

**VIRGINIA: AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS
HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD
BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, ON
APRIL 18, 2016 AT 6:00 P.M.**

Board of Supervisors Present: David T. Williams, District 1
Larry J. Nordvig, District 2, Vice-Chairman
Angela Y. Cabell, District 3
William E. Melton, District 4, Chairman
Carson L. Tucker, District 5

County Staff Members Present: Tom Lacheney, County Attorney
Patricia A. Weiler, County Administrator
March Altman, Deputy County Administrator
Charla Schubert, Finance Director
Steve Singer, Fire and Rescue Chief
Randy Buzzard, IT Director
Johnny Melis, Utilities Manager
Ramona Carter, Public Works Director
Cathy Pemberton, Social Services Director
Ed Howland, Planning & Zoning Manager

Guests Present: Caroline Luxhoj, Center for Innovative Technology

1. Call to Order

Chairman Melton called the meeting to order and at 6:02 p.m. Chairman Melton stated to let the record show all Board of Supervisors members are in attendance.

2. Invocation

Chairman Melton provided the invocation.

3. Pledge of Allegiance

Mr. Tucker led the Pledge of Allegiance.

**4. Requests to Postpone Agenda Items and Additions, Deletions or
Changes in the Order of Presentation**

There were no requests to amend the Agenda.

5. Formal Approval of Agenda

Mr. Tucker motioned to approve the agenda as amended. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

**VOTE 5-0
MOTION Passed**

6. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board) - for anything not to be addressed at a public hearing scheduled for this date

Teresa Dobbins, Circuit Clerk Court, read a letter she sent to Chairman Melton regarding the pay and classification plan for her staff.

7. Consent Agenda

All matters listed under the Consent Agenda are considered by the Board to be routine and will be enacted by one resolution in the form or forms listed below. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- a. Approve Regular Meeting and Special Meeting Minutes – March 14, 2016
- b. Approve Regular Meeting Minutes – March 23, 2016
- c. Approve Special Meeting Minutes – March 28, 2016
- d. Approve Regular Meeting Minutes – March 28, 2016
- e. Resolution R-2016-19 Amending the Fiscal Year 2016 Powhatan County Operating Budget by Budgeting and Appropriating \$15,000 from Dominion Power for the Economic Development Roadmap Pilot Project
- f. Resolution R-2016-20 Amending the Fiscal Year 2016 Powhatan County Operating Budget by Budgeting and Appropriating \$42,349.50 in CSBG grant funds.
- g. Resolution R-2016-21 Amending the Fiscal Year 2016 Powhatan County Operating Budget by Budgeting and Appropriating \$59,754.71 for Insurance Recoveries

Mr. Tucker motioned to approve the Consent agenda as presented. Ms. Cabell seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

8. Appointment to Boards, Commissions, Committees, etc.

- a. Appointment to the Richmond Area Transportation Planning Organization - Citizens Transportation Advisory Committee (TPO-CTAC)

Chairman Melton motioned to appoint Thomas Fletcher and Adam Sadler as representatives on the Richmond Area Transportation Planning Organization – Citizens Transportation Committee. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

- b. Appointment to the John Tyler Alcohol Safety Action Program (ASAP)

Chairman Melton motioned to appoint Robert Cerullo as Powhatan County's representative for the John Tyler Alcohol Safety Action Program. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

9. Old Business

- a. Presentation of the Powhatan Broadband Citizen Survey

Ms. Weiler introduced the members of the Broadband Citizens Advisory Committee.

Randy Buzzard introduced Caroline Luxhoj from the Center for Innovative Technology (CIT), who presented the key findings of the Powhatan Broadband Citizen Survey.

Chairman Melton thanked Ms. Luxhoj and the Broadband Citizen Advisory Committee for their time and work on gathering information for the survey.

10. New Business

- a. Resolution R-2016-22 Consideration of the Appeal by the Applicant, David J. Sowers, of a Decision of the Planning Commission for a Private Road Pursuant to §9.2-2.0 of the Powhatan County Subdivision Ordinance

March Altman provided an overview of the Sowers case, stating that the applicant has requested a private road for tax map # 31-2, located on the south side of Huguenot Trail approximately .25 mile west of Happy Hallow Drive.

