

BOOK 32**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 1st day of April, 2008 at 1:00 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	

Mr. V. Wood called the meeting to order, led in prayer and pledge of allegiance to the flag.

IN RE: AGENDA

On motion of Mr. Adams and with the following vote, the Board of Supervisors approved the following agenda with the addition of two closed session items (1) personnel and (2) prospective business.

AGENDA

**TUESDAY, APRIL 1, 2008
ADMINISTRATION BUILDING – 153 WASHINGTON STREET
1:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Special Appearances and Presentations**
 - a. Proposed Eagle Scout Project – J. Draper Lee
 - b. Space Needs – Dominion Seven - Blair Smith and Linda Jones
- V. Amherst County Public Schools – Dr. John Walker**
- VI. EDA Status Report – Joe Mullen and William Robertson**
- VII. Citizen Comments**
- VIII. Consent Agenda**
 - a. Board of Supervisors Meeting Minutes – March 3rd, 4th (11:00) 4th (1:00), 5th, 6th, 11th, 18th (5:30) 18th (7:00)
 - b. Financial Report for period ending February 29, 2008
 - c. Sheriff's Report for February 2008
 - d. Economic Development Authority Minutes – January 9, 2008
 - e. Economic Development Authority Minutes – January 31, 2008
 - g. VDOT Traffic Alerts – March 24-28, 2008
- IX. Department Reports**

Planning Department

- a. Site Plan Review Requirements
- b. Kennel laws

Assist. County Administrator/Purchasing

- a. Dump truck

X. County Administrator's Report

- a. GIS Contract with Region 2000
- b. Animal Control/Animal Shelter Operation

XI. County Attorney's Report**XII. Matters from Members of the Board of Supervisors****XIII. Appropriations/Transfers/Disbursements****XIV. Old Business (See packet)****XV. Closed Meeting (§2.2-3711.A, Code of Virginia, as amended)**

§2.2-3711.A.1 Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter which involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board.

- a. Zoning Appeals Interview
- b. Personnel – 3 items

§2.2-3711.A.3 Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

- a. Virginia Lime Works – Phelps Road School
- b. Rt. 60 West Container Site

§2.2-3711.A.5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

XVI. Adjourn

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

IN RE: PROPOSED EAGLE SCOUT PROJECT – J. DRAPER LEE

J. Draper Lee met with the Board and presented proposed plans for a decorative rock garden near the Fertilizer Road parking lot as an Eagle Scout Project.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the proposed Eagle Scout project as presented by J. Draper Lee.

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

IN RE: SPACE NEEDS – DOMINION SEVEN - BLAIR SMITH AND LINDA JONES

Blair Smith, Architect, met with the Board for presentation of the most current county space needs alternatives.

Mr. Smith began with a history of the evolution of the current space planning project from its inception until present, and proceeded to present estimated project costs for seven (7) options and time schedules for their completion.

The County Administrator provided financial considerations for the proposed options.

There was a Board of Supervisors consensus to eliminate options 1, 2, 3, & 4 and pursue financing alternatives for options 5, 6A, 6B and 7.

ESTIMATED PROJECT COSTS FOR OPTIONS				
ITEM	OPTION 5	OPTION 6A	OPTION 6B	OPTION 7
CONSTRUCTION COST @ GOODWIN BLDG	\$330,000	\$330,000	\$330,000	
COSMETIC CHANGES @ GOODWIN BUILDING	\$50,500	\$50,500	\$50,500	
20 YEAR SPACE NEED UPGRADES @ GOODWIN	\$120,000	\$120,000	\$120,000	
NEW ALUMINUM WINDOWS @ GOODWIN	\$37,000	\$37,000	\$37,000	
STRUCTURAL CHANGES @ GOODWIN BUILDING	\$15,000	\$15,000	\$15,000	
NEW BUILDING FOR COR AND TREASURER				
NEW BUILDING FOR BI, REC, PLAN & ZONING		\$1,152,000		
NEW BUILDING FOR BUILD INSPECT, PLAN & ZONING			\$611,600	
NEW BUILDING FOR ALL DEPARTMENTS				\$3,042,695
RENOVATE PARSONAGE FOR EXTENSION	\$148,000	\$148,000	\$148,000	
PACKING AND MOVING COSTS	\$17,500	\$17,500	\$17,500	\$10,500
COSMETIC CHANGES @ EXISTING CHURCH	\$40,000	\$40,000	\$40,000	
ORIGINAL WORK @ CHURCH	\$1,413,040			
ORIGINAL WORK @ CHURCH & EXTENSION				
RENOVATE MAIN FLOOR OR CHURCH		\$749,000	\$749,000	
DEMOLITION OF GOODWIN BUILDING				\$50,000
DEMOLITION OF REAR PORTION OF CHURCH		\$40,000	\$40,000	
DEMOLITION OF CHURCH 7 PARSONAGE				\$55,000
CONSTRUCTION TOTAL	\$2,171,040	\$2,699,900	\$2,158,600	\$3,158,195
SOFT COSTS	\$434,208	\$539,980	\$431,720	\$632,639
TOTAL	\$2,605,248	\$3,239,880	\$2,590,320	\$3,789,834
10% CONTINGENCY	\$260,525	\$323,988	\$259,032	\$378,983
GRAND TOTAL	\$2,865,773	\$3,563,868	\$2,849,352	\$4,168,817

