

**BOOK 33****VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 3<sup>rd</sup> day of February, 2009 at 1:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT:	Mr. L. Parrish	ABSENT:	Mr. R. Vandall
	Mr. C. Adams		
	Mr. D. Kidd		
	Mr. V. Wood		

Mr. Parrish called the meeting to order.

Mr. Wood opened with prayer and led in the pledge of allegiance to the flag.

**IN RE: AGENDA**

On motion of Mr. Wood and with the following vote, the Board of Supervisors approved the agenda with the following amendments:

## IV. Special Appearances and Presentations

- a. Office Building at Amelon Commerce Center – Bob Hopkins – Hurt and Proffitt

## V. Amherst County Public Schools – Dr. Brian Ratliff

## IX. County Attorney's Report

- a. Inclement Weather Policy

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: OFFICE BUILDING AT AMELON COMMERCE CENTER – BOB HOPKINS, HURT AND PROFFITT**

Bob Hopkins, Hurt & Proffitt Engineer, met with the Board and presented proposed sketches to assist with evaluation of the feasibility of construction of a county office building on lots 2 or 3 of the Amelon Commerce Center.

There was a Board discussion and consensus to set a space study workshop for the February 17, 2009 board meeting.

**IN RE: AMHERST COUNTY PUBLIC SCHOOLS – DR. BRIAN RATLIFF**

Dr. Brian Ratliff, School Superintendent, met with the Board and provided a status report of current school activities.

Dr. Ratliff stated that a school/county liaison committee is scheduled for 3:00 p.m., February 5, 2009.

**IN RE: CITIZEN COMMENTS**

There were no citizen comments.

**IN RE: CONSENT AGENDA**

- a. Amherst County Board of Supervisors Minutes – Jan. 6<sup>th</sup>, 9<sup>th</sup>, 12<sup>th</sup>, and 20<sup>th</sup>, 2009

On motion of Mr. Wood and with the following vote, the Board of Supervisors approved the minutes of January 7<sup>th</sup>, 9<sup>th</sup>, 12<sup>th</sup> and 20<sup>th</sup>, 2009 as presented.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

- b. Financial Report for December 2008  
 c. Amherst County Sheriff's Dept. Monthly Report – December 2008  
 d. Amherst County Public Safety Department Monthly Report – December 2008  
 e. Amherst County Parks, Recreation and Cultural Development Board November 10, 2008 and December 8, 2008 minutes  
 f. Robert E. Lee Soil & Water Conservation District – October 30, 2008  
 Robert E. Lee Soil & Water Conservation District - November 20, 2008  
 g. Department of Transportation – Revision of the FY2009-2014 Six Year Improvement Program  
 h. VDOT Traffic Alerts – Jan 26-30, and Feb 2-6, 2009

Information Only

**IN RE: CALENDAR OF EVENTS**

County Administrator Taylor presented the following calendar of events and provided additional information regarding scheduled events:

**CALENDAR**

Tuesday, February 3	11:00 AM	Service Authority Meeting
Tuesday, February 3	12:00 Noon	Extension Service Lunch
Tuesday, February 3	1:00 PM	Board of Supervisors Meeting
Wednesday, February 4	4:00 – 7:00 PM	Route 29 Corridor Meeting VDOT Office Training Center (Route 501 – Lynchburg)
Thursday, February 5	3:00 PM	School Liaison Committee
Thursday, February 5	4:00 – 7:00 PM	Route 29 Corridor Meeting Tye River Elementary School (5198 Thomas Nelson Highway)
Friday, February 13	12:00 Noon	Education Foundation Lunch (Winton)
Monday, February 16		President's Day County Offices Closed
Tuesday, February 17	7:00 PM	Board of Supervisors Meeting – Proposed Budget Distributed
Monday, February 23	10:00 AM	Budget Work Session
Wednesday, February 25	10:00 AM	Budget Work Session
Tuesday, March 3	11:00 AM	Service Authority Meeting
Tuesday, March 3	1:00 PM	Board of Supervisors Meeting

Mr. Taylor stated that Congressman Goodlatte will tentatively like to meet with the Board for a portion of the planned February 23, 2009 meeting.

**IN RE: CIVIL WAR SESQUICENTENNIAL COMMITTEE**

Joe Bondurant, County Tourism Director met with the Board and provided a status report of development of a civil war sesquicentennial steering committee and presented a proposed list of committee members and requested the Board's approval.

