

**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 May 18, 2020, AT 6:30 P.M.**

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**Board of Supervisors Present:** David T. Williams, District 1, Chairman, present in the Village Building Auditorium  
Larry J. Nordvig, District 2, present remotely from his residence  
Michael W. Byerly, District 3, present in the Village Building Auditorium  
Bill L. Cox, District 4, present remotely from the 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 Remotely from his residence  
Eric Lansing, Assistant County Attorney, present Remotely from his residence  
Ramona Carter, Director of Public Works, present Remotely from her residence  
Curt Nellis, Assistant Emergency Management Coordinator, present Remotely from his residence  
Tom Nolan, Director of Public Safety Communications, present Remotely from his residence  
Faye Barton, Treasurer, present Remotely from her residence  
Andrew Pompei, Planning Director, present Remotely from his residence

**Constitutional Officers Present:**

**Guests Present:** Kyle Bates, VDOT Resident Engineer  
Chris Shust, Attorney, Berk and ALP LLC

**1. Call to Order**

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

- a. Identify Public Entity members physically and/or electronically present

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

- b. Identify the persons responsible for receiving public comment

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

- c. Identify opportunities for the public to access the electronic meeting

The public was able to participate in the meeting by using: <https://zoom.us/j/398095011> by computer. Phone access was possible by dialing: US: 1-929-205-6099 or 1-312-626-6799. As always, the public could view the live feed from the County website. (edit link as needed)

- d. Identify opportunities for the public to participate in such an electronic meeting

The public was able to view and participate in the meeting live with the Zoom meeting link. During the public comment period, members of the public could raise their hands using the zoom controls on their screens, or press \*9 on their phone.

## **2. Pledge of Allegiance**

Mrs. Carmack led the Pledge of Allegiance

## **3. Invocation**

Mr. Cox led the Invocation

## **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. Cox moved to approve the agenda as presented.

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

**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)

Chairman Williams opened the first public comment period.

Mr. Mike Asip, 3673 Old Buckingham Road, Powhatan, is continuing the May 14<sup>th</sup> meeting about the school budget where the Board requested the transfer of 90% of the requested rate. Asks to make sure that we get concrete information and numbers before cutting school funding that will affect the quality of teachers.

Chairman Williams closed the first public comment period.

7. **Consent Agenda**

- |    |  |         |
|----|--|---------|
| a. | Approval of March 4, 2019 Special Board of Supervisors corrected Meeting Minutes   | Page 4  |
| b. | Approval of February 24, 2020 Regular Board of Supervisors corrected Meeting Minutes   | Page 9  |
| c. | Approval of March 2, 2020 Special Board of Supervisors corrected Meeting Minutes   | Page 17 |
| d. | Approval of March 5, 2020 Special Board of Supervisors corrected Meeting Minutes   | Page 23 |
| e. | Approval of March 9, 2020 Special Board of Supervisors corrected Meeting Minutes   | Page 29 |
| f. | Resolution R-2020-30 Amending the Fiscal Year 2020 Powhatan County Operating Budget by Budgeting and Appropriating \$19,359.81 in Insurance Recoveries, Sheriff Reimbursables and Passport Revenue in the General Fund and \$21,440.94 in Additional Grants and Donations in the Grants Fund | Page 36 |
| g. | Resolution R-2020-31 Amending the FY 2020 Powhatan County Operating Budget by Budgeting and Appropriating \$216,110 in CSBG Emergency COVID Grant Money  | Page 39 |

Mrs. Carmack moved to approve the Consent Agenda as presented. 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**

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

- a. Appointment to Library Trustees

Mr. Cox moves to reappoint Mr. Randy Schulkers for the open position of Treasurer. Mrs. Carmack seconded motion.

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

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

**9. Presentations**

- a. Bonded Projects Update

Mr. Nolan gave a status update to the Board. He stated that they have great progress. There's a carrier very interested in the tower on Cook Road. It should help with coverage and hopes to have the tower built this year. Microwave systems have been ordered. New radios and handheld mobile equipment are currently being tested. A fleetmap has been developed. A fleetmap is a roadmap with channels called talk groups that allows them to communicate internally and with county partners. Mr. Nolan expressed some concerns about the 7-site design. The tower that was on State Police property, that was part of coverage sign, was torn down. A replacement has been found but they are behind on the Detailed Design Element. A few months have been lost and will be made up for.

