



AT A REGULAR MEETING OF THE BOARD OF SUPERVISORS HELD IN THE VILLAGE BUILDING AUDITORIUM, AT 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON FEBRUARY 27TH, 2023, AT 6:30 PM.

Board of Supervisors Present: David T. Williams, District 1,
Steve W. McClung, District 2, Vice-Chair
Mike W. Byerly, District 3, Chair
Bill L. Cox, District 4,
Karin M. Carmack, District 5,

Board of Supervisors Absent: None

County Staff Present: Bret Schardein, Interim County Administrator
Tom Lacheney, County Attorney
Charla Shubert, Finance Director
Bart Nuckols, Interim Planning Director
Phil Warner, Fire Chief
John Wood, Director of IT/GIS

Constitutional Officers Present: Brad Nunnally, Sherriff
Becky Nunnally, Treasurer
Jamie Timberlake, Commissioner of the Revenue

Guests Present: Gary Wood, Firefly Broadband

1. Call to Order

Chairman Byerly called the meeting to order at approximately 6:30 PM.

2. Pledge of Allegiance

Mr. McClung led the pledge of allegiance.

3. Invocation

Mr. Williams led the invocation.

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



Ms. Carmack requested to **remove** 11b from the agenda for further review.

Mr. McClung seconded the motion.

Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted AYE.

VOTE 5-0

MOTION PASSED

5. Formal Approval of Agenda

Mr. Cox motioned to **approve** the agenda as amended.

Ms. Carmack seconded the motion.

Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted AYE.

VOTE 5-0

MOTION PASSED

Chairman Byerly announced the unanimous decision to hire Mr. Schardein as the permanent County Administrator.

6. County Administrator Updates

a. 2022 Department Accomplishments

Mr. Schardein gave a brief presentation highlighting 2022 accomplishments, including new hires, applications received, projects completed, community development, current development, future development, service projects, and information technology.

7. Presentation

a. Firefly Broadband Update



A Firefly Broadband representative, Gary Wood, gave a brief presentation that included updates on fiber construction, field engineering, future projects, service zones, and RISE project figures.

Ms. Carmack asked if the County could do anything to help expedite the process, and Mr. Wood stated that he would see if the team needed more VDOT contacts. Mr. Cox asked if the team had any supply chain issues, and Mr. Wood said it did not. Mr. Williams asked if all of the contract problems with the government were behind them. Mr. Wood explained that all contracting issues are resolved, but federal government reviews are unpredictable.

b. Real Estate Assessments

Mr. Timberlake gave an update on the real estate assessments. He gave several updates, including the use of a contractor, the hiring process for the Chief Assessor, vehicle staffing, and questions from previous meetings. He listed sales data for all surrounding localities, including Chesterfield (annual cycle) 8.8%, Dinwiddie (6-year cycle) 19% increase, Goochland (annual cycle) 9.6% increase, Henrico (annual cycle) 13.6%, etc.

Mr. McClung thanked Mr. Timberlake and his staff for their hard work. Chairman Byerly requested a copy of the sales report.

Mr. Timberlake noted that sales typically level out after a spike. Chairman Byerly asked about the appeal process, and Mr. Timberlake explained that citizens can call, email, or come to the office for an in-person discussion until the 10th. After that date,



citizens can appeal to the Board of equalization, and his team can only fix administrative corrections.

Mr. Cox requested that the presentations be uploaded to the County website.

8. Public Comment Period (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time that can be extended by the Board)

[Jennifer Nutter, 1371 Dorset Road](#), suggested that the Board create explanatory videos about the assessments to inform residents.

[Harry Markland, Hope Meadow Road](#), congratulated Mr. Schardein and expressed concerns about the school policy and procedure additions regarding explicit content that the School Board recently voted down. He asked the Board to intervene.

[Michelle Stinnett, 2889 Crews Lane](#), asked the Board to publish the mill rates of the counties whose assessments matched the target value. She expressed concern about the high mill rate.

Seeing no one else wishing to speak, Chairman Byerly closed the public comment period.

