

**BOARD OF SUPERVISORS  
REGULAR SCHEDULED MEETING  
Monday, July 21, 2025  
6:00 P.M.**

The Appomattox County Board of Supervisors held its regular scheduled meeting on Monday, July 21, 2025, at 6:00 p.m. in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia.

**Appomattox County Board of Supervisors**

**Present:**

|                      |                           |
|----------------------|---------------------------|
| Samuel E. Carter     | Courthouse District       |
| Kenneth Wolfskill    | Appomattox River District |
| John F. Hinkle       | Falling River District    |
| Trevor L. Hipps      | Wreck Island District     |
| Alfred L. Jones, III | Piney Mountain District   |

**Also, Present:**

Susan Adams, County Administrator  
Johnnie Roark, Planning/Zoning/Economic Administrator/Deputy Director of Operations  
Mark Popovich, County Attorney  
Janet McConville, Finance Specialist II  
Wanda McCormick, Finance Specialist III

**CALL TO ORDER** – Chairman Hinkle called the meeting to order at 6:00 p.m.

Invocation – Mr. Carter

Pledge of Allegiance

**SETTING OF AGENDA**

Motion made by Rev. Jones, seconded by Mr. Wolfskill, and carried with all members present and voting yes, to amend the agenda to include item #16-Sheriff to discuss the budget appropriation from the Town of Appomattox.

Motion made by Rev. Jones, seconded by Mr. Wolfskill, and carried with all members present and voting yes, to approve the amended agenda as presented.

**CITIZEN PUBLIC COMMENT PERIOD**

None

**APPEARANCES**

**Resolution in Honor of the 2025 Appomattox Raiders Softball Team**

**Resolution in Honor of the 2025 Appomattox Raiders Softball Team  
For High Academic and Athletic Achievement**

**WHEREAS**, the Appomattox Raiders Softball Team under the direction of longtime Head Coach Janet Rawes, possessed the physical and mental strength to win 11 district games against only a single loss in the very competitive Dogwood District; and

**WHEREAS**, the Appomattox Raiders Softball Team, as the #1 seed in the Region Tournament, overwhelmed Gretna High School by a score of 1-0 in the Region Quarterfinals before prevailing against Glenvar High School by a score of 3-2 in the Region Semifinals; and

**WHEREAS**, the Appomattox Raiders Softball Team defeated Chatham High School by the score of 1-0 to win the Virginia High School League Class 2 Region C Championship; and

**WHEREAS**, the Appomattox Raiders Softball Team defeated Lee High School by the score of 7-3 in the Virginia High School League Class 2 State Quarterfinals; and

**WHEREAS**, the Appomattox Raiders Softball Team saw its season come to an end at the hands of King William High School by a score of 5-2 in the Virginia High School League Class 2 State Semifinals on June 13, 2025; and

**WHEREAS**, the Appomattox Raiders Softball Team achieved this high level of athletic success while also posting a collective team Grade Point Average of 3.92, one of only three Raiders teams with a Grade Point Average over 3.90 during the 2024-2025 school year.

**AND NOW, THEREFORE, BE IT RESOLVED** that with great pride, the Appomattox County Board of Supervisors does hereby honor the Appomattox Raiders Softball Team for achieving both athletic and academic success during this most recent academic year.

**AND BE IT FURTHER RESOLVED** that the Board commends the players, coaches, managers, trainers, administrators, teachers and parents for the dedication and sacrifices necessary to achieve such accomplishments.

**ADOPTED** by the Board of Supervisors of Appomattox County on this 21st day of July, 2025.

Motion made by Mr. Carter, seconded by Mr. Wolfskill, to adopt the Resolution in honor of the 2025 Appomattox Raiders Softball Team for high academic and athletic achievement. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

**Resolution in Honor of the Appomattox Senior FFA Chapter**  
**Resolution Honoring the Appomattox Senior FFA Chapter**  
**The Top FFA Chapter in Virginia for the Third Consecutive Year**

**WHEREAS**, the National FFA Organization has its roots in the 1925 formation of the Future Farmers of Virginia by four Virginia Tech educators responsible for teaching future agricultural education teachers; and

**WHEREAS**, the Virginia FFA Association of the National FFA Organization currently has 233 chapters with 33,900 members across the Commonwealth of Virginia; and

**WHEREAS**, Appomattox Senior FFA is an active chapter of the National FFA Organization, and with 203 members during the 2024-2025 school year, is the premier leadership organization for students in Agricultural Education at Appomattox County High School; and

**WHEREAS**, the Appomattox Senior FFA Chapter participated in several Growing Leaders activities during the recent school year, including their "Grim Reaper Day", AMS Pen Pal Letter, Jacket Jubilee Program, VCE Shepherding Workshop, and Leadership Workshop; and

**WHEREAS**, the Appomattox Senior FFA Chapter also participated in several Building Communities activities, including the Spirit FM Butterfly Hugs Drive, Ag Specialist Halloween Craft Store, Pollinator Workshop, Railroad Day Parade Float Line Up, Appomattox Farm Bureau Partnership; and

**WHEREAS**, the Appomattox Senior FFA also participated in several Strengthening Agriculture activities, including Drive A Tractor To School Day, Party at the Patch Recruitment Night, Raider Road Rescue Kits, FFA Day at the Capitol, and the APS Kindergarten Day Tour; and

**WHEREAS**, the Appomattox Senior FFA Chapter, at the 99th Virginia State FFA Convention held at Virginia Tech, received a gold rating in the superior chapter contest, earning the opportunity to attend the National FFA Convention in Indianapolis, Indiana, this October; and

**WHEREAS**, the Appomattox Senior FFA Chapter was also the state champion in the Growing Leaders category as well as the Southeast Area winner in the Building Communities category; and

**WHEREAS**, the Appomattox Senior FFA Chapter's Veterinary Science team placed first in the State, beating out 27 other teams to win the State Championship and the right to represent Appomattox County High School and the Commonwealth of Virginia at the National FFA Veterinary Science COE to be held at the National FFA Convention in October; and

**WHEREAS**, the Appomattox Senior FFA Chapter was named the Overall Top FFA Chapter in Virginia for the third consecutive year, testament to the excellent leadership and direction of the 2024-2025 FFA Officer Team.

**AND NOW, THEREFORE, BE IT RESOLVED** that with great pride, the Appomattox County Board of Supervisors does hereby honor the Appomattox Senior FFA for earning recognition as the Overall Top FFA chapter in the Commonwealth of Virginia.

**AND BE IT STILL FURTHER RESOLVED** that the Board commends all involved for the dedication and sacrifices necessary to achieve such accomplishments and wishes safe travels and best of luck to those attending the National FFA Convention this October.

**ADOPTED** by the Board of Supervisors of Appomattox County on this 21st day of July, 2025.

Motion made by Mr. Hipps, seconded by Rev. Jones to adopt the Resolution in honor of the Appomattox Senior FFA Chapter as the top FFA Chapter in Virginia for the third consecutive year. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

**Resolution in Honor of Xavier Moseley 2025 VHSL Class 2 Indoor Track Long Jump**  
**Resolution in Honor of Xavier Moseley**  
**2025 VHSL Class 2 Indoor Track Long Jump State Champion**

**WHEREAS**, Xavier Moseley, as a Sophomore, proved to be a strong and integral part of the 2024-2025 Appomattox Raiders Indoor Track team; and

**WHEREAS**, Xavier Moseley, at the VHSL Region 2C Championships held in Salem, Virginia, on February 23, 2025, placed 10th in the Boys Long Jump with a jump of 17' 11" and finished 2nd in the Boys 55 Meter Dash; and

**WHEREAS**, Xavier Moseley, also at the VHSL Region 2C Championships, won the Boys Triple Jump with a distance of 42'6"; and

**WHEREAS**, Xavier Moseley, at the VHSL Class 2 Indoor State Championships held at Liberty University on March 5-6, 2025, finished 6th in the Boys 55 Meter Dash with a time of 6.79 seconds; and

**WHEREAS**, Xavier Moseley, also at the VHSL Class 2 Indoor State Championships, with a season-best jump of 22'6.5" won the Class 2 State Championship in the Boys Long Jump; and

**WHEREAS**, Xavier Moseley was named the Appomattox County High School Boys Indoor Track MVP for the 2024-2025 season in recognition of his accomplishments and value to his team.

