



BOOK 38
Pages 692-705



**AMHERST COUNTY
BOARD OF SUPERVISORS**

Board of Supervisors

David W. Pugh, Jr., Chair
District 4
Tom Martin, Vice-Chair
District 1
L.J. Ayers III, Supervisor
District 3
Claudia Tucker, Supervisor
District 2
Drew Wade, Supervisor
District 5

MINUTES

June 21, 2022
Administration Building - 153 Washington
Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 7:00 PM

County Administrator
Dean C. Rodgers

County Attorney
Mark Popovich

I. Call to Order

At a regular meeting of the Amherst County Board of Supervisors held on June 21, 2022 at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

David W. Pugh, Jr., Chairman
Tom Martin, Vice-Chair
L. J. Ayers III, Supervisor
Claudia D. Tucker, Supervisor
Drew Wade, Supervisor

ABSENT: None

STAFF:

Dean C. Rodgers, County Administrator
David R. Proffitt, Deputy County Administrator
Mark Popovich, County Attorney
Regina M. Rice, Clerk

Chairman Pugh called the meeting to order at 7:00 p.m.

NOTE: All Board of Supervisors' meetings are now being streamed live on Facebook and on YouTube.

II. Approval of Agenda

By motion of Supervisor Tucker and with the following vote, the Board amended the Agenda for June 21, 2022 by adding under VII. New Business, "Sheriff's Office Compensation" as Item A. and renumbering the two following topics as Item B. and Item C.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None

ABSENT: None

III. Invocation and Pledge of Allegiance

Chairman Pugh led the Invocation and Pledge of Allegiance.

IV. Citizen Comment

Mr. John A. Marks Jr. of District 5, addressed the Board with his comments regarding the Landfill/Transfer Station. In addition to his comments, he made a FOIA request for records to reveal "why the County uncapped the landfill" and "why the County plans to use the landfill until 2024". He asked for documentation on why the county would continue to operate the landfill, having spent \$2.6M on building the transfer station and \$840,000 buying equipment to transfer the county's waste.

In addition, Mr. Marks requested his written comments be included in the minutes for this meeting. (See Attachment 1)

Ms. Ruth Ann Warner of District 2, addressed the Board on the matter of Mill Creek Lake. She said she has spoken to three Board members and would continue to send questions to them. Ms. Warner requested that when the survey is completed, letters be sent to all thirty citizens involved in this matter. She understood there would be an impact study and requested that all families be informed of this study. Ms. Warner stated she was concerned about the wildlife, our safety, the property lines and preservation of the lake.

Ms. June Harvey McNamara of District 2, addressed the Board and said she was concerned about the statement made "to make Amherst County a destination spot". Ms. McNamara said we are already a destination spot and pointed out there are currently nine trails for biking and walking and five parks for the public to use without ruining the resources around Mill Creek Lake. She asked what would happen to the wildlife and the erosion and wear and tear caused by people.

Mr. Mike Brockman of District 2, addressed the Board and said, as a landowner on the lake, the property lines have been marked and he was appalled at how much land he owns that is sitting in the County's setback zone. He said it appears that 20 or more acres of land the County bought and a part of his land is already under water. Mr. Brockman said he did not believe his dad had committed to selling that much land to the County. He said his dad knew the boundaries "to the letter", which was originally a 350-acre tract of land. He did not see that he now had 122 acres, and did not believe the pink ribbons and marker poles as marked was land owned by Amherst County. Mr. Brockman said he would need to have his own survey done for his well being.

V. Public Hearing

A. Rezoning Request 2022-022 Russell E. Nixon

Assistant Zoning Planner Tyler Creasy presented the proposed rezoning request by Russell E. Nixon to rezone 2.3 acres from B-2 General Commercial District to R-3 Family Residential, which would allow the property owner to build a 24-unit townhome at the corner of Dillard Road and Route 130.

Vice-Chair Martin commented on the future land map designation and about the speed limit on Dillard Road. Mr. Creasy said the speed limit was posted at 55 mph. However, VDOT recommended 30 mph for westbound traffic. Mr. Creasy advised the Board that Mr. Seth Good has submitted his proffer. (See Attachment 2)

The Public Hearing was opened.

Proponents: Mr. Russell Nixon of Nixon Land Surveying, representing Mr. Seth Good, addressed the Board and provided a site plan showing 24 units for this property and a spot speed study by EPR. It was determined that the speed would be 30 mph for the site distance, and this development would produce less traffic than a store or gas station. In addition, he said that water and sewer were available at this location.

Mr. Seth Good addressed the Board and said he was the applicant who would build the townhomes. Mr. Good identified himself as a licensed real estate agent, and said there was a need for housing in the county, such as townhomes instead of a store or gas station.

Mr. Kenneth Crawford of Amherst County, addressed the Board and said he was an advocate for the church to sell this property to Mr. Good. Mr. Crawford voiced his support for rezoning of the property.

Opponents: Mr. Holcomb Nixon of Madison Heights, VA, addressed the Board and voiced his opposition to the proposed request. He said this was not a good location, and believed it would cause traffic problems. He asked the Board to deny the rezoning request.

Mr. Alan Nixon of Wall Construction, Madison Heights, VA, addressed the Board, and spoke in opposition to this project. He asked that this rezoning request be denied.

Mr. Jim Thompson, District 3 Planning Commission member, addressed the Board and said he voted against this request during the Planning Commission meeting regarding this matter. He said the posted 55 mph speed limit was too high. He visited the site on three occasions and observed vehicle speeds in both directions well over 30 mph. He said the traffic towards Rt. 130 near the

proposed entrance was over 30 mph and believed this was not a good location for townhomes. The stormwater pond limits the children's play area behind the proposed development and he was concerned about the children's safety having a parking lot fronting Dillard Road.

Supervisor Wade said he received and read an email from Cindy and Charles Copp who stated their opposition to this rezoning request. They said they have seen a significant increase in traffic in the past 30 years with an increase in businesses located in that area as well as the Amelon and Elon Elementary schools. Mr. and Mrs. Copp asked that the Board vote "no" to the rezoning request.

Chairman Pugh said he received and read an email from Jennifer Bell, who stated she works on Dillard Road. She said the road stays congested and she had seen numerous accidents. She said this is a dangerous intersection with school buses and people commuting. Ms. Bell asked that the Board consider voting no to this rezoning.