IN RE: AMHERST COUNTY PUBLIC SCHOOLS – DR. JOHN WALKER

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

IN RE: EDA STATUS REPORT – JOE MULLEN AND WILLIAM ROBERTSON

Joe Mullen, Economic Development Director and Bill Robertson, EDA Chairman, met with the Board and provided a status report of current EDA activities.

Mr. Robertson stated that the EDA currently has 17 open projects.

The Board of Supervisors expressed direction that they desire an aggressive approach for location of new restaurants in the County.

IN RE: CITIZEN COMMENTS

There were no citizen comments.

IN RE: CONSENT AGENDA

- a. Board of Supervisors Meeting Minutes – March 3rd, 4th (11:00) 4th (1:00), 5th, 6th, 11th, 18th (5:30) 18th (7:00)

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the minutes for March, 2008.

AYE: Mr. V. Wood (except for March 5th absent), Mr. L. Parrish, Mr. C. Adams (except for March 5th absent), Mr. D. Kidd and Mr. R. Vandall.

- b. Financial Report for period ending February 29, 2008
- c. Sheriff's Report for February 2008
- d. Economic Development Authority Minutes – January 9, 2008
- e. Economic Development Authority Minutes – January 31, 2008
- f. VDOT Traffic Alerts – March 24-28, 2008

Information Only.

IN RE: SITE PLAN REVIEW REQUIREMENTS

Jeremy Bryant, Planning Director, met with the Board and presented a request by the Planning/Zoning Department to review Article XI, Section 1102/1103 site plan review requirement that determines when a site plan should be required by the county.

Mr. Bryant presented pictures of various business sites throughout the county as examples of business that have been required to meet site plan requirements and those that have not.

There was a Board discussion and consensus to direct Mr. Bryant to request that the Planning Commission review the current site plan requirements and provide a report to them of any recommended action.

IN RE: KENNEL LAWS

Bart Shaw, Animal Control Officer and Jeremy Bryant, Planning Director, met with the Board and presented a request to consider updating the definition of kennels, which was recently adopted by the Virginia General Assembly.

There was a Board of Supervisors discussion and consensus to direct Mr. Bryant, Mr. Shaw, Mr. Taylor and Mr. Hunt to jointly develop ordinance amendment options regarding dog kennels and report back at the first regular meeting of May, 2008.

IN RE: MAINTENANCE DEPARTMENT DUMP TRUCK

The County Purchasing Agent presented the attached request for purchase of a county maintenance vehicle dump truck,

There was a Board discussion.

On motion of Mr. Wood and with the following vote, the Board of Supervisors authorized the purchase of a new dump truck for the county maintenance department and to appropriate up to \$65,000 from the unobligated General Fund Balance to 43020-7005 – Vehicles to cover the cost.

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

IN RE: GIS CONTRACT WITH REGION 2000

The County Administrator presented information from Robert E. White, AICP, Deputy Director of Virginia's Region 2000 Local Government Council for the costs for maintaining the electronic map files for the County as the mapping effort is completed as follows:

County of Amherst County
Rural Tax Parcel Completion Proposal
November 19, 2007

The process to complete the digitization outside the MPO area of Amherst County tax parcel will be as follows:

1. **Data Review:** Existing parcel data will be reviewed to determine the latest and best data to use. A preliminary review has found that the amp sheets were scanned May 2006. Because this project has been partially completed and the existing data is of a high quality, every effort will be made to prevent redundancy of data creation. The Data Review process will clearly define what data already exists and where the best starting point is for the continuation and completion of the project. There are a total of 120 tax map sheets outside the MPO area.
2. **Attributing:** The uncoded tax parcels will be attributed using the scanned tax map sheets images and a relevant spreadsheet provided by the County Commissioner of Revenue office.
3. **Edge Matching:** The County parcels will be aligned to correspond with the surrounding County parcels as well as the Commonwealth of Virginias digital aerial photography and Road Center-line file.