Mr. Altman stated that the Planning Commission denied the request; and the applicant has appealed the denial to the Board of Supervisors.

Mr. Tucker asked Mr. Sowers why he didn't make the entire road a public road. Mr. Sowers stated that there is more demand now for private roads in subdivisions; but if there is demand for a public road in the future, he will make it a public road.

Mr. Nordvig asked for information about the Comprehensive Plan designation of Rural Preservation and Natural Conservation. Mr. Altman explained that in that area, there is a 10-acre minimum lot size requirement and this request meets that requirement.

Mr. Tucker stated that he is opposed to private roads, explained his reasoning, and stated that he will be voting against this on principle.

Mr. Williams agreed with the comments made by Mr. Tucker. Mr. Williams added that although he is opposed to private roads, what is being proposed meets the current Ordinance.

Mr. Williams moved to adopt Resolution R-2016-22 to approve the appeal of the Planning Commission's decision submitted by David J. Sowers regarding his application for a 10-lot private road off of Huguenot Trail and permit the requested private road. Mr. Nordvig seconded the motion.

Chairman Melton stated that private roads have improved and most of the complaints that are received are about older roads.

David T. Williams, Larry J. Nordvig, and, William E. Melton voted AYE.
Angela Y. Cabell and Carson L. Tucker voted NAY

VOTE 3-2
MOTION Passed

**11. Certificates of Appreciation, Special Resolutions and Proclamations
– Time Certain 6:30 PM**

- a. P-2016-11 The 2,000th Rider Celebration at Lonesome Dove
Equestrian Center

Chairman Melton read the Proclamation aloud and motioned for approval. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

**VOTE 5-0
MOTION Passed**

- b. P-2016-12 Volunteer Appreciation for Powhatan Road
Cleanup

Mr. Williams read the Proclamation aloud and motioned for approval. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

**VOTE 5-0
MOTION Passed**

- c. P-2016-16 Recognition of Earth Day – April 22, 2016

Ms. Cabell read the Proclamation aloud and motioned for approval. Chairman Melton seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

**VOTE 5-0
MOTION Passed**

- d. P-2016-17 Recognizing the 2015 Powhatan County Clean
Business Award Recipient

This item was deferred to the May 2, 2016, meeting.

- e. P-2016-15 General Federation of Women's Clubs Federation
Day

Mr. Tucker read the Proclamation aloud and motioned for approval. Ms. Cabell seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

- f. P-2016-13 National County Government Month

Chairman Melton motioned for approval of the Proclamation. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

- g. P-2016-14 Sexual Assault Awareness Month

Mr. Nordvig read the Proclamation aloud and motioned for approval. Mr. Tucker seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

12. Public Hearings – Time Certain 7:00 PM

- a. Public Hearing on the Fiscal Year 2017 Operating Budget and FY 2017 Five-Year Capital Improvement Program (CIP)

Chairman Melton opened the Public Hearing on the Fiscal Year 2017 Operating Budget and FY 2017 Five-Year Capital Improvement Program.

1. Sam Epps, District 1, stated that when citizens look at the budget process, they realize that the only place the funds can come from is taxes. Mr. Epps spoke about his support of all law enforcement and stated that the Sheriff is the lowest paid constitutional officer in the County. Mr. Epps stated that the County should build infrastructure to attract businesses to support the budget.
2. James Kunka, 1922 Moseley Road, spoke against raising taxes. Mr. Kunka added that he doesn't want the school system or the County's emergency response personnel to be short changed, money to be spent twice, or the emergency response system to be deferred.
3. John Hoover, 3969 Resting Place, wants the Board to realize who is paying for what the County spends, that it is our children and grandchildren who are paying.