The Public Hearing was closed.

Supervisor Ayers said the intersection was a concern for building a housing development, and the road has become a cut through for people living on the west side. He was concerned about having a residential development near to an intersection that is already heavily traveled.

Chairman Pugh understood the need for rental property in Madison Heights. He said this is a very unique narrow strip of land to build 24 townhomes on 2.3 acres. It would be dense development on that parcel of land, as well as sitting on a scenic byway that runs through the County. He did not believe this was the right piece of property for this type of development that would sit on the corner of Dillard Road and Rt.130.

Vice-Chair Martin said the main issue was the design speed that was accepted at 30 mph but is posted at 55 mph and would continue to be posted at that. He said that VDOT may have signed off on this, but the county does not have to and therefore, he did not support the rezoning.

Supervisor Tucker said she did not support the rezoning for the reasons previously stated.

By motion of Supervisor Wade and with the following vote, the Board denied the rezoning of 2.3 acres from the B-2 General Commercial District to the R-3 Multi-Family Residential District for parcels 147-A-174 and 147-A-175.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None
ABSENT: None

B. Rezoning Request 2022-204 Rowan Holdings, LLC

Assistant Zoning Planner Tyler Creasy presented Rezoning Request 2022-204 by Rowan Holdings, LLC, which would modify the Future Land Use Map of the Amherst County Comprehensive Plan to allow 108 apartment units, a clubhouse, a pool and open spaces with trails. Mr. Creasy advised that the applicant, Mr. Sam Patel is anticipating to build a mixed commercial and residential development on 180 acres identified as tax map numbers 156-A-3A, 156-A-3 (portion), 156-A-5 (portion), 156-1-2, 3, 4A, 5, C (portion) and 156-A-4 (portion) in Madison Heights. Virginia.

Mr. Creasy reported that the master plan would feature commercial spaces, apartments, patio homes and single-family dwellings on half-acre lots. He said the property is located for service for public water and sewer, which would meet the needs of the development. In addition, he reported that VDOT had requested additional information regarding the entrances and that a traffic impact analysis was being prepared.

Proponent: Mr. Trent Warner of Hurt & Proffitt, addressed the Board and said that Mr. Sam Patel's proposal is to bring this development into a town center for Madison Heights. He provided information addressing the proposed entrances and the traffic impact on Rt. 29. Mr. Warner said this matter tonight was for the 9.9 acre-property, and the additional 170 acres will come before the Board next month.

Mr. Sam Patel addressed the Board regarding the 9.9 acres and provided the Board with information on how this development would fit into the area and create a central space where Madison Heights could grow. He explained what would be included in the development and was committed to doing the best job to make Madison Heights a great growth area and to improve the community.

Proponents: None

The Public Hearing was closed.

The Board discussed the seven proffers offered by Mr. Patel of Rowan Holding, LLC.

Chairman Pugh and Vice-Chair Martin agreed to strike Proffer 6 completely and amend Proffer 7 by striking the word "masonry".

By motion of Supervisor Wade and with the following vote, the Board amended the rezoning request by striking Proffer 6 and amending Proffer 7 by striking the word "masonry" and to read, "The two 54 unit apartment buildings will be white brick ~~or masonry~~ for the first three stories,...

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

The Board requested that the Petitioner, Sam Patel of Rowan Holdings, LLC. agree to and sign the amended list of proffers. (See Attachment 3)

C. Special Exception 2022-196 Joshua A. Huffines (Motor World)
Assistant Zoning Planner Tyler Creasy presented a special exception request by Joshua Huffines of Motor World to allow an automotive repair garage that sells used cars at the property located at 3713 S. Amherst Highway.

Mr. Creasy said he received a request by the applicant to perform state inspections only on the vehicles he would sell, and that the state inspections would not be open to the public.

Mr. Creasy outlined the conditions recommended by staff.

Supervisor Wade asked Mr. Creasy how they would monitor that the vehicles stay there only for ten days. Mr. Creasy said he did not foresee the applicant using this location as a storage lot, but Mr. Huffines would maximize the parking spaces for his vehicles that are for sale. He said if a complaint was received, the Planning Department would address it.

Vice-Chair Martin said it was not designated on the site plan but it was very important how much storage would be allowed on the premises and where that would be. He asked for clarification.

The Public Hearing was opened.

Proponents: Mr. Russell Nixon, representative for Motor World and Mr. Huffines, addressed the Board and said the northern entrance is closed off as VDOT would not allow Motor World to use it. He said the business was not open as a repair shop. Mr. Huffines would do his own state inspections and most repair jobs would pertain to a detailing-type of job with only minor repairs to those vehicles.

Opponents: Mr. Richard Jordan of District 5, addressed the Board and said that in order to have an inspection station, you have to be open to the public. He said that you clearly stated you didn't intend to be open to the public, but believed there was something very dishonest about that. Mr. Jordan stated he was opposed to the special exception.

The Public Hearing was closed.

Chairman Pugh said he did not have any problems with this business. He said the location was formerly a garage and a used car lot and certainly would fit there.

Supervisor Ayers commented that Mr. Huffines has operated another business over the years. Mr. Huffines has made a substantial investment and worked hard to make sure this property and business looks nice and is aesthetically pleasing to the community.

Vice-Chair Martin agreed and suggested considering an amendment to condition No. 8 that all vehicles waiting for repair "shall be placed in the 14 spaces adjacent to the northern façade of the existing building side, and the maximum time any vehicle for repair can be on the parcel is 10 days".

By motion of Vice-Chair Martin and with the following vote, the Board approved the special exception with an amendment to Condition 8, to read: Repair Vehicle Parking: All vehicles waiting for repair "shall be placed in the 14 spaces adjacent to the northern façade of the existing building's side". The maximum time any vehicle "for repair" can be on the parcel is 10 days.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

D. Special Exception 2022-202 Foxtail Lilies LLC

Assistant Zoning Planner Tyler Creasy presented a special exemption request by Rebecca O'Connell of Foxtail Lillies, LLC, for a short-term tourist rental located at 196 Athlone Lane, Amherst, Virginia.

Mr. Creasy advised the Planning Commission approved this request with six conditions and that the site has water and septic systems.

The Public Hearing was opened.

