



BOOK 40
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**AMHERST COUNTY
BOARD OF SUPERVISORS**

Board of Supervisors

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

MINUTES

August 4, 2026
Administration Building - 153 Washington
Street - Public Meeting Room
Amherst, Virginia 24521
Meeting Convened - 3:00 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 4, 2026, at 3:00 p.m., the following members were present:

BOARD OF SUPERVISORS:

Tom Martin, Chair
David W. Pugh, Jr., Supervisor
Frank Campbell, Supervisor

ABSENT:

Chris Adams, Vice-Chair
Claudia D. Tucker, Supervisor

STAFF:

Jeremy S. Bryant, County Administrator
Mark Popovich, County Attorney
Kristen Freeman, Clerk

Chair Martin called the meeting to order at 3:00 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 Campbell and with the following vote, the Board approved the agenda.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker

III. Invocation and Pledge of Allegiance

Chair Martin led the Invocation and Supervisor Pugh led the Pledge of Allegiance.

IV. Citizen Comment

Stacey Tursiella, District 4, addressed the Board regarding concerns with Ordinance 2026-6 Data Centers.

Teresa Almond, District 3, addressed the Board asking the Board to place a moratorium on data centers.

Rebecca Ledingham, District 5, addressed the Board with concerns on water quality and availability as well as data centers.

Jeff Porter, District 5, addressed the Board with concerns regarding data centers.

Barbara Pryor, District 3, addressed the Board apologizing for some of her comments at the last meeting and had some thoughts and concerns regarding data centers.

Mark Labadie, District 2, addressed the Board with his thoughts on how this data center situation started.

Suzanne Bessenger, Lynchburg Resident, addressed the Board with concerns and information regarding data centers.

Kylie Pulath, District 5, addressed the Board with concerns regarding data centers.

Laura Henry Stone, District 2, addressed the Board in support of the data center Ordinance.

Cooke Harvey, District 1, addressed the Board with comments on data centers and biosolids.

Lisa Jonas, District 4, addressed the Board with comments regarding data centers.

V. Ordinance - First Read

A. Ordinance 2026-6 Data Centers

The proposed ordinance amends and reenacts the Amherst County Code by amending and reenacting Appendix A, Zoning and Subdivisions, Article III, Definitions of Terms used in this Ordinance, Section 302, Specific Definitions, Article VII. Use Requirements by Zoning Districts, Section 708 and Article IX. Special Provisions. The purpose of this ordinance is to update the definition of data centers, reclassify data centers from a by-right use to a special exception use in the M-1, Industrial District, and provide specific regulations relating to special exception submission requirements and development standards.

By motion of Supervisor Campbell and with the following vote, the Board directed staff to advertise Ordinance 2026-6 Data Centers to Public Hearing on August 18, 2026.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker

B. Ordinance 2026-5 Vape Shops and Medical Cannabis

Amending and reenacting the Amherst County Code by amending and reenacting Appendix A, Zoning and Subdivisions, Article III, Definitions of Terms used in this Ordinance, Section 302, Specific Definitions, Article VII. Use Requirements by Zoning Districts, Sections 706, 707, 711, and 712, and Article IX. Special Provisions. The purpose of this ordinance is to define recreational substance retailers (vape shops) and medical cannabis dispensing facilities and classify them as a special exception in the V-1, Village District, B-2, General Commercial District, Mixed Use/Traditional Neighborhood District, and the RMU-1, Residential Mixed Use District. The proposed ordinance also provides specific requirements that recreational substance retailers (vape shops) and medical cannabis dispensing facilities shall meet, which include the following, but

are not limited to: separation from other uses, operational standards, and site design.

By motion of Supervisor Pugh and with the following vote, the Board directed staff to advertise Ordinance 2026-5 Vape Shops and Medical Cannabis for a public hearing on August 18, 2026.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker

VI. Consent Agenda

By motion of Supervisor Pugh and with the following vote, the Board approved the Consent Agenda for August 4, 2026.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker

A. Minutes - July 21, 2026

It was moved that the Board adopt the minutes of July 21, 2026.

