

BOOK 32**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 18th day of March, 2008 at 7:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Mr. V. Wood	ABSENT: None
	Mr. L. Parrish	
	Mr. D. Kidd	
	Mr. C. Adams	
	Mr. R. Vandall	

PLANNING COMMISSION:

PRESENT:	Mr. J. Fulcher,	Mr. L. Parrish	ABSENT: None
	Mr. D. Hedrick	Mr. R. Fener	
	Mr. M. Heishman	Ms. B. Jones	
	Ms. B. Limbrick		

Chairman Wood called the meeting to order and recognized presence of Delegate Ben Cline.

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

IN RE: AGENDA

Mr. Vandall moved approval of the following Board of Supervisors agenda:

**AGENDA
TUESDAY, MARCH 18, 2008
ADMINISTRATION BUILDING – 153 WASHINGTON STREET
7:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Public Hearing**

2007-27 Request by Daniel C. Campbell for a zoning text amendment to Section 905 of the home Occupation ordinance. The proposed amendment would allow light manufacturing to be allowed as a home occupation in the agricultural district as long as all operations were conducted in a building. The ordinance also allows the home occupation to be located in a building that does not exceed 4,000 square feet. The ordinance regulates storage and materials outdoors, visibility of the building from the public street, the number of employees, deliveries to the home occupation and other general requirements.

Continued from February 19, 2008

2008-02 Request by Grace Points Church for a special exception in the R-1 Limited Residential District. The proposed special exception is to operate a church located at 122 Casa Loma Lane and is further identified as tax map parcel 124-2-E.

Continued from February 19, 2008

- 2008-03** Request by Bellona Arsensal Farm Associates for a special exception in the A-1 Agricultural Residential District. The proposed special exception is to allow public entertainment uses, such as: festivals, performances, theater, weddings and related events. The property is located at 1351 N. Amherst Highway and further identified as tax map number 82-A-10.

V. Consent Agenda

- a. Amherst County Building Department Monthly Report – February 2008
- b. Amherst County Public Safety Monthly Report – February 2008
- c. Robert E. Lee Soil & Water Conservation District – January 24, 2008
- d. Department of Transportation FY09 Revenue Sharing
- e. VDOT Traffic Alert – March 10-14, 17-21, 2008

VI. Citizen Comments

VII. Department Reports

Purchasing Department

- a. Authorization for Credit Card

County Administrator

- a. Madison Heights CDBG Application
- b. Budget public hearing advertisement and tax rates

VIII. County Attorney

IX. Appropriations/transfer/disbursements

X. Matters from Members of the Board of Supervisors

XI. Old Business (See packet)

XII. Closed Meeting (§2.2-3711.A Code of Virginia, as amended)

XIII. Adjourn

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

NAY: None

IN RE: PUBLIC HEARING

- 2007-27** Request by Daniel C. Campbell for a zoning text amendment to Section 905 of the home Occupation ordinance. The proposed amendment would allow light manufacturing to be allowed as a home occupation in the agricultural district as long as all operations were conducted in a building. The ordinance also allows the home occupation to be located in a building that does not exceed 4,000 square feet. The ordinance regulates storage and materials outdoors, visibility of the building from the public street, the number of employees, deliveries to the home occupation and other general requirements.

The Planning Director presented details of the request to the Board and Planning Commission including photographs of subject property.

The County Attorney, Vaden Hunt presented the following memorandum that he had prepared as his review of the proposed zoning text amendment to Section 905 of the Amherst Code relating to home occupations:

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MEMORANDUM

To: Board of Supervisors; Planning Commission
Cc: Rodney E. Taylor (County Admins.); Jeremy S. Bryant (Dir. Of Planning
From: J. Vaden Hunt (County Attorney)
Date: 2/29/08
RE: Zoning Text Amendment to § 905 (Home Occupations in A-1 District)

Jeremy Bryant asked me to review the proposed zoning text amendment ("PZTA") to § 905 of the Amherst Code relating to "Home Occupations" in the A-1 district for any potential problems, code inconsistencies, or legal issues. Please note that nothing contained herein expresses my personal belief as to whether or not the proposed zoning text amendment should be or should not be approved.

