

PITTSYLVANIA COUNTY BOARD OF SUPERVISORS
BUSINESS MEETING
January 18, 2022

VIRGINIA: The Pittsylvania County Board of Supervisors' ("Board") Business Meeting was held on January 18, 2022, in the Board Meeting Room, 39 Bank Street, SE, Chatham, Virginia.

CALL TO ORDER (7:00 PM)

Ingram called the Meeting to order at 7:00 PM.

Attendee Name	Title	Status	Arrived
William V. ("Vic") Ingram	Chairman - Tunstall District	Present	6:53 PM
Jessie L. Barksdale	Vice Chairman - Banister District	Present	6:53 PM
Tim Chesher	Supervisor - Dan River District	Present	6:54 PM
Darrell Dalton	Supervisor - Callands-Gretna District	Present	6:53 PM
Timothy W. Dudley	Supervisor - Staunton River District	Absent	
Ronald S. Searce	Supervisor - Westover District	Present	6:55 PM
Robert ("Bob") W. Warren	Supervisor - Chatham-Blairs District	Present	6:52 PM

AGENDA ITEMS TO BE ADDED

Motion to add the following item under Matters from Work Session:

-Potential execution of the Interim County Administrator contract with the Berkley Group

APPROVAL OF AGENDA

Motion to approve Agenda.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Warren
NAYS:	Searce
ABSENT:	Dudley

CONSENT AGENDA

Motion to approve Consent Agenda.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Searce, Warren
ABSENT:	Dudley

- a. Board Meeting Minutes Approval (Staff Contact: Kaylyn M. McCluster)
- b. December Bill List Approval (online); (Staff Contact: Kimberly G. Van Der Hyde)

**Board of Supervisors
January 18, 2022
Business Meeting**

- c. Minimum Wage Adjustment-Grades 107-108 Approval Ratification (Staff Contact: Kimberly Van Der Hyde)
- d. Courthouse Maintenance Appropriation (Staff Contact: Kimberly Van Der Hyde)
- e. Mid-Year Budget Appropriations (Staff Contact: Kimberly Van Der Hyde)
- f. SCC Properties Tax Refund Approval (3); (Honorable Robin Goard)
- g. Reappointment: Planning Commission (Dan River District); (Brian Horne); (Supervisor Chesher)
- h. Reappointment: TLAC Citizen Representative (Emily S. Ragsdale); (Supervisor Dalton)

ITEMS REMOVED FROM CONSENT AGENDA

None.

PRESENTATIONS

a. 1% School's Sales Tax Presentation (Dr. Mark Jones, Pittsylvania County Schools)

Dr. Mark Jones updated the Board on the 1% school's sales tax referendum. They requested the Board adopt a Resolution in support of this being placed back on the ballot again this year. The total renovation costs for the Career and Technical Center and the Elementary Schools within the County is \$44,662,756. Some other funding sources include solar power projects, performance contract, and the CARES Act money. Dr. Martha Walker also spoke and asked the Board to mention this topic monthly at the Board Meetings.

HEARING OF THE CITIZENS

Alan Casper, Banister District, welcomed the new Board Members and stated he is looking forward to the coming year and he thanked the Board for the support the Fire and Rescue community has received. He stated his concern for some Members continuing to belittle agencies, and he stated he has the privilege to volunteer at two (2) agencies and both are equally important at getting the job done. He doesn't appreciate when his fellow volunteers are treated with disrespect by someone on the Board.

PUBLIC HEARINGS

Rezoning Public Hearings

Case 1: Public Hearing: Case R-21-033; Kathy Yeatts and Garland Bennett; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Supervisor Dalton)

In Case R-21-033, Kathy Yeatts and Garland Bennett ("Petitioners") have petitioned to rezone 46.24 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for agricultural uses*). The subject property is located on State Road 935/Farmers Mountain Road, in the Callands-Gretna Election District, and shown on the Tax Maps as GPIN # 2521-12-9800. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On December 7, 2021, the Planning Commission recommended, by a 6-0 vote, with no opposition, that the Petitioners' request be granted.

**Board of Supervisors
January 18, 2022
Business Meeting**

Ingram opened the Public Hearing at 7:22 PM. Kathy Yeatts was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:23 PM.

