

**Buckingham County  
Board of Supervisors  
Monthly Meeting  
September 13, 2021**

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, September 13, 2021 at 6:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Donald R. Matthews, Jr., Chairman; T. Jordan Miles, III, Vice Chairman; Dennis Davis; Donald E. Bryan; Harry W. Bryant, Jr.; and Joe N. Chambers, Jr. Danny R. Allen was absent. Also present were Karl R. Carter, County Administrator; Cheryl T. “Nicci” Edmondston, Zoning Administrator; Jamie L. Shumaker, IT Manager, and E.M. Wright, Jr., County Attorney.

**Re: Call to Order**

Chairman Matthews called the meeting to order.

**Re: Establishment of a Quorum**

Chairman Matthews certified there was a quorum. Six of seven members were 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: Approval of Agenda**

**Matthews:** Approval of the agenda, please.

**Miles:** I move Mr. Chairman, that we approve the agenda as amended.

**Bryan:** Second.

**Matthews:** Call for the vote. Six and one absent.

**Vice Chairman Miles moved, Supervisor Bryan seconded and was unanimously carried by the Board to approve the agenda as amended.**

**Re: Approval of minutes**

**Matthews:** Approval of minutes.

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

**Davis:** Second

**Matthews:** We have a motion and a second for approval of the minutes. Call for the vote. Six and one absent for approval.

**Supervisor Bryan moved, Supervisor Davis seconded and was unanimously carried by the Board to approve the minutes of the August 9, 2021 and August 12, 2021 meetings.**

**Re: Approval of Claims**

**Matthews:** Approval of claims.

**Miles:** So moved, Mr. Chairman that claims be approved.

**Bryant:** Second.

**Matthews:** We have a motion and a second for approval of the claims. Call for the vote. Six and one absent.

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

**Re: Approval of Second Quarter Appropriations**

**Matthews:** Approval of second quarter appropriations.

General Fund	\$	2,421,704
Water Fund	\$	342,013
Sewer Fund	\$	116,491
VPA Fund	\$	564,884
CSA Fund	\$	398,115

	School:	
Instruction	\$	5,058,044
Adm/Attn/Health	\$	433,011
Transportation	\$	567,867
Buses	\$	67,500
Operations	\$	627,291
Cafeteria	\$	336,177
Technology	\$	477,192
Total School	\$	7,567,081

**Bryant:** So moved.

**Miles:** Second, Mr. Chairman.

**Matthews:** Okay, call for vote. Six and one absent approval.

**Supervisor Bryant moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve the Second Quarter Appropriations as presented.**

**Re: Announcements**

There were no announcements.

**Re: Public Comments**

**Matthews:** We have public comments. Mrs. Lann?

**Lann:** We have two tonight. Rick Ewing from the Library.

**Rick Ewing:** Good evening, thanks for allowing me to speak. I'm just giving you an update. Some of you know this already. But many, perhaps do not. That the library system, including Buckingham and Farmville has introduced a partnership with Hampden Sydney College to share our online catalog. And I

think that it's going to be a benefit to all. Our two collections have very little duplication. They are an academic library, you know, we are the Public Library. We just don't collect the same things. But people in Buckingham County now have access to the collection from Hampden Sydney College. They can check out material up here. We will have a delivery system. This starts September the 22nd. And they can search the catalog at home or in the library, find things that they want. Put a hold on a book or give us a call or however they want to do it. And we will bring it up for them so they can pick it up at the library. I think it's really nice that a private college and a public library can partner together and provide better service. There's no real additional cost to the to the public. So I just want to let you know what's going on at the library. Does anyone have any questions about the library or anything? Thank you very much.

**Lann:** Next we have Theresa McManus District 2.

**Theresa McManus, District 2:** I usually come here and talk to you about the constitution and our declaration. Remember, it's we the people, and that we have the right and the obligation to dissolve a government when it becomes obstructive to its own power. I'm going to quote Abraham Lincoln for you tonight. That we here highly resolve, that these dead shall not die in vain. But this nation under God, to have a new birth of freedom, and the government of the people, by the people, for the people shall not die in vain. My friend died last night because the hospital refused to give her hydromectin and hydroxychloroquine. She had her power of attorney sitting outside of the hospital. She had a doctor and an ambulance waiting to take her away from the hospital. She was in for two weeks. And she died of starvation because they refused to feed her because she wouldn't take the shot. I have two friends who have taken the shot. And now have Non Hodgkin's Lymphoma. I have two other people that have been in surgery because of the shot. I sat for three hours in front of the school board and listen to people of this county beg the school board to not have masks. I gave our magistrate 300 peer reviews from 2004 to 2021. That states that the mask is killing you. It is hindering your brains and it is killing our children. I have a recorded call with Dr. Hicks, where she tells me our children are smart enough and that's why they changed the history. Have you read the history book? Do you know that the pilgrims came to butcher the Indians? No, no Thanksgiving here. I read the book of the third graders. Critical race theory is not being taught here. Our children aren't smart enough. Our children are smart enough. You people need to wake up. This is the most corrupt I've ever seen any government anywhere and it starts at the local level. God have mercy on every one of your souls for what you were doing to this county. And just to let you know, I'm ashamed that you won't even look at me, you finally did, you know who you are. God have mercy of each of you.

**Lann:** That is all signed up.

**Re: Michael Womack, Department of Forestry: Presenting the County Tax Payment from the Department of Forestry**

**Matthews:** Mr. Womack, presenting county tax payment from the Department of Forestry. Your floor is yours.

**Womack:** Good evening, again. So I'll start off with some updates. We've got some staffing updates over the last year. So I'm happy to report that we have a new employee on the state forest. EM Morris is now the Appomattox-Buckingham State Forest Technician. He worked for us last year in a part time position. He's a native of Buckingham County and a member of the Army Reserves and he started his new position back on June 25, after returning from military deployment to Kuwait. So join me in welcoming EM Morris to our staff. So as I reported to you last year, the State Forest system has been growing. We've now had Charlotte State Forest down in Charlotte County and is comprised of land was owned by Stanley Lumber Company, and has added 1944 acres of sustainably managed public state forest land in Central Virginia. So approximately half of this land has been acquired so far with the remainder to be scheduled over two phases over the next year. So that brought about some more staffing changes for us. We moved Kirby Woolfolk, who was previously the area forester over Nottoway County into the state forest system. And he's now a manager for the Prince Edward State Forest and the Charlotte County State Forest. So as you know, the State Forest system is self-supportive from the sale of timber and use permits. From timber sales, the county receives a portion of those timber sale proceeds. So for timber sales last year on the Appomattox- Buckingham State Forest, we sold 177 acres of pine harvest and 313 acres of pine first thinning. So Buckingham share timber sale revenue is \$25,801.54. Any questions for me?