I have outlined my findings regarding the PZTA below:

(1) The first two italicized sentences of the PZTA repeal § 905 of the current Amherst County Code in its entirety, including §§ 905.03 and 905.04 that provide for "Special Requirements" and "Expiration" respectively. For enforcement strength purposes, I firmly believe, the PTZA must contain (at a minimum) a section detailing when a home occupation permit expires. As currently written, the PTZA contains no "Expiration" section.

(2) Line three of § 905.05(1) of the PZTA contains grammatical and sentence syntax errors. For readability purposes, I would make the following changes:

- (a) insert period after "tenant;"
- (b) delete "and must" after "tenant;"
- (c) capitalize "the" to start new sentence; and
- (d) insert "also" after "applicant."

(3) Lines two and three of § 905.05(2) of the PZTA contains grammatical and sentence syntax errors. For readability purposes, I would make the following changes:

- (a) period should be inserted after "immediate family;"
- (b) "and" after "immediate family" should be deleted;
- (c) the "no" after "immediate family" should be capitalized to begin a new sentence;
- (d) "such" after "other" should be deleted and replaced with "than"; and
- (e) "nor" after "sold" should be replaced with "or".

(4) For code consistency purposes, the PZTA should write out all numbers contained therein, followed by the corresponding numeral or numerals contained in parenthesis. For example, in the last sentence of § 905.05(4) of the PZTA, "vehicles in excess of 32 feet in length," should be changed to read "vehicles in excess of thirty-two (32) feet in length."

(5) In the last sentence of § 905.05(4) of the PZTA, the word "of" is missing before the word "vehicles." If the PZTA is approved, the word "of" needs to be inserted as described.

(6) It should be discussed whether § 905.05(4) of the PZTA, allowing a four-thousand (4,000) square foot home occupation building and a thirty-two (32) foot vehicle, contradicts the "other conditions detrimental to the character of the surrounding area" [of the A-1 district] phrase of § 905.05(3) of the PZTA.

(7) Clarification of the definition of employees in the PTZA is needed. Sections 905.05(2) and 905.05(4) of the PTZA relating to employees are vague and confusing.

Section 905.05(2) allows as employees of the home occupation only family members residing on the premises where the home occupation shall be operated or their immediate family members. Section 905.05(4) states the home occupation "shall not have more than 5 employees." Does this mean only five (5) family members or immediate family members can work at the home occupation; or, does it mean that five (5) non-family or non-immediate family members can be employed by the home occupation in addition to the five (5) family members or immediate family members?

(8) It should be pointed out and discussed that the PZTA would allow "light manufacturing as a permitted use in the A-1 district via the home occupation ordinance. Currently, the only places "light manufacturing" are permitted is in the general commercial district (B-2) (see § 707.02(57) of the Amherst County Code) and the industrial district (M-1) (see § 708.02(2) of the Amherst County Code).

(9) The vast size difference of the home occupation building in PZTA § 905.05(4) and § 905.03(2) of the current home occupation ordinance should be discussed.

Currently, in § 905.03(2), any home occupation located in an accessory structure to the main dwelling must be "no larger than one-third (1/3) of the area size of the main dwelling." PZTA § 905.05(4) allows home occupation in a building up to four-thousand (4,000) square feet. Therefore, under the current zoning ordinance (disregarding for the moment the problem with a light manufacturing home occupation occurring in the A-1 district), if the present home occupation was housed in a four-thousand (4,000) square foot accessory structure, the main dwelling would have to be at least twelve-thousand (12,000) square feet.

(10) If the PZTA is denied, the Board of Supervisors must discuss what a reasonable time frame would be for the applicant to relocate the existing nonconforming business to the appropriate zoning district. In my opinion, to relocate the business of this size, somewhere between three (3) and six (6) months would be reasonable.