Ms. Ramona Carter presented details of her four projects to the Board. The first project presented is the courthouse parking lot expansion. Ms. Carter stated that the expansion has been designed by an Engineer and has been submitted for approval. Ms. Carter is waiting for Board approval before getting bids. The second project is the East Convenience Center. An engineer has been hired to find five potential sites. Three sites were selected by the county and two were selected by the Engineer. This has been completed but not yet reviewed. They will not proceed with design until it's safe for the budget. The third project to be presented is the Athletic Field Lighting Project. This project has been completed and closed. Last, the Pocahontas Gymnasium and Landmark Center Project should be completed in 30 days.

4 of 14

Plumbing, cameras, and installing phones are the last items to be finished. They are hoping to use the school's services.

b. Treasurer's Report as of 03/31/2020

Mrs. Faye Barton presented the balance sheet to the Board as required by the state code. Mrs. Barton explained the different accounts and the different monies collected and which accounts they go to to the Board. She asks the Board to look at the Uncollectable Taxes. Mrs. Barton explained that they are working really hard on getting the collections of these accounts down. The county receives 96-98% of the taxes every year.

Mr. Nordvig asked Mrs. Barton if she feels like the current COVID-19 situation will have any effect on the collections rate. Mrs. Barton responded by saying that they have 2-3 weeks left, so it's too soon to tell. Mrs. Barton stated that she ran all the numbers and they are right on track with last year's numbers as well as Personal Property taxes. Mrs. Barton stated that next month's meeting, she'll be able to give a more accurate figure. Mr. Nordvig then asks Mrs. Barton what's the closest date to the next meeting for up-to-date information. Mrs. Barton stated June 15<sup>th</sup>.

Mr. Byerly asked Mrs. Barton if she has any idea how the current COVID-19 situation will affect the November/December tax collections. Mrs. Barton states that if COVID-19 continues on into the fall, some residents may have to file for bankruptcy as some did in the 2008 recession. Mr. Byerly asked what the collection rate was for 2008 recession. Mrs. Barton states that she thinks it only dropped 4%.

c. VDOT Safety Study Update

Mr. Kyle Bates VDOT resident engineer thanked the Board for the time to give updates on VDOT projects. Mr. Bates states that it's business as usual for the seven-area headquarters in the Chesterfield residency. He states that social distancing is causing them to move a little slower, but due to less traffic being on the roads, some timelines have been moved up. Mr. Bates stated that the Route 13, Old Buckingham Road closure has commenced and they hope to finish up by the start of the school year. The detour for this closure was thought out, planned, and determined to be the safest route to take.

Mr. Bates stated that the recent fatality on Route 711 has cause citizens to give lots of feedback. He stated that the citizens are requesting a lower speed limit. Mr. Bates stated that a study was done in 2017. The study looked at 85% of the traffic and what speed they were travelling from Maiden's Road to Manakin Town Ferry Road. Mr. Bates encouraged the Board to view the speed study. He stated that from the survey, he pulled the crash rates from 2011-2016 and found the fatality and injury numbers to be below average on secondary roads in the state. Mr. Bates feels as though the speed limit shouldn't be lowered. He feels like extra speed enforcement is what's needed. He stated that majority of the crashes are fixed object, off road crashes. It was decided to prioritize the 6-year plan and add shoulder hardening to select areas.

Route 711 is going to be resurfaced and restriped starting this very evening. Mr. Bates suggested a full safety study.

Mrs. Carmack asked Mr. Bates for the Route 60 study that was supposed to have finished up in March. Mr. Bates responded that they have finished the study and are currently finalizing the report.

Mr. Nordvig stated that he doesn't want to wait until there are enough crashes on an excel spreadsheet before taking action. Mr. Nordvig said that he listened to the residents that drive the roads every day. He sides with the residents. Mr. Nordvig stated that he supports the speed limit drop.

Mr. Williams asked Mr. Bates if Route 711 has a posted speed limit. Mr. Bates stated that it's a statutory 55 mph with trucks at 45 mph. Mr. Williams then asked Mr. Bates why we couldn't get the speed limit posted. Mr. Bates stated that he will look into this. Mr. Williams asked Mr. Bates to see the safety study. Mr. Williams stated that when the Board tried to submit a Smart Scale Project that it wouldn't score. The 6-year funds will not cover it and asked Mr. Bates for suggestions. Mr. Bates would like to wait to answer the question for the Smart Scale Meeting. Mr. Williams asked that Mr. Bates find some money for the speed limit signage.

