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TOP STORY

Amherst board supports US 29 corridor cleanup position, opposes adding fire marshal post

Justin Faulconer

Mar 10, 2023



In this February 2020 file photo, a steady flow of traffic passes by Walmart and other businesses along U.S. 29 Busin
The News & Advance file

Justin Faulconer



In hopes of improving the appearance of the U.S. 29 corridor, the Amherst County Board of Supervisors has agreed to move forward with hiring a new employee in public works. But the board stopped short of backing a new fire marshal position in the upcoming fiscal year 2024 budget.

The board reviewed projected figures during its March 7 meeting. Revenues are forecasted at \$56.1 million and expenditures are at \$56 million, leaving a remaining positive balance of \$139,455. The proposed budget set to begin July 1 includes a 7% pay raise for county employees and a 20% reduction in the personal property tax for vehicles, which according to Interim County Administrator Jeremy Bryant will return more than \$2 million in taxes to county residents. No tax increases are planned.

Two dispatcher positions at a cost of \$107,200 and two Mill Creek Park attendants, which combined cost just more than \$16,600, would be funded from two sources apart from the county's general fund, Bryant said. The dispatchers would be covered through an E-911 recurring funding source and the park attendants through Forest Sustainability funding, which Bryant said is expected to potentially go up significantly in the next Virginia General Assembly session.

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The board agreed those dispatcher and park attendants positions can go forward, since recurring money apart from the general fund covers them. Bryant recommended funding a fire marshal position, a role the board has debated for a few years and is projected to cost \$245,000.

Bryant also recommended a public works employee at an annual cost of \$43,200 and a one-time \$35,000 vehicle expense, dedicated to code enforcement on U.S. 29, picking up trash and doing anything related to making that corridor look better.

“The roads are a major problem,” Bryant told supervisors. “I don’t think this solves all of our problems but I think it puts a person on the ground that we can call to, that we can get out if there’s a bag of trash that blows out, and work the corridor, work mainly our gateways.”

Beautification of U.S. 29 Business, the county’s main corridor, has received major emphasis from county officials in recent years and a committee regularly meets to work on that initiative. However, Bryant and supervisors said the roadway’s appearance needs more attention.

“There’s areas that just look terrible,” Bryant said, adding of the new position: “We think that would make a major difference in the corridor.”

Bryant said the county has seen a major increase in attendance at the Mill Creek park with a public beach and other improvements in that area. Park attendants pick up trash, clean and check bathrooms, patrol the park and provide a county presence during the height of recreational use from early May through late September, according to county documents.

Merit pay bonuses for employees in the amount of \$224,400 and a retirement match for employees in the amount of \$72,000 are two potential measures being pushed to the fiscal year 2025 budget for consideration, according to Bryant's presentation. The 2023-24 budget proposes a major local funding increase of \$2.5 million to Amherst County Public Schools.

Supervisor David Pugh said he thinks the budget takes care of county staff with the pay raise and he is leery of supporting any new positions, adding the county has appeared to operate OK without the fire marshal position. He said with other issues facing the county, including potential additional expenses at the county landfill, he supports not spending general fund money on that post.

"Adding more personnel always means more salary, benefits and administration costs," Pugh said. "These additional hires could ultimately lead to financial difficulty in the coming years and higher taxes. We're suffering from high inflation at the moment. We all see it. Ultimately, that's a sign of uncertainty in the economic environment and the potential of a recession is a real concern."

Concerned about an economic slowdown, Pugh noted the financial pinch many county residents are feeling.

"Our families are certainly struggling to maintain the current standard of living, especially with higher grocery bills, utility bills, power, water, sewer, you name it," Pugh said. "It certainly has been a cause of frustration and pain for many people."

Though the need for the fire marshal is warranted, Pugh said he doesn't think the county should hire more than necessary, in order to control costs.

“I just think that we’re setting ourselves up for a big tax increase in the coming years,” Pugh said.

The board’s consensus was not to support adding the fire marshal position this upcoming fiscal year. Supervisor Claudia Tucker was absent from the discussion.