**AND NOW, THEREFORE, BE IT RESOLVED** that with great pride, the Appomattox County Board of Supervisors does hereby honor Xavier Moseley for capturing the VHSL Class 2 Indoor Track State Championship in the Boys Long Jump.

**AND BE IT FURTHER RESOLVED** that the Board commends the teammates, coaches, family members, teachers and administrators of Xavier Moseley for providing the opportunity and support necessary for him to achieve this level of success.

**ADOPTED** by the Board of Supervisors on this 21st day of July, 2025.

Motion made by Rev. Jones, seconded by Mr. Hipps to adopt the Resolution in honor of Xavier Moseley, the 2025 Virginia High School League Class 2 Indoor Track Long Jump

State Champion. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

**Resolution Honoring the 2025 Appomattox Raiders Baseball Team**  
**Resolution Honoring the 2025 Appomattox Raiders Baseball Team**  
**Virginia High School League Class 2 State Champions**

**WHEREAS**, the Appomattox Raiders Baseball team, under second-year Head Coach James "Jamie" Terry, a 2001 graduate of Appomattox County High School, entered the season with high hopes and dreams of playing deep into June; and

**WHEREAS**, the Appomattox Raiders Baseball Team possessed the mental and physical toughness necessary to win IO district games against two defeats, finishing first in the tough Dogwood District; and

**WHEREAS**, the Appomattox Raiders Baseball Team, seeded #2 in the Region Tournament, defeated James River High School by the score of 2- 0, then beat Floyd County High School by the score of 9-2 and Dan River High School by the score of 8-3 to win the Virginia High School League Class 2 Region C Championship; and

**WHEREAS**, the Appomattox Raiders Baseball Team defeated Lebanon High School by the score of 2-0 in the Virginia High School League Class 2 State Quarterfinals before beating Poquoson High School by the score of 3-2 in the State Semifinals to earn a spot in the Virginia High School League Class 2 State Championship Game; and

**WHEREAS**, the Appomattox Raiders Baseball Team triumphed over King William High School by the score of 3-1 in the Class 2 State Championship Game held at Salem Memorial Stadium in Salem, Virginia, on Saturday, June 14, 2025 to claim the Virginia High School League Class 2 State Championship.

**AND NOW, THEREFORE, BE IT RESOLVED** that with great pride, the Appomattox County Board of Supervisors does hereby honor the Appomattox Raiders Baseball Team for winning the Virginia High School League Class 2 State Baseball Championship.

**AND BE IT FURTHER RESOLVED** that the Board commends the players, coaches, managers, trainers, administrators, and parents for the dedication and sacrifices necessary to achieve such an accomplishment in today's competitive high school sports landscape.

**ADOPTED** by the Board of Supervisors of Appomattox County on this 21st day of July, 2025.

Motion made by Rev. Jones, seconded by Mr. Carter to adopt the Resolution in honor of the 2025 Appomattox Raiders Baseball Team for being the Virginia High School League Class 2 State Champions. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

**2025 ISO Rating**

John Vannoy, Public Safety Manager and Jonathan Garrett, Appomattox County Fire Chief, appeared before the Board to discuss the 2025 ISO Rating.

### **Fire Department Loan-Jonathan Garrett**

Jonathan Garrett, Appomattox County Fire Chief, addressed the Board to request forgiveness of half or all of the loan given to the Fire Department for the new ladder truck.

Motion made by Mr. Carter, seconded by Rev. Al Jones, to forgive half of the loan, in the amount of \$225,000, that was given to the Fire Department for the ladder truck purchase in 2025. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

### **PUBLIC HEARING**

#### **CUP250353-Quail Run Wedding**

At 6:35 p.m. after due notice was given, Mr. Hinkle called the Public Hearing to order to receive comments on the CUP250353-Quail Run Wedding and Special Events.

The following citizens spoke in favor of granting the Conditional Use Permit for Quail Run:

- Mr. Chris Collins
- Mr. Dennis Scott
- Ms. Nancy Short

The following citizens spoke against granting the Conditional Use Permit for Quail Run:

- Mr. Dave DeBour
- Mrs. Rhonda DeBour
- Mrs. Helen Adams
- Mr. T. W. Woody
- Mrs. Iris Woody
- Mr. Jack Adams
- Ms. Tiffany Johnson

Mrs. Mary Beth Mays addressed the Board to present the plans for Quail Run and its positive impacts for the County. After receiving no further comments, the Public Hearing was closed at 7:36 p.m. The Board discussed additional requirements for the Conditional Use Permit including that the music be kept indoors.

### **A RESOLUTION GRANTING A CONDITIONAL USE PERMIT (250353) IN THE PINEY MOUNTAIN DISTRICT FOR QUAIL RUN WEDDING AND SPECIAL EVENTS VENUE (APPLICANT), MARY BETH MAYES (OWNER/AGENT) TO LOCATE A WEDDING AND SPECIAL EVENTS VENUE OFF PINEY MOUNTAIN ROAD IN THE OAKVILLE COMMUNITY**

**WHEREAS**, Quail Run Wedding and Special Events Venue/Mary Beth Mayes have applied for a conditional use permit to locate a Wedding and Special Events Venue off Piney Mountain Road in the Oakville community. The zoning of the property is A-1, Agricultural Zoning District. The property is further identified as Tax Map Identification Number 39 (3) 4 and is located on the north side of Piney Mountain Road near the intersection of Quail Run in the Oakville community; and

**WHEREAS**, the petition was referred to the Planning Commission, which held a duly advertised and noticed public hearing on June 11, 2025, where the Planning Commission received comments from the general public; and

**WHEREAS**, the public hearing identified two main concerns: noise and increased traffic; and

**WHEREAS**, on June 11, 2025, the Planning Commission weighed the information related to the zoning, land use, transportation, environment, the comprehensive plan, comments from the public, and other factors; and found that for reason of public necessity, convenience, general welfare, and good zoning practice, the Planning Commission unanimously recommended denial of the petition; and

**WHEREAS**, the Planning Commission, after hearing concerns regarding noise and traffic associated with the proposed use, found that the petitioner failed to demonstrate that the proposed use would not have a negative impact to the harmony and/or character of the surrounding neighborhood; and

**WHEREAS**, the petition has been duly advertised and noticed for public hearing before the Board of Supervisors on July 21, 2025, with said public hearing being held and comments received; and

**WHEREAS**, the Board of Supervisors finds that by implementing the following conditions, neighborhood concerns will be mitigated;

1. The Wedding and Special Events Venue (Indoor/Outdoor Gathering) will be constructed in general conformance with the concept plan submitted with the application dated May 9, 2025.
2. The hours of operation: Events shall be not more than 8:00 a.m. to 11:00 p.m. Monday through Saturday. Sunday event hours shall be not more than 11:00 a.m. to 7:00 p.m. Vendor set-up and removal may occur one hour pre- and post- hours of operation, if necessary.
3. There shall be an on-site operator/owner present at all times during any event. An emergency contact number shall be displayed in a location visible from the public right of way (Piney Mountain Road).
4. Event operator shall comply with the Appomattox County Noise Ordinance at all times. Quiet time, as designated in the Noise Ordinance, shall be from 11:00 p.m. to 6:00 a.m.
5. The use of fireworks is prohibited.
6. The operator shall maintain an accessible route for emergency services at all times during event operations. Internal travel lanes must be a minimum of 10 feet in width for one-way traffic and 20 feet in width for two-way traffic.
7. Parking shall be limited to the areas designated on the approved concept plan submitted with the application dated May 9, 2025. Parking shall be setback a minimum of 50 feet from the front property line (Piney Mountain Road).