On motion of Mr. Adams and with the following vote, the Board of Supervisors appointed the following persons to the Amherst County Sesquicentennial committee for the American Civil War:

1. Bondurant, Joe	946-9366
2. Christian, Sara Lu	946-9371
3. Mills, Holly	946-9068
4. Esposito, Mike	946-7496
5. Rainville, Lynn	381-6432
6. Irvin, Kevin	384-4962
7. Proctor, Jane	845-8421
8. Lenz, Laurie	845-2112
9. Loving, Fred	946-2639
10. Daniel, Richard	929-0329
11. Giles, Brian	384-7022
12. McIvor, Edward	929-5412
13. Moore, Mark	946-9994

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: POWERPOINT OVERVIEW OF COMPLETED, ACTIVE AND FUTURE PROJECTS**

Mr. Bondurant provided a power point presentation of a general overview of completed projects as well as market survey results of citizen's interest in services to be provided by the Tourism Department.

Mr. Bondurant also provided a report of the Tourism Department's participation in recent County festivals.

**IN RE: PLANNING & ZONING DEPARTMENT - ZONING CASE #2008-32 – ZONING TEXT AMENDMENT THAT WOULD NOT REQUIRE SOIL WORK (I.E. PRIMARY AND RESERVE DRAINFIELD) ON A RESIDUE LOT THAT IS GREATER OR EQUAL TO TWENTY (20) ACRES.**

Planning Director Bryant met with the Board and presented information for Zoning Case 2008-32 as continuation of the 1<sup>st</sup> reading of the proposed ordinance amendment. This request is a zoning text amendment that would not require soil work (i.e. primary and reserve drainfield) on a residue lot that is greater or equal to twenty (20) acres. Currently, the ordinance requires that a primary and one hundred (100) percent reserve drainfield be certified on all lots in a subdivision, including residue lots (the remaining portion). The proposed ordinance will only require a primary and one hundred (100) percent reserve drainfield on residue lots that are less than twenty (20) acres.

Steve Simpson of the VHD was present to answer questions if necessary.

On motion of Mr. V. Wood and with the following vote, the Board of Supervisors authorized staff to advertise the proposed zoning amendment that would not require soil work (i.e. primary and reserve drainfield) on a residue lot that is greater or equal to twenty (20) acres for public hearing as presented.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: ZONING CASE #2009-01 – GEORGE ROWE – DISPLAY AND SALE OF WHOLESALE AND RETAIL MODULAR HOMES AS A SPECIAL EXCEPTION USE IN THE B-2 GENERAL COMMERCIAL DISTRICT.**

Mr. Bryant presented information regarding Zoning Case 2009-01. The proposed amendment would allow the display and sale of wholesale and retail modular homes as a special exception use in the B-2 General Commercial District. In 2007, the same text was added into the M-1 Industrial District as a special exception use. At that time, the definition of a modular building was defined and included into the zoning ordinance. The request went to the Planning Commission on January 20, 2009 for a "first reading". This is considered the "first reading" for the Board of Supervisors. Additionally, this text

amendment was submitted prior to the adoption of the new text amendment policy, and will follow the previous process. Therefore, the amendment will go to a public hearing for the Planning Commission in March.

The Board of Supervisors by consensus directed staff not to make any further changes to the text amendment in Zoning Case #2009-01.

**IN RE: ZONING CASE #2009-02 – JAMES RIVER RECREATION CENTER, LLC/KEN BECK – ZONING TEXT AMENDMENT WOULD ALLOW OFF-HIGHWAY VEHICLE RECREATION FACILITIES AS A SPECIAL EXCEPTION USE IN THE A-1 AGRICULTURAL RESIDENTIAL DISTRICT.**

Mr. Bryant presented zoning case 2009-02. This text amendment would allow off-highway vehicle recreation facilities as a special exception use in the A-1 Agricultural Residential District. The proposal adds a definition of off-highway vehicle recreation facilities as well as a section under the special provision section of the Amherst County Zoning Ordinance.

Thomas Brooks, Surveyor/Engineer provided comments concerning the proposed zoning text amendment.

After significant discussion of the proposal, there was a consensus of the Board of Supervisors to direct Mr. Bryant to make corrections that will tie the proposed zoning text amendment with the County's current noise ordinance rather than by use of a decibel meter and report back to them.