Though Pugh joined in a consensus direction to staff to include the U.S. 29-focused public works position, he said he would like to hear from the Amherst County Sheriff’s Office on why inmates at the local jail are not being used in roadway cleanup to the extent they have been in the past.

Supervisor Drew Wade said if the public works post for the roadway isn’t working out, the board can eliminate it down the road.

“Obviously, what we are doing today isn’t working,” Wade said. “There’s litter everywhere.”

Supervisor Jimmy Ayers said the highway’s appearance is “appalling.”

“The condition of our roadways and what our county looks like, it’s pretty embarrassing,” Ayers said. “It’s been a long time since I’ve seen it appear as it does now and it doesn’t have to be that way.”

Ayers, who served as Amherst County sheriff from 1995 to 2015, said the county spends about \$1.8 million per year to house inmates at the Amherst Adult Detention Center in Madison Heights and they can be used to a certain extent in cleaning up the roads.

“Whatever we need to do to clean our community up, I support that 100%,” Ayers said.

Bryant said he has been informed there is a lack of qualified inmates who can help clean the roadways and sheriff’s deputies often have courthouse duties.

Tom Martin, the board's chair, said his concern is putting too much expectation on a single person for U.S. 29's overall appearance.

"It's a very dangerous position. I think it could be a lot of liability there for the county," Martin said.

Martin said he agrees action is needed for the corridor but isn't sold this position will fix it.

"I think it's worth a try, Mr. Chairman," Ayers said. "We have to do something."

By Justin Faulconer

Public comments continue on Confederate monument in Amherst

Justin Faulconer

Jun 28, 2023



The Amherst County Courthouse serves as a host to a Confederate monument remembering the losses of the South.

Lee Luther Jr.

Justin Faulconer



The president of the Amherst County branch of the NAACP told the county board of supervisors June 20 the organization holds steady in its request for the board to address a Confederate monument on county property.

Gloria Witt, of Madison Heights, who heads the local NAACP, was among six speakers to address the statue that's been at the Amherst courthouse since 1922 during the board's June 20 public comments session. The local NAACP in May sent a letter to the county calling the monument an "anomaly" and favored the noble cause language in the plaque being removed. Roughly a dozen residents spoke before the board at a June 6 meeting in fierce support of the monument and said it should stay as is.

The board held a closed session at the end of the meeting for consultation with the county attorney on the monument. Supervisors did not take any action afterward and members have yet to comment publicly on the matter.

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Speaking to the board shortly before that closed discussion, Witt told members they are charged with the responsibility of tending to the well-being of all county citizens.

In 1860, the overall population was 13,742 and 6,278 were enslaved, which was 45%, according to figures Witt cited in her remarks.

“The NAACP asked this board to address the monument because we feel it’s a throwback to the era when institutionalized racism was a painful reality,” Witt said. “Clearly, the noble cause on the plaque is not shared by all county residents and is offensive to me.”

Scott Peyton, of Amherst, also addressed the board at the same meeting with a differing viewpoint. Peyton said a family member referred to the Civil War as “the war of Northern aggression” and he addressed the emotions it stirs in those opposed to the monument.

“I’ve heard and I respect that there are those, possibly some here tonight, who are offended by the language that refers to the South’s noble cause,” Peyton said, adding he suspects the grievance is their belief the noble cause refers to the institution of slavery. “I challenge that as a misinterpretation with the reality being that the cause for which the Confederate soldier took up arms was to protect their homes and families that were being devastated by the invasion of an army from the North.”

Peyton said many of the Civil War battles were fought on Virginia soil and his remarks are not to minimize the issue of slavery as a compelling and contributing factor in the war.

“The men in the South so bravely fought and died,” Peyton said. “This monument is intended to honor their sacrifice.”

Peyton said on a recent trip to Maine many small towns he visited memorialized Union soldiers and to the best of his knowledge no one is clamoring to remove those statues.

“The challenge before you is to devise a resolution for the controversy of people from differing opinions and sentiments,” Peyton told the board. “If you feel compelled to do anything, there is a fair and reasonable path forward. There is a benefit to add to and not subtract from. Add a broader context to our public space that reflects the differing perspectives about this challenging period of time in our nation’s history. But don’t take anything away. This is an opportunity for expanded learning and understanding within our community. I say tell it all.”