Proponents: Ms. Cindy Ferguson, property manager for Althone Farm, addressed the Board and said this facility would be used as an Airbnb.

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Ayers and with the following vote, the Board approved the special exception with Planning Commission's recommended conditions.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

E. Ord. 2022-0007, Amending Subdivision Platting Requirements
Assistant Zoning Planner Tyler Creasy presented a proposed amendment to a county ordinance that modifies the family division regulations to include aunts, uncles, nieces and nephews in its definition of the immediate family.

Vice-Chair Martin asked Mr. Creasy for clarification that any family member would have to own the property for five years before selling the property. Mr. Creasy replied that was correct with the minimum being five years; however, he said in the state code, it could be expanded up to 15 years.

The Public Hearing was opened.

Proponents:None

Opponents: None

The Public Hearing was closed.

By motion of Chairman Pugh and with the following vote, the Board adopted Ordinance No. 2022-0007 as presented.

AYE: Mr. Pugh, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: Mr. Martin

ABSENT: None

VI. Consent Agenda

By motion of Chairman Pugh and with the following vote, the Board approved the Consent Agenda.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

A. Minutes - May 17, 2022

It was moved that the Board adopt the minutes of May 17, 2022.

B. One-time bonus for select Public Works employees

It was moved that the Board allow Public Works to pay select full-time employees a one-time bonus of up to \$250 from the remaining fiscal year funds in the landfill scrap metal account.

VII. Old Business

A. VATI Agreement - Firefly, Amherst Co, TJPDC

County Administrator Rodgers presented information on the VATI Agreement. He explained this is a three-party agreement between Amherst County, Firefly and the Thomas Jefferson Planning District Commission (TJPDC). TJPDC will administer the grant and Firefly will complete the construction work providing internet service to the unserved areas of the county.

Mr. Rodgers asked that the Board authorize him to sign the contract on behalf of the County,

By motion of Chairman Pugh and with the following vote, the Board authorized the County Administrator to execute the contract on behalf of the County.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

VIII. New Business

A. Sheriff's Office Compensation

Finance Director Stacey McBride addressed the Board and advised that in June, the Compensation Board gave all Constitutionals a five-percent (5%) across the board increase. She said in addition, the Comp Board gave the

Sheriff's Officers, Jail Officers and Sworn Officers \$100 per year for service of three (3) to thirty (30) years. She said the county is not allowed to use that money to supplant its own local funds for salaries. She said in order to meet the minimum requirement of the Comp Board, \$6691 would need to be appropriated.

Mrs. McBride said, in the past, all sworn officers and every department have been treated the same and, in order to make that happen, she estimated the cost would be \$8550. She said she spoke to Sheriff Viar and he desired to give the \$100 per year service in addition to the 6.5% COLA.

She advised that when the Comp Board gives service year pay increases each year, it creates a disparity in the county's pay bands. She said the Comp Board is saving the county \$91,000. However, the service year's increase would cost the county \$47,000. She asked the Board to consider if they wanted to do the 85/50 or use the savings of \$91,000 and provide \$47,000 from that amount to fund the \$100 per year service increase for the sworn officers, in addition to the 6.5% COLA.

Vice-Chair Martin said the Comp Board has approved a 5% for the constitutional officers and sending that money to us. The budget was approved with all employees getting a 6.5% COLA. He said that Comp Board employees would be paid only 1.5% and, in addition to dealing with compression, the three (3) to thirty (30) service years at \$100 a year would bring the longer-term employees up a little higher. He asked how much it would cost to do the compression for the non-comp board sheriff employees.

Mrs. McBride said she estimated this to be \$10,000.

Vice-Chair Martin said the county is dealing with compression only with sworn officers and that we need to look at Public Safety. He would be comfortable with \$10,000 for the non-Comp Board officers.

Supervisor Ayers suggested looking at this across the board, including law enforcement, dispatch and EMS.

Mrs. McBride said she is planning to bring a salary study to the Board's retreat in August and to look at all of them at the same time.

Chairman Pugh said, in order to help people now, he was fine with moving \$47,000 out of \$91,000 created by the Comp Board.

By motion of Chairman Pugh and with the following vote, the Board directed staff to use \$47,000 out of the \$91,000 savings created by the Compensation Board Funding to fund the \$100 per year service increases for the Sheriff's

sworn officers.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None

ABSENT: None

B. Public Safety Review

County Administrator Rodgers announced that Public Safety Director Sam Bryant has tendered his retirement effective September 1st. He thanked Mr. Bryant for his dedication, long hours and personal sacrifice that he has made and contributions to Public Safety.

Mr. Rodgers addressed the Board and advised that he received an email from Vice-Chair Martin asking to address specific topics with regard to Public Safety. He reported he had conducted numerous interviews with the leadership, including dispatch, and spent time speaking with other county administrators and the medical director.

Mr. Rodgers presented a slide presentation and organizational chart of the Public Safety Department. His presentation addressed issues including pay, turnover, morale, volunteers and the fourth medic unit. (See Attachment 4)

Vice-Chair Martin thanked Mr. Rodgers for providing this presentation and was of the opinion that we should revise and prioritize those things that are for immediate attention regarding the pay for dispatch.

C. EDA Financing for Multi-Tenant Building

County Administrator Rodgers addressed the Board and advised that the EDA would need \$1.25M to build the multi-tenant building in the Amelon Commerce Center. The County has been asked to co-sign the loan and agreed to give the EDA a one-cent tax revenue commitment for the next ten years.

Mr. Rodgers advised the money can be borrowed at 3% and he has asked the Board for the authority to sign those documents.

By motion of Supervisor Tucker and with the following vote, the Board approved the Multi-Tenant Building Support Agreement as presented.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

IX. County Administrator's Report

A. Boards/Commissions/Committees - Central Virginia
Community College Board - vacancy

County Administrator Rodgers informed the Board that the term of Mr. John Walker, at-large representative on the Central Virginia Community College Board, will expire on June 30, 2022.

Staff advertised this vacancy in the News & Advance on May 15, 2022 and in the New Era Progress on May 19, 2022. The closing date was May 31, 2022. Staff received one letter of interest from Ms. Nickcole Maynard-Errami. No additional letters of interest were received.