9. Consent Agenda

- a. **Slye Abatement**
- b. **Minutes January 9th, 2023 Organizational Meeting**
- c. **Minutes January 23rd, 2023 Regular Meeting**
- d. **R-2023-05 Approval of County Participation in Opioid Class Action Settlement**
- e. **R-2023-06 Watkins Mill Road Dedication**

Ms. Carmack motioned to **approve** the consent agenda as presented.

Mr. McClung seconded the motion.



Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted
AYE.

VOTE 5-0

MOTION PASSED

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

a. CVWMA Alternate reappointment

Mr. Schardein recommended Mr. Johnny Mills for reappointment.

Ms. Carmack motioned to **reappoint** Mr. Mills to the Central Virginia Waste
Management Authority.

Mr. McClung seconded the motion.

Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted
AYE.

VOTE 5-0

MOTION PASSED

11. Old Business

**a. O-2022-35 Case #22-09-AZ: The County of Powhatan requests the amendment
of the provisions set forth in Chapter 83 (Zoning Ordinance) Article IV (Village
Growth Area Districts) Division 2 Village Growth Area Planned Development
Districts, Sec. 83-314. (Continued from January 23rd, 2023)**

Mr. Schardein and Mr. Nuckols gave a brief overview.

Mr. Cox asked if the ordinance mirrors the Comprehensive Plan, and Mr. Nuckols
said it does to the best of his knowledge. Mr. Cox suggested that section L be



clarified to say commercial road, not residential. Mr. Lacheney suggested saying "commercial or gated community roads" if the Board is concerned about those roads because they are considered private. He also suggested the inclusion of a reference to the subdivision ordinance. The Board agreed to amend the terminology.

Chairman Byerly asked where the 30% number came from, and Mr. Nuckols said that he believed it was in reference to a 30% clause within the Comprehensive Plan. Mr. Cox explained that the Comprehensive Plan states that commercial and residential must be developed. Ms. Carmack noted that the 70/30 split dates back to previous Boards, and Mr. Williams added that they could do a certain percentage of commercial to add a concurrent proportional amount.

Mr. Cox motioned to **approve** ordinance O-2022-35 as amended.

Ms. Carmack seconded the motion.

Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted
AYE.

VOTE 5-0

MOTION PASSED

12. Public Hearings

- a. O-2023-01 Amendment of the provisions set forth in County Ordinance Chapter 10 Animals, Article II Animal Control, Division 4 Animals Running At Large, Sections 10-116**

Mr. Schardein gave a brief overview.



Chairman Byerly opened the public comment period.

Seeing no one wishing to speak, Chairman Byerly closed the public comment period.

Mr. Cox motioned to **approve** ordinance O-2023-01.

Mr. McClung seconded the motion.

Chairman Byerly, Ms. Carmack, Mr. McClung, Mr. Cox, and Mr. Williams voted
AYE.

VOTE 5-0

MOTION PASSED

13. Public Comment Period (time limit 3 minutes per individual/5 minutes per group, 30 minutes total time that can be extended by the Board)

Chairman Byerly opened the public comment period.

[Stephen Barham, 3492 Richard's Run](#), asked the Board to provide clarification on the specific amendment to ordinance O-2022-35 that was approved.

Seeing no one else wishing to speak, Chairman Byerly closed the public comment period.

14. County Attorney Comments

None.

15. County Administrator Comments

Mr. Schardein thanked the County for the opportunity to serve as the new County Administrator and said he was looking forward to it.

16. Board Comments

*POWHATAN COUNTY BOARD OF SUPERVISORS
REGULAR MEETING
FEBRUARY 27th, 2023*



Mr. Williams, Mr. McClung, and Ms. Carmack congratulated Mr. Schardein on the new position.

Mr. Cox mentioned the new budget and encouraged citizens to contact the office with any questions.

17. Adjournment

Chairman Byerly adjourned the meeting at approximately 7:50 PM.

**Bret Schardein, County Administrator
Powhatan County Board of Supervisors**

**Michael W. Byerly, Chairman
Powhatan County Board of Supervisors**

Recorded Vote:

<i>David T. Williams</i>	<i>Aye</i>
<i>Steve W. McClung</i>	<i>Aye</i>
<i>Michael W. Byerly</i>	<i>Aye</i>
<i>Bill L. Cox</i>	<i>Aye</i>
<i>Karin M. Carmack</i>	<i>Aye</i>