Witt said the “larger and more critical truth” in slavery was the cornerstone on which the Confederacy was built.

“We advocate for teaching a more complete history in our schools and public spaces,” Witt said. “The good, the bad, the ugly, especially African-American history in its fullness, is not taught. And what is taught is under attack.”

Witt added the NAACP is a non-partisan organization and rejects the “left-wing agenda label any speaker uses to gaslight this issue.”

“Any future references to the NAACP as extreme or partisan organization are to be ignored,” Witt said. “Yes, we are woke — woke to the inequities in housing, employment, criminal justice, education, banking and health care that exists in today’s America.”

Amherst resident Michael Esposito said the monument was built with private funds just more than a century ago during a time when the South had finally recovered from the Civil War; and following the victory of World War I, there was a push to honor local Confederate soldiers who were dying off.

“History is an interpretive discipline. We look through the dusty lens of the present to try and make some sense of the past,” Esposito said. “The only way we can do that is to ground that interpretation with the artifacts that were from previous generations. The monument that stands at the courthouse is an example of one of these artifacts.”

The courthouse was a fitting spot for the monument because it was the gathering place they were “mustered” into military service.

Esposito said if artifacts from past eras aren’t left behind, the interpretation of history in future generations will be flawed, a first step in history being lost.

“In order to prevent that from happening in Amherst County, we should leave the monument alone,” Esposito said. “We shouldn’t alter it or deface it any way in the name of political correctness because that view of political correctness is going to change over time. We shouldn’t move it in order to placate one group of citizens because we’re just going to antagonize another. If we create this culture of division, all we’re going to do is perpetuate conflict and I don’t think that contributes to the future of the county.”

Mark Magruder, of Amherst, said he feels the monument should be removed because, in his view, “it does not serve us today or in the future.”

“The Confederate monument at the Amherst County courthouse shows the dominance of one people and culture over another,” he said.

His wife, Ella Magruder, said her great grandfather walked home barefoot from Appomattox after serving in the Civil War to a devastated world. His younger brother had been killed in the war and she grew up with so many stories about the South’s role.

“They were beloved, they were good men,” Ella Magruder said, adding of her ancestor who fought for the South: “He was beloved but he did fight for a cause that I believe is abhorrent. I believe that monument should be taken down and replaced.”

Melodie Fletcher, a Madison Heights resident who also is part of the NAACP, said the organization is not in the business of removing monuments to make money. The organization raises money to address voter suppression and other discriminatory actions affecting marginalized groups, as well as educational initiatives, he said.

“The NAACP seeks to collaborate and cooperate, not to dictate,” Fletcher told the board. “As the conversations continue our local chapter shares with your objective of making Amherst County a perfect slice of Virginia.”

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By Justin Faulconer

https://newsadvance.com/news/community/new-era-progress/council-denies-two-special-use-permits-for-short-term-rentals/article_6c8bb462-0eca-11ee-8fd4-cf7cb81e320d.html

Council denies two special use permits for short-term rentals

Justin Faulconer

Jun 21, 2023



An aerial view of the Town of Amherst is shown in this file photo. Two separate special use permit requests for short-term rentals of a residence each were denied during town council's June meeting. Mayor Dwayne Tuggle publicly voiced frustration over the pair of 3-2 votes.

Lee Luther Jr. file, for The News & Advance

Justin Faulconer



Two separate special use permit requests for short-term rentals of a home each were denied during Amherst Town Council's June 14 meeting, a pair of 3-2 votes that Mayor Dwayne Tuggle publicly voiced frustration over.

After much debate, council recently voted 3-2 to move forward with regulations for short-term rentals in residential-zoned districts through special use permits. Since a council member in opposition to the zoning ordinance change, Janice Wheaton, was absent from that vote — Tuggle voted to break a 2-2 deadlock. Tuggle only votes in instances of tiebreakers.

