



BOOK 39
Page 92-98



AMHERST COUNTY
BOARD OF SUPERVISORS

Board of Supervisors

Drew Wade, Chair
District 5
Claudia Tucker, Vice-Chair
District 2
David W. Pugh, Jr., Supervisor
District 4
Tom Martin, Supervisor
District 1
Chris Adams, Supervisor
District 3

MINUTES

August 20, 2024
Administration Building - 153 Washington
Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 7:00 PM

County Administrator
Jeremy Bryant

County Attorney
Mark Popovich

I. Call to Order

At a regular meeting of the Amherst County Board of Supervisors held on August 20, 2024, at 7:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

Drew Wade, Chair
Claudia D. Tucker, Vice-Chair
David W. Pugh, Jr., Supervisor
Tom Martin, Supervisor
Chris Adams, Supervisor

ABSENT: None

STAFF:

Jeremy S. Bryant, County Administrator
Stacey McBride, Deputy County Administrator/Finance Director
Mark Popovich, County Attorney
Kristen Freeman, Clerk

Chairman Wade 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 Chairman Wade and with the following vote, the Board approved the agenda with the amendment of removing Section VII. New Business Item B. Appropriation additional Compensation Board FY25 revenue.

AYE: Mr. Wade, Mrs. Tucker, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: None

III. Invocation and Pledge of Allegiance

Supervisor Pugh led the Invocation and Chairman Wade led the Pledge of Allegiance.

IV. Citizen Comment

There was no public comment.

V. Public Hearing

A. Ordinance 2024-4 - Procurement

The Amherst County Board of Supervisors has made certain revisions to the Amherst County Purchasing Manual resulting in the title of Purchasing Director being changed to Procurement and Contracts Division Manager. In order to maintain consistency with the changes made in the Purchasing Manual, the Board of Supervisors is now making the same title change as set forth in its procurement ordinance provisions.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Supervisor Martin and with the following vote, the Board adopted Ordinance 2024-4 as presented.

AYE: Mr. Wade, Mrs. Tucker, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: None

B. Ordinance 2024-5 Confined Livestock Facilities

Amending and reenacting §§ 702 of Article VII – Use Requirements by Zoning Districts, of Appendix A – Zoning and Subdivisions Ordinance to the Code of the County of Amherst, Virginia. The purpose of this ordinance is to update the setback requirements and other regulations relating to confined livestock facilities.

The Planning Commission recommended approval of Ordinance 2024-5, 6-0.

The Public Hearing was opened.

Proponents: None

Opponents: None

The Public Hearing was closed.

By motion of Vice-Chair Tucker and with the following vote, the Board adopted Ordinance 2024-5 as presented.

AYE: Mr. Wade, Mrs. Tucker, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: None

C. Special Exception 2024-222 Shimp Engineering - Campground

Request by Shimp Engineering, P.C. for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a campground. The property is located at 295 Burford Farm Road and is further identified as tax map number 108-A-15.

The Planning Commission held a public hearing on May 16th, 2024, in which a motion to deny was defeated with a 2-2 vote. The Commission then held a non-public hearing on July 18, 2024, and recommended approval of special exception 2024-222, 5-0 with conditions.

Recommended Conditions:

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Parking: Guests shall be required to park on the property and not park on neighboring lots or on any right-of-way outside of their property unless they have written permission.
4. Public Safety: The owner shall meet all requirements set forth by the Director of Public Safety as it has to do with access to all cabins, trails, and recreational areas.
5. Number of Sites: The campground shall not exceed three sites.
6. Type of Habitation: Only cabins are allowed for use on the campground. All other accommodations are prohibited. i.e. travel trailers, motor homes, tents, etc.

The Public Hearing was opened.

Proponents: Michael Lachauck, Justin Shimp, Josh Batman, Marco Stilli, Harvey Butler
Opponents: Jones Stanley, Nancy Davis, James Dodd, Cindy Mae Dodd, Brenda Burton, John Bullington, Don Morris, Janell Stinnett, Linda Bullington, HB Stinnett, Scott Camm, Robert Burnley, Allison Swede, Reese Preston, Don French, James Coleman, Stephen Coleman, Josh Shober, Rodney Unrue

The Public Hearing was closed.

By motion of Supervisor Adams and with the following vote, the Board denied Special Exception 2024-222 as presented.

AYE: Mr. Wade, Mrs. Tucker, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: None

D. Rezoning 2024-338 Accupoint Surveying & Design

Request by Accupoint Surveying & Design for a rezoning of approximately 4.3 acres from the R-2, General Residential District to the B-2, General Commercial District. The purpose of the rezoning is to allow for self-storage units. The property is located at 4416 S. Amherst Highway (a portion of) and is further identified as Tax Map Parcel 155-A-100 (a portion of).