**Matthews:** Keep up the good work.

**Womack:** All right. Thank you.

**Re: VDOT Road Matters: Scott Frederick, Resident Engineer**

**Frederick:** Good evening, Board, Mr. Chairman. Thanks for having me tonight. I've got kind of a short update for you tonight. They were finished mowing on secondary routes. The ones I told you last month, they were using a contractor to mow and we're touching up the primary routes again, because of how fast everything is growing. Normally we only do three cuttings. This year, we're gonna end up with four, because we are cutting right now and we have to cut one more time beginning in November. We are trying to keep the sight distance, good. Like to give people more time to see things on side of the road and stuff like that, so it helps out. We've been doing our dry runs to make sure our snow equipment is ready. Doesn't sound like you're talking about snow yet. But we are here at VDOT. An update on some of our rural rustic routes. We finished putting the surface on Ridge Road. So that road is for all the

purposes of people in Buckingham County is ready and then we're still going to close out some paperwork on it. So we're still working on it, but it's finished for the public to use. On the other end of that, we're opening up the UPC for Red Road. That's why you haven't seen us out there very much. We have been doing some other things to open that UPC so you may see us do some environmental so you might have seen us spend a little time out there. Hunting Shack Road, we're pulling the ditches and cut some brush back out there. And then we're gonna put the base stone on Hunters Road because that one was one that was switched for Red Road and so we already had the environmental done on that and it was ready to go so we are doing some work out there. But that's really all I have for tonight. I'm gonna open it up to you guys for comments or questions.

**Bryan:** That tree on Route 20 we talked about last month with the dead overhanging branch?

**Frederick:** Yeah, we're gonna use a contractor to take that down.

**Bryan:** Do you have any idea when?

**Frederick:** Soon hopefully. It fits. It's recently dead. I don't think it's any danger of coming down but we just got to get it before the leaves come off the rest of the trees. Hopefully I'm thinking next month they told me September.

**Bryan:** Same thing with the tree on Bell Road?

**Frederick:** Where's the one on Bell Road again?

**Bryan:** I sent it to you in an email.

**Frederick:** Oh, okay, I'll pull the email again and make sure that we make sure it's on the list.

**Bryan:** I'll make sure we have the right one. I don't have anything else. I'll just pull the email.

**Frederick:** Okay.

**Miles:** Yeah, I was gonna say something Mr. Chairman and I talked to Mr. Frederick about this earlier, but the amount of trash that's being cut up on these primary roads really makes things look like a mess. You know, this is not ammunition on those on the workers at all because they do a good job, but I just wish this not as nearly as much trash as would be cut up along 15 and some of these other primary roads. It makes it look really bad.

**Frederick:** I agree.

**Matthews:** We had somebody with our Antilitter Task Force is going to be contacting you or VDOT, Mr. Roger Edelman. Did he get up with you guys? I thought he was going to talk to you about that. Maybe get some contractors to go ahead of these mowers and try to pick up some stuff prior to them mowing. Did that ever occur?

**Frederick:** So far not to my knowledge but it might have got sent right over to the Adopt a Highway lady's email. I'll touch base with her and see if she's talked to Roger Edelman.

**Matthews:** I was just curious what other localities, what they do I mean, prior to mowing? Do they clean up their roadways somewhat with private contractors? And how does that actually work?

**Frederick:** As far as I know, everybody does it about the same as the Farmville residency, does it. I'm not aware of anybody going to extreme measures to have a litter specific contractors ahead of the mowers. We put it in their contract to pick it up ahead of time. The primary routes we mow with our forces. We do our best to go out there and get the big stuff but we would be all summer picking up trash and never get any grass cut if we got every piece of it. It's a statewide problem. We spend millions of dollars every year as an agency trying to address it.

**Matthews:** I know it's been wet in some spots, but it's starting to really dry up right now. And I'm getting a lot of complaints from different roads all over my district on dust. I guess the best thing for them is to complain to you not to me, right, come to you because your guys would be the ones putting the chemical down.

**Frederick:** Yeah, we do apply a calcium chloride to try to mitigate this where there's houses

**Matthews:** Okay. And one of them is Loop Road, which is right off 15 at the intersection where 609 comes prior to Willis Mountain not the 609 that goes...it goes west and south, you know, back up towards Curdsville. That's the other 609. That is down below where the pipeline intersects 15 right there. There are some pothole issues on Loop Road and dust on that road. It comes all the way back into Wise Ridge.

**Frederick:** Okay. Do we need to machine the whole thing or just...?

**Matthews:** It is what they see around their mailboxes and stuff like that so the ones that I talked to that actually contacted me.

**Frederick:** Okay. We will check it out.

**Bryan:** 7551.

**Frederick:** Okay. Thank you. I'll double check that I think it's on the list to use a contractor on that one too.

**Bryan:** You guys are done right there on 15?

**Frederick:** At 636? Yeah, that projects done. I don't think it's been final acceptance and paperwork complete and all that stuff. But it's, it's met substantial completion.

**Bryan:** And smooth.

**Frederick:** Yeah, it's much better.

**Matthews:** I thought they will get this parking lot bigger when they did that. But it looks like it's a little bit smaller than that to me because you can't pass two cars on one side over there on 636. I thought he's going to gain a little bit of stuff there since yall closed in that driveway. It didn't look like it happened to me.