Mr. Rodgers asked for the Board's direction if they desired to appoint Nickcole Maynard-Errami to the Central Virginia Community College Board for a term ending June 20, 2026; or schedule an interview with Ms. Maynard-Errami at the next Board meeting; or re-advertise the additional vacancy to identify additional interested persons.

Chairman Pugh requested that the Board conduct an interview in open session with Nickcole-Maynard-Errami at the July 19, 2022 Board meeting.

By motion of Chairman Pugh and with the following vote, the Board requested staff to set up an interview of Nickcole Maynard-Errami for the vacancy on the Central Virginia Community College Board at its next regularly scheduled meeting on July 19, 2022 at 7:00 p.m.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade
NAY: None
ABSENT: None

X. County Attorney's Report

The County Attorney had no matter to discuss.

XI. Liaison and Committee Reports

A. Agriculture Committee - Claudia Tucker
Supervisor Tucker had no matter to discuss.

B. Parks, Recreation & Cultural Development Board- Tom Martin
Vice-Chair Martin had no matter to discuss.

C. Lynchburg Regional Business Alliance, Government Relations
Committee, June 7, 2022.
For information only.

XII. Citizen Comment

Mr. Alec Brebner, Executive Director of the Central Virginia Planning District Commission, introduced himself to the Board as the new director for the CVPDC. He said he was looking forward to working with Amherst County and the needs of the locality to better lives and the economy.

XIII. Matters from Members of the Board of Supervisors

Chair Pugh had no matter to discuss.

Vice-Chair Martin had no matter to discuss.

Supervisor Ayers had no matter to discuss.

Supervisor Tucker had no matter to discuss.

Supervisor Wade had no matter to discuss.

XIV. Adjournment

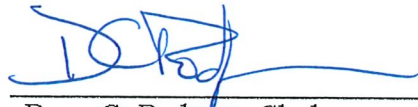
By motion of Vice-Chair Martin and with the following vote, the Board adjourned at 9:35 p.m.

AYE: Mr. Pugh, Mr. Martin, Mr. Ayers, Mrs. Tucker and Mr. Wade

NAY: None
ABSENT: None

A handwritten signature in black ink, appearing to read 'D. W. Pugh, Jr.', written over a horizontal line.

David W. Pugh, Jr., Chair
Amherst County Board of Supervisors

A handwritten signature in blue ink, appearing to read 'D. C. Rodgers', written over a horizontal line.

Dean C. Rodgers, Clerk

June 21, 2022 Presentation to Amherst County Board of
Supervisors

Subject: Landfill/Transfer Station

Good evening members of the Board and Staff. My name is John A. Marks, Jr. and I reside at 225 Clark Street in Madison Heights, VA. On January 21, 2020 the Amherst County Board of Supervisors voted not to open a new cell in the county's permitted landfill. Instead, the decision was made, based largely on a study by Draper Aden Associates, to close the landfill and use the money previously borrowed to open a new cell to construct a transfer station from which county waste would be transferred to a privately owned and operated landfill. Justification for this position was based on several factors: The county would save; on average, \$250,000 annually, would provide county more flexibility handling waste, having only one closed cell to manage places a limit on 30 year post closure costs, and reduces the county's liability.

Based on the information I have received from several FOIA requests, and the May 26, 2022 article in the Amherst New Era Progress I am somewhat confused and concerned by the actions the county has taken, and plans to take over the next several years regarding the landfill and waste disposal. Under the presumption that the county operating a landfill is a liability, reduces our options, and according to the statement in the Amherst New Era Progress to close the landfill "We're really shipping out our liability----especially with engineering costs and DEQ increasing regulations for open and active landfills," said Thacker, "It's become quite cumbersome and expensive." So, county operated landfills are bad. In addition, shipping out the waste is projected to save the county \$250,000 annually. With that as a

background, and the understanding the goal was to get out of the landfill business as quickly as possible, I have two questions which I request be considered a FOIA request .

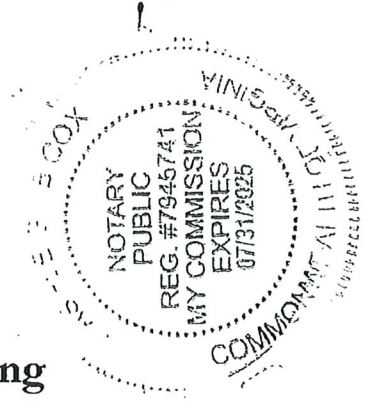
First, why did we uncap the closed portion of the landfill when it was not necessary to do so? Under the expectation the landfill would reach capacity by November 11th of 2021 the county requested, and received approval from DEQ to uncap the closed portion of the landfill. This was a smart move to be prepared in the event the transfer station was not ready in time. However, at the time approval to uncap was granted (2-14-2022) the existing landfill had not reached capacity, and was expected to last until 9-1-2022, without the extension of uncapping the closed portion. Also, completion of the transfer station was expected to be in April of 2022. On March 8, 2022 uncapping of the closed portion had already started even though the current landfill was not at capacity, and is still not at capacity as we speak. So rather than getting out of the landfill operation in September of 2022 we have extended the use of the landfill until the end of 2024. Certainly does not seem compatible with the goal to get out of the landfill business.

Second, with all of the reasons previously stated why do we plan to use the landfill until the end of 2024, rather than ship waste out as originally planned? This is difficult for us laymen to understand. The county has constructed a 2.6 million dollar transfer station facility, spent \$840,000 for over the road tractors and trailers, which are on site and ready to use, and other equipment for use in the transfer station, but still plan to keep burying waste for the next two and one half years in the county operated landfill. This action does not save the county the projected \$250,000 annually, does not decrease our liability, does not relieve the county of the engineering costs associated with the landfill, and does not protect us from the increasing DEQ regulations which are expensive and cumbersome for operating an open and active

landfill. In addition, I do not believe these actions support the Board's decision of January 21, 2020 to close the landfill.

Thank you for your time and allowing me to present my thoughts on this matter.