8. All music associated with the venue must be indoors.

**WHEREAS**, the Board of Supervisors has considered the recommendation of the Planning Commission; however, it finds that the proposed use is consistent with the comprehensive plan, the zoning ordinance, and good zoning practice and would generally promote the health, safety, and general welfare of the public;

**NOW, THEREFORE BE IT RESOLVED**, the Board of Supervisors hereby grants Quail Run Wedding and Special Events Venue/Mary Beth Mayes, a conditional use permit, including said conditions, to locate a Wedding and Special Event Venue on property herein described.

Motion made by Mr. Hipps, seconded by Mr. Wolfskill to approve the Conditional Use Permit 250353-Quail Run Wedding Events with an alternate resolution that includes the requirement that music be kept indoors. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-no, and Mr. Wolfskill-yes. The motion carried 4-1.

#### **Amendments to Zoning and Subdivision Ordinances**

At 7:41 p.m. after due notice was given, Mr. Hinkle called the Public Hearing to order to receive comments on the proposed amendments to the Zoning and Subdivision Ordinances. Specifically, Section 19.6-76 ET SEQ, Floodplain Overlay District, Section 19.6-12, Definitions, and Section 19.5-18 (C) (8)-Family Division Notes are to be amended.

Periodically, FEMA provides for updates to the FIRM maps, which necessitates an update to the corresponding section of the Zoning Ordinance. The State has provided a model ordinance with associated definitions. Finally, at the end of last year, the Family Division requirements were amended to adjust the pre- and post- ownership requirements for family divisions. General Code alerted staff that a final plat note found later in the Subdivision Ordinance needed to be updated to match the prior change.

Mr. Johnnie Roark addressed the Board to present the proposed amendments. After receiving no further comments, the Public Hearing was closed at 7:46 p.m.

#### **ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF APPOMATTOX COUNTY, TITLE 19 (LAND USE AND DEVELOPMENT), CHAPTER 19.6 (ZONING), ARTICLE VII, (DISTRICT REGULATIONS) TO AMEND §19.6-76 ET SEQ, FLOODPLAIN OVERLAY DISTRICT BY REPEALING AND REPLACING, AS SHOWN**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and



**WHEREAS**, from time to time, for good zoning practice or in the judgement of the citizens, staff, the Planning Commission or the Board of Supervisors an area of text needs amending to better serve the purpose of zoning and the community at-large; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA), through the Virginia Department of Conservation and Recreation (DCR) periodically update and revise the Floodplain Insurance Rate Maps (FIRM); and

**WHEREAS**, over the past twelve months, FEMA, DCR, and local staff have collaborated to revise the FIRM maps for Appomattox County and update the associated zoning text known as the “Floodplain Overlay District”; and

**WHEREAS**, FEMA and DCR staffs have reviewed the proposed ordinance amendments and found them to be consistent with the state’s model ordinance; and

**WHEREAS**, the Appomattox County Joint Planning Commission held a public hearing on June 11, 2025 and all those wishing to speak on this topic were heard; and

**WHEREAS**, the Appomattox County Joint Planning Commission voted unanimously to recommend approval of the amendments, as written; and

**WHEREAS**, on July 21, 2025, a public hearing was held on this matter before the Appomattox County Board of Supervisors, and all of those wishing to speak on this topic were heard; and

**WHEREAS**, the current §19.6-76 ET SEQ shall be repealed and replaced, as follows:

## **ARTICLE I - GENERAL PROVISIONS**

### *Section 19.6-76.1.1– Statutory Authorization and Purpose*

*Code of Virginia § 15.2-2283 specifies that zoning ordinances shall be for the general purpose of promoting the health, safety, or general welfare of the public and of further accomplishing the objectives of Code of Virginia § 15.2-2200 which encourages localities to improve the public health, safety, convenience, and welfare of their citizens. To these ends, flood ordinances shall be designed to provide for safety from flood, to facilitate the provision of flood protection, and to protect against loss of life, health, or property from flood.*

*In accordance with these directed provisions, this ordinance is specifically adopted pursuant to the authority granted to localities by Code of Virginia § 15.2 - 2280.*

*The purpose of these provisions is to prevent: the loss of life, health, or property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief, and the impairment of the tax base by:*

- A. Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;*
- B. Restricting or prohibiting certain uses, activities, and development from locating within*

*districts subject to flooding;*

- C. Requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and/or floodproofed against flooding and flood damage; and,*
- D. Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.*

#### *Section 19.6-76.1.2– Applicability*

*These provisions shall apply to all privately and publicly owned lands within the jurisdiction of Appomattox County and identified as areas of special flood hazard as shown on the flood insurance rate map (FIRM) or included in the flood insurance study (FIS) that are provided to Appomattox County by FEMA.*

#### *Section 19.6-76.1.3- Compliance and Liability*

- A. No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this ordinance and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this ordinance.*
- B. The degree of flood protection sought by the provisions of this ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study, but does not imply total flood protection. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This ordinance does not imply that districts outside the floodplain district or land uses permitted within such district will be free from flooding or flood damages.*
- C. This ordinance shall not create liability on the part of Appomattox County or any officer or employee thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.*

#### *Section 19.6-76.1.4 – Records*

*Records of actions associated with administering this ordinance shall be kept on file and maintained by or under the direction of the Floodplain Administrator in perpetuity.*

#### *Section 19.6-76.1.5 - Abrogation and Greater Restrictions*

*To the extent that the provisions are more restrictive, this ordinance supersedes any ordinance currently in effect in flood-prone districts. To the extent that any other existing law or regulation is more restrictive or does not conflict it shall remain in full force and effect.*

*These regulations are not intended to repeal or abrogate any existing ordinances including subdivision regulations, zoning ordinances, or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall govern.*

*Section 19.6-76.1.6 - Severability*

*If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.*

*Section 19.6-76.1.7 - Penalty for Violations*

*Any person who fails to comply with any of the requirements or provisions of this ordinance shall be guilty of the appropriate violation and subject to the penalties thereof.*

*The VA USBC addresses building code violations and the associated penalties in Section 104 and Section 115. Violations and associated penalties of this ordinance are addressed in Section 19.6-34 et seq of the Appomattox County Zoning Ordinance.*

**ARTICLE II - ADMINISTRATION**

*Section 19.6-76.2.1 - Designation of the Floodplain Administrator*

*The Zoning Administrator, serving as the Floodplain Administrator, is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:*

- A. Do the work themselves. In the absence of a designated Floodplain Administrator, the duties are conducted by the Appomattox County chief executive officer.*
- B. Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.*
- C. Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve the community of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.*

*Section 19.6-76.2.2 - Duties and Responsibilities of the Floodplain Administrator*

*The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:*

- A. Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).*
- B. Interpret floodplain boundaries and provide available base flood elevation and flood*

*hazard information.*

- C. Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.*
- D. Review applications to determine whether all necessary permits have been obtained from the Federal, State, or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.*
- E. Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE), and have submitted copies of such notifications to FEMA.*
- F. Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).*
- G. Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.*
- H. Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.*
- I. Review Elevation Certificates and require incomplete or deficient certificates to be corrected.*
- J. Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for Appomattox County, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.*
- K. Maintain and permanently keep records that are necessary for the administration of these regulations, including:*
  - 1. Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps), and Letters of Map Change; and*
  - 2. Documentation supporting issuance and denial of permits, Elevation Certificates,*

- documentation of the elevation (in relation to the datum on the FIRM) to which structures have been floodproofed, inspection records, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.*
- L. Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.*
- M. Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.*
- N. Administer the requirements related to proposed work on existing buildings:*
- 1. Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.*
  - 2. Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct. Prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.*
- O. Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.*
- P. Notify the Federal Emergency Management Agency when the corporate boundaries of Appomattox County have been modified and:*
- 1. Provide a map that clearly delineates the new corporate boundaries or the new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and*
  - 2. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.*
- Q. Upon the request of FEMA, complete and submit a report concerning participation in the*

*NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.*

- R. It is the duty of the Community Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of the Community, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).*

#### *Section 19.6-76.2.3 - Use and Interpretation of FIRMs*

*The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:*

- A. Where field surveyed topography indicates that adjacent ground elevations:*
- 1. Are below the base flood elevation in riverine SFHAs, or below the 1% storm surge elevation in coastal SFHAs, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;*
  - 2. Are above the base flood elevation and the area is labelled as a SFHA on the FIRM, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.*
- B. In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.*
- C. Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.*
- D. Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.*
- E. If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:*
- 1. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.*
  - 2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to this*