J.V.H.

Memorandum from Kevin L. Cash, Attorney for Danny and Pam Campbell

The public hearing was called to order.

Proponents: Mrs. Pamela Campbell

Opponents: Terrel Stinson; Surry Lane, Tom Lawton, Surry Lane, Thomas Thacker, Chris Nixon and Florence Nixon.

There were no other speakers and the public hearing was closed.

There was a planning commission discussion of various factors involved in the request.

PLANNING COMMISSION RECOMMENDATION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Ms. Limbrick, seconded by Mr. Hedrick and with the following vote, the Planning Commission recommended denial of the request.

AYE: Mr. J. Fulcher, Mr. L. Parrish, Mr. D. Hedrick, Mr. R. Fener, Mr. M. Heishman, Ms. B. Jones and Ms. B. Limbrick

NAY: None

BOARD OF SUPERVISORS' ACTION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Mr. L. Parrish and with the following vote, the Board of Supervisors denied the request by Daniel C. Campbell for a zoning text amendment to Section 905 of the home occupation ordinance as recommended by the Planning Commission.

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

NAY: None

On motion of Mr. Wood and with the following vote, the Board of Supervisors also moved to provide a deadline to Mr. Daniel C. Campbell of six (6) months from this date to bring his home occupation into compliance with the existing applicable county ordinances.

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

NAY: None

2008-02 Request by Grace Points Church for a special exception in the R-1 Limited Residential District. The proposed special exception is to operate a church located at 122 Casa Loma Lane and is further identified as tax map parcel 124-2-E.

Jeremy Bryant updated the Board and Planning Commission on details of the request.

Applicants Charles Brown and Grey Tyree presented further information. Grover Thomas provided information regarding property ownership.

The public hearing was called to order.

Proponents: None

Opponents: None

The public hearing was closed.

PLANNING COMMISSION RECOMMENDATION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Ms. Limbrick, seconded by Mr. Parrish and with the following vote, the Planning Commission recommended approval of the request with the following conditions recommended by staff:

- All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
- Hours of Operation: Events shall not commence before 6:00 a.m. nor exceed past 10:00 p.m.
- The auditorium or sanctuary should not have more than sixty (60) seats per the parking regulations. If a greater number of seats are desired, more parking spaces shall be provided on an approved site plan to increase seating capacity at the proposed church.

AYE: Mr. J. Fulcher, Mr. L. Parrish, Mr. D. Hedrick, Mr. R. Fener, Mr. M. Heishman, Ms. B. Jones and Ms. B. Limbrick

NAY: None

BOARD OF SUPERVISORS' ACTION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the request by Grace Points Church for a special exception in the R-1 Limited Residential District to operate a church located at 122 Casa Loma Lane with conditions as recommended by the Planning Commission.

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

NAY: None

2008-03 Request by Bellona Arsensal Farm Associates for a special exception in the A-1 Agricultural Residential District. The proposed special exception is to allow public entertainment uses, such as: festivals, performances, theater, weddings and related events. The property is located at 1351 N. Amherst Highway and further identified as tax map number 82-A-10.

The Planning Director, Mr. Bryant presented details of the request which was continued from the February 19, 2008 meeting at which time the public hearing was closed.

PLANNING COMMISSION RECOMMENDATION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Ms. Limbrick, seconded by Mr. Hedrick and with the following vote, the Planning Commission recommended approval of the special exception to allow public entertainment uses, such as: festivals, performances, theater, weddings and related events with the following conditions; and if the second proposed entrance comes to fruition the two entrances may be allowed to be linked by a turn lane, and if the second turn lane is an exit only, the connection will not be required; and condition number two (2) on the March staff report – no event shall begin before 10:00 a.m. and last no later than 10:00 p.m. with the sole exception of the Farmer's Market.

