



AT A WORKSHOP MEETING OF THE BOARD OF SUPERVISORS HELD IN THE VILLAGE BUILDING CONFERENCE ROOM, AT 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON APRIL 11, 2022, AT 3:00 PM.

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

Board of Supervisors Absent: None

County Staff Present: Ned Smither, County Administrator
Bret Schardein, Assistant County Administrator
Roxanne Salerno, Economic Development Director
Frank Hopkins, Planning Director

Constitutional Officers Present: None

Guests Present: EDA Board
Dan Jones
Frank Rennie
Timothy Benusa
Russ Holland
Matt Schiefer
Joe Hines, Timmons Group

1. Call to Order

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

2. Pledge of Allegiance

Mr. Cox led the pledge of allegiance.

3. Invocation

Mr. McClung led the invocation.

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

None.

5. Formal Approval of Agenda

Chairman Byerly made a motion to approve the agenda as presented. Ms. Carmack seconded the motion.



Michael W. Byerly, Karin M. Carmack, Steve W. McClung, Bill L. Cox, and David T. Williams 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)

Chairman Byerly opened the public comment period.

[Stephen Barham, 3492 Richard's Run](#), stated that he was anticipating the Board's announcement in Powhatan Today. He also explained that a 6:30 PM meeting gives more people the opportunity to attend meetings.

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

7. New Business

a. Joint Workshop with Economic Development Authority

Mr. Jones thanked the Board and County Administration for putting together the meeting. He stated that the EDA was looking for some feedback and direction from the Board. Mr. Hines gave a detailed presentation that included a description of the Timmons Group, prospect location decisions, trends in the marketplace, distribution & fulfillment centers, COVID-19 immediate impact, pre-prospect plans & post-prospect execution, site & infrastructure development, Virginia funding & site assessment experience, Powhatan Assets, regional utilities, specific project assessments, the ADDSS process, etc.

Mr. Rennie asked what Mecklenburg had to offer to get a huge data center in their county. Mr. Hines stated that Microsoft happened to be looking to build a data center and the energy market was a key component in their success. Ms. Carmack asked if the analysis Joe had done was an example of a locality that purchased the land, put up the buildings, etc. Mr. Hines stated that they were in the process of purchasing the land right now. Chairman Carmack asked what Joe thought of having land already zoned. Mr. Hines stated that an important part of the process is showing intentionality. He explained that this meant acquiring a piece of property and going through the entire process for the purpose of economic development. Mr. Jones stated that he was under the impression that the rural localities of Powhatan County could do a better job of educating their citizenry. Mr. Hines stated that a bigger emphasis should be placed on public meetings as an attempt to inform the public. Mr. Cox asked what would happen if one of these projects went wrong, seeing as they are a large expense. Mr. Hines stated that some projects do go wrong, but most of them go well. Mr. Cox presented the projected fund plan. He engaged in a brief conversation with Mr. Hines about the risk of these projects. Mr. Hines stated that it is the Board's opportunity to pick the best long-term prospects that fit the long-term job perspective.



Chairman Carmack stated that the Board can toggle what they want in their CIP. This means that including land acquisition as a possible return on investment could be advantageous in the sense that it would be a capital project that could produce revenue at some point. She also stated that Route 60 is the County's only opportunity for economic growth. She suggested looking through the zoning ordinance and taking out any unwanted uses in order to give the citizens assurance. Mr. Cox asked if other opportunities in the machinery and tools tax world would make the county attractive to a specific industry. Mr. Hines stated that the market has given him the impression that site selectors want the best site and will negotiate anything else they see as problematic. Mr. Jones stated that he believed other Boards have failed in identifying sites that would encourage the kind of development that they envisioned when they invested in water and sewer. He stated that identifying these encouraging sites may bring in business. Mr. Cox stated that he believed if Powhatan County went up against their aggressive neighboring counties in providing these types of sites, they would lose. Mr. Rennie asked how other counties use their IDA and EDA to advance their cause. Mr. Hines stated that the opportunity would lie in the Board allowing them to calculate what they can do to be more proactive and make their job easier. He also stated that Powhatan is a very qualified county. Chairman Byerly stated that he does not want to be left in the dust while the surrounding counties expose themselves to great opportunities. He believed that the Board needed to look at some options and potentially change the decisions that have been made in the past. Mr. McClung pointed out that the Microsoft building in a neighboring county has been beneficial and allowed that county to open many new businesses and even schools in the area. Mr. Jones thanked the Board for allowing the EDA to interact with them in this sort of discussion. He suggested that they meet again in six months to share a progress report.

Chairman Byerly agreed with Mr. Jones. He stated that they should meet again in 90 days.

b. Initiation of Text Amendment to the Zoning Ordinance to permit Child Day Care as a Conditional Use in the I1 Light Industrial zoning district

Mr. Hopkins gave a brief overview. Ms. Carmack made a motion to begin the initiation of the text amendment to the zoning ordinance to permit child daycare as a conditional use in the I1 light industrial zoning district. Mr. McClung seconded the motion.

Michael W. Byerly, Karin M. Carmack, Steve W. McClung, Bill L. Cox, and David T. Williams voted AYE.