*ordinance and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.*

- 3. Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.*

#### *Section 19.6-76.2.4 - Jurisdictional Boundary Changes*

*The County floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, the governing body shall prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.*

*In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22(a)(9)(v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.*

*In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.*

#### *Section 19.6-76.2.5 - District Boundary Changes*

*The delineation of any of the Floodplain Districts may be revised by the Appomattox County where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency. A completed LOMR is a record of this approval.*

#### *Section 19.6-76.2.6 - Interpretation of District Boundaries*

*Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Floodplain Administrator. Should a dispute arise concerning the boundaries of any of the*

*Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.*

#### Section 19.6-76.2.7 – Submitting Model Backed Technical Data

*A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. The community may submit data via a LOMR. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.*

#### Section 19.6-76.2.8 – Letters of Map Revision

*When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.*

### **ARTICLE III - ESTABLISHMENT OF ZONING DISTRICTS**

#### Section 19.6-76.3.1 - Description of Special Flood Hazard Districts

##### *A. Basis of Districts*

*The various special flood hazard districts shall include the SFHAs. The basis for the delineation of these districts shall be the FIS and the FIRM for Appomattox County prepared by the Federal Emergency Management Agency, Federal Insurance Administration, dated October 16, 2025, and any subsequent revisions or amendments thereto.*

*Appomattox County may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a "Local Flood Hazard Map" using best available topographic data and locally derived information such as flood of record, historic high water marks, or approximate study methodologies.*

*The boundaries of the SFHA Districts are established as shown on the FIRM which is declared to be a part of this ordinance and which shall be kept on file at the Appomattox County Administration offices.*

- 1. The **Floodway District** is in an **AE Zone** and is delineated, for purposes of this ordinance, using the criterion that certain areas within the floodplain must be capable of carrying the waters of the one percent annual chance flood without increasing the water surface elevation of that flood more than one (1) foot at any point. The areas included in this District are shown on the accompanying FIRM.*

*The following provisions shall apply within the Floodway District of an AE zone:*



- a. *Within any floodway area, no encroachments, including fill, new construction, substantial improvements, or other development shall be permitted unless it has been demonstrated through hydrologic and hydraulic analysis performed in accordance with standard engineering practice that the proposed encroachment will not result in any increase in flood levels within the community during the occurrence of the base flood discharge. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently-accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.*

*Development activities which increase the water surface elevation of the base flood may be allowed, provided that the applicant first applies – with Appomattox County’s endorsement – for a Conditional Letter of Map Revision (CLOMR), and receives the approval of the Federal Emergency Management Agency.*

*If Section 19.6-76.3.1.A.1.a is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Article 4.*

- b. *The placement of manufactured homes (mobile homes) is prohibited, except in an existing manufactured home (mobile home) park or subdivision. A replacement manufactured home may be placed on a lot in an existing manufactured home park or subdivision provided the anchoring, elevation, and encroachment standards are met.*
2. *The **AE, or AH Zones** on the FIRM accompanying the FIS shall be those areas for which one-percent annual chance flood elevations have been provided and the floodway has **not** been delineated. The following provisions shall apply within an AE or AH zone where FEMA has provided base flood elevations:*

*Until a regulatory floodway is designated, no new construction, substantial improvements, or other development (including fill) shall be permitted within the areas of special flood hazard, designated as Zones AI-30, AE, or AH on the FIRM, unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within Appomattox County.*

*Development activities in Zones AI-30, AE, or AH on the Appomattox County FIRM which increase the water surface elevation of the base flood by more than one foot may be allowed, provided that the applicant first applies – with the Appomattox County’s endorsement – for a Conditional Letter of Map Revision, and receives the approval of the Federal Emergency Management Agency.*

3. *The **A Zone** on the FIRM accompanying the FIS shall be those areas for which no*

*detailed flood profiles or elevations are provided, but the one percent annual chance floodplain boundary has been approximated. For these areas, the following provisions shall apply:*

*The Approximated Floodplain District shall be that floodplain area for which no detailed flood profiles or elevations are provided, but where a one percent annual chance floodplain boundary has been approximated. Such areas are shown as Zone A on the maps accompanying the FIS. For these areas, the base flood elevations and floodway information from Federal, State, and other acceptable sources shall be used, when available. Where the specific one percent annual chance flood elevation cannot be determined for this area using other sources of data, such as the U. S. Army Corps of Engineers Floodplain Information Reports, U. S. Geological Survey Flood-Prone Quadrangles, etc., then the applicant for the proposed use, development and/or activity shall determine this base flood elevation. For development proposed in the approximate floodplain the applicant must use technical methods that correctly reflect currently accepted practices, such as point on boundary, high water marks, or detailed methodologies hydrologic and hydraulic analyses. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough review by the Floodplain Administrator.*

*The Floodplain Administrator reserves the right to require a hydrologic and hydraulic analysis for any development. When such base flood elevation data is utilized, the lowest floor shall be elevated to or above the base flood level plus eighteen (18) inches.*

*During the permitting process, the Floodplain Administrator shall obtain:*

- a. The elevation of the lowest floor (in relation to mean sea level), including the basement, of all new and substantially improved structures; and,*
- b. If the structure has been floodproofed in accordance with the requirements of this article, the elevation (in relation to mean sea level) to which the structure has been floodproofed.*

*Base flood elevation data shall be obtained from other sources or developed using detailed methodologies comparable to those contained in a FIS for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed fifty lots or five acres, whichever is the lesser.*

- 4. The **AO Zone** on the FIRM accompanying the FIS shall be those areas of shallow flooding identified as AO on the FIRM. For these areas, the following provisions shall apply:*
  - a. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated no less than two feet above the highest adjacent grade.*

- b. *All new construction and substantial improvements of non-residential structures shall*
- (1) Have the lowest floor, including basement, elevated to or above the flood depth specified on the FIRM, above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM. If no flood depth number is specified, the lowest floor, including basement, shall be elevated at least two feet above the highest adjacent grade; or,*
  - (2) Together with attendant utility and sanitary facilities be completely floodproofed to the specified flood level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.*
- c. *Adequate drainage paths around structures on slopes shall be provided to guide floodwaters around and away from proposed structures.*

Section 19.6-76.3.2 - Overlay Concept

*The Floodplain Districts described above shall be overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map, and as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.*

*If there is any conflict between the provisions or requirements of the Floodplain Districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.*

*In the event any provision concerning a Floodplain District is declared inapplicable as a result of any legislative or administrative actions or judicial decision, the basic underlying provisions shall remain applicable.*

**ARTICLE IV - DISTRICT PROVISIONS**

Section 19.6-76.4.1 – Permit and Application Requirements

A. *Permit Requirement*

*All uses, activities, and development occurring within any floodplain district, including placement of manufactured homes, shall be undertaken only upon the issuance of a permit. Such development shall be undertaken only in strict compliance with the provisions of this Ordinance and with all other applicable codes and ordinances, as amended, such as the Virginia Uniform Statewide Building Code (VA USBC) and the Appomattox County Subdivision Regulations. Prior to the issuance of any such permit, the Floodplain Administrator shall require all applications to include compliance with all applicable State and Federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.*

*B. Site Plans and Permit Applications*

*All applications for development within any floodplain district and all permits issued for the floodplain shall incorporate the following information:*

- 1. The elevation of the Base Flood at the site.*
- 2. For structures to be elevated, the elevation of the lowest floor (including basement) or, in V zones, the lowest horizontal structural member.*
- 3. For structures to be floodproofed (non-residential only), the elevation to which the structure will be floodproofed.*
- 4. Topographic information showing existing and proposed ground elevations.*