- All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
- No event shall begin before 10:00 a.m. and last no later than 10:00 p.m. with the exception of a farmers market.
- Any event larger than 1,000 guests will require a meeting with the Amherst County Sheriff's Office, Department of Public Safety, and the Virginia Department of Transportation to determine traffic patterns and the number of officers required to handle traffic.
- Events larger than 15,000 guests will require a minimum of four (4) officers to manage traffic. One (1) additional officer shall be added per 2,500 attendants. The officer total shall be calculated based on an average of the past three year's attendance of the particular festival. The Amherst County Sheriff's Department shall have the ability to require additional officers if there is a public safety concern.
- Portable privies shall be required at mass gatherings; 1 privy shall be provided for 100 persons per the Health Department regulations.
- If the second proposed entrance comes to fruition the two entrances may be allowed to be linked by a turn lane, and if the second turn lane is an exit only, the connection will not be required.

AYE: Mr. J. Fulcher, Mr. L. Parrish, Mr. D. Hedrick, Mr. R. Fener, Mr. M. Heishman, Ms. B. Jones and Ms. B. Limbrick
 NAY: None

BOARD OF SUPERVISORS' ACTION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Mr. Kidd and with the following vote, the Board of Supervisors approved the request from Bellona Arsensal Farm Associates for a special exception in the A-1 Agricultural Residential District to allow public entertainment uses such as festivals, performances, theater, weddings and related events with conditions as recommended by the Planning Commission.

AYE: Mr. V. Wood, Mr. L. Parrish, Mr. D. Kidd, and Mr. C. Adams
 NAY: Mr. R. Vandall (who stated he is not opposed to the request, but the amended condition that was not available for public at time of hearing)

The Planning Commission adjourned.

Board of Supervisors took short recess.

IN RE: CONSENT AGENDA

The County Administrator presented consent agenda items.

- a. Amherst County Building Department Monthly Report – February 2008
- b. Amherst County Public Safety Monthly Report – February 2008
- c. Robert E. Lee Soil & Water Conservation District – January 24, 2008
- d. Department of Transportation FY09 Revenue Sharing
- e. VDOT Traffic Alert – March 10-14, 17-21, 2008

Information only

IN RE: CITIZEN COMMENTS

Barry Thompson addressed the Board with concerns and observations about the recent real estate reassessment process.

IN RE: AUTHORIZATION FOR CREDIT CARD

Purchasing Agent Proffitt presented requests for issuance of credit cards for the Registrar, Tourism, and County Attorney.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors authorized the issuance of credit cards to the County Registrar, Gary Beasley, Tourism Director, Joe Bondurant and County Attorney, Vaden Hunt with a credit limit of \$3,000.00 each.

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

NAY: None

IN RE: MADISON HEIGHTS CDBG APPLICATION

The County Administrator presented information regarding a CDBG application for Old Madison Heights.

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the following resolution of support for the Madison Heights CDBG Application.

RESOLUTION TO ENDORSE THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO PROVIDE HOUSING REHABILITATION NEEDS WITHIN THE PRIMARY CORRIDOR OF OLD TOWN MADISON HEIGHTS

WHEREAS, the Commonwealth of Virginia, Department of Housing and Community Development has announced available funding for Virginia Community Development Block Grant program; and

WHEREAS, the Old Town Madison Heights area has a concentration of deficiencies that have been identified through public hearings and community meetings; and

WHEREAS, Amherst County and the Old Town Madison Heights Management Team, through prioritizing long-term needs to sustain and strengthen Old Town Madison Heights, has identified housing deficiencies of low and moderate income persons as a key need; and

WHEREAS, Amherst County will contribute toward revitalization of Old Town Madison Heights by waiving all dumping fees, zoning permit fees, and building permit fees associated with the project, with an estimated value of \$12,000; and

WHEREAS, the requested CDBG funds will provide housing rehabilitation to approximately fifteen low to moderate families of which 100% will be low to moderate income persons.