Mr. Byerly asked if it's possible to put in a flashing light to warn of the Fire Department on east and westbound Route 711. Mr. Bates stated that it's a possibility and that there may be other options as well. Mr. Byerly stated that law enforcement officers don't have much space for running radar, according to Sheriff Nunnally. Mr. Byerly asked Mr. Bates if VDOT would consider making an extra shoulder or a right-of-way. Mr. Bates stated that due to the expense, would need to be a full on project. Mr. Byerly asked the Board to draft a letter to the 1<sup>st</sup> Sargent of the Virginia State Police in area 6, to ask for more enforcement of Route 711. Mr. Byerly asked Mr. Bates if he could look into a possible speed reduction on Route 522 at Three Bridge due to the Solar Farm being built soon and the increase in truck traffic at the request of a resident. Mr. Bates stated that he'll look into it.

Mr. Nordvig commented that there is an attendee present that has offered her driveway to law enforcement officers.

Mr. Williams called for a poll of the Board to move forward with the letter to the Virginia State Police requesting assistance.

Mr. Williams requested Mr. Schardein draft the Virginia State Police letter.

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

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

6 of 14

d. COVID-19 Update

Mr. Nellis gave an update on the COVID-19 situation in the Commonwealth. Mr. Nellis reviewed the latest statistics as of May 18, 2020. He noted that there is a 2 % case increase since April 16, 2020. Mr. Nellis explained that the 7 day monitoring average is in a downward decline. Mr. Nellis presented the General Location Map that shows where the cases are located. He noted that there are no pockets of cases in any particular area. Mr. Nellis then reviewed the seven critical lifelines. He noted that there is an improvement in Food & Water and Medical. Mr. Nellis stated that there are no changes in the Leader Intent Goals and Public Safety call volumes. The County is operating on a virtual Monday-Friday 8-5 basis. Conference calls have been scaled back to 2 weeks. Mr. Nellis expressed concerns over maintaining PPE supplies and when would be an appropriate time to resume normal operations. Mr. Nellis hopes to close virtual EOC by the end of May. He recommended to continue with the State of Emergency through the end of December similar to surrounding localities for purchasing of PPE ability.

Mr. Nordvig asked Mr. Nellis if we need to be more aggressive in obtaining PPE supplies. Mr. Nellis stated that purchasing PPE will be ramped up in anticipation of the county employees coming back to work. He noted that they have been stock piling. Mr. Nordvig stated that Mr. Nellis can contact Mr. Williams or Mr. Schardein if any help is needed.

Mr. Schardein stated that Powhatan, with the 24<sup>th</sup> case diagnosed today, was 86<sup>th</sup> of 133 for total cases and 95<sup>th</sup> of 133 per capita. Mr. Schardein noted that unemployment figures spiked around April 4<sup>th</sup> and has since decreased from 391 to 81 as of May 9<sup>th</sup>. Mr. Schardein went on to explain that the numbers are still high for Powhatan and the continuing claims are rising. As of May 9<sup>th</sup>, Powhatan has 996 unemployment claims. Mr. Schardein stated that the state is in Phase 1 and doing well. The Economic Development office will continue to work with businesses. Mr. Schardein explained that Powhatan will be receiving \$ 2,587, 023 from the Cares Act. Mr. Schardein submitted the certification. Mr. Schardein stated that he was given guidance that we will need to use the CARES Act money before using any FEMA funds or Hero Act (should we qualify). Documenting and cataloging all reimbursable funds is crucial. Mr. Schardein stated that he is aiming to move into Phase 1 on June 1<sup>st</sup>.

Mr. Williams stated that he wants people to know that Powhatan doesn't have free reign over the CARES Act money. There are many conditions and guidelines that must be followed. Mr. Williams reiterated that the CARES Act money is not added to our budget. Mr. Schardein agreed with Mr. Williams and added that this money doesn't make up for any shortages in taxes. Mr. Williams stated that he spoke with Representative Spanberger about not having anything at the local level to replace property taxes. Mr. Williams said that Representative Spanberger was trying to work on something for the rural counties like Powhatan.