*Section 19.6-76.4.2 - General Standards*

*The following provisions shall apply to all permits:*

- A. New construction and substantial improvements shall be built according to this ordinance and the VA USBC, and anchored to prevent flotation, collapse, or lateral movement of the structure.*
- B. Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state anchoring requirements for resisting wind forces.*
- C. New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.*
- D. New construction or substantial improvements shall be constructed by methods and practices that minimize flood damage.*
- E. Electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.*
- F. New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.*
- G. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.*
- H. On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.*

*In addition to provisions A – H above, in all special flood hazard areas, the additional provisions shall apply:*

- I. Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations). Furthermore, in riverine areas, notification of the proposal shall be given by the applicant to all affected adjacent jurisdictions, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), other required agencies, and the Federal Emergency Management Agency.*
- J. The flood carrying capacity within an altered or relocated portion of any watercourse shall be maintained.*

#### *Section 19.6-76.4.3 - Elevation and Construction Standards*

*In all identified flood hazard areas where base flood elevations have been provided in the FIS or generated by a certified professional in accordance with this ordinance, the following provisions shall apply:*

##### *A. Residential Construction*

*New construction or substantial improvement of any residential structure (including manufactured homes) in Zones A1-30, AE, AH, and A with detailed base flood elevations shall have the lowest floor, including basement, elevated to or above the base flood level plus eighteen(18) inches.*

##### *B. Non-Residential Construction*

- 1. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to or above the base flood level plus eighteen (18) inches.*
- 2. Non-residential buildings located in all A1-30, AE, and AH zones may be floodproofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus two feet are water tight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this subsection are satisfied. Such certification, including the specific elevation (in relation to mean sea level) to which such structures are floodproofed, shall be maintained by the Floodplain Administrator.*

##### *C. Space Below the Lowest Floor*

*In zones A, AE, AH, AO, and AI-A30, fully enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:*

- 1. Not be designed or used for human habitation, but shall be used solely for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator).*
- 2. Be constructed entirely of flood resistant materials below the regulatory flood protection elevation;*
- 3. Include measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:*
  - a. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.*
  - b. The total net area of all openings must be at least one (1) square inch for each square foot of enclosed area subject to flooding.*
  - c. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.*
  - d. The bottom of all required openings shall be no higher than one (1) foot above the adjacent grade.*
  - e. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.*
  - f. Foundation enclosures made of flexible skirting are not considered enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.*

*D. Accessory Structures*

- 1. Accessory structures in the SFHA shall comply with the elevation requirements and other requirements of this ordinance or, if not elevated or dry floodproofed, shall:*
  - a. Not be used for human habitation;*
  - b. Be limited to no more than 600 square feet in total floor area;*

- c. *Be useable only for parking of vehicles or limited storage;*
- d. *Be constructed with flood damage-resistant materials below the base flood elevation;*
- e. *Be constructed and placed to offer the minimum resistance to the flow of floodwaters;*
- f. *Be anchored to prevent flotation;*
- g. *Have electrical service and mechanical equipment elevated to or above the base flood elevation;*
- h. *Shall be provided with flood openings which shall meet the following criteria:*
  - (1) *There shall be a minimum of two flood openings on different sides of each enclosed area; if a building has more than one enclosure below the lowest floor, each such enclosure shall have flood openings on exterior walls.*
  - (2) *The total net area of all flood openings shall be at least 1 square inch for each square foot of enclosed area (non-engineered flood openings), or the flood openings shall be engineered flood openings that are designed and certified by a licensed professional engineer to automatically allow entry and exit of floodwaters; the certification requirement may be satisfied by an individual certification or an Evaluation Report issued by the ICC Evaluation Service, Inc.*
  - (3) *The bottom of each flood opening shall be 1 foot or less above the higher of the interior floor or grade, or the exterior grade, immediately below the opening.*
  - (4) *Any louvers, screens or other covers for the flood openings shall allow the automatic flow of floodwaters into and out of the enclosed area.*

*E. Standards for Manufactured Homes and Recreational Vehicles*

- 1. *In zones A, AE, AH, and AO, all manufactured homes placed, or substantially improved, on individual lots or parcels, must meet all the requirements for new construction, including the elevation and anchoring requirements in this ordinance.*
- 2. *All recreational vehicles placed on sites must either:*
  - a. *Be on the site for fewer than ten (10) consecutive days, be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or*
  - b. *Meet all the requirements for manufactured homes in the Virginia Uniform Statewide Building Code (VA USBC).*

#### Section 19.6-76.4.4 - Standards for Subdivision Proposals

- A. *All subdivision proposals shall be consistent with the need to minimize flood damage;*
- B. *All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage;*
- C. *All subdivision proposals shall have adequate drainage provided to reduce exposure to flood hazards, and*
- D. *Base flood elevation data shall be obtained from other sources or developed using detailed methodologies, hydraulic and hydrologic analysis, comparable to those contained in a Flood Insurance Study for subdivision proposals and other proposed development proposals (including manufactured home parks and subdivisions) that exceed five (5) lots or five acres, whichever is the lesser.*

### **ARTICLE V – EXISTING STRUCTURES IN FLOODPLAIN AREAS**

#### Section 19.6-76.5.1 Existing Structures in Floodplain Areas

*Any structure or use of a structure or premises must be brought into conformity with these provisions when it is changed, repaired, or improved unless one of the following exceptions is established before the change is made:*

- A. *The floodplain manager has determined that:*
  - 1. *Change is not a substantial repair or substantial improvement AND*
  - 2. *No new square footage is being built in the floodplain that is not complaint AND*
  - 3. *No new square footage is being built in the floodway AND*
  - 4. *The change complies with this ordinance and the VA USBC AND*
  - 5. *The change, when added to all the changes made during a rolling 5-year period does not constitute 50% of the structure's value.*
- B. *The changes are required to comply with a citation for a health or safety violation.*
- C. *The structure is a historic structure and the change required would impair the historic nature of the structure.*

### **ARTICLE VI - VARIANCES: FACTORS TO BE CONSIDERED**

#### Section 19.6-76.6.1 Variances As Applied to the Floodplain Overlay District

*Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Board of Zoning Appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Board of Zoning Appeals has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood*



*heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.*

*While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by the Board of Zoning Appeals for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this Section.*

*Variances may be issued for new construction and of this Section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.*

*In passing upon applications for variances, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:*

- A. The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation.*
- B. The danger that materials may be swept on to other lands or downstream to the injury of others.*
- C. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.*
- D. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.*
- E. The importance of the services provided by the proposed facility to the community.*
- F. The requirements of the facility for a waterfront location.*
- G. The availability of alternative locations not subject to flooding for the proposed use.*
- H. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.*
- I. The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.*
- J. The safety of access by ordinary and emergency vehicles to the property in time of flood.*
- K. The expected heights, velocity, duration, rate of rise, and sediment transport of the flood*

*waters expected at the site.*

- L. The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.*
- M. No variance shall be granted for an accessory structure exceeding 600 square feet.*
- N. Such other factors which are relevant to the purposes of this Ordinance.*

*Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.*

*Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief.*

*The Board of Zoning Appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance. A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator. substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria.;*

**WHEREAS**, the Appomattox Joint Planning Commission carefully considered the presentation of staff, the Comprehensive Plan, the comments from the public hearing and provided an affirmative recommendation for the proposed amendments; and

**WHEREAS**, the Appomattox County Board of Supervisors finds that in agreement with the recommendation of the Joint Planning Commission, the public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to amend Zoning Ordinance of Appomattox County;

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA** the Code of Appomattox, Chapter 19.6-Zoning is hereby amended and readopted, as described herein.

## **ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF APPOMATTOX COUNTY, TITLE 19 (LAND USE AND DEVELOPMENT), CHAPTER 19.5 (SUBDIVISION OF LAND), ARTICLE VIII, (PRELIMINARY PLAN AND FINAL PLAT REQUIREMENTS) TO AMEND §19.5-18 (C)(8) FAMILY DIVISION NOTES**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

**WHEREAS**, from time to time, for good development practice or in the judgement of the citizens, staff, the Planning Commission or the Board of Supervisors an area of text needs amending to better serve the purpose of subdivision, development, and the community at-large; and

**WHEREAS**, the Planning Commission sees the need to amend notes for a final plat related to Family Divisions, by amending §19.5-18 (C) (8), as follows (new language in *italics*, deletions shown as strikethroughs);

**§19.5-18 (C) (8)**- This lot shall not be conveyed within ~~ten (10)~~ *five (5)* years of the date of recordation to any person(s) other than qualifying family members as enumerated in Article 1 of the Appomattox County Subdivision Ordinance, unless otherwise approved by the Board of Supervisors.