**Frederick:** Not that I'm aware. I think everything we talked about I thought got incorporated. I know we were closing one of the entrance out but I thought most of the work in the parking lot was going to be done by the owner.

**Matthews:** Okay. What about all material across road? It's kind of an eye sore there. Who's going to take care of all that stuff?

**Frederick:** I'll check on that. I'm hoping it would be on the punch list for the contractor to remove it. Is it construction debris?

**Matthews:** It was like some where they tore up the asphalt and piled it on that man's lot and it looks like a bunch of pipe and stuff.

**Frederick:** I'm aware of it. But I'll find out how it got there and what the plan for what it is.

**Matthews:** I do you have a question? Since it was never really a water issue there. What is the deal with all those dikes that are in the ditch there? What is the purpose of that? I'm just curious.

**Frederick:** It's part of our ENS plan. It slows the water in the ditch down so that it can't carry sediment.

**Matthews:** Yeah. Okay.

**Frederick:** It's in there on purpose. It's designed to slow the water down.

**Matthews:** Okay. If you say so. Alright. That's all I have.

**Davis:** You know, we talked about it last month, did you get the chance to look at 15, down out from the Dollar Store down to the bridge where it's getting so rough?

**Frederick:** That's is on the surface treatment schedule, I think it's like a year out or not surface treatment schedule but paving schedule. We just got to get to it.

**Miles:** Is it looking like, Mr. Chairman, is it looking like y'all will be able to finish up Red Road this year.

**Frederick:** No, this fiscal year maybe.

**Miles:** Right, right. This fiscal year, yes, I'm sorry.

**Frederick:** This fiscal year, yeah. We'll be getting out there in the spring.

**Matthews:** There was one other thing, I'm sorry. On Route 60, going west out of the courthouse here, and I think I've mentioned it two or three times, as you go around the curve, at the Church up here is a light pole. I know I mentioned it at least two or three times earlier this summer about getting the debris or the foliage off of that pole, whoever it may be, whether it's the state, or but it's pretty close to the state right away. So I thought you were going to get up with Dominion or whoever Central Virginia to clean that stuff up so you can see back up that curve.

**Frederick:** I'm trying to figure out exactly where but I stopped in a driveway that's in a curve. And somebody that...somebody has that brush back right there that when I stopped after the last meeting, there were some limbs cut and I don't think we did that. Might have been the property owner it's a ways off right away, I believe. I don't think I can do any more than what's done with that one. I could coordinate with the utility to see.

**Matthews:** That would be good because there is ivy or something or Virginia Creeper growing on that light pole that's right next to the road there. So it is getting into the trees now and all that foliage and everything you can't, if a car is coming down that grade at any rate of speed, is supposed to be 35 but they are booking it at about 55 and if you pull out in front of somebody like that, it could be a bad situation.

**Frederick:** Yes, sir.

**Matthews:** Thank you so much. We appreciate that.

**Re: Zoning Matters: Nicci Edmondston, Zoning Administrator/Planner: Continuation of Case 21-ZMA283 Owner applicant: Landowner Wayne Beasley; Applicant Shelley Mays Couch Zoning Map Amendment Request to Rezone from A-1 to B-1 for the purpose of operating a non-retail office space and other permitted uses**

**Edmondston:** Yes, sir. Good afternoon, Mr. Chairman, Members of the Board. Last month there was a public hearing held, opened and closed for Case 21-ZMA283. Landowner Wayne Beasley, Applicant Shelley Mays-Couch, Tax Map 196 Parcel 30A. 3875. South James Madison Hwy. Request to rezone from A-1 to B-1. Miss Mays-Couch, the applicant is here to address any questions or concerns today?

**Mays-Couch:** Good evening.

**Matthews:** Good evening Miss Mays-Couch. How are you?

**Mays-Couch:** Doing well.

**Matthews:** Questions from the board for Miss Mays-Couch?

**Miles:** The only question I had, Mr. Chairman, is that for Miss Mays-Couch is will there be any housing on site there?

**Mays-Couch:** No.

**Miles:** Okay. Just wanted to clarify that. Thank you.

**Mays-Couch:** Now, I have a question. So in regards to the housing because that question has come up several times in this process. The rezoning with that B-1 or would that be another whole zoning to have to be requested? If housing was to be approved or even to be suggested to you all, because that that question has come up a lot about the rezoning from A-1 to B-1. So I'm really curious as to what the zoning would have to... the request would be it? Would it be B-1 or would it be some type of residential zoning?

**Matthews:** Let's let Mrs. Edmondston answer that question.

**Edmondston:** So the original request is from A-1 to B-1, there is no use currently intended for housing. So it would require a zoning text amendment and a special use permit in the B-1 to have a purpose for housing.

**Matthews:** This was approved by the Planning Commission and pushed on to us, right?

**Edmondston:** Yes.

**Mays-Couch:** I was just wondering, because of the fact that that question had come up so much, so I'm just like, if that wasn't a part of B-1 zoning, I would want to know, you know.

**Matthews:** Does that answer your question?

**Mays-Couch:** Yes, it did.

**Matthews:** Okay. Any other problems or issues that you had that we need to know about? That you are wanting to share with us? Everything's going good? You are happy?

**Mays-Couch:** Yes. And my apologies for not being here. Of course, everyone knows last month was the month that all the kids went back to school. And mine was ready to go. So I had to make sure that I was there and trying to get back accustomed to sending kids to school. So my apologies for that.

**Bryant:** Mr. Chairman, I have a question. Maybe Mrs. Edmondston can answer this. What is it other permitted uses?

**Edmondston:** In a B-1? I did not bring the zoning ordinance.

**Bryant:** It says office space and other permitted uses.

**Edmondston:** Professional services, bakeries, convenience stores, restaurants, things of that nature. In a B-1. I can go get a copy of the Zoning Ordinance and go through all of them if you want.

