

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, AND REMOTELY BY ELECTRONIC MEANS ON June 22, 2020, AT 6:30 P.M.

Board of Supervisors Present: David T. Williams, District 1, Chairman, present in the Village Building auditorium
Larry J. Nordvig, District 2, present in the Village Building auditorium
Michael W. Byerly, District 3, present in the Village Building auditorium
Bill L. Cox, District 4, present in the Village Building conference room
Karin M. Carmack, District 5, Vice Chairman, present in the Village Building auditorium

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator, present in the Village Building auditorium
Tom Lacheney, County Attorney, present in the Village Building auditorium
Phil Warner, Fire and Rescue Chief, present in the Village Building
Charla Schubert, Director of Finance, present in the Village Building auditorium
Curt Nellis, Emergency Management Coordinator, present from remote at home

Constitutional Officers Present: Brad Nunnally, Sheriff

Guests Present: Andrew Pompei, present in the Village Building auditorium

1. Call to Order

Chairman Williams called the meeting to order at 6:30 p.m.

- a. Identify Board members physically and/or electronically present

Mr. Williams identified the Board members, Mr. Schardein, Mr. Lacheney, and their locations.

- b. Identify opportunities for the public to access and participate in the electronic meeting

County Administration staff will accept emailed comments at administration@powhatanva.gov. Any comments received until 6:30 pm, on the day of the meeting will be entered into the meeting minutes.

2. Pledge of Allegiance

Mr. Cox led the Pledge of Allegiance.

3. Invocation

Mr. Nordvig provided the invocation.

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

Mr. Cox requests to add item 17 a closed session to discuss personnel matters.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

Mr. Nordvig requested to pull consent agenda item 7j and add it to the public hearing on the CARES fund to allow the public a chance to hear an overview of the plan and speak on it.

5. Formal Approval of Agenda

Mr. Nordvig moved to approve the Agenda as amended. Mrs. Carmack seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack 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)

Mr. Williams opened the public comment period. Speakers were as follows:

Mr. Steven Barham, 3492 Richards Run. Mr. Barham specifically thanked Mr. Byerly, his district Board member, and the rest of the Board members. He spoke on the subject of budget and budget cuts. He pleaded to the Board members that when they go to look over the budget that they think about what they are doing. He asked that taxes be lowered since the assessments went up. He suggested when looking at making cuts to the budget, to look at how the administration has done over the last few months with employees working from home and the office. He feels there are positions that could be cut based on the smaller scale staff being able to keep the County running. Mr. Barham suggested if cuts need to be made to the School Board budget, that they look from the top down, starting with the several superintendents.

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Mr. Lynn Challenor, 2496 Red Lane Road. Mr. Challenor requested the consideration of the tax rate of 84 cents per 100. He thanked the Board for everything they do for the County.

7. Consent Agenda

- | | | |
|----|---|---------|
| a. | Minutes March 30, 2020 Emergency Meeting | Page 4 |
| b. | Minutes March 30, 2020 Regular Meeting | Page 8 |
| c. | Minutes April 16th Special Meeting | Page 18 |
| d. | Bonded Projects Update | Page 25 |
| e. | Treasurer's Report | Page 55 |
| f. | Lake Shawnee Lot Owners Association tax refund | Page 61 |
| g. | Skaggs Road Building Renovations Contract | Page 62 |
| h. | Skaggs Road Building Renovations Budget Transfer | Page 64 |
| i. | Resolution R-2020-36 Hooper Chesterfield Water Connection | Page 66 |
| j. | CARES Funding allocation plan | Page 76 |

Chairman Williams asked for a motion to approve the consent agenda. Mr. Cox made the motion to approve. Mr. Nordvig seconded.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

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

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|----|--|---------|
| a. | Board of Zoning Appeals ("BZA") – One member | Page 86 |
|----|--|---------|

Mr. Nordvig motioned to approve David Bradley's reappointment for another term on the Board of Zoning Appeals. The term is a five-year term that would commence July 1, 2020 and expire July 1, 2025. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

- b. Community Policy and Management Team (“CPMT”) – One member Page 91

Mr. Byerly made a motion to appoint Ms. Brooks to the Community Policy and Management Team for a two-year term. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

- c. Central Virginia Transportation Authority (“CVTA”) – One member; and CVTA Technical Advisory Committee (“TAC”) – One member and an alternate Page 95