NOW THEREFORE, BE IT RESOLVED, that pursuant to two public hearings, Amherst County wishes to apply for \$ 642,700 of Virginia Community Block Grant funds for a Housing Rehabilitation Community Improvement Grant in the Main Street area of Old Town Madison Heights; and

BE IT FURTHER RESOLVED, that Rodney Taylor, Amherst County Administrator, is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

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

NAY: None

IN RE: BUDGET PUBLIC HEARING ADVERTISEMENT AND TAX RATES

County Administrator Taylor informed the Board that the public hearing for equalization tax and proposed tax rate has been changed from April 14th to April 16th at 7:00 p.m. due to a delay in newspaper advertising.

Mr. Taylor provided a proposed budget advertisement for a proposed public hearing date of 7:00 p.m., April 17, 2008.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors authorized the following advertisement of the budget with tax rates as presented.

COUNTY OF AMHERST, VIRGINIA
BUDGET SYNOPSIS FOR THE YEAR ENDING JUNE 30, 2009

This budget is prepared and published for information and fiscal planning purposes. The inclusion in the budget of any item does not constitute an obligation or commitment on the part of the Amherst County Board of Supervisors to appropriate any funds for such item. There is no allocation or designation of any funds of Amherst County for any purpose until an appropriation for that purpose has been acted upon by the Board of Supervisors.

A public hearing will be held by the Board of Supervisors on the proposed budget in the **Auditorium at Amherst County High School, 139 Lancer Lane, Amherst, VA 7:00 P.M. on Thursday, April 17, 2008** at which time citizens shall have the opportunity to comment on the proposed budget.

The budget proposes 1) **Real Estate tax rate of \$.54 per \$100 of assessed value** 2.) **Personal Property tax rate of \$3.25 per \$100 of assessed value** 3) **Machinery and Tools tax rate of \$2.00 per \$100 of assessed value** 4.) **Merchant's Capital tax rate of \$3.95 per \$100 of assessed value** 5.) **Electric Utility Consumer Tax - (a.) residential 20% of minimum charge plus \$.015508 of ea. kWh not to exceed \$3.00 monthly; (b.) Commercial/Industrial 20% of minimum charge plus \$.014214 of each kWh not to exceed \$20.00 monthly** 6.) **Gas Utility Consumer Tax - (a.) residential 20% of minimum charge plus \$.1867 per CCF delivered monthly not to exceed \$3.00 monthly; (b.) commercial 20% of minimum charge plus \$.15566 on each CCF delivered monthly not to exceed \$20.00 monthly** 7.) **Vehicle License fee of \$25.00; Motorcycle License fee - \$11.00; Trailer License fee - \$8.00; National Guard License fee of \$12.50** 8.) **Meals tax - 4% of total** 9.) **Lodging tax - 5% of total** 10.) **Consumer Communication Tax 5% of monthly charge**

A copy of the proposed budget is available for inspection in the County Administrator's office between the hours of 9:00 A.M. and 5:00 P.M., Monday through Friday

Proposed Revenue/Expenditures		FY 2009
GENERAL FUND		
		PERCENTAGE
EXPENDITURES	AMOUNT	OF TOTAL
BOARD OF SUPERVISORS	254,670	0.69%
GENERAL FINANCIAL & ADMINISTRATION	1,683,930	4.59%
ELECTORAL BOARD	158,912	0.43%
JUDICIAL ADMINISTRATION	569,040	1.55%
COMMONWEALTH ATTORNEY & VICTIM ADVOCATE	649,820	1.77%
COUNTY ATTORNEY	114,505	0.31%
LAW ENFORCEMENT	2,948,545	8.03%
FIRE AND RESCUE SERVICES	1,651,796	4.50%
CORRECTION AND DETENTION	1,868,162	5.09%
BUILDING SAFETY & INSPECTIONS	175,036	0.48%
OTHER PUBLIC PROTECTION	1,934,013	5.27%
MISC. OTHER PUBLIC SAFETY	28,000	0.08%
SANITATION AND WASTE REMOVAL	1,625,734	4.43%
MAINTENANCE BLDGS + GROUNDS	742,442	2.02%
HEALTH DEPT	306,283	0.83%
MENTAL HEALTH	102,483	0.28%