**WHEREAS**, the Appomattox County Joint Planning Commission held a public hearing on June 11, 2025, with no one speaking either for or against the proposed changes; and

**WHEREAS**, the Appomattox County Joint Planning Commission voted unanimously to recommend approval of the amendments, as written; and

**WHEREAS**, on July 21, 2025, a public hearing was held on this matter before the Appomattox County Board of Supervisors, and all of those wishing to speak on this topic were heard;

**WHEREAS**, the Appomattox Joint Planning Commission carefully considered the presentation of staff, the Comprehensive Plan, the comments from the public hearing and provided an affirmative recommendation for the proposed amendments ; and

**WHEREAS**, the Appomattox County Board of Supervisors finds that in agreement with the recommendation of the Joint Planning Commission, that this ordinance is intended to guide and facilitate the orderly, beneficial growth of the community by assuring the orderly subdivision of land and its development, and to promote the public health, safety, convenience, comfort, prosperity, and general welfare and requires adoption of an ordinance to amend Subdivision Ordinance of Appomattox County;

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA** the Code of Appomattox, Chapter 19.5-Subdivision of Land is hereby amended and readopted, as described herein.

## **ORDINANCE**

**AN ORDINANCE AMENDING THE CODE OF APPOMATTOX COUNTY, TITLE 19 (LAND USE AND DEVELOPMENT), CHAPTER 19.6 (ZONING), ARTICLE I, (ADMINISTRATION) TO AMEND §19.6-12, DEFINITIONS BY ADDING AND AMENDING THE FOLLOWING DEFINITIONS, AS SHOWN**

**WHEREAS**, Sections 15.2-1427 and 15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

**WHEREAS**, from time to time, for good zoning practice or in the judgement of the citizens, staff, the Planning Commission or the Board of Supervisors an area of text needs amending to better serve the purpose of zoning and the community at-large; and

**WHEREAS**, the Federal Emergency Management Agency (FEMA), through the Virginia Department of Conservation and Recreation (DCR) periodically update and revise the Floodplain Insurance Rate Maps (FIRM); and

**WHEREAS**, over the past twelve months, FEMA, DCR, and local staff have collaborated to revise the FIRM maps for Appomattox County and update the associated zoning text and related definitions; and

**WHEREAS**, FEMA and DCR staffs have reviewed the proposed ordinance amendments and found them to be consistent with the state's model ordinance; and

**WHEREAS**, the definition of the term "breezeway" is being amended to clarify requirements for ingress and egress to aid in administration of the ordinance; and

**WHEREAS**, the Appomattox County Joint Planning Commission held a public hearing on June 11, 2025 and all those wishing to speak on this topic were heard; and

**WHEREAS**, the Appomattox County Joint Planning Commission voted unanimously to recommend approval of the amendments, as written; and

**WHEREAS**, on July 21, 2025, a public hearing was held on this matter before the Appomattox County Board of Supervisors, and all of those wishing to speak on this topic were heard; and

**WHEREAS**, §19.6-12 shall be amended to include the new terms and amended terms, as follows:

- A. Appurtenant or accessory structure (Section 19.6-76 et seq only) - For floodplain management purposes, a non-residential structure which is on the same property as the principal structure and the use of which is incidental to the use of the principal structure. Accessory structures are not to exceed 600 square feet.
- B. Elevated building - A non-basement building built to have the lowest floor elevated above the ground level by means of solid foundation perimeter walls, pilings, or columns (posts and piers).
- C. Encroachment - The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures or development into a floodplain, which may impede or alter the flow capacity of a floodplain.
- D. Flood Insurance Rate Map (FIRM) - an official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).
- E. Flood Insurance Study (FIS) - a report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an

*examination, evaluation and determination of mudflow and/or flood-related erosion hazards.*

- F. Freeboard - A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. "Freeboard" tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.*
- G. Functionally dependent use - A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. This term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities.*
- H. Highest adjacent grade - the highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.*
- I. Hydrologic and Hydraulic Engineering Analysis - Analyses performed by a licensed professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the base flood, other frequency floods, flood elevations, floodway information and boundaries, and flood profiles.*
- J. Letters of Map Change (LOMC) - A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective Flood Insurance Rate Map or Flood Insurance Study. Letters of Map Change include:*
- K. Letter of Map Amendment (LOMA) - An amendment based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a land as defined by meets and bounds or structure is not located in a special flood hazard area.*
- L. Letter of Map Revision (LOMR) - A revision based on technical data that may show changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a structure or parcel of land has been elevated by fill above the base flood elevation and is, therefore, no longer exposed to flooding associated with the base flood. In order to qualify for this determination, the fill must have been permitted and placed in accordance with the community's floodplain management regulations.*
- M. Conditional Letter of Map Revision (CLOMR) - A formal review and comment as to whether a proposed flood protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of special flood hazard areas. A CLOMR does not revise the effective Flood Insurance Rate Map or Flood Insurance Study.*

- N. Lowest adjacent grade - the lowest natural elevation of the ground surface next to the walls of a structure.
- O. Lowest floor - The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR §60.3.
- P. New construction – For floodplain management purposes, structures for which the start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures. Any construction started after the effective date of community's first floodplain management ordinance adopted by the community and before the effective start date of this floodplain management ordinance is subject to the ordinance in effect at the time the permit was issued, provided the start of construction was within 180 days of permit issuance.
- Q. Post-FIRM structures – For floodplain management purposes, a structure which construction or other development for which the "start of construction" occurred on or after the effective date of the initial Flood Insurance Rate Map.
- R. Pre-FIRM structures – For floodplain management purposes, a structure for which construction or other development for which the "start of construction" occurred before the effective date of the initial Flood Insurance Rate Map.
- S. Primary frontal dune - a continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms.
- T. Repetitive Loss Structure - A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a 10-year period, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.
- U. Severe repetitive loss structure - a structure that: (a) Is covered under a contract for flood insurance made available under the NFIP; and (b) Has incurred flood related damage - (i) For which 4 or more separate claims payments have been made under flood insurance coverage with the amount of each such claim exceeding \$5,000, and with the cumulative amount of such claims payments exceeding \$20,000; or (ii) For which at least 2 separate claims payments have been made under such coverage, with the cumulative amount of such claims exceeding the market value of the insured structure.

- V. Shallow flooding area - A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- W. Special flood hazard area - The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 19.6.3.1 of this ordinance.
- X. Start of construction – For floodplain management purposes, for other than new construction and substantial improvement, under the Coastal Barriers Resource Act (P.L. – 97-348), means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.
- Y. Substantial damage - Damage of any origin sustained by a structure whereby the cost of restoring the structure to it's before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. It also means flood-related damages sustained by a structure on two occasions in a 10-year period, in which the cost of the repair, on the average, equals or exceeds 25 percent of the market value of the structure at the time of each such flood event.
- Z. Violation – For floodplain management purposes, the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.
- AA. Watercourse - A lake, river, creek, stream, wash, channel or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.
- BB. Breezeway: A roofed, open-sided passageway connecting two structures, one principle structure to one accessory structure, such as a house and/or a garage, with entrances at either end for ingress and egress.

**WHEREAS**, the Appomattox Joint Planning Commission carefully considered the presentation of staff, the Comprehensive Plan, the comments from the public hearing and provided an affirmative recommendation for the proposed amendments; and

**WHEREAS**, the Appomattox County Board of Supervisors finds that in agreement with the recommendation of the Joint Planning Commission, the public necessity, convenience, general welfare, or good zoning practice requires adoption of an ordinance to amend Zoning Ordinance of Appomattox County;

**NOW, THEREFORE BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF APPOMATTOX COUNTY, VIRGINIA** the Code of Appomattox, Chapter 19.6-Zoning is hereby amended and readopted, as described herein.