The request includes an amendment to the Future Land Use Map (FLUM) of the Amherst County Comprehensive Plan from medium-density residential to commercial in the area identified on the proposed rezoning map.

The Planning Commission recommended approval of rezoning 2024-338 and an amendment to the future land use map of the Amherst County Comprehensive Plan from medium-density residential to commercial, 6-0.

The Public Hearing was opened.

Proponents: Amy Seipp
Opponents: Michael Alami

The Public Hearing was closed.

By motion of Chairman Wade and with the following vote, the Board approved rezoning 2024-338 and an amendment to the future land use map of the Amherst County Comprehensive Plan from medium-density residential to commercial.

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

E. Special Exception 2024-343 Ebenezer Road Solar 1, LLC

Request by Ebenezer Road Solar 1, LLC for a special exception request in the A-1, Agricultural Residential District for a solar energy system, utility-scale. The parcel is located at 719 Ebenezer Road and is further identified as tax map number 111-A-3.

The Planning Commission recommended approval of special exception 2024-343, 5-0 with conditions. (See **Attachment 1**)

The Planning Commission approved special exception 2024-343 to be consistent with the Comprehensive Plan as depicted in VA State Code 15.2-2232.

The Public Hearing was opened.

Proponents: Claire Habel (New Leaf Energy), Andrew Kavanaugh (New Leaf Energy)
Opponents: None

The Public Hearing was closed.

By motion of Supervisor Martin and with the following vote, the Board approved Special Exception 2024-343 with the Planning Commissions recommended conditions.

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

VI. Consent Agenda

By motion of Vice- Chair Tucker and with the following vote, the Board approved the Consent Agenda for August 20, 2024.

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

A. Minutes - August 6, 2024

It was moved that the Board adopt the minutes of August 6, 2024.

B. Carryforward for Grounds Maintenance (Gateway Sign Replacement)

It was moved that the Board carry forward an appropriation of \$6,700 for the replacement of the Gateway sign on Route 151 into the Grounds Maintenance operating budget for FY25.

VII. New Business

A. Monument Committee Recommendation

MJ Puckett read the recommendation to the Board. (See Attachment 1)

The Board stated they would consider the recommendation and will revisit this item to make a decision at a later date.

Mrs. Tucker left the meeting at 9:30 pm.

B. Appropriation additional Compensation Board FY25 revenue

Removed by Agenda Amendment.

VIII. County Administrator's Report

A. Boards/Commissions/Committees - Planning Commission District 1 and District 3 vacancies

By motion of Supervisor Adams and with the following vote, the Board reappointed Mr. Derin Foor to serve another four-year term on the Planning Commission.

AYE: Mr. Wade, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: Mrs. Tucker

By motion of Supervisor Martin and with the following vote, the Board reappointed Mr. Jim Thompson to serve another four-year term on the Planning Commission.

AYE: Mr. Wade, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: Mrs. Tucker

B. Amherst County Regulation 7- Purchasing Manual

By motion of Chairman Wade and with the following vote, the Board approved all changes made to the Amherst County Purchasing Manual.

AYE: Mr. Wade, Mr. Pugh, Mr. Martin, Mr. Adams

NAY: None

ABSENT: Mrs. Tucker

IX. County Attorney's Report

The County Attorney updated the Board regarding the

X. Liaison and Committee Reports

A. Emergency Services Council - Chris Adams

Supervisor Adams reported that the council has been progressing rapidly and collaboratively on the standard operating guidelines associated with public safety operations. Mr. Adams also stated work is still being done with the Emergency Services Council and its leaders to address and formalize a budgetary or CIP plan that they ESC will bring before the Board of Supervisors in the future to work on and better be able to address their needs in a more formal and structured manner where things can be planned accordingly. Mr. Adams also stated that he and Chief Beam had been working with the corporate board at Monelison Fire and Rescue to develop a plan for housing a fourth medic unit as the Board of Supervisors funded twelve more positions for a fourth medic unit that will be going in service September 1, 2024. Mr. Adams stated a lot of forward progression has been made.

B. Planning Commission - David Pugh

Supervisor Pugh reported that the Planning Commission met on August 15, 2024, and had three public hearings come before them that will be coming before the Board of Supervisors in the near future. He stated that one is a request by Jennifer Lloyd Fisher to use the Pleasant View Elementary School as a special events type of center with possible housing in there for a possible Airbnb and she would also like to build an amphitheater. There was also a special exception request for a cell phone tower on the Grief Brothers property. Lastly, a rezoning request for the old Skateland building in Monroe, as a citizen would like to turn it into a CrossFit center.

