



**AT A WORKSHOP MEETING OF THE BOARD OF SUPERVISORS HELD IN THE VILLAGE BUILDING AUDITORIUM, AT 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, AND REMOTELY BY ELECTRONIC MEANS ON MAY 18, 2022, AT 6:30 PM.**

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

**Board of Supervisors Absent:** None

**County Staff Present:** Ned Smither, County Administrator  
Bret Schardein, Assistant County Administrator  
Tom Lacheney, County Attorney  
Frank Hopkins, Planning Director

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

**Guests Present:** None

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**1. Call to Order**

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

**2. Pledge of Allegiance**

Mr. McClung led the pledge of allegiance.

**3. Invocation**

Mr. Cox led the invocation.

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

None.

**5. Formal Approval of Agenda**

Ms. Carmack made a motion to approve the agenda as presented. Mr. McClung seconded the motion.

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

**VOTE 5-0  
MOTION PASSED**



6. **County Administrator Updates** (Certificates of Appreciation, Special Resolutions, Proclamations, and Presentations)  
None.

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

Chairman Byerly opened the public comment period.

[David Anderson, 2366 Belle Crest Circle](#), expressed his support for the productive and civil manner in which the previous meeting had been held. He also asked the Board to present the decided tax rate to the community before voting upon it.

[Barbara Adcock, 1865 Rocky Ford Road](#), advocated for the full funding of the School Board's budget.

[Harry Markland, 3701 Hope Meadow Road](#), expressed concern about the administrative decisions being made within the School Board. He asked the Board to consider that the school's employees are not the only ones suffering when making their decision.

[Judy Cane Oliver, 4372 Three Bridge Road](#), urged the Board to build a Senior Center and listed many benefits that it would provide.

[Annette Stone, 2231 Lakeview Drive](#), urged the Board to consider building a Senior Center.

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

## 8. Old Business

### a. Discussion of the Village Park (Requested by Mr. Cox)

Mr. Smither gave a brief overview. He mentioned that the County cost will be much lower than previously estimated and that the public support is high.

Mr. Cox asked why there was no information presented beyond the approval of the design and funding in November of 2021. Mr. Smither explained that the updates are underway. Mr. Cox asked if there is a committee in charge of the project. Mr. Smither stated that Chairman Byerly and Ms. Carmack have been in charge of the project and are working very hard. Ms. Carmack stated that she and Chairman Byerly have been working very closely with Public Works. Mr. Cox who is in charge of any conceptual plan and design changes. Ms. Carmack explained that the changes being made were in an attempt to address the issues that other members of the Board had pointed in order to make the project more appealing to the entire Board.



Mr. Cox asked Mr. Lacheny if the conceptual changes fit within the original motion. Mr. Lacheny explained that any deviations from the Timmins Plan require another vote. Mr. Cox explained that he was not mentioning this in an attempt to shut down the project, but to shed light on the changes being made. Mr. Smither suggested that tonight's motion to approve the changes at hand include some flexibility in order to allow some room for adjustment without Board approval.

Williams agreed with Mr. Cox and stated that he would like to be briefed on project updates and see the changes being discussed before deciding. Chairman Byerly suggested that any updates be published on the County's website in order to keep the community informed. Mr. Cox presented a photo of the updated project plans.

Mr. McClung made a motion to allow deviation from the original Timmons Plan with substantial compliance with the new Balzer Plan. Ms. Carmack seconded the motion.

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

**VOTE 5-0  
MOTION PASSED**

**9. Public Hearings**

**a. Public Hearing for Fiscal Year 2023 Tax Rate, Resolution R-2022-10**

Chairman Byerly opened the public comment period.

[Steve Jenkins, 1163 Bradbury Road](#), expressed concern about the possibility of a tax rate increase. He stated that this was not sending the right message to the citizens of Powhatan.

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

Mr. Cox explained that cutting the real estate tax rate would not impact expenditures as it would only reduce dollars going into the surplus fund. He presented data to support this claim.

Mr. McClung made a motion to adopt Resolution R-2022-10A. Mr. Williams seconded the motion.

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

**VOTE 5-0  
MOTION PASSED**



### **Post Public Hearing Actions**

#### **b. Resolution R-2022-13 Adopting the Fiscal Year 2023 Operating Budget**

Mr. Cox presented information regarding the personal property tax. He stated that the budget needs to be managed on a calendar year instead of a fiscal year and provided quantified data to support this claim. He then suggested that the solution to this issue is to tax vehicles at less than 100% of Valuation for fiscal year 2023. In order to accomplish this, Mr. Cox suggested finding a target amount of revenue reduction as well as a valuation percentage that lines up with that target.

