you very much.

***Supervisor Allen moved, Supervisor Matthews seconded and was unanimously carried by the Board to approve to be fiscal agent for the grant for Victim Witness Program through the Commonwealth Attorney's office.***

**Re: County Administrator's Report**

**Meals on Wheels final annual report disbursement of funds:** Yes, sir. I have one item and that is a letter to you all or to me and you all from Richard Anderson who was the treasurer for Meals on Wheels of Buckingham. It's demonstrating how they have disbursed the funds that they had. The State of Virginia has been notified of their dissolution and as you know those meals have been taken over now by the Area on Aging.

**Matthews:** Piedmont Senior Resources.

**Carter:** Yeah, Piedmont Senior Resources. You can see there how they have divvied out their money. I'd also like the Board to take official action for matter of record to commend and thank Ruth Anderson and Richard Anderson. Through the years they have managed this program without any question as to how this money has been spent. They have given their time and effort and actually delivered many meals themselves and the county really appreciates all they have done through the years. It's been many years now they've handled that program. I really think their reasoning for dissolving was the loss of volunteers and getting to the point they could not continue it but we do appreciate what they have done.

**Allen:** I make a motion that we send a letter of appreciation to Mr. and Mrs. Anderson.

**Matthews:** A certificate.

**Bryan:** Resolution.

**Allen:** However you want to say sounds good to me.

**Chambers:** Motion by Supervisor Allen, second by Supervisor Bryant to send a resolution to Mr. and Mrs. Anderson for their services to Buckingham County. Any question? All in favor? 7 yes.

***Supervisor Allen moved, Supervisor Bryant seconded and was unanimously carried by the Board to send a resolution of appreciation to Mr. and Mrs. Anderson for their many years of service to Buckingham County through the Meals on Wheels.***

**Re: Other Board Matters**

**Allen:** I have one. Christian Outreach Center in Arvonia has asked for a little help. I've had Mrs. Carter and Mr. Wright look at it and we are able to give to them. I've given you a paper telling you what they've done. That was just in 2015, the people they've helped in the county. If a home's burned up, they help replace the furniture. You can read through it. I would like to put it on the agenda for next month to consider giving to them. You have the paper as a little something to read to get an idea of what they do for the County.

**Jones:** Do you have a figure Danny?

**Matthews:** Do you have something in mind?

**Allen:** I don't know, $4-5,000. I don't know what's good. That's just a thought. If you think different, you have to next month.

**Chambers:** I have no problem supporting them.

**Allen:** Do you have anything Mrs. Carter?

**Carter:** You are doing the proper procedure, because according to our new By-laws if it's over $500 unless emergency, it has to be placed on the next agenda.

**Matthews:** How much money did they use through last year? Do you know?

**Allen:** I don't have any figures.

**Carter:** We can ask for a financial report for September.

**Jones:** I know they operate on a shoestring.

**Allen:** They do. They help a lot of people.

**Re: Executive Closed Session**

**Bryan:** Mr. Chairman, I move we go into closed session under

1. Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the businesses or industry's interest in locating or expanding its facilities in the community § 2.2-3711.A.5
2. Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body; and evaluation of performance of departments. §2.2-3711.A.1
3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. §2.2-3711.A.3.

***Supervisor Bryan moved, Supervisor Matthews seconded and was unanimously carried by the Board to enter into executive closed session under the above stated Codes.***

**Re: Return to regular session and certification**

***Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to return to regular session and to certify that to the best of each Board members knowledge only public business matters as were identified by the motion by which the closed executive meeting was convened were heard, discussed or considered in the executive closed session.***

Re: Adjournment

There being no further business to discuss, Chairman Chambers declared the meeting adjourned.

ATTEST:

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Rebecca S. Carter, County Administrator Joe N. Chambers, Jr., Chairman