Motion made by Mr. Wolfskill, seconded by Mr. Carter, to approve amendments to the Zoning Subdivision Ordinances, specifically Section 19.6-76 ET DEQ, Floodplain Overlay District, Section 19.6-12, Definitions, and Section 19.5-18 (C) (8) Family Division Notes. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, and Mr. Wolfskill-yes.

#### **ACTION ITEMS**

##### **Sale of Election Equipment**

Motion made by Rev. Jones, seconded by Mr. Carter to approve the sale of election equipment, specifically the EZ Cart (cage) to Goochland County for \$1,100.00 Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, and Mr. Wolfskill-yes.

#### **Ordinance Providing for the Payment of Bonuses to Certain county Employees**

##### **ORDINANCE PROVIDING FOR THE PAYMENT OF BONUSES TO CERTAIN COUNTY EMPLOYEES**

**WHEREAS**, pursuant to Virginia Code §15.2-1508, Bonuses for Employees of Local Governments, the County may provide for payment of monetary bonuses to its officers and employees; and

**WHEREAS**, the 2025 General Assembly has approved funding to support a 1.5% bonus for all Department of Social Services employees, constitutional officers, regional jail superintendents and their Compensation Board funded full-time permanent employees on July 1, 2025; and

**WHEREAS**, the 1.5% bonus is based on their current base salary provided that the governing authority of such employees use such funds to support the provision of a bonus for the stated employees; and

**WHEREAS**, during the County's FY26 budget work sessions, consideration for the 1.5% bonus was granted to all County Department full-time employees; and

**WHEREAS**, the Board of Supervisors, after duly advertising, held a Public Hearing for this purpose on April 21, 2025, and;

**WHEREAS**, the Board of Supervisors included the bonuses in its FY26 budget that was approved at the April 30, 2025 Special Called meeting; and



**NOW, THEREFORE, BE IT ORDAINED** that the Appomattox County Board of Supervisors hereby approves the above referenced bonuses to be paid to the employees in all of the County Departments, to include the Constitutional Officer Departments, Registrar's Office, and the Department of Social Services.

Motion made by Rev. Jones, seconded by Mr. Wolfskill to adopt the ordinance providing for the payment of bonuses to full-time County employees to include the Constitutional Officer Departments, Registrar's Office, and the Department of Social Services. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, and Mr. Wolfskill-yes.

#### **Schools Appropriation Request for FY2024 End-of-Year Spending/CIP Fund**

Motion made by Rev. Jones, seconded by Mr. Carter to approve an appropriation for the FY2024 end-of-year local fund savings to be transferred to the School Capital Improvement fund in the amount of \$1,134,311.00. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, and Mr. Wolfskill-yes.

#### **Appomattox County Public Schools**

Motion made by Mr. Carter, seconded by Mr. Wolfskill to approve an exemption to HB1902 for Appomattox County Public Schools during the 2025-2026 school year. Chairman Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Rev. Jones-yes, and Mr. Wolfskill-yes.

#### **Department of Social Services - FY2025 Operating Budget**

Motion made by Mr. Wolfskill, seconded by Mr. Hipps to transfer by consent \$5,468.70 from the General Fund and appropriate to 5301-3009 Management Consulting. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes, and Rev. Jones-yes.

#### **Capital Projects**

Motion made by Mr. Carter, seconded by Rev. Jones to transfer by consent \$1,076,783.25 from the General Fund and appropriate to the following in the FY25 operating budget:

|                          |              |
|--------------------------|--------------|
| 9104-7015 DSS Renovation | \$130,004.66 |
|--------------------------|--------------|

|                                 |              |
|---------------------------------|--------------|
| 9104-7016 Courthouse Renovation | \$937,778.59 |
|---------------------------------|--------------|

|               |                       |
|---------------|-----------------------|
| <b>Total:</b> | <b>\$1,076,783.25</b> |
|---------------|-----------------------|

Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes, and Rev. Jones-yes.

#### **Sheriff's Asset Forfeiture Fund**

Motion made by Rev. Jones, seconded by Mr. Carter to approve the transfer of \$5,125.00 from the General Fund to the Sheriff's Asset Forfeiture Fund due to the sale of two vehicles. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Hinkle-yes, Mr. Wolfskill-yes, and Rev. Jones-yes.

#### **Sheriff's Department-Budget Appropriation**

Sheriff Richardson addressed the Board to discuss budgeted funds that were received from the Town of Appomattox and their relevant appropriation in the County's budget. The

Board requested that the County Administrator review the budget for donations from the Town of Appomattox to the Sheriff's Department budget.

## **CONSENT AGENDA**

### **Invoices Submitted for Payment**

Please review the attached invoices and approve for payment:

|                                      |                       |
|--------------------------------------|-----------------------|
| July 2, 2025 – FY25                  | \$56,948.34           |
| July 15, 2025 – Grand Jurors FY 2025 | \$1,450.00            |
| July 16, 2025 – FY 2025              | \$1,140,856.02        |
| July 17, 2025 – CSA                  | \$244,766.00          |
| <b>TOTAL FY 2025</b>                 | <b>\$1,444,020.36</b> |

|                         |                     |
|-------------------------|---------------------|
| July 3, 2025 - FY 2026  | \$175,769.63        |
| July 21, 2025 - FY 2026 | \$688,281.65        |
| <b>TOTAL - FY 2026</b>  | <b>\$864,051.28</b> |

**STAFF RECOMMENDATION: Please review and consider approval of the attached invoices for payment.**

### **Minutes**

Please review the following DRAFT minutes for approval:

Monday, June 16, 2025, Regular Scheduled Meeting

### **Courthouse Security Fund**

Please transfer by consent \$9,040.00 from the Courthouse Security Fund to the General Fund and appropriate the following to the **FY 2026** operating budget:

|                     |            |
|---------------------|------------|
| 3102-7001 Equipment | \$9,040.00 |
|---------------------|------------|

RE: New metal detector for the Courthouse.

**STAFF RECOMMENDATION: No new local funds are required.**

### **Sheriff's Department FY 2025**

Please supplement by consent and appropriate the following to the **FY 2025** operating budget:

|                                      |                    |
|--------------------------------------|--------------------|
| 3102-1002 Overtime                   | \$11,800.03        |
| 3102-1003 Part-Time Salaries         | \$5,322.53         |
| 3102-5401 Office Supplies            | \$50.60            |
| 3102-5503 Travel (Sustenance/Lodging | \$567.82           |
| <b>TOTAL:</b>                        | <b>\$17,740.98</b> |

RE: Reimbursement from the City of Lynchburg for CIT hours worked by deputies (\$2,798.64); Reimbursement from Appomattox County High School for security performed by deputies at baseball and softball games (\$1,500.00); Reimbursement from the Appomattox County School Board for security performed by deputies at the softball, baseball, track, soccer games and graduation event (\$7,501.39); Reimbursement from the Appomattox County School Board for extra school security performed by deputies (\$5,322.53); Reimbursement for FOIA requests (\$50.60); Reimbursement from the Commonwealth of Virginia for Intoxilizer Breath Certification class attended by deputies (\$567.82).

**STAFF RECOMMENDATION: No new local funds are required.**

**J. Robert Jamerson Memorial Library**

Please supplement by consent and appropriate to the **FY 2025** operating budget:

|                                         |            |
|-----------------------------------------|------------|
| 7301-5401 Office Supplies               | \$7,559.09 |
| 7301-5411 Fines, Books/Subscriptions    | \$2,226.34 |
| 7301-5412 Education/Recreation Supplies | \$2,598.00 |
| 7301-5415 Summer Reading Program        | \$2,406.75 |

**TOTAL: \$14,790.18**

RE: Reimbursements, fines and donations collected by the Library for FY 2025.

**STAFF RECOMMENDATION: No new local funds are required.**

Please supplement by consent and appropriate to the **FY 2026** operating budget:

|                                      |          |
|--------------------------------------|----------|
| 7301-5401 Office Supplies            | \$239.00 |
| 7301-5411 Fines, Books/Subscriptions | \$77.22  |

**TOTAL: \$316.22**

RE: Reimbursements and fines collected by the Library.