**Bryant:** Okay. Thank you.

**Matthews:** Are you operating one business or two businesses at that location, Mrs. Couch?

**Mays-Couch:** Currently two businesses are being operated out of that location.

**Matthews:** And what are they?

**Mays-Couch:** Love Over Crisis and LOC Family Services.

**Matthews:** Just for the other members of the board? What are those two businesses? What are they actually doing? What are you doing?

**Mays-Couch:** So Love Over Crisis is primarily for individuals who are elderly and disabled, helping with service coordination. We primarily bill Virginia State Medicaid in regards to the 60 consumer coordinated care programs and LOC Family Services is primarily for individuals returning from incarceration back into the community. So we provide prerelease services as well as post release services.

**Matthews:** Okay. Questions, gentlemen?

**Miles:** We've already had a public hearing last month.

**Matthews:** This is from last month.

**Bryan:** What was your motion, Mr. Chambers?

**Chambers:** To approve it.

**Matthews:** We have a motion on the floor.

**Miles:** I'll second.

**Matthews:** We have a motion and a second to approve Case number 21-ZMA283. Done with discussion, call for the vote. Six for approval and one absent. Thank you Ms. Mays-Couch. Appreciate it.

**Supervisor Chambers moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve Case 21-ZMA283 for Shelley Mays-Couch to rezone from A-1 to B-1 for the purpose of operating non-retail office space and other permitted uses.**

**Re: Introduction of Case 21-SUP289 Landowner Monmouth Farm LLC Applicant Euan Fuller request to obtain a Special Use Permit for the purpose of constructing a 199' monopole communications tower at Tax Map 13 Parcel 12 at 12994 Howardsville Road, Howardsville Va 24562, Rt. 602 James River Magisterial District**

**Edmondston:** Yes sir Mr. Chair, And once again in Case 21-SUP289, Tax Map 13 Parcel 12. This parcel contains approximately 300.92 acres. It's located at 12994 Howardsville Road in Howardsville. State Route 602 in the James River magisterial district. It is zoned A-1. And the request is to obtain special use permit for the purpose of constructing a 199-foot monopole communications tower. The applicant is asking the Board of Supervisors to recommend a public hearing date to hear this request. The zoning ordinance does not permit the communications tower as a permitted use however within the A-1 Agricultural district radio stations, TV stations, cable TV facilities, communication stations and or tower or related facilities in accordance with Article 9 of this ordinance may be permitted by the Buckingham County Board of Supervisors by special use permit following recommendation by the Planning Commission in accordance with this ordinance and Code of Virginia. Planning Commission and Board may impose conditions to ensure protection of the district if the permit is approved. Cityscape as the wireless telecommunications expert for the County of Buckingham recommends that the proposed new 199-foot antenna structure and associated ground equipment be approved at the proposed location. The Mr. Fuller the original applicant did explain this project within the narrative that you all received. There are conditions attached. And this case was introduced to the Planning Commission on July 26 2021. A public hearing was held on August 23. And no one was signed up to speak during public hearing. And the Planning Commission voted unanimously to present to the Board of Supervisors a recommendation of approval of the special use permit request. Would it be the pleasure of the Board of Supervisors to schedule a public hearing on Tuesday, October 12 2021 at 6pm. And also, Mr. Freeman, Paul Markram involved with Mr. Jackson, the attorney firm representing the applicant and consultant is here with us tonight to address questions or concerns.

Below are conditions that you may consider attaching to the request if approved:

- 1) Prior to permitting, Applicant shall provide a determination of no hazard from the FAA indicating the proposed tower shall not require lighting/markings; and,
- 2) All feed cables shall be hidden within the monopole and all access ports shall be sealed to prevent wildlife intrusion; and
- 3) Prior to permitting, Applicant shall provide a letter from the tower manufacturer certifying the proposed tower can support a minimum of six (6) arrays of similar design, including the primary user. The letter shall be signed by a licensed Virginia Registered Professional engineer; and,
- 4) If an emergency power backup generator is used, its noise level shall not exceed 65dBA at the nearest property edge. Testing shall be limited to the hours between 9:00A.M. and 4:00P.M, (Monday through Friday); and,
- 5) Should the highest antennas arrays be lowered in the future for capacity needs, the unused top portion of the tower shall be removed; and,
- 6) No advertising shall be installed on the fencing near the ground compound; and,
- 7) That all federal, state and local regulations, ordinances and laws be strictly adhered to.
- 8) In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
- 9) That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
- 10) The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
  
- 11) If the building permit is not obtained within six (6) months from the date of approval then the Special Use Permit shall be null and void.
- 12) That the applicant (s) understands the conditions and agrees to the conditions.
- 13) Tower shall not be constructed until a tenant is ready to locate on the tower immediately after building.
- 14) The construction of the tower must be complete within 2 years from the date of approval or this permit will be null and void.
- 15) The tower shall be constructed to fall within the lease area upon failure. Upon seeking a building permit, the applicant must certify and provide construction plans showing the break point technology.

**Bryant:** I make a motion we have a public hearing on October 12.

**Miles:** I second, Mr. Chairman.

**Matthews:** We have a motion to set the public hearing for October 12, 2021 and a second. Can I call for the vote on that? Six approved and one absent. Does anybody have any questions for them or you just want to wait for the public hearing? Is that what you want to do?

**Supervisor Bryant moved, Vice Chairman Miles seconded and was unanimously carried by the Board to schedule a public hearing for Tuesday, October 12, 2021 at 6:00 p.m. to hear public comments regarding Case 21-SUP289 for 199' telecommunications tower.**

**Re: Consider acceptance of resignation of Alice T. Gormus from the Planning Commission and send a letter of appreciation for her service**

**Miles:** I'll move that, Mr. Chairman.

**Matthews:** That's in Mr. Allen's district so I guess...

**Bryan:** Didn't he have two people on the Planning Commission? John Bickford, is he in your district?

**Davis:** No, Johnny is in Danny's District.

**Bryan:** Then you are going to need somebody on the Planning Commission from your district to replace Alice.

**Matthews:** Let's vote on the acceptance. Call for the vote. Six for approval and one absent.

**Vice Chairman Miles moved, Supervisor Bryant seconded and was unanimously carried by the Board to accept the resignation of Alice Gormus from the Planning Commission and send her a letter of appreciation for her service.**

**Re: Consider appointment to the Planning Commission to replace Alice Gormus**

**Matthews:** I guess the next time we consider the replacement for District 1. Do you have someone in mind now Mr. Davis?