B. 2026 Personal Property Tax Relief Act

It was moved that the Board adopt Resolution 2026-17-R as presented setting the PPTR Rate for 2026.

VII. Special Presentation

A. Virginia Code 15.2-12.1.2, Discounts on Early Tax Payments

The Board received information regarding Virginia Code 15.2-12.1.2 from the Treasurer and Commissioner of Revenue. No action was taken.

B. Virginia Association of Counties Achievement Award Presentation

The Board and staff were presented with an award from Katie Boyle of the Virginia Association of Counties.

Amherst County has received its fourth consecutive Virginia Association of Counties (VACo) Achievement Award. Amherst County projects continue to be recognized for its innovation, leadership, and commitment to community. In prior years Amherst County has been awarded for the Route 29 Beautification Committee's efforts (2023), Public Safety for the Burn Building (2024), Parks & Recreation for the Seminole Park Project (2025), and this year (2026) is being recognized for the work of the Amherst County Fair. Of the 103 applications submitted, only 40 were chosen for recognition of their achievements and dedication to their communities. It is an honor to be among those chosen again this year.

VIII. New Business

A. Briefing on Audit

Finance Director, Tracie Morgan, notified the Board that the auditors would be on-site starting August 5, 2026.

B. Consent Agenda Discussion

The Board received requested information regarding the consent agenda. Discussion only, no action was taken.

C. Land Transfer to Amherst Fire Department

The Amherst Fire Department has requested the transfer of a small parcel (0.016ac) of county-owned property to facilitate the installation of a new emergency backup generator on the left side of the fire station. The proposed land transfer would encompass approximately one existing parking space immediately adjacent to the building and extend forward to the sidewalk.

The installation of the generator will improve the station's emergency preparedness by ensuring reliable backup power during utility outages, allowing the facility to continue serving as a critical public safety resource. The requested transfer is limited to the minimum amount of property necessary to accommodate the generator and its associated equipment.

Chair Martin abstained from this matter and vote due to his affiliation with the Amherst Fire Department.

By motion of Supervisor Pugh and with the following vote, the Board directed staff to advertise and schedule a public hearing to effectuate the transfer of land to the Amherst Fire Department as requested.

AYE: Mr. Pugh, Mr. Campbell

NAY: None

ABSTAIN: Mr. Martin

ABSENT: Mr. Adams, Mrs. Tucker

D. Resolution 2026-18-R 2027 CIP Reimbursement

The approved FY27 budget included financing of roughly \$6 million in capital items and \$1.2 million in cash funding for other capital items. At this time, no capital purchases have been made. We have learned from Davenport that the County cannot proceed with the financing method until the FY25 audit has been finalized. However, the County has been presented with several options to save on a few purchases if we are able to proceed now. The proposed Reimbursement Resolution, prepared by Davenport Investment, is being presented to allow the County the opportunity to proceed with necessary capital expenditures. Adoption of this resolution allows the County to proceed with the purchase of approved capital items using available cash while maintaining the option to reimburse ourselves for those expenditures from the proceeds of future debt financing.

Approving the Reimbursement Resolution enables the County to move forward with time-sensitive capital purchases without delaying projects until financing is finalized.

Chair Martin motioned to approve Resolution 2026-18-R with the caveat that the 1.2 million only be used to purchase the seven Sheriff vehicles, the roll-off truck, the EMS cardiac monitors, and make the first payment on the body cameras. There was more discussion on how the Resolution was written at that time Chair Martin then withdrew his motion and it was the consensus of the Board to bring this matter back at the August 18, 2026 meeting.

E. FY 26 Appropriation of Revenue - Sheriff's Office

By motion of Supervisor Campbell and with the following vote, the Board approved the appropriation of funds as described.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker

IX. County Administrator's Report

A. Boards/Commissions/Committees - Library Board of Trustees

The term of Ms. Sandy Jennings-Neblett, District 2, expired on June 30, 2026. The vacancy was advertised on Facebook. Staff received letters of interest from Julie Glover, Cindy Shockley and Sandra Rodgers. The Board interviewed each candidate and asked them to return to the August 18, 2026 meeting for a decision on the appointment due to District 2 representative Supervisor Tucker being out of town during this meeting.

