

The Appomattox County Board of Supervisors held a scheduled Work Session on Monday, February 29, 2016 at 6:00 PM in the County Administration Conference Room located at 153A Morton Lane, Appomattox, Virginia.

CALL TO ORDER

Appomattox County Board of Supervisors

Present:

Samuel E. Carter	Courthouse District, Chairman
Sara E. Carter	Piney Mountain District, Vice-Chair
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District
Bryan A. Moody	Stonewall District

Also Present:

Susan M. Adams, County Administrator
Johnnie Roark, Community Development Director
Patricia Lucado, Payroll
Vicky Phelps, Finance
Jimmy Sanderson, Davenport Inc.
Dan Siegel, Sands Anderson

DISCUSSION

Chairman Carter called the budget work session to order at 6:00 p.m. and delivered the invocation.

Chairman Carter called on Mr. Jimmy Sanderson and Mr. Dan Siegel to come forward and provide the Board with a presentation on the current debt service for Appomattox County.

Mr. Sanderson came forward and stated he was here to see if the Board had additional thoughts or questions/concerns on what the Board would like to do regarding the current debt service. He stated that there had been a little bit of change in the market since he last spoke in a positive manner. He explained that he had run more numbers to look at our refunding and refinancing, but generally, the interest rate environment has improved. Mr. Sanderson provided the Board with a restructuring analysis and explained each option. Mr. Sanderson stated that if the Board wanted to move forward with the VRA option they would have to take action in March. He stated that if the Board was not able to meet their spring pool, they could work towards the summer pool which would be in August. He advised that the Board may want to consider the upcoming FY-17 budget when making this decision.

Mr. Siegel came forward and stated that previously they looked at taking all the debt service that would require a tax increase and moving to later years when the debt service goes down. He explained that now because of lower rates, they have looked at taking most if not all of the debt and the restructuring as discussed would still have a net savings, which is different than what we looked at previously.

Mr. Sanderson stated that because interest rates are lower now and you can remove the larger transaction and restructure your debt; the change in debt service is lower.

After lengthy discussion and all questions and concerns from the Board on restructuring were answered, Chairman Carter called for a motion.

Mr. Moody made a motion to allow Davenport to begin the process of a restructure. Ms. Carter seconded Mr. Moody's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Chairman Carter thanked Mr. Sanderson and Mr. Siegel for coming and discussing the restructuring process.

Mr. Moody provided the Board with an update on the tornado situation and his concerns with the command structure. There was lengthy discussion on command structure, Team Rubicon, resources for debris removal, long term planning committee/group, and storm related cost to the County.

Ms. Adams stated that Mr. Bryan Swanson, representing the Incident Management Team (IMT) is here tonight to provide the Board with an update on the tornado situation and to review the role of the (IMT) during this storm related incident. Ms. Adams stated that he is prepared to answer questions/concerns from the Board. Ms. Adams stated that he could provide this presentation after the scheduled public hearing.

At 7:00 p.m. Chairman Carter announced that the Appomattox County Board of Supervisor will call to order a scheduled public hearing.

Chairman Carter stated that the Appomattox County Board of Supervisors will hold a public hearing to consider the following zoning petition RZ15-1101-Country Oak Land & Timber LLC (owner), Basil Bays (applicant) proposes to conditionally rezone property from V-1, Village Center Zoning District to B-1, General Commercial Zoning District. The parcel is located off Wildway Road, in the Vera community. The purpose of the conditional rezoning is for the applicant to locate a contractor storage yard for waste containers and portable toilets. Tax Map # 41 (A) 50; Total Acres: 6.10 acres.

Mr. Roark provided the Board with an overview and discussed how neighbors had met with Mr. Bays and had worked out their concerns.

Mr. Bays spoke and stated that he would be bringing a new business to the county and serving the eastern area towards Farmville and Charlotte out the site, while serving Lynchburg, Bedford, and Campbell out of his Bedford site. He stated that he is a good neighbor and would keep a buffer. He noted that the workers would come early in the morning, leave for their deliveries, and then return about 3:00 p.m. to go home.

Chairman Carter called for questions/concerns.

After questions and concerns were discussed, Chairman Carter called for public comment, hearing none; he closed the public hearing at 7:09 p.m.