Mr. Williams referenced Henrico County's approach in which they did not extend the tax due date but extended the deadline to pay without penalty to provide relief. He engaged in dialogue with Ms. Nunnally and Mr. Timberlake to explain the Keystone process and support his idea that only eliminating the licensed vehicle fee will not provide enough relief. Ms. Schubert explained that she cannot guarantee that Mr. Williams idea would not create issues down the road. Ms. Carmack asked Mr. Williams to clarify what he is proposing. Mr. Timberlake explained that Mr. Williams is proposing to collect a portion of the personal property tax until the value of vehicles begins to decrease again.

Mr. Cox suggested that the Board of Supervisors defer the adoption of the budget until there is a resolution on the topic of personal property and the vehicle fee.

Chairman Byerly reminded the community that this county is not the same as the surrounding counties. He also referred to several conversations in which employees had voiced their concern with Keystone.

Chairman Byerly made a motion to eliminate the licensed vehicle fee. Mr. McClung seconded the motion.

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

### **VOTE 3-2 MOTION PASSED**

Mr. Williams stated that a revenue stabilization fund helps the bond rate. He expressed concern about the idea of taking this fund out and placing it in the general fund. Ms. Carmack stated that Powhatan County does not have the resources to propel itself into the triple bond rated category any time soon. For this reason, she stated that she supports moving this fund into the general fund in order to offset the two-cent tax reduction. Mr. Cox agreed with Mr. Williams and expressed his concern about the motion to discontinue the revenue stabilization fund.

Mr. McClung made a motion discontinue the revenue stabilization fund and put it back in the general fund. Ms. Carmack seconded the motion.



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

**VOTE 3-2  
MOTION PASSED**

Mr. Cox made a motion to defer the adoption of the Resolution R-2022-13 until the meeting on June 6<sup>th</sup>. Mr. Williams seconded the motion.

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

**VOTE 3-2  
MOTION FAILED**

Chairman Byerly mentioned the topic of a 3% versus 5% raise. Ms. Carmack stated that she would be supporting a 5% raise. Mr. Williams stated that 5% is in the budget. Mr. McClung and Mr. Byerly both supported 5% as well. Mr. Cox gave a brief presentation. He stated that due to several concerns, he will not be supporting the CIP that has a million dollars or the half million-dollar senior center until it meets the proper objectives.

The Board discussed the personal property tax. Chairman Byerly stated that he would be moving forward with his motion. Mr. Williams asked if he could make a separate motion. Mr. Lacheney stated that Chairman Byerly would have to withdraw his motion, which he did not agree to do. He also reminded the Board that the budget can always be amended.

Chairman Byerly made a motion to adopt Resolution R-2022-13A. Ms. Carmack seconded the motion.

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

**VOTE 3-2  
MOTION PASSED**

Mr. Williams made a motion to approve the request that the Commissioner of Revenue, Ms. Nunnally, Mr. Vo, and Mr. Smither work together to understand the appropriate percentage to be used for the reduction of the vehicle tax bubble in order to bring it into a normalized range, prepare the bills, and have them go out within the June 30<sup>th</sup> fiscal year deadline. Mr. Cox seconded the motion.

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

**VOTE 3-2  
MOTION FAILED**



**c. Resolution R-2022-14 Extension of Tax Due Date**

Ms. Nunally requested an extension on both the personal property and real estate tax to June 24<sup>th</sup> with interest beginning to accrue on August 1<sup>st</sup>.

Mr. Lacheney reminded the Board that an emergency ordinance will still need to be added to an upcoming agenda and hold a public hearing or it will become void.

Chairman Byerly made a motion to reclassify and adopt Resolution R-2022-14 as an emergency ordinance. Mr. Williams seconded the motion.

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

**VOTE 5-0**  
**MOTION PASSED**

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

Chairman Byerly opened the public comment period.

[Fran Carlton, 2219 Rosson Road](#), thanked the Board for the clarity regarding the construction of the park. She also expressed concern about the rejection of the Commissioner of Revenue, treasurer, and Finance Director's proposal.

[Harry Markland](#), expressed disapproval with some of the decisions made tonight.

[David, Anderson, 2366 Bell Crest Circle](#), thanked Mr. Timberlake for his efforts. He expressed concern about the decisions made tonight.

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

**11. County Attorney Comments**

There were no County Attorney comments.

**12. County Administrator Comments**

Mr. Smither stated that so much has happened with this budget, that it is easy to lose sight of what the Board has accomplished and reminded everyone of some of these accomplishments.

**13. Board Comments**

Chairman Byerly added that a five percent raise had been given to county employees.

**14. Adjournment**

Chairman Byerly closed the public comment period at approximately 9:20 PM.

POWHATAN COUNTY BOARD OF SUPERVISORS  
WORKSHOP MEETING  
MAY 18, 2022



Ned Smither, County Administrator  
Powhatan County Board of Supervisors

Mike W. Byerly, Chairman  
Powhatan County Board of Supervisors

**Recorded Vote:**

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