Motion to approve the rezoning of 46.24 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for agricultural uses. The rezoning would be consistent with the County's Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Searce, Warren
ABSENT:	Dudley

Case 2: Public Hearing: Case R-21-034; Nathan and Kathy Yeatts; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Supervisor Dalton)

In Case R-21-034, Nathan and Kathy Yeatts ("Petitioners") have petitioned to rezone 9.24 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for a second dwelling on the property*). The subject property is located on State Road 935/Farmers Mountain Road, in the Callands-Gretna Election District, and shown on the Tax Maps as GPIN # 2521-12-0169. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On December 7, 2021, the Planning Commission recommended, by a 6-0 vote, with no opposition, that the Petitioners' request be granted.

Ingram opened the Public Hearing at 7:25 PM. Kathy Yeatts was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:26 PM.

Motion to approve the rezoning of 9.24 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for a second dwelling on the property. The rezoning would be consistent with the County's Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Searce, Warren
ABSENT:	Dudley

Case 3: Public Hearing: Case R-21-035; Samuel Breedlove; Rezoning from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District (Supervisor Ingram)

In Case R-21-035, Samuel Breedlove ("Petitioner") has petitioned to rezone 0.27 acres from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District (*to combine with an adjacent parcel zoned R-1*). The subject property is located on State Road 624/Gammon Lake Road, in the Tunstall Election District, and shown on the Tax Maps as part of GPIN # 1443-29-5245. Once the property is rezoned to R-1, all uses listed under Pittsylvania County Code § 35-222 are permitted. On December 7, 2021, the Planning Commission recommended, by a 6-0 vote,

**Board of Supervisors
January 18, 2022
Business Meeting**

with no opposition, that the Petitioner’s request be granted.

Ingram opened the Public Hearing at 7:27 PM. Samuel Breedlove was present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:28 PM.

Motion to approve the rezoning of 0.27 acres, from A-1, Agricultural District, to R-1, Residential Suburban Subdivision District, to allow property lines to be adjusted. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Scearce, Warren
ABSENT:	Dudley

Case 4: Public Hearing: Case R-21-036; Damon Haskins and April Allen; Rezoning from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (Supervisor Dalton)

In Case R-21-036, Damon Haskins and April Allen (“Petitioners”) have petitioned to rezone 2.524 acres, from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District (*to allow for agricultural uses*). The subject property is located on State Road 800/Burton Lake Road, in the Callands-Gretna Election District and shown on the Tax Maps as part of GPIN # 1487-56-6985. Once the property is rezoned to A-1, all uses listed under Pittsylvania County Code § 35-178 are permitted. On December 7, 2021, the Planning Commission recommended, by a 6-0 vote, with no opposition, that the Petitioners’ request be granted.

Ingram opened the Public Hearing at 7:32 PM. Mr. Haskins and Ms. Allen were present to represent the Petition. No one signed up to speak and Ingram closed the Public Hearing at 7:32 PM.

Motion to approve the rezoning of 2.524 acres from R-1, Residential Suburban Subdivision District, to A-1, Agricultural District, to allow for agricultural uses. The rezoning would be consistent with the County’s Comprehensive Plan.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Dalton
SECONDER:	Warren
AYES:	Ingram, Barksdale, Chesher, Dalton, Scearce, Warren
ABSENT:	Dudley

OTHER PUBLIC HEARINGS

None.

UNFINISHED BUSINESS

None.

NEW BUSINESS

a. Resolution # 2022-01-03 (Schools 1% Sales Tax Referendum) Adoption (Staff Contact: J. Vaden Hunt, Esq.)

Resolution # 2022-01-03 authorizes County Staff to petition the Pittsylvania County Circuit Court for placement of a Referendum on the November 2022 general election ballot for the County to levy a general retail sales tax at a rate to not exceed one percent (1%) to provide revenue solely for capital projects for the construction or renovation of County Schools in accordance with Virginia Code § 58.1- 605.1.