4. Don Silberbauer, 1426 Donavon Mill Lane, challenged the tax-related campaign promises of Board members. Mr. Silberbauer stressed the need for economic development in order to get tax relief.
5. Tim Gresham, 3170 Elwood Farm Lane, stated that spending has been increased, which is passed on to tax payers. Mr. Gresham stated that Board members who made campaign promises not to raise taxes are now doing so. Mr. Gresham urged that spending and borrowing be cut.
6. Karla Curtis, 3311 Greywalls Drive, spoke about adopting the lowest possible tax rate that will support County services. Ms. Curtis stressed the need for economic development and the need to implement infrastructure and Broadband.
7. Ronald Hathaway, 2127 French Hill Court, expressed concern about the budget proposal. Mr. Hathaway spoke about Powhatan County schools and associated costs per student in comparison to neighboring jurisdictions. Mr. Hathaway asked the Board to prioritize projects.
8. Jenny Hathaway, 2127 French Hill Court, requested specifics on the proposed paid Fire Department. Ms. Hathaway asked how, if the County gets a grant to pay for the first two years, the County would continue to pay Fire Department personnel after that initial period. Ms. Hathaway asked the Board to not move forward with projects the citizens cannot afford to pay for.
9. Dave Bailey, 4261 Worsham Road, spoke against the proposed tax rate increase and urged the Board to make cuts in spending so no increase will be necessary. Mr. Bailey stated that taxes are chasing people out of the County.
10. Lummi Jones, 2729 Judes Ferry Road, stated that people who are moving into the County want the services that are currently in the Budget. Ms. Jones stated that the value of homes is not going up primarily because there is no high speed internet available. Ms. Jones asked the Board not to reduce the tax rate.
11. Andrew Snead, 2914 Edith Lane, asked the Board not to reduce the tax rate and make the choices that will enhance the future of Powhatan County. Mr. Snead urged the Board to invest in education and public safety.
12. Jim Carver, 4245 Steger Creek Drive, encouraged the Board to adhere to campaign pledges and not raise the tax rate. Mr. Carver stated that focus should be placed on core government functions of public safety and schooling.
13. Nicholas Snead, 3710 Maidens Road, asked the Board not to reduce the tax rate. Mr. Snead stated that the Board members have taken an oath to increase the quality of life for each resident of Powhatan County.

14. Rick Cole, 3084 Judes Ferry Road, stated that paying taxes is part of being a citizen and commended the Board for doing what is necessary to keep the County moving. Mr. Cole stated that the budget increases in recent years have been basically to maintain what the County had and to meet state mandates that we have little or no control over. Mr. Cole asked the Board not to reduce the tax rate.
15. Joanne Fico, 2762 Maidens Road, asked the Board not to reduce the tax rate. Ms. Fico remarked that there are a lot of projects that need to be done and a lot of repairs that need to be made.
16. Stewart Edwards, 4206 Old Plantation Road, challenged the Board to get what is being paid for when it comes to any project being done. Mr. Edwards stated that he is not asking that the school or garage not be built, just that the Board be diligent in getting the best deal.
17. Brooks Smith, 3548 Richards Run, stated that since investments have been made in Powhatan County schools, there has been a major turnaround in the reputation of the schools. Ms. Smith stressed the importance of Broadband to the students and urged investment in infrastructure that supports that kind of technological growth.
18. Teresa Hash Dobbins, 3158 Lees Landing Road, stated the need to invest in the future of Powhatan County. Ms. Dobbins encouraged the Board to listen to the alternatives that are being offered.

Seeing there were no other speakers, Chairman Melton closed the Public Hearing.

- b. Public Hearing on the Potential Bond Issuance to Fund Capital Improvement Needs

Chairman Melton opened the Public Hearing on the Potential Bond Issuance to Fund Capital Improvement Needs.

Seeing there were no speakers, Chairman Melton closed the Public Hearing.

- c. Ordinance O-2016-17 Amending the Powhatan County Code of Ordinances, Appendix A Fee Schedule, to Increase Water Rates, Wastewater Rates, Emergency Transport Fees, and Zoning Ordinance Fee, and to Update Certain Other Fees

Chairman Melton opened the Public Hearing on the Ordinance O-2016-17.

Seeing there were no speakers, Chairman Melton closed the Public Hearing.

Following the Public Hearings, Mr. Nordvig presented and the Board discussed Mr. Nordvig's alternate budget proposal for FY 2017.