C. Agriculture Committee - Claudia Tucker

Mrs. Tucker was absent during this item and unable to report.

XI. Citizen Comment

There was no public comment.

XII. Matters from Members of the Board of Supervisors

Chair Wade stated that the floating dock at Mill Creek Lake has been removed due to safety concerns for the time being while the county evaluates what to do about that situation.

Supervisor Pugh had no matter to discuss.

Supervisor Martin had no matter to discuss.

Supervisor Adams wished the County Administrator a Happy Birthday.

XIII. Closed Session

- A. A closed session for the limited purpose of discussion or consideration of the disposition of publicly held real property where discussion in an open meeting would adversely affect the bargaining position of the public body regarding property District 2 pursuant to Sec. 2.2-3711(A)(3) of the Code of Virginia.

Chairman Wade motioned to go into closed session and was approved with the following vote:

AYE: Mr. Wade, Mr. Pugh, Mr. Martin, and Mr. Adams

NAY: None

ABSENT: Mrs. Tucker

Chairman Wade motioned to come out of closed session and was approved with the following vote:

AYE: Mr. Wade, Mr. Pugh, Mr. Martin, and Mr. Adams

NAY: None
ABSENT: Mrs. Tucker

XIV. Certification of Closed Session
CERTIFICATION OF CLOSED MEETING

I move that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Mr. Wade: AYE
Mr. Pugh: AYE
Mr. Martin: AYE
Mr. Adams: AYE

XV. Adjournment

By motion of Chairman Wade and with the following vote, the Board adjourned at 9:48 pm.

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



Drew Wade, Chair
Amherst County Board of Supervisors



Jeremy Bryant, County Administrator

The Monument and Its Meaning

The monument before you was placed on this site in July 1922 to honor Amherst County's deceased or aging Confederate veterans, both volunteers and conscripts. It was created at the request of two older veterans, John M. Payne (1840-1934) and E. B. McGinnis (1840-1933), who wished to memorialize their comrades in arms. The local United Daughters of the Confederacy (UDC) chapter petitioned the Amherst County Board of Supervisors for a public site to place the privately funded obelisk; the Board permitted their request without any public discourse or citizenry vote. The memorial was erected during an active period of monument construction across the United States, celebrating historic events. The images and language on the plaque are typical of Confederate memorials of the period, as is the placement on the courthouse green. The flagpole was placed by the American Legion in 1942. Today the monument is at the back of the courthouse due to construction in 1996 that changed the orientation of the building.

The NAACP's Objection

In 2023, the Amherst County Branch of the NAACP asked the Board of Supervisors to address the monument, objecting in particular to the plaque, which describes the cause of the Virginia and the South as noble. The Branch maintains that the presence of the inscription at the County courthouse is out of step with the American ideal of equal justice for all. Non-Whites in 1920s Amherst County lived under an unjust system of race-based segregation, disenfranchisement, and unequal application of the laws. These were the policies of Harry F. Byrd's political machine, which controlled elected offices from the governorship down to the local level. White supremacist ideology helped the White elites who held power to rationalize these and other injustices, including unequal schools and discrimination in housing and employment. The 1920s national UDC did not actively engage in political activity, but they did promote this ideology in published works, including the myth that slavery was a benevolent institution which benefited Black people. The NAACP believes that all of Amherst County's people were harmed by these policies and that healing for the whole community requires acknowledgement and understanding of that legacy of harm.

2024.08.16

Reframing Our Vision

The policies in place when this monument was erected left many Amherst County residents, including the formerly enslaved and their descendants, Native Americans, and many White people, without a voice in public affairs, even though they were subject to taxation. To honor them, and as a response to the NAACP objection, the following inscription is offered:

WE HONOR THE MEMORY
OF ALL THE SONS AND DAUGHTERS
OF AMHERST COUNTY,
ENSLAVED AND FREE,
NATIVE AND NEWCOMER,
WHOSE LIVES AND LABOR
HAVE CONTRIBUTED
TO THE BETTERMENT
OF OUR COMMUNITY.

Either we must attain freedom for the whole world
or there will be no world left for any of us.

—Waller F. White (1893-1955), NAACP Executive Secretary

For more information, visit the Amherst County Museum and Historical Society
at 154 South Main Street or amherstcountymuseum.org.