**Davis:** No I don't. I will have someone shortly.

**Matthews:** We will look at that at the next meeting.

**Re: Consider appointment/reappointment of James D. Crews for the Planning Commission whose term expires November 2021**

**Miles:** Yes, sir. He is, Mr. Chairman. Mr. Crews is the District 4 representative on the Planning Commission, I've been talking to him, and I'm gonna ask we continue this. We've got a little bit more time in terms of vetting candidate or two.

**Matthews:** So you're in the process of trying to figure that out. Okay.

**Re: Consider request for carryover for the Piedmont Health District in the amount of \$16,484 from the FY21 to FY22**

**Carter:** So Mr. Chairman, I'll take that one. In your packet tonight, you should have a letter from the Piedmont Health District General Manager Joshua Worrell and the previous fiscal year we had carried over of \$6,192. And this year, it said \$16,484. I had received a letter before the meeting that I'd asked Joshua to give us an update what they want to spend those funds for. Of course, there'll be one-time expenditure not recurring costs. In a letter provided today, he said they would like to use those funds to replace office equipment and furniture and replace medical equipment. So if you do approve these carryover funds, it will be deducted from the funds they normally give us and we send a check back to the health department.

**Matthews:** So they still want to carry it over is what you're saying

**Carter:** They want you to... they're going to send us a check that 16,000 but we will send it back to them for a one-time expenditure.

**Bryan:** Mr. Chairman, I move that we approve that.

**Miles:** I second sir.

**Matthews:** Yes, sir. Okay, we have a motion to approve the carryover of 16,484 for the fiscal year 2021 to fiscal year 2022. Karl is going to take care of those proceeds when we receive the check. Call for vote. Six for approval and one absent.

**Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve to carryover the \$16,484 for the Piedmont Health District from the FY21 to FY22.**

**Re: Consider setting Personal Property Tax Relief Act credit rate of 32.88%**

**Carter:** Mr. Chairman, this is something we do annually with Commissioner of Revenue. Personal Property Tax really is not a flat, well we receive it as a flat number. And it's her job to go through and decide the number of vehicles that will qualify then she deducts that amount from the total we get from the state. So each year she has to set a rate, which is the relief rate on what each vehicle received as a discount from the tax. So an example she gave in her letter, she used the example of a \$20,000 vehicle. The tax on a \$20,000 vehicle will be \$810. And the current fiscal year that relief was 36.28%, which gave her discounted personal property tax relief rate credit of \$293.87. She's proposing for FY21 to lower the rate to 32.88%. So that also lowered the discounted amount to \$266.33. So that will make the tax \$543.67. So if we look at the current year, and based on the year, she's proposing a person with a \$20,000 vehicle, will pay about \$27 more in taxes because of the relief rate going down. And so that makes you think that we probably have more new vehicles in the county or the ones we had just depreciated the value more.

**Matthews:** The reason for that is what?

**Carter:** Now I'm assuming depreciation and newer vehicles. So she gets a flat amount. So she has to divide that between all the vehicles in the county that's less percentage to give to each person.

**Matthews:** Okay. I see. Can we get a motion for that?

**Bryan:** I make a motion that we set the tax rate.

**Matthews:** Do we have a second for that?

**Bryant:** Second.

**Matthews:** Okay. Have a motion and a second to accept the Personal Property Tax Relief rate at 32.88%. Call for the vote. Six approval and one absent.

**Supervisor Bryan moved, Supervisor Bryant seconded and was unanimously carried by the Board to set the Personal Property Tax Relief Act rate at 32.88% for TY2021.**

### **Re: Consider a Public Hearing for the Revenue Sharing Ordinance for Solar Farms**

**Carter:** Mr. Chairman, in your packet, you have the proposed ordinance from County Attorney Mr. Wright. I'll go back and give you some history on this for the people who don't realize what happened. In the wake of all the solar projects on the horizon, the Board appointed a solar committee to work on some of the issues we saw coming up. The committee consisted of Chairman Matthews, Supervisor Davis, Commissioner of Revenue, Stephanie Love, Zoning Administrator Nicci Edmondston, County

Attorney, Mr. Wright and myself. Here is a little history on this. There are two ways that we can capture revenue from solar farms. First way is through State Corporation Commission, which they will tax them, they will get us values from these companies and depreciate those machinery and tools. The tax will be tacked on the value set by State Corporation Commission. And they will follow a typical depreciation schedule. So first year, year one, you will start with a high number by the end of year 40, when the equipment is fully depreciated or just about depreciated, the amount the county will receive from this would be pretty low. New legislation has passed and now allows a county to charge a solar project \$1400 per megawatt. This is a fixed cost. So there's no worry about regard to depreciation, because based on the megawatts and not the equipment. Also what makes this an attractive option is there's an escalation policy clause of 10% for every five years. So the county's payments we receive will increase over the years instead of decreasing. I'm going to ask you to set a public hearing, but I want to show you real quick this simple graph to show you how it will look and I think that explains everything.

Alright, so typical depreciation curves, as I mentioned, they start off high because they start off with new equipment, and the values are pretty high. As you get to the end of the useful life of a piece of equipment, of course the value goes down with depreciation, so you can see what the startup with a high amount of money and then by year 40, we will be getting minimum. With this revenue sharing option we have which looks very attractive to us, you would start off basing it on megawatt, the whole thing is based on the megawatts. So for this example, it is 130 megawatt solar facility. So if you take that 130 time \$1400, you get about \$182,000 to start off with. Every five years, you see the steps in the graph, we're going to get an increase of 10%. So in this case, by year 40, we're almost doubling where we started out with, \$350,000 for revenue received from this solar facility. So the committee based on these values and habits from the state thought we would go with the revenue sharing option. So what we're asking tonight is do you just set a public hearing to adopt the Revenue Sharing Ordinance so we can have this in place.