With all five councilors present June 14, Wheaton joined Sharon Turner and Doug Thompson in voting down the two special use permits, one for 117 Pine St. and the other for 123 Lee St. Mike Driskill and Andra Higginbotham voted in favor.

Tyler and Emily Wynn purchased the property on Pine Street to have residence near family and use the short-term rental to pay for the costs of the home, according to a staff report before council. The home has been used for that purpose and town staff has heard no complaints on it, Town Manager Sara McGuffin told council.

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The Wynns' application is the town's first for a short-term rental in a residential-zoned neighborhood, according to the town. Emily Wynn in a September 2022 letter to town officials wrote the Airbnb had been used for several months and is a source of revenue for the town.

"We take so much pride in our little vintage bungalow and have put a lot of sweat equity and love into restoring this home back to its 1940's charm," Wynn wrote.

"Even though we rent it out on Airbnb to help cover some of the expenses of owning it we have strict rules and standards for ourselves as well as the guests who stay there."

McGuffin said the other permit request from Svet and Shah Kanev for the Lee Street property has been used as both long- and short-term rental and the town has received no complaints on the use.

"I want to express my disappointment," Tuggle said following the two votes of denial.

"We have changed regulations to allow these Airbnbs."

Tuggle said more than a dozen people spoke in favor of short-term rentals at a public hearing in February and only two town residents spoke against the use.

"There have been no complaints. All of the surrounding neighbors are in favor of it with exception of one neighbor from Pine Street," Tuggle said, adding that single neighbor serves on the council. "I'm just going to say it: that neighbor didn't vote her neighborhood's conscious because she voted against this. We want businesses to

come in this town. We want it to grow. People from the outside are looking and if we're voting down things for additional tax revenue for other businesses, it does look bad on the town."

Thompson said he asked council to send the short-term rental in residential zones issue back to the Amherst Town Planning Commission and "do these across the board and get us out of this SUP business."

"I don't know how this can be done procedurally now, but I really think that's the right answer for this," Thompson said.

Sam Soghor, an Amherst resident and Democratic candidate for the Virginia House 53 District seat in the Nov. 7 election, spoke in favor of short-term rentals during citizen comments near the end of the meeting following the denial votes.

"There's not enough places for out-of-town people to come and stay," Soghor said. "Moving forward, we've got to figure this out and I appreciate what you said, Mr. Mayor."

Thompson said after the meeting four of council members, himself included, have stated they are in general support of short-term rentals and he feels the zoning should be a "by right" use for town applicants rather than through a special use permit process that requires more scrutiny through public hearings.

"I believe that this is best as the right to short term rentals would convey with the property when sold and we would not have spot zoning which could be discriminatory," Thompson said.

Thompson said before an April council meeting Wheaton gave notice about an hour before she was unable to attend and at the time Tuggle "made the unfortunate and expedient decision" to base the short-term rental policy for the entire town on a subcommittee comprised of the town's newest council members' first cut at regulations, without additions, deletions or any discussions for that matter by the entire council.

Thompson and Driskill served on that subcommittee. The April vote in which Tuggle participated was a “roughshod vote,” Thompson said.

“I did not [vote in favor] because I want it done properly so that everyone seated can have their say and contribute to the process and so that the citizens get a well-designed ordinance for short-term rentals that gives the property owners what they need and the community, the protection that they want and which they all frankly deserve, without any room for discrimination or special treatment based on someone’s personal connections to the decision makers in the Town,” Thompson wrote in an email to The New Era-Progress.

Thompson, who was appointed to council last year to fill a vacancy, is running for the seat in the Nov. 7 election. Former council member Kenneth Watts, who was not re-elected in last November’s election and is challenging Thompson for the seat in the election, said in an email to The New Era-Progress he feels the three council members who voted against the permits ignored the public’s wishes.

Thompson said as a certified public accountant he has experienced firsthand effects of poorly designed, even if well-intentioned, laws that were passed by “ramming in through the legislative process” and he is fighting that type of legislative action in the short-term rental issue.

“I want any legislation to be fair and well thought out without any room for discrimination,” Thompson said in the email. “In fact, this is one of the reasons that I have decided to run for election because I have the potential to stop this terrible process.”

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