**STAFF RECOMMENDATION: No new local funds are required.**

**E911**

Please supplement by consent and appropriate the following to the FY 2025 operating budget:

|                                             |          |
|---------------------------------------------|----------|
| 3606-5504 Travel (Convention/Educ/Training) | \$685.38 |
|---------------------------------------------|----------|

RE: Reimbursement from the Virginia Department of Emergency Management for training.

**STAFF RECOMMENDATION: No new local funds are required.**

**County Administration**

Please supplement by consent and appropriate the following to the FY 2025 operating budget:

|                   |                 |
|-------------------|-----------------|
| 1201-5201 Postage | <b>\$151.17</b> |
|-------------------|-----------------|

RE: Reimbursement from Pitney Bowes for overpayment on an invoice.

**STAFF RECOMMENDATION: No new local funds are required.**

**Children's Services Act (CSA)**

Please supplement by consent and appropriate the following in the **FY 2025** operating budget:

|                                 |                   |
|---------------------------------|-------------------|
| 5310-3001 Professional Services | <b>\$5,625.00</b> |
|---------------------------------|-------------------|

RE: Reimbursement from the Appomattox County School Board for professional services paid by CSA.

**STAFF RECOMMENDATION: No new local funds are required.**

**Waterline**

Please supplement by consent and appropriate the following to the **FY 2025** operating budget:

|                                   |            |
|-----------------------------------|------------|
| 082-1800-5101 Electrical Services | \$1,154.79 |
| 082-1800-5203 Telecommunications  | \$129.66   |

082-1800-5898 Water (Wholesale) \$34,486.73  
**TOTAL: \$35,771.18**  
RE: Reimbursement from the Town of Appomattox for waterline expenses.  
**STAFF RECOMMENDATION: No new local funds are required.**

### **Capital Projects**

Please supplement by consent and appropriate the following to the **FY 2025** operating budget:

9104-7018 Votech GOVA Grant \$129,594.60  
RE: Reimbursement from the Central Virginia Planning District Commission for Votech GOVA Grant.  
**STAFF RECOMMENDATION: No new local funds are required.**

### **Animal Shelter Operations**

Please supplement by consent and appropriate the following to the **FY 2025** Operating Budget:

3501-5413 Spay/Neuter Program \$185.00  
3501-5804 Donations \$25.00  
**TOTAL: \$210.00**  
RE: Funds received through adoptions and spay/neuter services (\$185.00); Donations received for animal shelter (\$25.00).  
**STAFF RECOMMENDATION: No new local funds are required.**

Please supplement by consent and appropriate the following to the **FY 2026** Operating Budget:

3501-5413 Spay/Neuter Program \$555.00  
3501-5804 Donations \$465.00  
**TOTAL: \$1,020.00**  
RE: Funds received through adoptions and spay/neuter services (\$555.00); Donations received for animal shelter (\$465.00).  
**STAFF RECOMMENDATION: No new local funds are required.**

### **General Properties**

Please supplement by consent and appropriate to the following to the **FY 2025** Operating Budget:

4302-5101 Electrical Services \$413.08  
RE: Reimbursement from the Appomattox County School Board for a Dominion Electric invoice paid by the County for the Carver Price cottage building being used to house School IT equipment.  
**STAFF RECOMMENDATION: No new local funds are required.**

### **Commonwealth's Attorney Asset Forfeiture Fund**

Please transfer **\$2,448.85** from the Commonwealth's Attorney Asset Forfeiture Fund to the General Fund and appropriate the following to the **FY 2026** operating budget:

2201-5816 Asset Forfeiture: \$2,448.85  
RE: Purchase of new computers and equipment for the Commonwealth's Attorney Office.  
**STAFF RECOMMENDATION: No new local funds are required.**

### **Treasurer's Office**

Please supplement by consent and appropriate the following to the **FY 2025** operating budget:

1213-5808 DMV Stops **\$3,100.00**

RE: DMV stops performed by the Treasurer's Office.

**STAFF RECOMMENDATION: No new local funds are required.**

Motion made by Rev. Jones, seconded by Mr. Hipps to approve the Consent Agenda as presented. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, Rev. Jones-yes.

### **ATTORNEY'S REPORT**

Transient Occupancy Tax

Mark Popovich, the County Attorney requested the Board set a public hearing on August 18, 2025, at 6:00 p.m. to receive comments on the proposed ordinance changes to the Appomattox County Code, Chapter 3, Administration, Article VII, Taxation and Fees Section 3.7-58 Report and Remittance of Tax.

Motion made by Mr. Wolfskill, seconded by Mr. Carter to authorize staff to schedule and advertise a Public Hearing to be set on August 18, 2025 at 6:00 p.m. to receive public comments on a proposed ordinance change to the Appomattox County Code, Chapter 3, Administration, Article VII, Taxation and Fees Section 3.7-58 – Report and Remittance of Tax. Mr. Hinkle called for a roll call vote: Mr. Carter-yes, Mr. Hipps-yes, Mr. Wolfskill-yes, Mr. Hinkle-yes, Rev. Jones-yes.

### **ADMINISTRATOR'S REPORT**

Ms. Adams shared the County Administrator's report noting:

- At the request of the Health Department, an air quality test was performed showing no significant concerns.
- The Courthouse construction project completion has been delayed until the early September 2025.
- The Department of Social Services renovation is nearly complete due to a delay on receiving doors.
- We have welcomed the new Department of Social Services Director, Alisha Wright to the Department.
- Staff will be coordinating the Budget Work Session in August or September, after the School Board has had the opportunity to review the report from the DOE.

### **REPORTS AND INFORMATIONAL ITEMS**

- **School Finance Report** – May 2025 month-end report from Dr. Tibbs, Director of Finance and Human Resources
- **Delinquent Tax Status Report** – as of June 30, 2025 from Sands Anderson.

### **SUPERVISOR CONCERNS**

- Rev. Jones is concerned about the condition of the playground at the Community Center. Rev. Jones is requesting that it be refurbished and maintained, especially because it is used by the young people of our community.
- Mr. Hinkle, also a member of the Central Virginia Workforce Development Board for the Central Region (Area 5), shared that the new welding school in Appomattox at CVCC is now accepting new students. Mr. Hinkle stated that there are funds available through the Central Virginia Workforce Development Board for students and employers, along with support for apprenticeship programs through local businesses.

## **CLOSED SESSION**

Chairman Hinkle, read the following Resolution authorizing a Closed Session:

The Appomattox County Board of Supervisors plans to enter into closed session for the limited purposes of consultation with legal counsel regarding specific legal matters requiring the provision of legal advice regarding the Combs property and the proposed transfer of certain public infrastructure to another public body, all pursuant to Section 2.2-3711 (A)(8) of the Code of Virginia.

Motion made by Mr. Hinkle, seconded by Mr. Carter, to enter into closed session at 8:24 p.m. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Carter-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

Mrs. Wanda McCormick read the following closed session certification at 8:51 p.m. 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. Mrs. McCormick called for a roll call vote: Mr. Hipps-yes; Mr. Carter-yes; Mr. Hinkle-yes; Mr. Wolfskill-yes, and Rev. Jones-yes.

Motion made by Mr. Wolfskill, seconded by Mr. Carter to authorize the County Administrator to sign documents related to the Combs property. Mr. Hinkle called for a roll call vote: Mr. Wolfskill-yes, Mr. Hipps-yes, Mr. Carter-yes, Mr. Hinkle-yes, and Rev. Jones-yes.

## **UPCOMING MEETINGS**

Monday, August 18, 2025 @ 6:00 p.m.  
Regular Scheduled Meeting  
Board of Supervisors Meeting Room  
171 Price Lane, Appomattox, VA 24522

## **ADJOURNMENT**

Motion made by Mr. Carter, seconded by Mr. Hinkle and carried with all other members present voting yes, to adjourn at 8:47 p.m.

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John Hinkle, Chairman