**Matthews:** Mrs. Edmondston, do you have some dates for that?

**Miles:** At our October meeting. October 12. Yes.

**Davis:** I'll make a motion. Mr. Chairman.

**Miles:** I'll second.

**Matthews:** We have a motion on the table to set the public hearing.

**Miles:** Many thanks to the committee for that important issue.

**Matthews:** So we have a motion to set the public hearing for October 12, 2021 for the revenue sharing ordinance. Any more discussion? Call for the vote. 6-1 absent.

**Supervisor Davis moved, Vice Chairman Miles seconded and was unanimously carried by the Board to set a public hearing for the Revenue Sharing Ordinance for the October 12, 2021 meeting.**

**Re: Consider Sheriff's Department request to Fund Bonuses for Non-Comp Board Positions (Comp Board positions we'll be getting a \$3,000 bonus from the state)**

**Chambers:** Mr. Chairman, I talked with the Sheriff before the meeting and I've got no problem supporting the bonus.

**Bryan:** I'd like to hear a little bit more on that, Mr. Chambers, if you don't mind. Sheriff Kidd, the Comp Board is giving \$3,000 for the comp board positions but you are saying there is nine other people. Are they deputies as well?

**Kidd:** Yes sir. Not all road deputies. Some of them are court officers. I've got four newer guys that the county pays. Five court officers.

**Bryan:** What is the comp board decision on this? Was it just the comp board funded positions? The state troopers were saying 5 and they were arguing to give you guys \$1,000.

**Kidd:** It's been an ongoing thing for the last 3 or 4 years.

**Bryan:** Congratulations on throwing a fit too by the way because you guys do just as much if not more work than the state police.

**Kidd:** That's basically where it's at. The Comp Board guys are getting it and the county paid guys are not and it's not fair.

**Matthews:** We appreciate everything that you do and your officers. I think it's money well spent. Do we have a motion for this right now?

**Chambers:** Yes, I did.

**Matthews:** Any more discussion?

**Bryan:** Yes, Karl, money?

**Carter:** Yes, sir. You can take that from ending year balance.

**Matthews:** How are we running as far as the Sheriff's Department budget so far? We haven't gotten through the first quarter have we so we should still be in pretty good shape.

**Carter:** You are in pretty good shape and remember at the end of the last fiscal year they had a surplus and hadn't spent it all so they did a really good job last year.

**Matthews:** How much was that surplus, do you remember?

**Carter:** Brent said it was about \$41,000.

**Matthews:** \$41,000? We have a motion by Mr. Chambers and a second by Mr. Bryant for the \$27,000 for the non-Comp Board positions. Call for the vote. 6 for approval and one absent.

**Supervisor Chambers moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve to appropriate \$27,000 to the Sheriff's Department for bonuses for the non-Comp Board funded deputy positions and take it from Ending Year Balance.**

**Re: Consider request to add items listed for an auction to be held by the Sheriff's Department**

**Bryan:** The school didn't even want these did they?

**Carter:** They did not.

**Bryan:** I move that we auction the vehicles off.

**Miles:** I second. And the lawnmower.

**Bryan:** And the lawnmower.

**Chambers:** Don't we have some at the water plant we are not using too?

**Carter:** They are on this list.

**Matthews:** We have a motion by Mr. Bryan and a second by Mr. Miles to auction these items off. Call for the vote. 6 approved 1 absent.

**Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to auction off the list of vehicles and lawnmower in the auction held by the Sheriff's Department.**

**Re: Consider Sheriff's Department request for Additional Full Time Employees**

**Matthews:** Are these people that you are short? What's going on with this?

**Kidd:** No, sir. What's going on with this is we usually have 6 deputies per shift. 3 on and 3 off. Usually that is a good number day or night. But we've been short a little while and with school back in session we've lost a road deputy to the RO position.

**Bryan:** Mr. Chairman, I'd like to move this to the finance committee.

**Matthews:** Okay.

**Miles:** I agree they should take a look at this and I move that because it's going to have a big impact on our ending year budget so we could meet with you and chat about this.

**Kidd:** Also, since you are going to do that. What's happened is the State has decided that, another one of these state mandates that we are going to have to do something with, must have Emergency Medical Dispatchers trained starting January. By 24 we are going to have to have them in place and ready to go. We've got 2 dispatchers on a shift and one of them has to take a call and tell somebody they've got to do CPR and walk them through it, they will not be able to leave that call. They've got to stay on the phone with them and another dispatcher over here and hell breaks loose, they can't come off the phone to help. We are actually looking for 6 dispatchers to have 3 per shift.

**Matthews:** This is going through Emergency Management Services? Is this going through you Cody? Are all dispatchers going to have to be...?

**Bryan:** Are you aware of that Cody?

**Matthews:** So all of our dispatchers now are going to have to do this training? Is that what you are saying?

**Kidd:** They have to have medical training to be able to tell people what to do until help arrives.

**Matthews:** Is that out of his budget or your budget?

**Davis:** How can they mandate somebody has to tell somebody what to do over the phone that they are not trained to do?

**Miles:** Again, I'd say discuss this in Finance and have your staff to talk through this and crunch some numbers.

**Matthews:** Bring your budget with you when you come to that meeting. We will get with Mr. Carter and the finance committee and get a date and reach out to you on all of it. Bring the stuff on the medical stuff too so we will understand where we need to be at with that.