Attachment 2



Proffers for Conditional Zoning

County of Amherst, Virginia
153 Washington Street, Amherst, VA. 24521

Mailing Address: Planning Department, P.O. Box 390, Amherst, VA. 24521

Phone: (434)-946-9303

Facsimile (434) 946-9370

X Original Amended

Rezoning Case Number 2022-022

Pursuant to Section 1005.02 of the County Code, the owner or duly authorized agent hereby voluntarily proffers the following conditions which shall be applicable to the property, if rezoned:

Seth Good Seth Good
Signature of Owner or Applicant / Print Name

6/17/22
Date

I, Ashleigh Cox, A NOTARY PUBLIC IN AND FOR _____ COUNTY, IN THE STATE OF Virginia, DO HEREBY CERTIFY THAT THE OWNERS WHOSE NAMES ARE SIGNED HEREON, HAVE ACKNOWLEDGED THE SAME BEFORE ME THIS 17 DAY OF June, 2022. MY COMMISSION EXPIRES: 7/31/25

Ashleigh Cox
NOTARY PUBLIC

Please handwritten voluntary proffers below this line:

There have been rumors of us building hundreds of units on the property which is not true. If granted rezoning we will only build 24 units. I am building my home in Amherst county and will be raising my kids here. We drive on Dillard road every day. I believe what we are proposing is perfect for the parcel and great for Amherst County.

May 19, 2022

6/21/22

The following are list of proffers that we offer for the rezoning efforts for the Madison Heights Town Centre:

1. All site plans are to be built generally in accordance with the Master Plan dated 5/12/22.
2. All new utilities are to be underground.
3. The densities and design shown on the current rezoning for 9.9 Acres will be adopted within the upcoming 170.1 Acre development rezoning.
4. All roads will be built to the Virginia Department of Transportation (VDOT) standards.
5. In order to be in compliance with the subarea requirement within a MU/TND project, the applicant shall submit a Master Plan for the remainder of the property that will include tax map numbers 156-A-3A, 156-A-3 (portion), 156-A-5 (portion), 156-1-2, 3, 4A, 5, C (portion) and 156-A-4 (portion) that meets all regulations found in Section 711 of the Amherst County Zoning Ordinance.
6. ~~Developer agrees that no future site plans shall be approved east of the creek named Williams Run without an agreement between Amherst County and the developer (Rowan Holdings, LLC) regarding open spaces/parks with the exception of the future parcels 26 and 27 designated church/facilities as seen on the Master Plan dated 5/12/22.~~ *sp 6/21/22*
7. The two 54 unit apartment buildings will be white brick ~~or masonry~~ *sp 6/21/22* for the first three stories, the top story will use materials such as cementitious siding and External Insulation Finishing System (EIFS) on the top level and cornice lines as attached hereto as Exhibit B. The pool house shall have a brick or masonry façade and be constructed in substantial conformance with the design of the apartment buildings.


Signed, Petitioner: Rowan Holding, LLC

6/21/22
Date

Dean Rodgers

From: Tom Martin
Sent: Monday, May 23, 2022 7:56 PM
To: Dean Rodgers
Cc: Board of Supervisors
Subject: Public Safety Pay

Dean:

Can you enlighten me as to how the County is providing differential pay and incentive pay to our public safety employees? I am hearing rumors and complaints that it has been promised yet our dispatchers are not being offered the same.

I don't remember any of this being discussed during the budget process. While I surely support our public safety staff (and am sure my fellow Board Members do also), perhaps it is time for you to present to the Board the state of Public Safety in the County. Where we are with staffing issues, the 4th Medic Unit, moral, pay, turnover, relationship with volunteer agencies, etc.