Mrs. Carmack made a motion to put Mr. Williams on as the CVTA and Mr. Pompei on the TAC with Mr. Schardein as the alternate. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

- d. Economic Development Authority (“EDA”) – Two members Page 106

Mrs. Carmack made a motion to reappoint Mr. Jones to the EDA for a four-year term. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

- e. Powhatan Community Action Agency Advisory Board (“PCAAAB”) – Five members (3 reappointments, 2 new) Page 112

Mr. Byerly made a motion to reappoint Ms. Booker and Ms. Moslow. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

Mrs. Carmack made a motion to reappoint Ms. Zakiya Worsham, Ms. Donna Terry, Ms. Arlene Booker, to the Powhatan Community Action Agency Advisory. Mr. Byerly seconded

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack
voted AYE

VOTE 5-0
MOTION Passed

Mrs. Carmack made a motion to reappoint Mr. Juan Hardy to the Powhatan Community Action Agency Advisory. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack
voted AYE

VOTE 5-0
MOTION Passed

9. Proclamation

- a. Proclamation P-2020-04 Recognizing the Powhatan Clothes Closet Page 124

Mrs. Carmack made a motion to recognize the services done by the Powhatan Clothes Closet for the County. Mr. Nordvig seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack
voted AYE

VOTE 5-0
MOTION Passed

10. Old Business

- a. Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC (District #2: Powhatan Station/Graceland) requests the amendment of the proffer statement for three parcels (Tax Map Parcels #43-33, 43-33A, and 43-35) zoned Light Industrial (I-1) with proffered conditions and Commerce Center (CC) with proffered conditions (Case #18-04-REZC: Ordinance #O-2018-28). Page 126

Mr. Pompei gave an overview of the rezoning case. Mr. Nordvig made a motion to approve Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC (District #2: Powhatan Station/Graceland), by revising proffered condition #1 to reference an updated conceptual plan and adding a new proffered condition that addressed transportation improvements along US Route 60, Anderson Highway. Mr. Byerly seconded the motion.

Mr. Williams called for a roll call vote.
Mr. Schardein conducted a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly Aye

Mr. Cox Aye
Mrs. Carmack Aye

VOTE 5-0
MOTION Passed

11. Public Hearing

a. FY20 Budget Amendment (CARES Funds)

Page 173

Ms. Schubert gave an overview of the federally provided grant money that is specifically for COVID-19 related expenses. Mr. Nellis joined and provided information on the best way to use the money.

Mr. Nordvig asked Mr. Nellis to discuss how easy/difficult it could be to spend the 2.6 million dollars in the COVID relief fund.

Mr. Nellis explained he did not see any difficulty in using the money in accordance with the guidelines. The expenses that had already occurred qualified.

Chairman Williams opened the public hearing. Speakers were as follows:

Ms. Betty Jean Challenor, 2496 Red Lane Road. Ms. Challenor expresses concern about the internet access in Powhatan County. She explained that they must not lose sight of this issue especially during this pandemic.

Seeing as there were not more speakers. Mr. Williams closed the public hearing.

Mrs. Carmack made a motion to approve resolution R-2020-33. Mr. Williams seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

VOTE 5-0
MOTION Passed

b. FY21 Budget

Page 175

Mr. Schardein discussed the previous steps that had been taken so far in the budget process. The advertised rate and the recommendations by staff to the Board. Chairman Williams opened the public hearing. Speakers were as follows:

Ms. Courtright expressed her concern about the budget cuts being made from the school systems on along with where some of the funds are being placed that the county has had left over from the COVID funding's. She explained that it made better sense to fully fund the school district instead of cutting things to add them back in later.

Ms. Karen Rissmeyer, 3523 Richards Run. Ms. Rissmeyer asked why the Board was talking about starting a revenue stabilization fund when we are cutting the schools money. She asked if

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it was possible to have it voted on to have that money added to the school's budget and revisit the revenue stabilization fund next year once things are back to normal.

Seeing as there were not more speakers, Mr. Williams closed the public hearing.

c. FY21 Fee Schedule

Page 176

Mrs. Schubert presented the fee schedule. She explained where some of the increases in fees were made. There was an increase in recycling services of refrigerators. The senate bill 149 was passed which increased the courthouse security assessment.