**VOTE 5-0
MOTION PASSED**

8. Old Business

a. Resolution R-2022-11, Extension of Tax Due Date

Mr. Smither gave a brief overview. Ms. Carmack made a motion to approve Resolution R-2022-11. Mr. McClung seconded the motion.

Mr. Cox expressed concern with the circumstances that led to this decision and pointed out several flaws in the process. He asked if the Board would be able to meet the deadline of May



2nd, 2022. He also stated that the Board has not proposed a tax increase of \$0.79. Mr. Williams expressed concern with the Chairman's comment on his private phone call. He also expressed concern with some of the language used in the advertisement. Mr. Lacheney explained that the language is copied and pasted from the state code. Mr. Williams explained that he was still prioritizing the citizens and expected them to be properly informed. Mr. Smither confirmed that all the pieces are coming together to print their county's advertisements in the paper. Chairman Byerly apologized for the lighthearted comment he made. He explained that he meant no harm. Ms. Carmack stated that there is not a large difference between the timeline last year and this year. She also stated that Mr. Smither has done his job of guiding the Board through the budget season and providing them with the data from the department heads. Mr. Cox explained that the major change is the billing. Chairman Byerly asked Mr. Lacheney if the language in the advertisement was legal. He also asked how many times the ad has to be run before the public hearing. Mr. Lacheney confirmed that the language in the advertisement is legal and in accordance with the state code. He believed that the ad only needed to be run twice by law.

Michael W. Byerly, Karin M. Carmack, and Steve W. McClung voted AYE. Bill L. Cox and David T. Williams voted NAY.

**VOTE 3-2
MOTION PASSED**

b. Correction to Ordinance O-2022-11 Zoning Ordinance Text Amendment

Mr. Hopkins explained that there were a few small errors in the text of the zoning ordinance that need to be corrected. Chairman Byerly clarified that all the corrections have been made and approved by Mr. Lacheney.

Ms. Carmack made a motion to approve the correction of Ordinance O-2022-11. Chairman Byerly seconded the motion.

Michael W. Byerly, Karin M. Carmack, and Steve W. McClung voted AYE. Bill L. Cox and David T. Williams voted NAY.

**VOTE 3-2
MOTION PASSED**

9. 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 Byerly opened the public comment period.

[David Anderson, 2366 Bel Crest Circle](#), stated that he was under the impression that there would be a very small tax increase for the citizens of Powhatan County. He expressed that this decision was very disturbing to him and that the Board should be looking at solutions to this problem.

[Harry Markland, 3701 Hope Meadow Road](#), explained that the confusion about the information being relayed by Mr. Smither is a perfect example of why the County needs an Office of Inspector General.



Stephen Barham, 3492 Richard's Run, pointed out that many of the surrounding counties discussed with EDA have major interstates running through them. He suggested that this major difference means there needs to be a different approach to economic development. Seeing no one else wishing to speak, Chairman Byerly closed the public comment period.

10. County Attorney Comments

There were no County Attorney comments.

11. County Administrator Comments

Mr. Smither stated the Commissioner of Revenue, the Treasurer and staff has done a wonderful job working together to put a successful install with Keystone and are working hard to meet their deadlines.

12. Board Comments

Mr. Williams reminded the Board that he has requested a workshop to discuss specialized transportation. He expressed that this workshop would give the people in Hanover County, who have developed their specialized transportation, an opportunity to share their methods. He agreed that everyone is working hard.

13. Closed Meeting

WHEREAS, the Board of Supervisors of Powhatan County desires to discuss in Closed Meeting the following matter(s):

- Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body concerning Deputy County Administrator.
- Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body concerning 2 parcels along Route 60 and 1 parcel near Southcreek.

WHEREAS, pursuant to: §2.2-3711(A)(1) (A)(3) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Powhatan County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Ms. Carmack made a motion to approve a closed meeting by the state code of Virginia. Chairman Byerly seconded the motion.

Michael W. Byerly, Karin M. Carmack, Steve W. McClung, Bill L. Cox, and David T. Williams voted AYE.

**VOTE 5-0
MOTION PASSED**

*POWHATAN COUNTY BOARD OF SUPERVISORS
WORKSHOP MEETING
APRIL 11, 2022*



14. Certification of Closed Meeting as authorized by the Code of Virginia.

To the best of your knowledge, were the only matters discussed in the closed meeting public business matters lawfully exempted from open meeting requirements, and that 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?

Michael W. Byerly, Karin M. Carmack, Steve W. McClung, Bill L. Cox, and David T. Williams voted AYE.

**VOTE 5-0
MOTION PASSED**

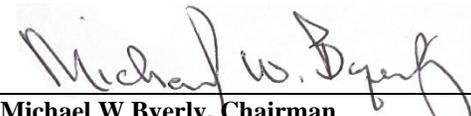
15. Adjournment

Mr. Byerly adjourned the meeting at approximately 6:35 PM.

ATTEST:



Ned Smither, County Administrator
Powhatan County Board of Supervisors



Michael W Byerly, Chairman
Powhatan County Board of Supervisors

Recorded Vote:

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