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PUBLIC ASSISTANCE	3,232,414	8.80%
COMMUNITY COLLEGE	854	0.00%
RECREATION	388,935	1.06%
MUSEUM	49,245	0.13%
LIBRARY	799,419	2.18%
PLANNING & COMMUNITY DEVELOPMENT	606,939	1.65%
ENVIRONMENTAL MANAGEMENT	10,000	0.03%
EXTENSION AND OTHER SERVICES	87,538	0.24%
NONDEPARTMENTAL EXPENSES	2,758,198	7.51%
REVENUE REFUNDS	0	0.00%
TRANSFERS FROM GENERAL FUND	13,978,495	38.06%
TOTAL NON SCHOOL	36,725,408	100.00%
SCHOOL FUND	0	0.00%
TOTAL GENERAL FUND EXPENDITURES	36,725,408	100.00%
ESTIMATED REVENUE		
REAL PROPERTY TAXES	18,661,769	50.78%
NON PROPERTY TAX REVENUE		
LOCAL SALES & USE TAXES	7,232,230	19.68%
PERMITS FEES AND LICENSES	226,448	0.62%
FINES AND FOREITURES	20,778	0.06%
USE OF PROPERTY AND INTEREST	712,735	1.94%
CHARGES FOR SERVICES	998,739	2.72%
MISCELLANEOUS	31,650	0.09%
RECOVERED COST	172,700	0.47%
NON CATEGORICAL AID	2,419,011	6.58%
SHARED EXPENSES	3,339,875	9.09%
PUBLIC ASSISTANCE	2,313,051	6.29%
FEDERAL REVENUE	47,645	0.13%
OTHER CATEGORICAL AID	572,064	1.56%
REVENUE TRANSFERS	0	0.0%
TOTAL NONPROPERTY TAX REVENUE	18,086,926	49.22%
TOTAL SCHOOL STATE , FEDERAL, OTHER LOCAL	-	0.00%
TOTAL GENERAL FUND REVENUE	36,748,695	100.00%
RECAPITULATION		
TOTAL RESOURCES	36,748,695	
PROPOSED EXPENSES	36,725,408	
GENERAL FUND BAL 6-30-2009	23,287	

SOLID WASTE / LANDFILL FUND		
OPERATING EXPENSES		
RECYCLING	77,033	3.89%

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SOLID WASTE ADMINISTRATION	216,539	10.94%
GREENBOX CONTAINER COLLECTION	576,557	29.13%
LANDFILL OPERATION	848,797	42.89%
LANDFILL CLOSE OUT	260,305	13.15%
CONSTRUCTION	0	0.00%
OTHER	0	0.00%
TOTAL LANDFILL EXPENSE	1,979,231	100.00%
REVENUE - OPERATING		
COUNTY GEN FUND SUPPORT	1,452,292	73.38%
TRANSFER ACCOUNT	273,439	13.82%
LANDFILL USER FEES	231,500	11.70%
RECYCLING	15,000	0.76%
CONVENIENCE CENTER FEES	0	0.00%
LITTER CONTROL GRANT	7,000	0.35%
CORPORATE SPONSORSHIP	0	0.00%
TOTAL LANDFILL REVENUE	1,979,231	100.00%
Landfill operating Balance 6-30-2008	0	

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

NAY: None

IN RE: APPROPRIATIONS/TRANSFER/DISBURSEMENTS

The Board of Supervisors approved all of the following appropriation/transfer requests:

a. APPROPRIATIONS**Reassessment**

12100 1001	Reassessment	\$ 7,449.86
12100 1006	Office Assist	\$ 915.00
12100 2001	FICA	\$ 70.00
12100 3002	Contract SVCS – New Const.	\$24,849.01
12100 3013	Contract SVC – Reassess.	\$59,932.13
12100 5201	Postal SVCS	\$ 7,906.03
12100 5203	Telecommunication	\$ 815.30
12100 5401	Office Supplies	\$ 197.05

Sheriff's Dept.