13. Public Comment (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time limit that can be extended by the Board) - for anything not to be addressed at a public hearing scheduled for this date

Chairman Melton opened the public comment period.

Jim Carver, 4245 Steger Creek Drive, requested that the Board bring the auditor back to answer additional questions regarding the audit.

Seeing there were no other speakers, Chairman Melton closed the public comment period.

14. County Attorney Comments

Mr. Lacheney had no comments.

15. County Administrator Comments

Ms. Weiler stated that the next meeting is May 2, which includes a Public Hearing on the Real Estate Tax Rate; and action will be taken on adoption of the Budget, adoption of the CIP, setting the Real Estate Tax Rate, adoption of an Ordinance on the Fee Schedule, and authorizing Bonds.

16. Board Comments

Mr. Tucker reported that the CSA recently was audited by the State and passed. Mr. Tucker added that the audit stated “these are the best practices we’ve seen in the Commonwealth of Virginia.” Mr. Tucker stated that the CSA has also been able to reduce the cost per child served.

Mr. Tucker asked the Chief to pass on to his staff that he received a call from a constituent who stated that Fire & Rescue fundamentally saved his two-year-old daughter’s life.

Mr. Nordvig reported that the *Heroes not Heroin* event held on April 17 was well-attended and educational; and there were many vendors there who can equip Powhatan County with the resources it needs to fight the heroin use problem.

Mr. Nordvig reported that the Earth Day Celebration is scheduled for Wednesday, April 20, at the Powhatan Courthouse Green and Saturday, April 23, is the Amnesty Day celebration.

17. Closed Meeting, as authorized by the Code of Virginia, Section 2.2-3711(A), to discuss the following matter(s):

Mr. Lacheney read the following Closed Meeting motion:

WHEREAS, the Board of Supervisors of Powhatan County desires to discuss in Closed Meeting the following matter(s):

- a. One (1) matter concerning the salary or performance of specific personnel - §2.2-3711(A)(1) of the Code of Virginia

Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. §2.2-3711(A)(7) of the Code of Virginia;

WHEREAS, pursuant to §§2.2-3711 (A)(1) and (A)(7) of the Code of Virginia, such discussion(s) may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Powhatan County does hereby authorize discussion of the aforestated matter(s) in Closed Meeting.

Mr. Tucker moved to approve the Closed Meeting resolution read by the County Attorney. Chairman Melton seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

The Board entered Closed Meeting at 9:35 p.m.

18. Closed Meeting Certification

Chairman Melton reconvened this Regular Meeting of the Powhatan County Board of Supervisors in open meeting at 10:09 p.m. and requested the Clerk of the Board to conduct a roll call certification vote of the Supervisors, to be included in the minutes of this meeting.

Ms. Weiler, Clerk of the Board, asked to the best of each Supervisor's knowledge, do they certify that:

- (1) the only matters discussed in the closed meeting were public business matters lawfully exempted from open meeting requirements; and
- (2) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting just conducted?

Ms. Weiler conducted the roll call vote so the Supervisors could so certify:

Mr. Williams	<u>AYE</u>
Mr. Nordvig	<u>AYE</u>
Ms. Cabell	<u>AYE</u>
Mr. Melton	<u>AYE</u>
Mr. Tucker	<u>AYE</u>

Ms. Cabell motioned to approve a 6% increase to the Treasurer's salary retroactive to January 1, 2016. Chairman Melton seconded the motion.

Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.
David T. Williams ABSTAINED

VOTE 4-0-1
MOTION Passed

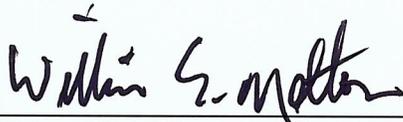
19. Adjournment

Mr. Williams motioned to adjourn the meeting. Chairman Melton seconded the motion.

David T. Williams, Larry J. Nordvig, Angela Y. Cabell, William E. Melton, Carson L. Tucker voted AYE.

VOTE 5-0
MOTION Passed

The meeting adjourned at 10:10 p.m.



William E. Melton, Chairman
Powhatan County Board of Supervisors



Patricia A. Weiler, Clerk
Powhatan County Board of Supervisors