**Kidd:** Okay. I don't like it any more than yall.

**Bryan:** Another unfunded mandate.

**Matthews:** To our new finance man, Mr. Hickman. Glad you are here tonight. Glad to see you.

**Re: Consider Entering into a Contract with Engineering Firm Architectural Partners for Courthouse Renovations**

**Matthews:** I thought we were doing repairs. I didn't know we were doing a renovation.

**Davis:** It says proposed repairs.

**Carter:** Yes sir, Mr. Chairman. The Board appointed Supervisor Chambers and Miles on the Courthouse Committee. We did a request for proposals to look at possible repairs to the courthouse and they were due back on July 12. We only received one. That firm was Architectural Partners out of Lynchburg. The committee scheduled an interview with this firm on July 30<sup>th</sup> and discussed the scope of the project and their experience. Architectural Partners has a lot of experience with projects such as this. They have done several in our area including courthouses. They are very familiar with the testing aspect of this project and the historical significance of the courthouse. We are continuing to have discussions with the firm on things our staff can do to cut down on the cost of the project. There are things that we can do to lower the costs some and unfortunately a lot of the cost involved using equipment and machinery that we do not have. There are a lot of testing that we are not capable of doing. I am asking you tonight to all the County Attorney and myself to start contract negotiations with Architectural Partners to keep this project going forward. The amount of their services is still being

negotiated so I am asking that we start contract negotiations with a price not to exceed \$88,135. Like I said we will continue to work on what we can do in-house to lower the cost.

**Matthews:** Is that engineering services or the repair?

**Carter:** Engineering services.

**Miles:** Again they were the only bid.

**Carter:** They were the only bid so your options are narrowed to begin contract negotiations or rebid the project.

**Miles:** I would move that we go with the committee recommendation with price not to exceed \$88,135.

**Matthews:** What was the recommendation?

**Miles:** Yes, sir, Mr. Chairman to start contract negotiations with a price not to exceed \$88,135 for Architectural Partners for engineering.

**Matthews:** Is it out of our general managers or property manager's realm to take a look at this or?

**Carter:** Yes. Mr. Queen is on that committee and he sat in on interviews as well. I also point out that we knew this was coming so in our budget we set aside money reserves for the courthouse renovation project.

**Matthews:** How much did we set aside?

**Carter:** I think it was \$400,000.

**Davis:** I second.

**Matthews:** We have a motion by Mr. Miles and a second by Mr. Davis. Call for the vote. 6 yes and one absent.

**Carter:** I'll bring it back to you when we get the final number and let you know what that final number is Mr. Chairman.

**Matthews:** Thank you.

**Vice Chairman Miles moved, Supervisor Davis seconded and was unanimously carried by the Board to approve for County Attorney and County Administrator to begin contract negotiations with Architectural Partners for the courthouse renovation/repairs with a cost not to exceed \$88,135.**

**Re: Consider Crossroads Services Audit Cost**

**Carter:** Yes, the first phase of the forensic audit for Crossroads has started. It's estimated cost \$20,000. The five counties that get services from Crossroads, Buckingham, Prince Edward, Cumberland, Charlotte and Nottoway are asking to pay 1/5 of the cost. In order to pay the cost of the audit, the surrounding counties are planning on deducting their portion of the payment \$4,000 from Crossroads annual appropriation. This allows for Crossroads to be operational and keep all employees and not lay anybody off and get the audit paid for without asking localities for additional funds. So our annual appropriations to Crossroads is 40,000. So what we're proposing is to still pay 40,000, but 4000 to go toward the audit services and then Crossroads get the 36,000. Other localities are doing the same. I think everybody's trying to do it this way so they're not increasing their budget at all, but they're paying the same amount just pulling it out different pots of money.

**Miles:** And with regards to being the Board's rep on the Crossroads Board, and I want to thank Donnie, I mean, excuse me, Supervisor, Bryan, for allowing me to take his former role on that board. No, in all seriousness, Crossroads has about \$10 million in the bank so this isn't going to phase them at all and it's an equal share of the audit that's going on.

**Matthews:** I think that's the most fair way so I'm good with that.

**Vice Chairman Miles moved, Supervisor Bryant seconded and was unanimously carried by the Board to approve for Crossroads Services Board to use \$4,000 of the local appropriation to go towards Buckingham's share of the forensic audit.**

**Re: Cody Davis, Emergency Services Manager, Request for training reserve funds**

**C. Davis:** Good evening, gentlemen. I want to take you back to before COVID, one of the headlining items in our world was threats against school systems, churches and public safety personnel and stuff like that. So we were trying to engage in more integrated training and things like that. I think you guys were on the board when we did the tabletop with VDEM at the Barn, the tabletop Active Shooter event. From that an action report was done and one of the areas in which they identified that we could try to

work on would be integrated approaches to responding to things like that between law enforcement and EMS. With that said, COVID took precedent while the transition with EMS system we're finally on the other side of the ship. COVID is still hanging around but we are starting to revisit some of those projects we've been working on at this time. So with that said, I've been working with the Sheriff's Office Lieutenants Jamerson and Uzdanovics on resuming some of those initiatives. There is a course offered to our line of work called, and its kind of an aggressive title, but Tactical Combat Casualty Care. It's a course that bridges the gap between lessons learned in combat tactical care and transition them into the civilian world. It's all about how law enforcement and EMS work more seamlessly together to produce better outcomes in those complicated incidents. With that said, we have the opportunity to host a class here in Buckingham. It's kind of unheard of because the class is pretty hard to get but it comes with a cost of up to \$280 per head. So the sheriff's office would like up to six heads, and I'd like an amount of 10 heads for a total of \$4,480 from our training reserve, which I don't want to overstep here but a pot that doesn't get tapped into as much as it should and not taken. So, I think that if you guys approve it, it would be something that would benefit the community greatly and benefit our two agencies.

**Carter:** As Mr. Davis said, we have a training reserve in our budget. It's \$20,000 total. We have \$10,000 set aside for fire and rescue and we have another \$10,000 set aside for EMS. So, these are funds we set aside for having classes and training.

**C. Davis:** I would say the course gives both law enforcement and EMS, we have to do so much continuing education order to keep our credentials and this comes along with a paper trail for those continued education hours that we need to get. So, it's not just something cool for a newspaper article or something like that.

**Davis:** So it's 16.

**C. Davis:** That's what we are thinking. I'd be lucky...this is one of those things you really send your top level people to not the whole department. I mean so like I said we were talking on a good day I'll send 10 and they will send 6. It will probably be a little less than that per department. Like I said, what we would aim to have it as community center, as long as that works well with Todd's group.