31020 3004-100	Auto Repairs Ins.	\$ 119.00
(Insurance revenue)		
31020 3004-100	Auto Repairs Ins.	\$ 125.00
(Insurance revenue)		
31020 7001	Equipment	\$ 1,094.00
(Drug Asset Forfeiture)		

b. TRANSFERS**Commissioner of the Revenue**

Transfer from:

12090 1006	Comp Deputy Comm.	\$ 3,000.00
12090 5201	Postal Service	500.00

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Transfer to:

12090	1003	Comp Temp Assist	\$ 3,000.00
12090	3013	Prof Services	\$ 500.00

Sheriff – Jail

Transfer from:

31020	2010	Work Comp	\$ 381.00
31020	5805	EMS Training	\$ 1,657.00
33010	5415	Photo	\$ 500.00
33010	7003	Comm Equip	\$ 170.00

Transfer to:

31020	3007	Advertisement	\$ 57.00
31020	5401	Office Supply	\$ 400.00
31020	5449	Tires	\$ 1,200.00
33010	2010	Work Comp	\$ 381.00
33010	5401	Office Supply	\$ 250.00
33010	5416	Physical Exam	\$ 250.00
33010	5449	Tires	\$ 170.00

Public Safety

Transfer from:

35060	5204	Communications	\$ 200.00
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Transfer to:

35060	5804	Miscellaneous	\$ 200.00
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AYE: Mr. V. Wood, Mr. L. Parrish, Mr. D. Kidd, Mr. C. Adams and Mr. R. Vandall

NAY: None

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Vandall stated that an issue in an earlier zoning case was lack of clarification of county code 905-03 describing a supplemental building allowable % of the main structure area. He requested that the Planning Commission clarify how the main structure area is clarified and suggested the footprint area.

Mr. Kidd stated that a constituent had contacted him with a complaint that he applied for an occupancy permit for 60,000 sq building and was required to install \$9,000 of vegetative plantings. The County Administrator stated that the County Zoning ordinance required the plantings as the building had not been used for a specified period of time that caused it to be required to meet existing regulations. Mr. Kidd stated that he desired to further discuss possible exceptions to specific zoning requirements for new businesses looking to locate in the county.

Mr. Adams requested that the County Administrator add to an April Board agenda the issue of revisions to the County seal.

Mr. Adams requested consideration of a study for the feasibility of broad band service within the County.

Mr. Parrish requested opinion of other Board members on the approach to be utilized for discussion of requested revisions to the County seal.

Mr. Wood stated that he desires for the Phelps Road disposition issue to be on the next regular Board agenda.

Mr. Kidd requested update on Rt. 60 W convenience center site. Mr. Taylor stated that issue would be on the next regular Board agenda.

Mr. Adams requested an update from a representative of the EDA.

Mr. Vandall stated that he desired a joint meeting with the Planning Commission and EDA to discuss the Board's future goals and request their views and discussion after the "mission statement" is completed.

IN RE: OLD BUSINESS (SEE PACKET)

The County Administrator reviewed the status of the Old Business items.

IN RE: CLOSED SESSION

Mr. Adams 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. Parrish and approved with the following vote:

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

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

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

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

Mr. V. Wood	AYE
Mr. L. Parrish	AYE
Mr. D. Kidd	AYE
Mr. C. Adams	AYE
Mr. R. Vandall	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: MISSION STATEMENT

The County Administrator updated the Board on the status of completion of the county mission statement, goals, etc.

IN RE: ADJOURNMENT

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

Vernon L. Wood, Chairman
Amherst County Board of Supervisors

Rodney E. Taylor, County Administrator