**IN RE: ZONING CASE #2009-04 – FIRST READING OF TEXT AMENDMENTS FOR SITE PLAN REVIEW REQUIREMENTS**

Theresa Jorgensen, Assistant Zoning Administrator, presented Case 2009-04 for the first reading.

The site plan review text amendment will categorize site plans into three categories, plot plan, minor site plan and major site plan. Each of these categories will have different requirements for the different types of development which fall under each one. The plot plan being least extreme in requirements for single family development and site plans that can be approved administratively and the major site plan has the most requirements for large commercial or industrial projects.

The Board of Supervisors directed further discussion on this issue at the second regular meeting of February, 2009.

**IN RE: ZONING CASE #2009-03 – ZONING TEXT AMENDMENT TO EXTEND THE AMOUNT OF TIME FOR CONSIDERATION OF A REQUEST FOR SPECIAL EXCEPTIONS, ZONING AMENDMENTS AND SUBDIVISION PLAT APPROVAL.**

Planning Director Bryant presented Zoning Case 2009-03. This amendment is to extend the amount of time for consideration of a request for special exception, zoning amendments, and subdivision plat approval. The Virginia Code allows localities to extend up to one hundred (100) days for a special exception, twelve months (12) for a zoning amendment, and sixty (60) days for a subdivision approval. The Planning Commission chose to use the maximum allowable time for the special exception and subdivision approval and two-hundred (200) days for approval of a zoning amendment, which is an increase of the current ordinance of one-hundred twenty (120) days, but not the maximum allowed by Virginia Code.

The Board of Supervisors directed further discussion on this issue at the second regular meeting of February, 2009.

**IN RE: APPROPRIATION REQUEST FOR GENERAL DISTRICT COURT**

The County Administrator presented a request from Judge Serkes of the General District Court, for supplemental funding from fine revenue for additional part time staff to process the increased number of traffic cases resulting from the enhanced focus on traffic enforcement by the Sheriff's Department.

The County Administrator informed the Board that the Sheriff's Department will resolve this issue by allowing the Court to utilize a Sheriff's clerical employee, as needed.

**IN RE: VACO'S MODEL BUDGET RESOLUTION**

The County Administrator presented a request from Jim Campbell, Executive Director of the Virginia Association of Counties, to adopt the following VACO's Model Budget Resolution prior to VACO/VML Legislative Day on Thursday, February 5. The Model Resolution requests that the Governor and legislature use the "Rainy Day Fund" to address a portion of the state budget shortfall, review state tax exemptions, oppose unfunded and under-funded mandates, and grant localities greater flexibility in addressing the budget.

On motion of Mr. Adams and with the following vote, the Board of Supervisors moved adoption of the following model resolution and directed the County Administrator to forward it to the County's State legislative representatives.

**RESOLUTION REGARDING THE COMMONWEALTH'S FY 2009-2010 BUDGET SHORTFALL**

**WHEREAS**, Amherst County is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

**WHEREAS**, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

**WHEREAS**, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching \$3 billion that may in fact continue to escalate in the near term; and

**WHEREAS**, Amherst County must resolve significant local revenue shortfalls for these periods as well; and

**WHEREAS**, the Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

**WHEREAS**, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

**WHEREAS**, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and its local governments including Amherst County; and

**WHEREAS**, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public education, the Comprehensive Service Act, and public safety, and many local governments, including Amherst County, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

**WHEREAS**, Amherst County stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Amherst County respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly including Amherst County Delegates and Senators:

- Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalanced; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and Amherst County supports recapitalizing the Fund in better economic times.

- Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than \$1.8 billion in net biennial tax reductions and specific General Fund transfers.
- Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.
- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.
- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

**FURTHERMORE**, Amherst County offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly including Amherst County's Delegates and Senators.

Adopted this 3<sup>rd</sup> day of February, 2009.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: ACSA'S REQUEST FOR EXEMPTION FROM THE 75' WATERSHED STREAMSIDE BUFFER IN THE EXPANSION OF THE LANUM WATER FILTRATION PLAN**

County Administrator Taylor provided a recommendation from the Amherst County Service Authority Board that the Board of Supervisors set a public hearing at the earliest appropriate time to hear discussion concerning the proposed exemption of the Amherst County Service Authority from the 75' watershed streamside buffer in the expansion of the Lanum Water Filtration Plant.