Conditional Rezoning Application (Piney Mountain District) for Country Oak Land & Timber, LLC (owner), Basil Bays (applicant) seeking to conditionally rezone 6.10 acres from V-1, Village Center Zoning District to B-1, General Commercial Zoning District, located on Wildway Road, near the intersection of Old Courthouse Road, in the Vera community.

AN ORDINANCE TO CONDITIONALLY REZONE 6.10 ACRES LOCATED ON WILDWAY ROAD AND IDENTIFIED AS TAX PARCEL IDENTIFICATION NUMBER 41 (A) 50 FROM V-1 VILLAGE CENTER ZONING DISTRICT, TO B-1, GENERAL COMMERCIAL ZONING DISTRICT.

WHEREAS, the owner of the subject property, through his agent (Steven T. Conner) and the applicant, has petitioned for the conditional rezoning from V-1, Village Center Zoning District to B-1, General Commercial Zoning District, of 6.10 acres located on Wildway Road and otherwise known as Tax Parcel Identification Number 41 (A) 50; and

WHEREAS, the proposed conditional rezoning was advertised and neighboring landowners were notified as required by Virginia Code §15.2-2204, §15.2-2285, and §15.2-1427(F) and the proposed conditional rezoning has undergone properly advertised public hearings by the Planning Commission on January 13, 2016 and by the Board of Supervisors on February 29, 2016; and

WHEREAS, Planning Commission, at its regular meeting in February, 2016, voted unanimously to recommend approval of the petition with the proffer statement dated January 28, 2016 (6-0, Carter absent); and

WHEREAS, Proffer number one lists the following permitted use categories that will not be allowed: Amateur Radio Tower, Automobile Dealership, Automobile Parts/Supply Retail, Automobile Rental/Leasing, Business or Trade School, Civic Clubs, Clinic, Commercial Indoor Entertainment, Communications Services, Community Recreation, Consumer Repair Services, Convenience Store, Crisis Center, Day Care Center, Domestic Chickens, Educational Facilities College/University, Educational Facilities Primary/Secondary, Family Day Care Home, Financial Institutions, Funeral Services, Hospital, Hotel/Motel/Motor Lodge, Medical Office, Pawn Shop, Post Office, Residential Human Care Facility, Restaurant General/Drive-In/Fast Food, Veterinary Hospital/Clinic; and

WHEREAS, Proffer number two lists the following conditional use categories that will not be allowed: Adult Entertainment, Bed & Breakfast, Commercial Indoor Amusement, Commercial Indoor Sports & Recreation, Commercial Outdoor Sports & Recreation, Commercial Outdoor Entertainment, Dance Hall, Fish Hatchery, Flea Market, Halfway

House, Home for Adults, Industrial Manufacturing, Laboratories, Life Care Facility Nursing Home, Outdoor Gathering, Planned Unit Development, Public Assembly; and

WHEREAS, Proffer number three states "A 50' wide buffer full of existing vegetation will remain in place along entirety of the current property boundary, except for the northern property line common to Tax Map Number 41 (A) 49 (Hannon, M.). Along this property line, the buffer shall be 75' wide, full of existing vegetation; however, a portion of this buffer area may be utilized for the purpose of a driveway within the 75' buffer area. Should a driveway be installed, a minimum of 25' buffer of existing vegetation shall remain between the proposed use and the driveway. * Add 25' to buffer along Bryant property line for total of 75' buffer. B.B."; and

WHEREAS, Proffer number four states "The entrance will be installed in accordance with current VDOT standards and approved by VDOT."; and

WHEREAS, Proffer number five states "The property will be developed in accordance with all local, state, and federal erosion and sediment control laws and all local, state, and federal stormwater management laws. Precautions will be taken care of in the construction phase to minimize any impact to existing streams or stormwater structure."; and

WHEREAS, Proffer number six states "The storage of solid waste (refuse collection) containers, i.e. dumpsters, shall be limited to no more than thirty (30) units regardless of size. The containers will be "empty" and ready for placement on customer lot. The solid waste container used for business on-site is exempt from this proffer."; and

WHEREAS, the Board has carefully considered the report, recommendation of the Planning Commission, the presentation of staff, and the comments during the public hearings; and

WHEREAS, the Board has determined that the requested conditional rezoning meets the goals and objectives of the Comprehensive Plan and the purposes of the Zoning Ordinance; and

WHEREAS, the Board finds that the public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to amend the zoning district classification of the subject property.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA that in consideration of the report and recommendation from the Planning Commission, the presentation of staff, and the public hearings held by the Board and the Planning Commission, the proposed conditional rezoning is hereby granted, subject to the proffers stated herein, and 6.10 acres of Tax Parcel Identification Number 41 (A) 50, as described herein, is hereby

conditionally rezoned from V-1, Village Center Zoning District to B-1, General Commercial Zoning District; and

BE IT FURTHER ORDAINED that the County's Official Zoning Map shall be amended to reflect the change in zoning classification authorized by this ordinance and the Zoning Administrator is directed to amend the zoning district map to reflect the change in zoning classification authorized by this Ordinance.

