

**VIRGINIA: AT A SPECIAL MEETING OF THE BOARD OF SUPERVISORS  
HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD  
BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, ON JANUARY 6,  
2020, AT 6:00 P.M.**

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**Board of Supervisors Present:** David T. Williams, District 1, Chairman  
Larry J. Nordvig, District 2  
Michael W. Byerly, District 3  
Bill L. Cox, District 4  
Karin M. Carmack, District 5, Vice Chairman

**Board of Supervisors Absent:** None

**County Staff Present:** Bret Schardein, Interim County Administrator  
Tom Lacheney, County Attorney  
Ed Howland, Principal Planner  
Ramona Carter, Director of Public Works

**Constitutional Officers Present:** Brad Nunnally, Sheriff

**Guests Present:** None

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**1. Call to Order**

Interim County Administrator called the meeting to order at 6:00 p.m.

**2. Pledge of Allegiance**

Mr. Schardein 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. Williams motioned to add an item following Item 13 on the Agenda -- a Powhatan County Press Release. 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**

**5. Formal Approval of Agenda**

Mr. Williams motioned to approve the Agenda as amended. 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**

**6. Election of Chairman**

Mr. Schardein opened the floor for nominations for Chairman.

Ms. Carmack nominated Mr. Williams for the position of Chairman. Mr. Nordvig seconded the motion.

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

**VOTE 4-0-1  
MOTION Passed**

**7. Election of Vice Chairman**

Chairman Williams opened the floor for nominations for Vice Chairman.

Mr. Cox nominated Mrs. Carmack for the position of Vice Chairman.

Mr. Nordvig nominated Mr. Byerly for the position of Vice Chairman.

Mr. Byerly withdrew his nomination.

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

**VOTE 4-0-1  
MOTION Passed**

**8. Resolution R-2020-01 Setting the Board of Supervisors 2020  
Regular Meeting Schedule**

Chairman Williams presented and the Board of Supervisors discussed Resolution R-2020-01 setting the Board of Supervisors 2020 Regular Meeting schedule.

Mr. Cox noted that the Resolution does not reflect the meeting on January 15; however it is noted on the Calendar. In light of this, Mr. Cox motioned to amend the Calendar to delete the January 15 meeting. Chairman 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**

Mr. Cox motioned to approve the Calendar as amended.

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

**VOTE 5-0**  
**MOTION Passed**

Chairman Williams asked the Board to closely review the Calendar and make suggestions, if necessary, on date and time changes.

**9. Bylaws**

Chairman Williams presented the proposed Board of Supervisors Bylaws, noting that stated changes are that the order of the Pledge of Allegiance and the Invocation (# 2 and #3) have been switched and that Certificates of Appreciation, Special Resolutions, Proclamations, and Presentations has been moved up in the Agenda order (from #9 to #6) to immediately follow Formal Approval of the Agenda.

Mrs. Carmack questioned whether members of the Board may request to have an item removed from the Consent Agenda at the beginning of a meeting. Mr. Lacheney stated that the Board may request that an item be removed from Consent in two ways: by email to the Chairman by noon on the day of the meeting (who will notify the County Administrator) or at the meeting, which will require a vote from the Board.

Mr. Cox asked for clarification of two places in the Bylaws that state the need for a 75% vote of Board members. Mr. Lacheney responded that if a Board member is absent for the meeting, the 75% vote could still be attained.

Mr. Cox also asked about the requirement stated in the Bylaws that the transcripts of the meeting be made available on the County web site and at the administration building for a period of 12 months, adding that the transcripts are being kept for a longer period of time. Mr. Lacheney explained that FOIA law does not require that audio and video are kept; however, the Bylaws state the 12-month period. Mr. Lacheney stated that the 12-month period requirement language can be replaced with "indefinitely or upon action of the Board."

Mrs. Carmack motioned to accept the Bylaws as slightly amended with the transcript retention language. Mr. Cox 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. Code of Ethics and Rules of Engagement**

The Board and Mr. Lacheney discussed whether the Board of Supervisors has a requirement to adopt a Code of Ethics. Mr. Lacheney reported that the documents are not required by State Law and has no legal or binding affect, unlike the Board's Bylaws. The proposed Code of Ethics signed by a previous Board does not have to be adopted by this Board and will dissolve.

The Board and Mr. Lacheney discussed whether the Board of Supervisors has a requirement to adopt Rules of Engagement. Mr. Lacheney stated that Roberts Rules of Order are the real rules of engagement for the Board meetings, which were adopted as a section of the Bylaws. The proposed Rules of Engagement will dissolve.

**11. 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 Comment period.

Seeing there were no speakers, Chairman Williams closed the Public Comment period.

**12. Board of Supervisors Appointments to Boards, Commissions, Committees, etc.**

- a. Agricultural and Forestal Districts Advisory Committee

Mr. Cox was appointed to serve on the Agricultural and Forestal Districts Advisory Committee for a four-year term coinciding with his term of office.

- b. Audit Committee

Mr. Byerly and Mr. Cox were appointed to the Audit Committee for one-year terms commencing January 1, 2020, and expiring December 31, 2020.

- c. Capital Region Workforce Partnership Chief Local Elected Officials Consortium

Mrs. Carmack was appointed to the Capital Region Workforce Partnership Chief Local Elected Officials Consortium (CLEO) for a one-year term commencing January 1, 2020, and expiring December 31, 2020.