**10. Public Hearings**

- a. Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC (District #2: Powhatan Station/Graceland) requests the

Page 87

7 of 14

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).

Mr. Pompei gave an overview of the case. He stated that Berk and Alp LLC is requesting that proffer number 1 be revised to a new Conceptual Plan. The new plan has a right in, right out entrance to that is further west than shown on the current Conceptual Plan. The Planning Commission reviewed this request on May 5, 2020. The vote was 3-2 with staff recommending this approval as well.

Mr. Shust explained that this entire project is in 2 Phases. Phase 1 is the I-1 zoning piece. Phase 2 is commercial zoning that is to the east. The change is to be a right in, right out, no crossover, 200-foot right turn lane. VDOT had requested the turn lane be extended and then install a 12 to 1 connection back to the existing lane. Entrances to the west and east of the property will be cross accessed. There will be an acceleration lane in the front of the property for merging. Mr. Shust stated that Mr. Pompei and the Planning Commission have moved access over to show a 90-degree alignment all the way around.

Mrs. Carmack asked Mr. Shust if the commercial development will have a second entrance. Mr. Shust explained that it will have a second entrance but that will be in Phase 2.

Mr. Williams asked Mr. Shust if the first entrance to the east is a left in, right in, right out and if it was approved. Mr. Shust stated that is what the entrance is. Mr. Williams then asked what the distance between the newly proposed entrance and the current entrance. Mr. Williams asked if the entrance measured a 625 foot to meet the current access management standard. Mr. Shust stated that was correct.

Mr. Williams asked Mr. Pompei if this is a new entrance added to the already approved entrance. Mr. Pompei explained that as part of the original zoning case, they had proffered a conceptual plan for the industrial portion, which would be using an entrance that's farther east so they originally didn't show a shared entrance with a parcel to the west. There is 1,400 ft. between this entrance and County Line Road. The minimum is 625 feet. This way they could fit another entrance, should they choose to. Mr. Williams asked Mr. Pompei if they are asking for a second entrance. Mr. Pompei responds by saying that they are asking to access Route 60 at this location.

Mr. Cox clarified by stating that the Board is looking at the whole project and that they are here to change a portion of that. That led Mr. Cox to ask Mr. Shust why he's reducing the Conceptual Plan. Mr. Shust replied that he was just trying to zero in on this part to provide more detail. Mr. Cox then stated that he would like some clarity on the spacing of the crossover. Mr. Cox goes on to state that the crossover requirements are 2640 feet. Mr. Shust exclaimed that the requirement was 1390 feet because this is a partial access, not full access. Mr. Cox asks Mr. Pompei what the requirements are. Mr. Pompei explained that for intersections it's 625 feet and that Powhatan County doesn't differentiate partial and full



crossovers. VDOT has different measurements. Mr. Shust agreed to make the change and coordinate it.

Mr. Williams opened public comment.

Mr. Schardein presented a letter. Debra Weir, of 1501 Paige Rd, Powhatan. Mrs. Weir wrote that she understands commercial development is needed. She states that the rhythm structure in the eastern end of Powhatan cannot support this new entrance to the commercial development. VDOT will not put in a traffic light even though it is warranted. Mrs. Weir expressed concerns over the traffic safety and the U-turns that will need to be made on the already long wait to turn onto Paige Road. Mrs. Weir stated that she would like a new entrance plan be created for the commerce center part of the project and if not asks that VDOT consider lengthening the turn lanes.

Mr. Nordvig commented that he has been working with Mr. Shust and the property owner, Mr. Tony Kilic, for two years. Mr. Nordvig stated that he feels like the entrances will work and that the business will not have much traffic. Mr. Nordvig invited the owner, Mr. Kilic, to speak on traffic volume.

Mr. Kilic stated that he only owns 7 trucks that leave in a staggered pattern throughout the day. The business sees anywhere from 20-40 customers per week.

Mr. Cox asked Mr. Shust if he needs a month to correct the Conceptual Plan. Mr. Shust stated that he thought that was an adequate amount of time. Mr. Cox expressed concerns about future entrances and preserving the Conceptual Plan. Mr. Kilic explained that the plan will take place, but it will take time.