On motion of Mr. Wood and with the following vote, the Board of Supervisors directed staff to advertise a public hearing for March 17, 2009 for the Amherst County Service Authority's buffer exemption as requested.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: INCLEMENT WEATHER MEETING POLICY**

The County Attorney presented an inclement weather meeting cancellation policy.

On motion of Mr. Wood and with the following vote, the Board of Supervisors adopted the following inclement weather meeting policy proposed by the County Attorney.

**INCLEMENT WEATHER MEETING POLICY**

If a Board of Supervisors' meeting is cancelled due to inclement weather, the meeting will be held on the following Monday, unless a holiday, in which case the meeting would be held on the following

Tuesday. Pursuant to Virginia Code § 15.2-1416, all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood

NAY: None

ABSENT: Mr. R. Vandall

### **IX. MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS**

Mr. Parrish requested that the Building Official provide a list of all property owners who have been contacted regarding unsafe structures.

County Administrator Taylor provided a report on status of implementing rental housing inspection program.

Mr. Taylor provided a status report on several on-going county projects.

Mr. Adams requested plans for clean-up of tires deposited in Old Madison Heights.

Mr. Adams stated that VDOT needs to inspect High Peak Road for safety issues with consideration specifically of installation of guard rail.

Mr. Adams provided the following additional comments on various subjects:

Mr. Chairman – Fellow members of the Board

I have now had the privilege of being on this Board more than twelve (12) months. When I was elected I had no idea our economy would be in its current situation and the business of running Amherst County on a daily basis, and in the future, would be subject to this economic crisis.

Each day we see in the news where neighbor governing localities are considering furloughs, salary reductions, layoffs and freezing capital purchases. We have discussed this economic crisis over the last several months, and our School Board has begun to review financial changes needed to address this crisis.

I suggest this Board over the next several months FIRST, concentrate on the current and future economic needs of the County; SECOND, review the status of pending County projects which remain incomplete; THIRD, place a freeze on adopting new County Ordinances, unless an emergency exists; FOURTH, continue to review whether our existing County Ordinances comply with our Comprehensive Plan; FIFTH, examine the status of all litigation where Amherst County is a defendant; and SIXTH, closely examine the future financial exposure of Amherst County on projects which have been started and are being discussed for the future.

When addressing current and future economic needs we should:

- Place an immediate freeze on new hires and Department expansion, unless the new position can be consolidated with other County agencies.
- Consider consolidation of services with the School Board.
- Continue our space needs study but freeze new land acquisitions or repairs to existing facilities until this Board has a long-term plan and knows whether financially it is better to replace facilities than repair existing facilities.
- Determine if all existing County staff is needed or should job responsibilities be altered for personnel in departments which have recently expanded.

When reviewing pending projects we need to:

- Require our department heads to submit to us with their 09/10 budget request, a list of what projects they have commenced and not completed.
- This Board then needs to re-prioritize those projects and determine if they are still needed.

We need to place a “freeze” on adopting new Ordinances and determine whether we need an outside consultant or our existing staff to review our County Code in relation to our Comprehensive Plan. We also need to examine whether we can enforce Ordinances we already have on the books such as rental inspections.

If this Board is a Defendant in pending litigation and it has not settled, we need to go forward with the litigation and allow the Court to rule rather than continuing to spend taxpayer dollars on legal fees.

This Board needs to examine closely future hidden costs on capital projects.

We need to encourage our employees and citizens to review what we are doing and make suggestions. Our employees have knowledge where costs can be saved and our citizenry has untapped expertise. This Board needs to listen and think outside of the box.

I know we all agree we are in the midst of a difficult economic crisis. Let’s use this time to review the past, examine the present, and plan the future for the economic benefit of all citizens of Amherst County.

I ask the Secretary to include a copy of my comments in the Minutes of this meeting.