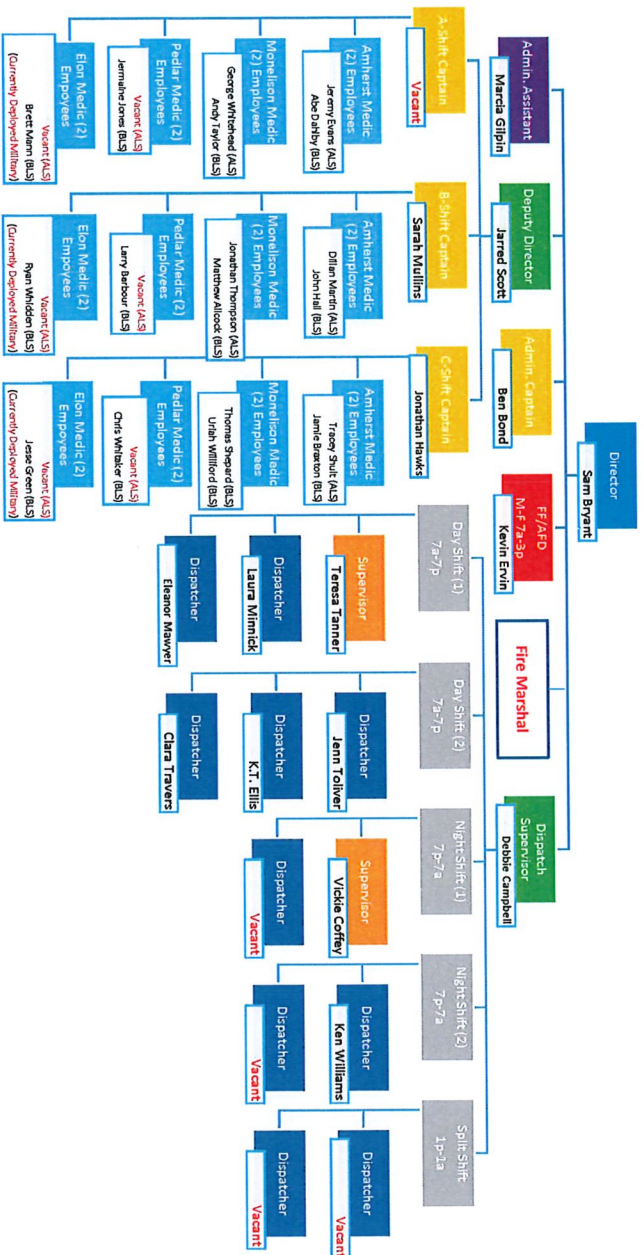
Tom

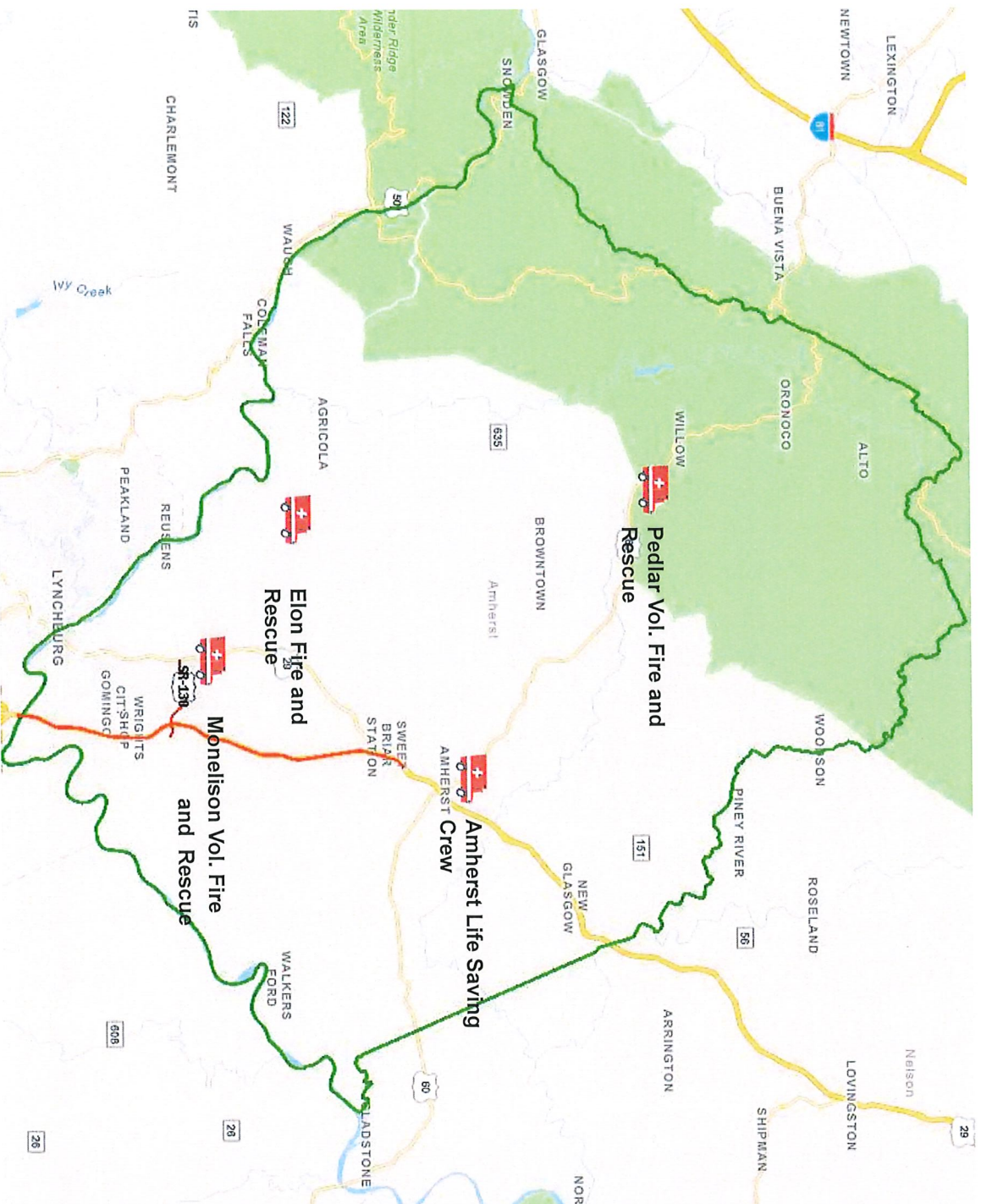
Public Safety Department

County Code §11.5

- Public Safety Director (+ Emergency Services Coordinator + Fire Marshal)
 - Fire Division
 - EMS/Rescue Division
 - Communications Division
 - Emergency Management Division
- Emergency Services Council
 - Designated members; DPS is voting member, not the clerk
 - Public forum
 - Recommendations to BoS: policy, funding, regulations, training stds
- Fire & Rescue companies officially part of county PS Department and subject to SOPs
- Fire Marshall (sworn) appointed to enforce state fire code & issue permits
 - Deputy is also sworn
 - 800+ hrs training and 50 hrs/yr continuing education
- Recovery of emergency services expenses
- Road naming, address numbering, road signage