Chairman Williams opened the public hearing. Seeing no one came forward, Chairman Williams closed the public hearing.

Mrs. Carmack made a motion to approve the ordinance O-2020-09 as presented. Mr. Williams seconded the motion.

Mr. Williams called for a roll call vote.
Mr. Schardein conducted a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly Aye
Mr. Cox Aye
Mrs. Carmack Aye

VOTE 5-0
MOTION Passed

12. Old Business (continued)

a. FY21 Budget Discussion

Mr. Schardein asked that the Board complete any proposals or resolutions they would need to complete them so it can be published for the public in a timely manner.

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)

Chairman Williams opened the public hearing. Speakers were as follows:

Mr. Jaime Timberlake explained the issue in cutting employees raises and the losses the County is experiencing with cutting them. He points out that the County is paying to train people to get them to where they need to be in their career, only to lose them due to the type of pay the County is offering.

Mr. Nellis talked about the COVID-19 virus. He explained the County is still in a local state of emergency and estimates it could stay that way into December. There has been a total of 62 cases inside the County overall, 4 hospitalizations, and 2 deaths. The County is currently still working on acquiring enough personal protective equipment in anticipation of the different phases of opening. He is still participating in numerous state and local calls in relation to the ever-evolving situation.

Mr. Curtis Newton, 2000 Judes Ferry Road. Mr. Newton thanked Mr. Schardein for catching his comment. He shared his concern on the tax rates and expressed he would like to see it as close to .80 cents as it can get.

Seeing as there were not more speakers. Mr. Williams closed the public hearing.

14. County Attorney Comments

Mr. Lacheney had no comments.

15. County Administrator Comments

Mr. Schardein announced that all five of the SMART scale applications have passed through the prescreening, meaning VDOT found them eligible for SMART scale. He reminded the Board that they can only submit four of those for a final consideration.

He stated that as of today the County opened for their phase two reopening plan.

Next, he explained that VDOT and Mr. Bates, Powhatan's resident engineer, were able to find the funding for the Route 711 safety study.

Mr. Schardein talked about the draft resolution that the school will be considering which would be asking the Governor for flexibility for localities like Powhatan with implementing their reopening guidelines.

He reminded the Board about their next meeting being a strategic planning workshop.

16. Board Comments

Mr. Nordvig asked Mr. Schardein if this will be their last strategic planning meeting. Mr. Williams stepped in to answer the question. He stated that if needed there will be more meetings.

Mrs. Carmack encouraged the citizens of Powhatan to fill out their Census forms, they effect the County's funding and are especially important.

Mr. Williams recognized Powhatan's fire chief, Mr. Phil Warner for the outstanding job he did down at founder's bridge with a fire hydrant issue.

17. Closed Meeting pursuant to Section 2.2-3712 of the Virginia Freedom of Information Act for the purposes of:

1. Discussion and consideration of perspective candidates for employment, specifically County Administrator

Mr. Williams motioned to enter Closed Session for the reasons stated above. Mrs. Carmack seconded the motion.

David T. Williams, Larry J. Nordvig, Michael W. Byerly, Bill L. Cox, Karin M. Carmack voted AYE

**VOTE 5-0
MOTION Passed**

17. Certification of Closed Meeting

Mr. Williams reconvened the meeting. Mr. Lacheny read the Certification of the Closed Meeting as follows: Do you certify to the best of your knowledge that:

the only matters discussed in the closed meeting were public business matters lawfully exempted from open meeting requirements, and

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?

Mr. Lacheny asked the Clerk to take a roll call vote:

Mr. Williams Aye
Mr. Nordvig Aye
Mr. Byerly Aye
Mr. Cox Aye
Mrs. Carmack Aye

18. Adjournment

Mr. Williams adjourned the meeting at 8:12pm.

These minutes were approved at the July 27,2020 meeting of the Powhatan County Board of Supervisors.


Bret Schardein, Interim Clerk Date
Powhatan County Board of Supervisors


David T. Williams, Chairman Date
Powhatan County Board of Supervisors

Recorded Vote:

<i>David T. Williams</i>	AYE
<i>Larry J. Nordvig</i>	AYE
<i>Michael W. Byerly</i>	AYE
<i>Bill L. Cox</i>	AYE
<i>Karin M. Carmack</i>	AYE