## **X. Appropriations/Transfers/Disbursements**

On motion of Mr. Wood and with the following vote, the Board of Supervisors approved the following appropriations/transfers/and/or disbursements:

### **a. APPROPRIATIONS**

#### Sheriff's Department

31020	1008	Traffic Enforcement	\$9,414.00
31020	1009	Clerical Compensation	4,877.30
31020	2001	FICA	1,030.76
31020	2002	VRS	1,877.87
31020	2005	Health Insurance	1,020.00
31020	2006	Life Insurance	117.19
31020	2017	Health Credit	30.02
31020	3160	Janitor Contract	9,270.00
31020	5409	Police Supply	1,082.00
31020	5410	Uniform (Tact Vests)	8,050.00
31020	7001	Equipment (tasers)	9,258.60
31020	7005	Vehicles	41,065.00
33010	3160	Janitor Contract	5,670.00
(Fine revenue)			
31020	5409	Police Supply	105.00
31020	5410	Uniform	475.00
31020	5449	Tires	913.72
(Drug Asset Forfeiture)			
31020	1013	ACHS Athletic	1,089.96
31020	3004	Vehicle Repair	140.50
31020	5804	Miscellaneous	235.39
8-3125	1008	DMV	956.27
(Pass through revenue)			

#### CDBG Old Town – Madison Heights

##### Fund 083

81205	3010	Contract SVCS	\$7,097.32
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#### Amherst County Public Library

73010	5411	Books & Subscriptions	\$1,810.32
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73010 5806	Special Programming Supplies	171.00
(Pass through revenue)		

Public Safety

032020 5805	Fire Training	\$5,000.00
(Pass through revenue)		

**b. TRANSFERS**

Sheriff's Department

Transfer from:

31020 7003	Comm Equip	1,251.00
33010 3005	Maint SVC	1,634.00
33010 5415	Photo	160.00
33010 3005	Maint SVC	455.00

Transfer to:

31020 3015	Repair Furniture	25.00
31020 3016	Repair Radio	1,000.00
31020 5804-100	Courthouse	226.00
33010 5406	Linen	294.00
33010 5409	Police Supply	1,500.00
33010 5449	Tires	455.00

(To cover expenses)

Parks, Recreation and Cultural Development Board

Transfer from:

71010 8003	Rent – Senior Citizens	\$1,780.00
71010 5412	Cultural Supplies	200.00
71010 5805	Special Services	1,150.00

Transfer to:

71010 5806	Senior Citizens Expenses	\$1,780.00
71010 5801	Dues & Assoc. Memberships	200.00
71010 3004	Repairs & Maintenance	1,150.00

Amherst County Public Library

Transfer from:

73010 3010	Repairs & Maint. Furn. & Equip.	\$ 210.00
73010 5201	Postal Services	1,000.00

Transfer to:

73010 3007	Advertising	\$ 210.00
73010 5806	Special Programming Supplies	1,000.00

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. R. Vandall

**IN RE: CLOSED SESSION**

Mr. V. Wood moved to go to closed session to discuss a (1) personnel matter pursuant to § 2.2-3711.A.1 of the Virginia Code Section, involving

§2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body.

This was seconded by Mr. C. Adams and approved with the following vote:

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, and Mr. V. Wood  
NAY: None  
ABSENT: Mr. R. Vandall

Mr. V. Wood moved to come out of closed session, seconded by Mr. C. Adams and approved with the following vote:

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood  
NAY: None  
ABSENT: Mr. R. Vandall

Mr. Wood moved the closed session resolution and was approved with the following roll call vote:

Mr. L. Parrish	AYE
Mr. C. Adams	AYE
Mr. D. Kidd	AYE
Mr. R. Vandall	ABSENT
Mr. V. Wood	AYE

CERTIFICATION OF CLOSED MEETING

**WHEREAS**, the Amherst County Board of Supervisors has convened a closed session on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

**WHEREAS**, Section 2.2-3712 of the Code of Virginia requires a certification by the Amherst County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

**NOW, THEREFORE, BE IT RESOLVED** that the Amherst County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed session were heard, discussed or considered by the Amherst County Board of Supervisors.

Any member who believes that there was a departure from the requirements of clauses (i) and (ii) shall state the substance of the departure that, in his judgment, has taken place. (If any member cites a departure, his statement shall be recorded in the minutes.)

**IN RE: ADJOURNMENT**

On motion of Mr. Adams, seconded by Mr. Kidd and with the following vote, the Board of Supervisors adjourned.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. V. Wood  
NAY: None  
ABSENT: Mr. R. Vandall

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Leon J. Parrish, Chairman  
Amherst County Board of Supervisors

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Rodney E. Taylor, County Administrator