X. County Attorney's Report

A. Freedom From Religion Foundation Request Letter

The County Attorney reported that on July 28th, 2026, the Board was sent correspondence from an organization called Freedom from Religion Foundation requesting a change to the Board's procedures as it relates to the invocation that is done at the beginning of the Board meeting. He stated that effectively, they're asking for it to be either be discontinued altogether or revised in some way, shape, or form alleging that they believe that how the Board is doing the invocation now is in violation of the Establishment Clause under the United States Constitution. Mr. Popovich stated that the process in which the Board does an invocation in which each individual member gets to say a prayer in whatever form that they so choose, and there being no script and no requirement, is acceptable under the case law that is out there.

XI. Departmental Reports

A. Recreation, Parks, and Tourism- Annual Report

The Board received an annual report from the Amherst County Parks and Recreation Director, Randy Nixon.

XII. Citizen Comment

Mark Labadie, District 2, addressed the Board, stating that he appreciates what the Parks and Recreation Department does. He also stated he wanted to give kudos to Chair Martin regarding his stance on the data center ordinance, Supervisor Pugh for his stance against all the data center aspects, and Mr. Campbell for his fiscal conservatism.

Tobey Thurston, District 1, addressed the Board with appreciation for the work to regulate vape shops and thoughts and concerns on support from local leaders regarding Rosies.

Jeff Porter, District 5, addressed the Board with thoughts on the letter on the agenda from the Freedom From Religion Foundation Request Letter.

Steve Walthall, District 4, addressed the Board with thoughts regarding data centers.

Stacey Tursiella, District 4, addressed the Board with thoughts and concerns regarding data centers and items to consider in the proposed ordinance involving data centers.

Britney Opoka, District 2, addressed the Board with information on environmental and public health impacts of data center development in rural and residential areas.

Lisa Jonas, District 4, addressed the Board with thoughts and concerns on data centers and items to consider in the proposed ordinance involving data centers.

Charlie Tysver, District 3, addressed the Board regarding data centers and litigation.

Rebecca Henry, District 4, addressed the Board stating that she thinks that the citizens and community leaders could work together to promote our area and bring things here that work for the county opposed to data centers.

XIII. Matters from Members of the Board of Supervisors

Supervisor Campbell stated he was able to go out with the pastor of Madison Heights Baptist Church recently as that church is working with contractors all over the country and the youth doing a mission where they go out into the community and help people who can't help themselves. They assist with helping them clean up their yard and do work to their houses; he stated they are non-profit but have been getting some funding from Bedford County and doing some work out there as well as Lynchburg and a little in Amherst County through private donations. Mr. Campbell stated he would like to suggest that the Board possibly consider contributing a little funding to this in the future. He stated that the county funds multiple different charities and has been for years and he asked if the county receives any type of statement on where or how those charities spend the money and asked if that is something that can be provided going forward. He also stated that he would like to see the EDA provide a report to the Board more often such as quarterly rather than annually.

Supervisor Pugh stated that he thought the EDA needed more scrutiny by the Board of Supervisors regarding what is going on and where the money that is given to them by the county is going and that he supports Mr. Campbell's idea of receiving reports from the EDA more often.

Chairman Martin stated that an update to the Comprehensive Plan will kick off in 2027 and he encourages the citizens to join in those discussions and participate in that with as much strength and energy as they have in the data center discussions and have the difficult conversations about how the county is going to develop over the next 10-20 years, as the Comprehensive Plan is the guide for the county.

XIV. Adjournment

By motion of Supervisor Pugh and with the following vote, the Board adjourned at 5:40 pm.

AYE: Mr. Martin, Mr. Pugh, Mr. Campbell

NAY: None

ABSENT: Mr. Adams, Mrs. Tucker



Tom Martin, Chair
Amherst County Board of Supervisors



Jeremy Bryant, County Administrator