This Ordinance shall take effect immediately.

Ms. Carter made a motion to adopt an ordinance to allow a conditional rezone of property from V-1, Village Center Zoning District to B-1, General Commercial Zoning District located off Wildway Road in the Vera community per request. Mr. Hogan seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Bryan Swanson came forward and provided the Board with an overview of the "role of (IMT) in the disaster response. Mr. Swanson after his overview and update praised the Appomattox Volunteer Fire and Rescue. He stated that they had performed to the level of professionalism that you would see across the State for any paid staff or organization. He stated that regards to the road clearing component, when he arrived in Appomattox he was awestruck that the roads were passable. He stated that he is not sure how this coordination was done, but it took a lot of chainsaw's to make this happen which made it possible for people to come in to work the scene.

Mr. Swanson introduced Andy Shunt, (IMT) Situation Officer who provided the Board with a written situation report for their review. He called for questions/comments.

Mr. Swanson introduced R.J. Whaley the (IMT) Safety Officer. Mr. Whaley provided the Board with a safety update and then emphasized taking breaks and being careful not to get yourself hurt, now that the adrenaline is over, he stated that he had no reports of accidents or injuries as of date.

Mr. Swanson stated that they would be making a transition back to the locality. He called for questions or comments.

All board members extended their thanks to the IMT for services provided during this difficult time for Appomattox County.

Mr. Gene Stewart came forward and provided the Board with a brief overview of his position with VDEM and then thanked the County for their support.

Mr. Hogan asked Mr. Swanson for any comments from his perspective on what the Board needed to be aware of from this point on. Mr. Swanson advised the Board to stay focused, and to be cautious about the services you want to provide/offer he stated that if you initiate it you own

it. He stated that you want to get back into the normal phase of operation as soon as possible. There was discussion of allowing staff to continue with the recover process.

Mr. Hogan thanked the IMT for their services and pointed out to the Board that each of the persons represented here also represent another locality who allows them to come and help during the time of a crisis.

Chairman Carter thanked Mr. Swanson, Mr. Stewart and all of the Incident Management Team for the services provided to Appomattox County during this crisis.

There was lengthy discussion on the Incident Organizational Chart and filling the position of Incident Commander. It was the consensus of the Board to have Ms. Adams speak with the persons discussed that are currently serving in this capacity and hear their opinion.

Ms. Adams stated that she would need a formal motion to adopt the resolution to Declaration of Emergency.

DECLARATION OF LOCAL EMERGENCY

WHEREAS, Wednesday, February 24, 2016, the Director of Emergency Management of Appomattox County, does hereby find:

1. That due to a weather event with damaging winds presumed to be a tornado. Appomattox County is facing dangerous conditions;
2. That due to this weather event with damaging winds presumed to be a tornado a condition of extreme peril to life and property necessitates the proclamation of the existence of a local emergency;

NOW THEREFORE, IT IS HEREBY PROCLAIMED that an emergency does now exist throughout said Jurisdiction: and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency, the powers, functions, and duties of the Emergency Management Organization of Appomattox County shall be those prescribed by State Law and the Ordinance, Resolutions, and approved plans of Appomattox County in order to mitigate the effects of said emergency.

Ms. Carter made a motion to adopt the Declaration of Emergency resolution. Mr. Carter seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Moody stated that the County would need to address a detailed debris removal plan.

Mr. Stewart stated that there is a plan in the Emergency Operations Plan, but would need some changes. He stated that the Board would need to review.

ADJOURNMENT

Hearing no further discussion, Ms. Carter made a motion to adjourn the meeting at 8:30 p.m. Mr. Millner seconded Ms. Carter's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

The work session adjourned at 8: 30 p.m.

Samuel E. Carter, Chairman