Amherst County Public Safety Organizational Chart



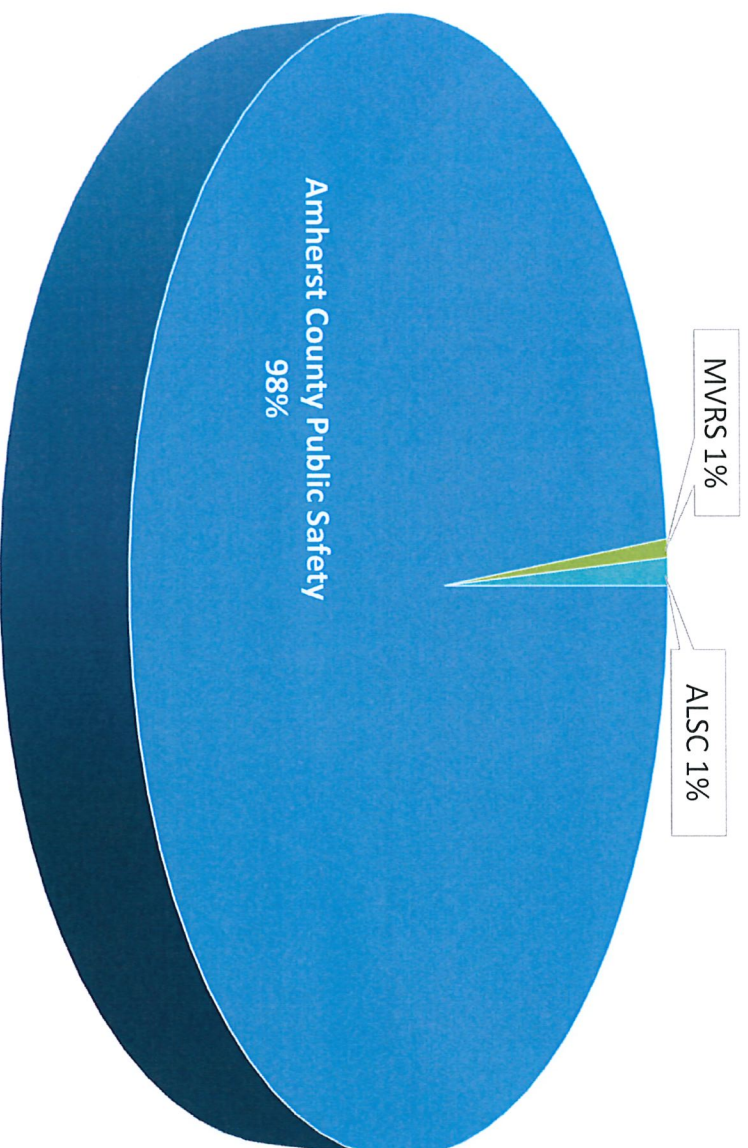


Rescue Crews

- 4 Stations
- 2 EMTs Per Station
+ Shift Captain
- 9 EMTs Per Shift
- Shifts are 24 hours
on, 48 hours off.
- 9X3 = 27
- 27 EMTs =
Fully staffed

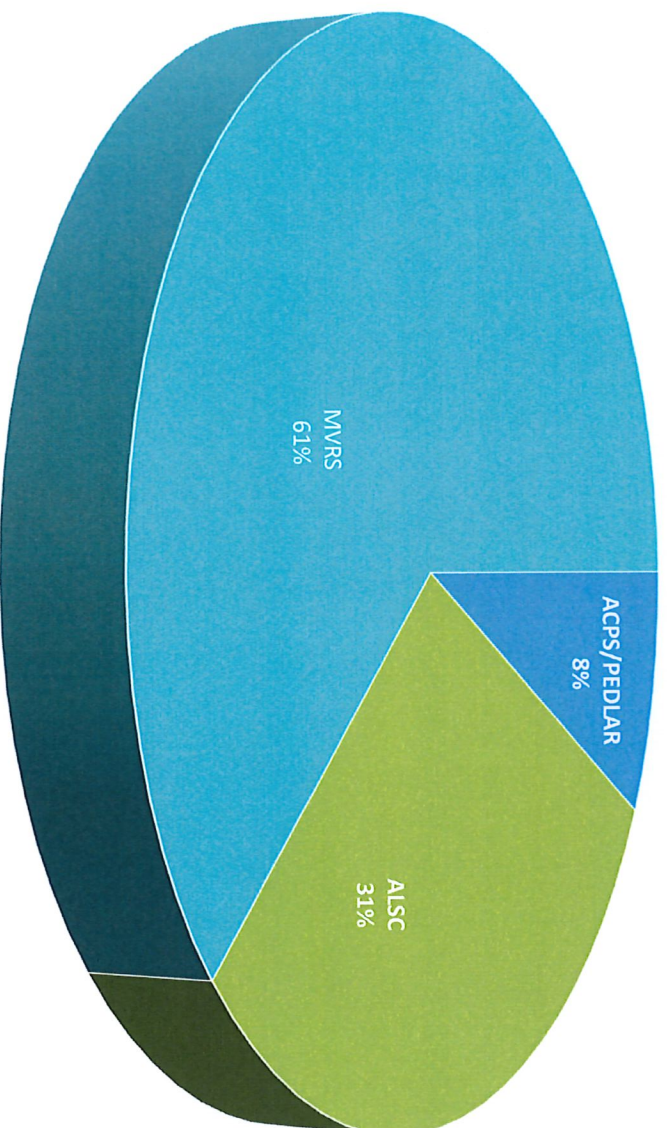
Amherst County EMS Call Response

August 2019-June 2022



- Amherst County Public Safety 98%
- Monelison Volunteer Rescue Squad 1%
- Amherst Live Saving Crew 1%

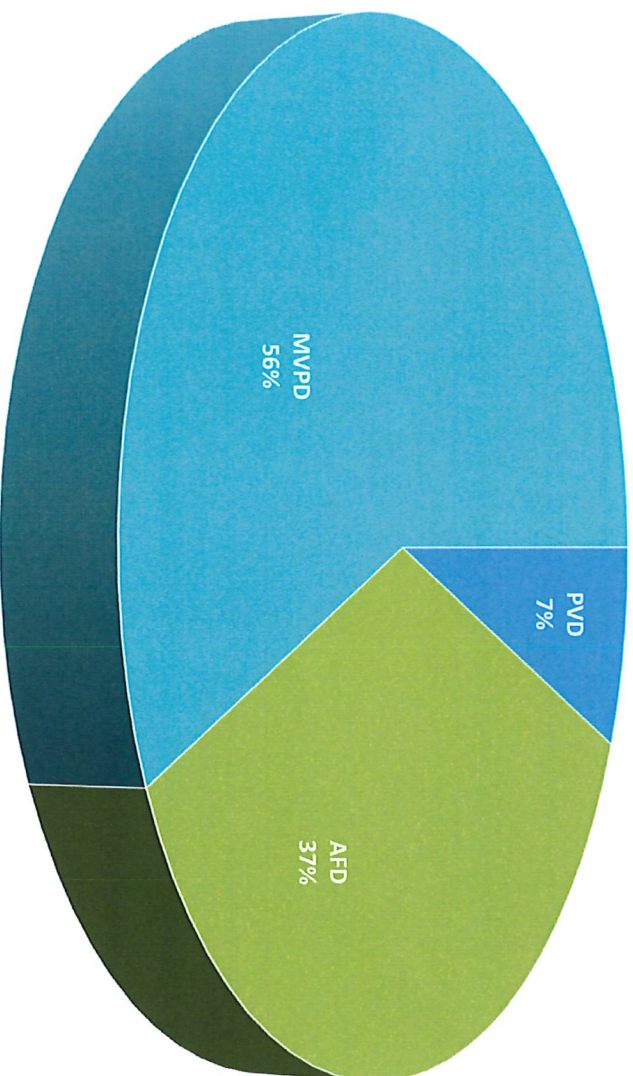
First Due EMS Dispatches 2019-2021



YEAR	ACPS/ PEDLAR	ALSC	MVRS	TOTAL
2019	359	1380	2722	4461
2020	341	1225	2630	4196
2021	380	1523	2902	4805
TOTALS	1080	4128	8254	13462

- Totals:
- Amherst County Public Safety//Pedlar 8%
 - Amherst County Live Saving Crew 31%
 - Monelison Volunteer Rescue Squad 61%