Motion to adopt Resolution # 2022-01-03 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Warren
SECONDER:	Scearce
AYES:	Ingram, Barksdale, Chesher, Dalton, Scearce, Warren
ABSENT:	Dudley

b. Resolution # 2022-01-04 (Woodroam Waterworks Receivership Support) Adoption (Staff Contact: Chris Adcock)

Resolution # 2022-01-04 states that Woodroam Subdivision Waterworks (“WSW”) is a privately owned community waterworks located in Pittsylvania County, Virginia (“County”), consisting of two (2) wells, a steel atmospheric-type storage standpipe, hydro-pneumatic tank, two (2) booster pumps, corrosion control treatment, and distribution system. The Virginia Department of Health (“VDH”), Office of Drinking Water (“ODW”), has identified WSW’s owner as a “potential Serious Violator” under the Environmental Protection Agency’s (“EPA”) Enforcement Response Policy (“ERP”) for numerous violations. WSW’s owner has also been non-compliant in his actions to bring the system into compliance with VDH requirements, has indicated his desire to no longer operate the water system, and has effectively abandoned the system. Accordingly, the ODW, in consultation with the Virginia Attorney General’s Office (“VOAG”), have determined that the best course of action is to transfer all operational responsibilities, including billing and collection of fees, through the process of receivership to the County. The ODW has selected the County to receive \$125,000 of American Rescue Plan Act (“ARPA”) funds to rehabilitate/upgrade the WSW in anticipation of the County accepting operational responsibilities and future ownership of the same.

Motion to adopt Resolution # 2022-01-04 as presented.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barksdale
SECONDER:	Scearce
AYES:	Ingram, Barksdale, Chesher, Dalton, Scearce, Warren
ABSENT:	Dudley

c. Fire and Rescue Volunteer Hazard Pay Bonus (Staff Contact: Kimberly Van Der Hyde)

**Board of Supervisors
January 18, 2022
Business Meeting**

Van Der Hyde stated that previously, the Board provided County Fire and Rescue volunteers with an incentive in the amount of \$500 for volunteers who received the COVID-19 vaccine. A total of 163 incentives were paid out in December 2021, leaving an unencumbered balance of \$68,500 in this line item. Ingram desires to take this balance, along with the balance remaining in the Employee Vaccine and Bonus line and reward those volunteers who answered calls during the COVID Pandemic.

Slemp recommends that this bonus only be paid to Fire and Rescue volunteers who have run a total of fifty (50) calls or ten percent (10%) of the total agency call volume for calendar year 2021, whichever is less. Said calls will be verified by each Volunteer Agency Chief and vetted by County Public Safety Staff. Individuals working at multiple agencies will only be eligible for one (1) bonus payment. Those who have received the vaccine incentive would not be eligible for said bonus.

Dalton made a Motion, seconded by Chesher, to reallocate ARPA funds in the amount of \$168,500 to a new line item entitled “Volunteer Fire and Rescue Hazard Pay Bonus” in the ARPA Fund and pay Fire and Rescue volunteers a \$500 bonus if they qualify based on the criteria.

Substitute Motion that all volunteers that meet the criteria will get the \$500 if they did not receive the vaccine incentive.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Warren
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton, Searce, Warren
ABSENT:	Dudley

d. Volunteer Fire and Rescue Departments Audit Policy (Staff Contract: Kim Van Der Hyde)

The County’s FY22 Budget Resolution contains language in Section 22, which requires that each Volunteer Fire and Rescue Agency provide the County annual financial reports and/or audits of all available funds. Additionally, on June 16, 2020, the Board voted to require that two (2) Volunteer Fire and Rescue Agencies be randomly selected annually for audits to be performed at the County’s expense. Ingram requests this language be removed from future Budget Resolutions and that random audits no longer be required for County Volunteer Fire and Rescue Agencies.

Warren and Searce shared their opposition to this change and believe it is ultimately about accountability.

Motion to eliminate the audit requirements effective immediately, including the two (2) audits that are taking place at the present time.

**Board of Supervisors
January 18, 2022
Business Meeting**

RESULT:	APPROVED [4 TO 2]
MOVER:	Ingram
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton
NAYS:	Scearce, Warren
ABSENT:	Dudley

e. County Public Safety Ordinance Revisions (Chairman Ingram)

Ingram led discussion regarding potential revisions to the County’s Public Safety Ordinance involving the composition of the County’s Fire and Rescue Commission (“FRC”). He stated it is only fair for each Supervisor to appoint one (1) person from their District to serve on the FRC. There would be one (1) representative from each quadrant that is a business leader. Another change would be that no one who sits on the Fire and Rescue Commission could be a part-time or full-time employee of the County.

Motion to authorize County Staff to advertise for a Public Hearing for citizen input regarding potential revisions to the Public Safety Ordinance involving the composition of the County’s Fire and Rescue Commission.