Ms. Carmack asked Mr. Williams and Mr. Lansing if the Board could pass this tonight. Mr. Lansing responded saying that a re-advertisement would need to be done. Mr. Williams asked Mr. Lansing if they needed another public hearing to get it passed? Mr. Lansing replied that if the Board were to defer, yes. Mr. Schardein explained that they couldn't adopt something less stringent than originally proposed. Mr. Lansing agreed with Mr. Schardein and the ordinance could in fact be passed at this meeting. Mr. Williams asked Mr. Schardein if a waiver to access management was needed. Mr. Schardein deferred that question to Mr. Pompei. Mr. Schardein asked for clarity on the crossover that'll be proposed. The information needed is if the distance to the existing Paige Road/County Line Road crossover will require a future Access Management Waiver. Mr. Pompei responded that he needs to research it a bit and even think about an R-cut. Mr. Williams asked if the R-cut is now what's needed. Mr. Pompei stated that it would have to be something for VDOT to answer but as of now, there is no plans for an R-cut.

Mr. Byerly expressed concerns at making U-turns at Oakridge and the overall traffic. Mr. Byerly asked for an extension on the auxiliary lane past the Veterinary office. Mr. Byerly asked Mr. Shust if there is enough room for tractor trailers to turn in safely. Mr. Shust stated that there is indeed room for tractor trailers. Mr. Byerly asked Mr. Shust if he would ask Mr. Kilic to consider adding to the westbound Route 60 turn lane. Mr. Shust explained to Mr. Kilic

that he's being asked to extend the stacking from 128 feet to 200 feet. Mr. Kilic asked for a cost. Mr. Shust replied that the cost would be in the \$50,000 to \$70,000 range. Mr. Kilic agreed to add to the extension.

Mr. Cox stated that he would like some clarification on what and when it be there in regard to the westbound cutover. Mr. Cox asked if it'd be possible to have a revised conceptual plan that eliminates, just for today, the entrances to the commercial side. Ms. Carmack and Mr. Cox discussed that they are just looking for a way to have this done tonight. Mr. Lansing reiterated that as long as they are making it more restrictive and not less, that it could be done tonight. If less restrictive, they would have to hold a public hearing. Mrs. Carmack and Mr. Lansing agreed that adding the commercial side back into the Conceptual Plan would make it more restrictive and legal.

Mr. Shust asked for clarification on what is being finalized. Mr. Byerly clarified his question saying he would like to extend the turn lane. Mr. Shust spoke for Mr. Kilic in asking what the benefit would be for this. Mr. Byerly responded with saying that they could approve it tonight. Mr. Kilic agreed to do what is needed. Mr. Shust asked the Board if there would be anything lost by taking it off the exhibit.

Mr. Williams asked what the crossover would look like, what VDOT would approve, and how would it affect the Access Management Standards. Mr. Williams explained that he would like more time to look over and finalize what they want done and would like to get information from VDOT. Mr. Shust responded that he is motivated in getting this done as soon as possible. Mr. Shust asks for Mr. Nordvig's opinion. Mr. Nordvig stated that the Board wants to do what is right. This is adding another layer of difficulty and that Mr. Kilic has been very accommodating. Mr. Nordvig stated that he would like to move forward tonight but wants to make sure that the Board is satisfied in the decision. Mr. Schardein, Mr. Williams, Mr. Cox all agreed that they felt comfortable moving forward tonight.

Mr. Shust asked for clarification on what is being agreed to. Mr. Nordvig explained that they are focusing on the new right in/off of 60 going eastbound, knowing that later the Conceptual Plan will have to be worked out.

Mr. Williams asked Mr. Schardein if the crossover was approved in the first re-zoning. Mr. Schardein stated yes. Mr. Schardein explained that if an Access Management Waiver is needed, that would have to be done prior to the site plan approval. Mr. Williams stated that he would like a Conceptual Plan that shows the entire property and it be sent to all Board members.

Mr. Cox asked if we go forward, are we legally bound by what is approved. Mr. Lansing responded by saying that Mr. Cox is asking for a new proffer because it will have to be in writing. Mr. Williams asked Mr. Lansing for clarification. Mr. Lansing asked to give Mr. Lacheney a call for clarification. Mr. Williams expressed concerns over doing this correctly.