Amherst County Fire First Due Dispatches 2019-2021



YEAR	PVFD	AFD	MVFD	TOTAL
2019	42	242	387	671
2020	38	220	331	589
2021	50	252	383	685
TOTALS	130	714	1101	1945

- Totals:
- Pedlar Volunteer Fire Department 7%
 - Amherst Fire Department 37%
 - Madison heights Volunteer Fire Department 56%

Average EMS Response Times

Agency	2019	2020	2021
ACPS staff	12.4 Minutes	13.5 Minutes	13.9 Minutes
ALSC vol	11 Minutes	25.7 Minutes	18.7 Minutes
MVRS vol	12.3 Minutes	12.9 Minutes	10.5 Minutes

Agreed benchmark with VDH/OEMS: 14-17 minutes

Dispatch Call Load

CALLS	2019	2020	2021
Total	32,926	31,629	31,798
Per hour	3.8	3.6	3.6

Calls of all types to 911

Status of Elon Station 3 as of June 13, 2022

Work Completed	Still Needs
• New roof • Ceiling Insulation replaced • Bathroom Remodeled and shower installed • New ceiling in dayroom • Bunk room and kitchen refurbished/added? • Flooring replaced • HVAC installed • New hot water heater • Appliance replaced • Washer and dryer added • Electric and plumbing updated • Vehicle bay painted • Generator installed • Windows and exterior doors replaced • Security locks added • Harris Radio Base Station ordered • Pediatric airway equipment ordered	• Installing Harris Radio Base Station • Paint touchups • Blinds for windows • Final OEMS Inspection of Medic 7 • Delivery of pediatric airway equipment • Lawnmower for station grass • Sufficient staff

Funding: \$69,320 allocated - \$56,334 spent - \$12,986 left



Monelison Fire Department Current Vehicle List

Vehicle	Model Year	Replacement
Engine 21	2017	2037
Engine 22	2000	2020
Engines 23	2010	2030
Rescue 21	2005	2025
Attack 21	2019	2039
Tanker 21	2000	2020
Brush 21	2000	2020
Chief 2	2007	?
Unit 1	1998	?

Amherst Fire Department Current Vehicle List

Vehicle	Year	Replacement
Engine 13	2000	2020
Brush 16	2005	2025
Chief 1	2008	2028
Utility 1	2015	2035
Boat 11	2019	2039
Engine 14	1946	N/A
Truck 1	2013	2033





Pedlar Fire Department Current Vehicle List

Vehicle	Year	Replacement
Engine 33	1994	2014
Engine 35	2010	2030
Tanker 31	2018	2038
Tanker 36	1999	2019
Squad 34	1999	2019
Brush 32	2005	2025
Brush 21	2000	2025

Pedlar 12 (Chief 3) 1996 2023

Fire Marshal

The Fire Marshal is notified any time:

- An incident commander cannot determine the cause or origin of an incident/fire or has concerns. (62 fires investigated in 2021)
- An intentionally set fire, hazardous material incidents, environmental crime, or explosive incident
 - Results in a fatality, injury, loss of property, or damage to property
 - Involves government facilities (Federal, State, or Local)
 - Involves persons or property that may create significant media interest
 - Results in losses exceeding \$25,000
- A vehicle fire involves suspicious circumstances or loss over \$25,000.
- An incident involves juvenile suspects.
- An injury resulting from flame contact, fireworks, or assault that requires EMS intervention or transport.
- There is a release of environmentally hazardous materials that:
 - Are released in a water way
 - Require the services of a clean-up contractor
 - Or exceeds 25 gallons
- Explosive, incendiary, WMD (weapons of mass destruction) or, CBRNE (Chemical, Biological, Radiological, Nuclear, and high yield Explosives) devices.
- Fire suppression and alarm systems are out of service.
- Fire code violations are found or there are unresolved fire code questions.

Fire Marshal

Additional Responsibilities:

- Annual inspection of all school buildings, daycare facilities, jails, hotels, restaurants, libraries, museums, dormitories, factories (and assistance to state inspectors of group homes and retirement homes).
- Permit issuance:
 - Annual inspection of food trucks
 - Fireworks shows and retail sites
 - Tents at festivals
 - Alarm systems for fire & burglary
 - Rapid entry key boxes & systems
- Plan, organize, lead the Fire Academy and serve as adjunct instructor.
- Development Review Committee member: plan reviews.
- Apply state fire code to all new commercial and high density residential construction via inspection.
- Public education in elementary schools; public outreach and recruiting firefighters
- Fire access road inspections

Incentives

- Volunteer firefighter annual \$500 (call vol, trng, fit test, etc.)
- \$400/course for any employee
- \$20K Director's education fund w/ service commitment
- \$3/hr voluntary holdover; \$4/hr involuntary holdover
- Certification bonuses (FT only)
 - EMT-Advanced \$1,000 (x6)
 - EMT-Intermediate \$1,500 (x2)
 - EMT-Paramedic \$2,000 (x5)
 - Advanced Practice Paramedic \$3,000 (x5)

Challenges

- Inadequate staffing to meet current workload
 - Mandatory holdovers
 - No staff coverage for illness, trng, leave, xtra duties
 - Limited advancement opportunities
- Dispatcher starting pay lowest in region
- Volunteer FF resentment of career staff
- Lack of clear/consistent guidance/roles
- Restrictive hiring policies

Policy Changes

EMS

- Implement bonus pay for holdover volunteers
- Authorize hiring of 18 yr olds
- Creation of EMS Facebook page
- Make polygraph testing discretionary
- Authorize cross volunteering
- Eliminate marijuana use from zero tolerance hiring policy
- Capture policies into regulations
- Create Lt positions for each shift for adv, trng, proj, coverage
- Prepare for switch to 24/72 shifts as staffing allows
- Initiate planning for EMS Academy
- Participate in more recruiting events

Dispatch

- Implement bonus pay for holdover
- Increase starting pay to \$15/hr
- Convert supervisor to EOC coordinator
- Capture policies into regulations

Firefighters

- Offer/mandate fire officer training
- Career staff under supervision of Company Chiefs
- Authorize cross volunteering
- Authorize more reciprocal community response
- Capture policies into regulations

2013 strategic assessment