RESULT:	APPROVED [5 TO 1]
MOVER:	Chesher
SECONDER:	Dalton
AYES:	Ingram, Barksdale, Chesher, Dalton, Warren
NAYS:	Scearce
ABSENT:	Dudley

f. BZA Appointment Recommendation (Supervisor Dalton)

Motion to request the County Attorney send a letter to Judge Moreau requesting that she vacate the Order for the BZA appointment and entertain a nomination for a new BZA appointment. Mr. Warren stated that the Board needs to realize that this is not a Board of Supervisors appointment and that the Judge is kind enough to ask if the Board has recommendations. As he mentioned in the Reorganization Meeting, elections have consequences, and this come up before the new Board took office. He wants everyone to realize before the vote is cast, agreeing to this nonsense tonight, is that a Judge, Circuit Court Justice, has determined that the individual met the criteria and qualifications to serve, and has served before, and you are asking her, who we have to work with on the Courthouse and everything else, to vacate an Order. Which means that she will basically say that she was wrong. He stated that he doesn’t think she will entertain petty politics, and we should move on from this. He stated after going back and looking, that there may be some disparity with the current members that are on there now, and when the next opening comes up there probably does need to be someone from the Northern end of the County. But what is being requested tonight is taking someone off from the Northern end of the County, potentially for someone else. He feels that we are going down a slippery slope that can only hurt us and he doesn’t believe the Judge will entertain it. He feels that this is a bad precedence.

**Board of Supervisors
January 18, 2022
Business Meeting**

Mr. Dalton stated that this is one of these things that the new Board should have had a voice in, to send it to the Judge, and that is the reason he is asking for it to be vacated; to give the new Board an opportunity to appoint someone.

RESULT:	APPROVED [4 TO 2]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton
NAYS:	Scarce, Warren
ABSENT:	Dudley

MATTERS FROM WORK SESSION (IF ANY)

a. Interim County Administrator Contract

Motion to approve the agreement between the Berkley Group and the County for non-professional services for the Interim County Administrator with the changes of three (3) months, with the option of three (3) additional months.

RESULT:	APPROVED [4 TO 2]
MOVER:	Dalton
SECONDER:	Chesher
AYES:	Ingram, Barksdale, Chesher, Dalton
NAYS:	Scarce, Warren
ABSENT:	Dudley

BOARD MEMBER REPORTS

- Warren requested for everyone to remember the Greg Robinson family as he lost his battle with COVID. He also asked all citizens to remember our County in prayer, County employees, and all Fire and Rescue folks, as they are right in the thick of this pandemic.
- Dalton also mentioned the Greg Robinson family and sent thoughts and prayers to them. He thanked Fire and Rescue, especially this last weekend with the storm. He also thanked VDOT and the power companies.
- Scarce thanked the people who put a conservative team in Richmond. He stated that he has a lot of anger built up and a lot of anger in his heart for the disservice that was done to Smitherman. He is upset with the people that had prior knowledge, since there was a crowd of people who showed up to see this decision be made. Not paying the severance pay to him is setting the County up to get sued. He stated the honorable thing to do is to pay his severance package and move on. He stated he is upset for the rehiring of Monday, since it's taken five (5) years to get our financial state back in order. He urged local citizens to get involved with politics.
- Chesher stated he appreciates the opportunity to serve and hopes there will be better days

**Board of Supervisors
January 18, 2022
Business Meeting**

ahead.

- Barksdale stated it is an honor to serve our people.
- Ingram stated there could be a peaceful transfer of power and he urged his fellow Board members to work together and move forward. Everyone can agree to disagree, and they are bigger and better than that. It is an honor to have the new additions to the Board. He stated they are all grown men and they know they work for the citizens. He echoed sentiments regarding Greg Robinson, and that he was an old friend, and one of many victims COVID has taken away from us. He stated he was thankful to County Staff for redoing the seating arrangements and thanked the citizens for coming out.

COUNTY ADMINISTRATOR REPORTS

Arnold thanked local agencies for their work during this last winter storm. He stated that the County has lost two (2) members of the organization to COVID recently. Terry Whitt passed away on December 25th and Lessia Hairston passed away on December 30th. He asked for everyone to continue to keep their families in thought and prayer.

ADJOURNMENT

Ingram adjourned the Meeting at 8:19 PM.