Mr. Nordvig expressed concerns over the way this is being handled and agreed with Mr. Williams. Mr. Nordvig expressed that Mr. Kilic and Mr. Shust have been doing everything

right and checking beforehand, so he apologizes to Mr. Kilic and Mr. Shust. Mr. Cox agreed with Mr. Nordvig.

Mr. Byerly explained that the western entrance is fine, but the issue is the eastern entrance that will be developed years down the road. He goes on to state that they don't know if it'll meet the Access Management Standards unless the Board authorized a waiver. If this goes through tonight, they will still have to come back to the Board and the Planning Commission to get approval. Mr. Williams stated that it's an amendment to one of the proffered additions.

Mr. Lansing stated that he's heard back from Mr. Lacheney. He stated that what is being proposed is a proffered amendment and it would have to be written. Mr. Lacheney recommended putting this off for another 30 days.

Mr. Williams and Mrs. Carmack agree to defer.

Mr. Shardein stated that Mr. Kilic sent a message agreeing to the deferral.

Mr. Williams stated that the Board will be ready next meeting.

Mr. Nordvig motioned to defer Ordinance #O-2020-08 (Case #20-01-REZC): Berk and Alp LLC to June 22, 2020.

Mrs. Carmack seconded the motion.

Mr. Williams called for a roll call.

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**

- b. Resolution R-2020-32 Approving the Secondary System Construction Budget Priority List for Fiscal Year 2021 and the Secondary Six Year Road Plan for Fiscal Years 2021 – 2026.

Page 127

Mr. Schardein presented Resolution R-2020-32 Approving the Secondary System Construction Budget Priority List for Fiscal Year 2021 and the Secondary Six Year Road Plan for Fiscal Years 2021 – 2026. Mr. Schardein stated that he has reviewed this with Mr. Bates and there are no new changes.

Chairman Williams opened the Public Comment period.

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

Mr. Lansing noted that the wording on the Agenda stated that the public hearing was held in the Village Building Auditorium and not Online as it should state and recommended that it be amended by a motion.

Mr. Williams asked Mr. Lansing if all they needed to do was amend to correct the wording. Mr. Lansing responded yes.

Mr. Lansing: The motion is to approve R-2020-32 in the Agenda with the exception of the last “whereas.” The phrase “In the Powhatan County Village Building Auditorium” would be replaced with “Online”.

Mr. Byerly made the motion.

Mr. Williams seconded the motion.

Chairman Williams calls 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**

- c. Public Hearing for Re-adoption of the Emergency Ordinance Amending Chapter 80 (Water and Wastewater), Article III (Fees and Charges) Section 80-78 of the Code of the County of Powhatan allowing waiving of penalties and interest on past due water and wastewater accounts during a declared emergency. Page 132

Mr. Lansing stated that according to Virginia State Code, this ordinance can last only 60 days and will need to be revisited unless the Board moves to strike the last paragraph in the Ordinance.

12 of 14

Mr. Schardein asked if the intent is to make the Ordinance last longer because we don't know how long the state of emergency will last.

Mr. Williams stated that he would like to keep the Ordinance as is.

Mr. Byerly moved to adopt Ordinance #O- 2020-20-07 Emergency Ordinance Amending Chapter 80 (Water and Wastewater), Article III (Fees and Charges).

Mrs. Carmack seconded this motion.

Chairman Williams called for a roll call vote.

Mr. Schardein called roll vote:

Mr. Williams Aye

Mr. Nordvig Aye

Mr. Byerly Aye

Mr. Cox Aye

Mrs. Carmack Aye

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

- 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 second public comment period.

Mr. Schardein stated that Ms. Stephanie Sellers left comments but couldn't stay. Mr. Schardein added that he will email the comments to the Board.

Chairman Williams closed the second public comment period.

- 12. County Attorney Comments**

The County Attorney had no comments.

- 13. County Administrator Comments**

The Interim County Administrator had no comments.


- 14. Board Comments**

The Board had no comments.

**15. Adjournment**


Chairman Williams adjourned the meeting at 9:24 PM.

These minutes were approved on September 28, 2020, by the Powhatan County Board of Supervisors.

  
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David T. Williams, Chairman  
Powhatan County Board of Supervisors

**Recorded Vote:**

ATTEST:

  
\_\_\_\_\_  
Ned Smither, Clerk  
Powhatan County Board of Supervisors

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