- d. Richmond Area Transportation Planning Organization (TPO)  
(2 BOS) - one of whom shall serve on the Executive Committee

Chairman Williams and Mr. Nordvig were appointed to the Richmond Area Transportation Planning Organization (TPO) for four-year terms coinciding with their terms of office. Chairman Williams will serve on the Executive Committee.

- e. Richmond Regional Planning District Commission Board  
(2 BOS, one alternate)

Mr. Nordvig and Mr. Byerly were appointed to the Richmond Regional Planning District Commission Board (Plan RVa) for four-year terms coinciding with their terms of office.

The appointment of an alternate was postponed until the next regular Board of Supervisors meeting.

- f. Richmond Regional Tourism Board

Mr. Cox was appointed to the Richmond Regional Tourism Board for a four-year term commencing January 1, 2020, and expiring December 31, 2023.

- g. Social Services Board

Mrs. Carmack was appointed to the Social Services Board for a four-year term commencing January 1, 2020, and expiring December 31, 2023.

### **13. Citizen Appointments to Boards, Commissions, Committees, etc.**

- a. Agricultural and Forestal Districts Advisory Committee

Carson Tucker was appointed to the Agricultural and Forestal Districts Advisory Committee for a three-year term commencing January 1, 2020, and expiring December 31, 2022.

- b. Anti-Litter Council

Veronica Pilkenton was appointed to the Anti-Litter Council for a three-year term commencing January 1, 2020, and expiring December 31, 2022.

- c. Audit Committee

Jim Carver was reappointed to the Audit Committee for a one-year term commencing January 1, 2020, and expiring December 31, 2020.

- d. Capital Area Agency on Aging (1 Citizen)

This appointment was postponed until the January 27, 2020, meeting.

- e. Central Virginia Waste Management Authority (1 Citizen)

This appointment was postponed until the January 27, 2020, meeting.

- f. Extension Leadership Council (3 Citizens - Dist 1, 2, and 5)

These appointments were postponed until the January 27, 2020, meeting.

- g. Local Board of Building Code Appeals (LBBCA) Board of Fire Prevention Code Appeals (BFPCA) (2 Citizens)

These appointments were postponed until the January 27, 2020, meeting.

- h. Planning Commission (5 Citizens)

Four of five appointments were made to the Planning Commission for four-year terms commencing February 1, 2020, and expiring January 31, 2024.

The appointments were made to Amy Kingery (District 2); Robert Hall (District 3); Jane Pendergast (District 4); and Barbara Brown (District 5).

The appointment of the fifth Commissioner is scheduled for the January 27, 2020, meeting.

Mrs. Carmack will continue to serve for an additional month with an expiring term on February 29, 2020.

- i. Powhatan Community Action Agency Advisory Board (2 Citizens) - optionally, BOS may themselves serve

Carol Krumpter was appointed to serve on the Powhatan Community Action Agency Advisory Board for a four-year term commencing January 1, 2020, and expiring December 30, 2023.

- j. Richmond Area Transportation Planning Organization (TPO) Citizens Transportation Advisory Committee (CTAC) (1 Citizen)

This appointment was postponed until the January 27, 2020, meeting.

Mr. Nordvig stated that Professor Chandler, lead instructor for VACo, has offered to play a significant role in Powhatan and asked the Board to consider how to best utilize his knowledge, experience, and talents to the betterment of the County.

#### 14. Powhatan County Press Release

This item was added by motion, second, and 5/0 vote.

Mr. Williams read the following Press Release dated January 6, 2020:

POWHATAN COUNTY BOARD OF SUPERVISORS  
SPECIAL MEETING  
JANUARY 6, 2020

*Powhatan, VA - In the November election, the citizens of Powhatan made it clear they wanted a change of leadership for the County. As part of that transition, the newly elected Powhatan Board of Supervisors has requested and accepted the resignation of the County Administrator, Mr. Ted Voorhees, effective today, January 6.*

*Mr. Bret Schardein, Assistant County Administrator, will assume the duties as County Administrator until a replacement for Mr. Voorhees is in place.*

**15. 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 Comment period.

Keith Buch, 2246 Branch Forest Way, stated that he submitted an application for the Central Virginia Waste Management Authority appointment and asked the Board why his application was not considered for appointment at this meeting.

Seeing there were no other speakers, Chairman Williams closed the Public Comment period.

With the Board having not responded to Mr. Buch's inquiry, Mr. Lacheney explained that the Public Comment period is an opportunity for the public to address the Board, but no dialogue takes place.

Mr. Nordvig offered to meet with Mr. Buch after the meeting to address his concerns.

**16. County Attorney Comments**

Mr. Lacheney had no comments.

**17. County Administrator Comments**

Mr. Schardein had no comments.

**18. Board Comments**

Mrs. Carmack stated that she was looking forward to working with the Board for the next four years.

Mr. Cox stated that it was a beautiful day in Powhatan; and he thinks there will be a few more.

Mr. Byerly stated that it was a great day to be in Powhatan; and he is looking forward to working with the Board of Supervisors, staff, and the citizens of Powhatan County.

Mr. Williams congratulated the newly-elected members of the Board and stated that he is looking forward to working with them.

**19. Adjournment**

There being no further business, Chairman Williams adjourned the meeting at 6:36 p.m.

These minutes were approved on January 27, 2020, with a motion, second, and 5/0 vote.



**Bret Schardein, Interim Clerk      Date**  
**Powhatan County Board of Supervisors**



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