**Bryan:** Yes, sir. I move to authorize that Mr. Chairman.

**Davis:** I second

**Matthews:** If there's no further discussion, call for the vote please. 6 yes and 1 absent so you are good to go Mr. Davis and Mr. Kidd.

*Supervisor Bryan moved, Supervisor Davis seconded and was unanimously carried by the Board to approve \$4,480 from the training reserve to pay for Tactical Combat Casualty Care training class for 16 people.*

**Re: County Attorney Matters**

**Wright:** Chairman, Members of Board, I have a few items I'd like to talk to you about tonight and get your direction. I do not have an update on Hatton's Ferry I mention that simply because the ferry has been moved from the Buckingham side to the Albemarle side which suggests they have fixed the system over there. So that would suggest the problem has been solved. So I hope to have more information at the next meeting. I mentioned that so you will be aware of it.

The second item is a result of a discussion between the County Administrator, the Planning Zoning and myself. As you are aware there has been a spike in the COVID event and more people are wanting to isolate. The impact that is having and you see a member is missing tonight because of potentially that situation and they are unable to participate under the current policies that we have. I would like to propose that you would allow us to develop a policy that would allow Board members twice a year or up to 25% of the meetings under certain terms and conditions to call in and participate virtually in those meetings. There may come a time that this will be a way to allow you to participate. This would be a different set of rules as when we adopted the state of emergency but right now we don't have any arrangements made for a virtual meeting. It's sort of thinking for those of us who interact with the various boards and planning commission and other type of things that have a policy where a member could call in and participate. Unless you say different we will move forward in making that happen.

The third thing is there is going to be a vacancy in a constitutional officer's position beginning of October. The policy with that is you appoint members to your board but the policy with this is to petition the Circuit Court to appoint an interim. We are too close to the general election this year to have the election because the voting has already started. So the question I ask you to consider and I recommend, that one March 1 which is the first Tuesday in March, you have to creases, you can't be close to one and can't be too far from another, to have a special election to fill that vacancy. I spoke to the Registrar and she advised that it would run roughly about \$15,000 to run that election but she said they budget for 3 elections and so it would be in the current budget threshold. It doesn't appear it will cost you any more money. So to do that I would petition on your behalf to have an election, special election to fill that vacancy in the constitutional office if that would be your pleasure.

**Matthews:** That would be fine. Any more discussion?

**Miles:** Do you need action, Mr. Chairman, do we need action?

**Wright:** You will need a motion and the constitutional office is the Commonwealth Attorney's Office.

**Miles:** I second Mr. Chairman.

**Matthews:** Motion by Mr. Chambers, second by Mr. Miles and that was March what?

**Wright:** March 1<sup>st</sup>. I think that's the first Tuesday.

**Matthews:** First Tuesday of March. Call for the vote. 6 yeses and 1 absent to have the special election.

**Supervisor Chambers moved, Vice Chairman Miles seconded and was unanimously carried by the Board to approve to have a special election on March 1, 2022 for the office of the Commonwealth Attorney's office.**

**Wright:** That is all I have for you.

**Davis:** Mr. Wright, how long have you been Commonwealth Attorney?

**Wright:** At that time it will be 44 years and 9 months.

**Miles:** Wow.

**Matthews:** Seems like yesterday right?

### **Re: County Administrator's Report**

**Carter:** I have provided you with a Personnel Committee recommendation. As long as you agree with that recommendation you do not need to take any action. If you disapprove of that report, I ask you to take it in Executive Closed Session.

The other thing is, you've already pointed out, I'd like to welcome Kevin Hickman as our new Finance Director. I believe Kevin will do a wonderful job and he started September 1<sup>st</sup>.

**Matthews:** Glad to have you on Board Mr. Hickman.

**Re: Informational Items**

**Matthews:** We have informational items in the packet. The building permit report for August; CRC information; USDA pandemic assistance for timber harvesters and haulers program.

**Re: Other Board Matters**

**Miles:** Just Mr. Chairman to remind folks of the Antilitter Roadway pickup clinic that we're having from October 8th and 26<sup>th</sup>. The first prize, second place and third place starts at \$300, \$200, and \$100 in Walmart gift cards and everyone has a copy of that.

And the second thing I'd like to do, Jim Strong passed away over the weekend. And I'd like for us, he lived in my district and he was very well known by many who came before me and folks who live in the county. I 'd like to see a Resolution in Memoriam in honor of him. I make a motion to that.

**Chambers:** Second.

**Matthews:** We have a motion on the floor and a second. Call for the vote please. 6 Yes 1 absent.

**Vice Chairman Miles moved, Supervisor Chambers seconded and was unanimously carried by the Board to do a Resolution of Memoriam for Jimmy Strong.**

Supervisor Chambers asked that the county look into getting a price to run water line to the Straight Street building.

**Matthews:** You just want to get the water people to get a price on it. Okay.

**Miles:** I think it's a good idea.

**Carter:** I'll get with them and bring something back.

**Re: Executive Closed Session**

**Bryan:** Mr. Chairman I move that we go into Executive Closed Session under Discussion or consideration of the acquisition of real property for public purpose or 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. That's Code 2.2-3711.A.3.

**Miles:** I second, Mr. Chairman.

**Supervisor Bryan moved, Vice Chairman Miles seconded and was unanimously carried by the Board to enter into Executive Closed Session under Discussion or consideration of the acquisition of real property for public purpose or 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.**

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

**Bryan:** Mr. Chairman, I move that we return to regular session and certification that the best of each board members knowledge only business matters related to the codes of which executive meeting was convened was discussed or considered in the closed executive session.

**Davis:** Second.

**Supervisor Bryan moved, Supervisor Davis seconded and was unanimously carried by the Board to return to regular session and certification that the best of each board members knowledge only business matters related to the codes of which executive meeting was convened was discussed or considered in the closed executive session.**

**Re: Adjourn**

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

**Attest:**

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Karl R. Carter  
County Administrator

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Donald R. Matthews, Jr.  
Chairman