Products:

- a. Georeferenced and edgematched parcel polygon shapefile created using ESRA ArcGIS 9.2 software.
- b. Attribute file attached to the parcel shapefile with include tax ID numbers, selection, block, subblock, parcel, comments, date created. This is the same data currently being included within the CVMPO area. Other data can be included as requested and available.

Budget Breakdown:

1.	Data Review	16 hours	@\$44.11	\$ 706.00
2.	Attributing	60 hours	@\$44.11	\$2,647.00
3.	Edge Matching	40 hours	@\$44.11	\$1,764.00
4.	Digitizing	516 hours	@\$44.11	\$22,761.00
5.	Contingency			<u>\$2,789.00</u>
			Total:	\$30,677.00

PLEASE NOTE: The proposed budget for this project is not to exceed the cost. Should the project be completed in less time, the County of Amherst will only be billed for actual hours which may be less than the total budgeted.

On motion of Mr. Parrish and with the following vote, the Board of Supervisors authorized the acceptance of the GIS proposal from Region 2000 and to appropriate \$30,677 from bond proceeds to 91020-3010 GIS Mapping to cover that cost.

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

IN RE: ANIMAL CONTROL/ANIMAL SHELTER OPERATION

The County Administrator presented a plan for the operation of the new animal care and management center and hiring personnel for its operation.

Bart Shaw, Animal Control Supervisor was available to answer questions and provide information.

There was a Board of Supervisors discussion of the proposed plan and consensus to further discuss the matter at an upcoming budget workshop.

Mr. Parrish temporary left meeting.

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Wood requested that the Board establish a budget workshop and that staff provide a list of all expenses in the proposed 2009 budget that have increased from the 2008 budget.

There was a consensus to set a budget workshop for Wednesday, April 9, 2008 at 9:30 A.M. in the County Administration Building, Board room.

Mr. Wood requested that staff also provide the current balance in unobligated general fund and deferred revenue account balances.

Mr. Adams requested the County Administrator to prepare a public presentation of the budget for the scheduled April 17th public hearing.

IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved approval of the following appropriation/transfer requests:

a. APPROPRIATIONS

Sheriff's Department

31020 5804	Miscellaneous	\$	650.00
31020 7005	Vehicle	\$	15,500.00
(Drug Asset Forfeiture)			
31020 1010	Comp – Narcotic	\$	323.96
31020 1013	Comp – ACHS Athletic		726.64
31020 5401	Office Supplies		55.90
31020 5409	Police Supplies		20.00
(Pass through revenue deposited with Treasurer)			
31020 3004 100	Vehicle repair	\$	10,350.00
(Pass through revenue deposited with Treasurer)			

Fund 11

General Construction Animal Shelter

95510 3002	Professional Services	\$	30,282.00
95510 3010	Contract SVCS		300.00
95510 5309	Titling & Liab. Ins.		4,708.00
95510 7011	Construction – Animal Shelter	\$	1,408,326.00
(Funds from USDA Rural Development)			

Board of Supervisors

11010 2013	Education Assistance	\$	400.00
(Unobligated General Fund) (Fall 2007 and Spring 2008 classes)			

b. TRANSFERS

Animal Control

Transfer from:

35010 5501	Travel	\$	400.00
35010 5410	Uniforms		200.00

Transfer to:

1337

35010	3010	Auto Repair	\$	400.00
35010	5449	Auto Tires, Tubes & Parts		200.00

Public Safety

Transfer from:

35050	9822	Interest – Reg Radio	\$	10,734.00
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Transfer to:

35050	9892	Principal – Reg. Radio	\$	10,734.00
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Maintenance Department

Transfer from:

43020	5407	Supplies	\$	3,500.00
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Transfer to:

43020	5405	Janitorial Supplies	\$	3,500.00
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AYE: Mr. V. Wood, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. L. Parrish

IN RE: OLD BUSINESS

The County Administrator presented old business items to the Board.

Mr. Vandall had questions on the status of the “Learning Lane” project.

Mr. Parrish returned.

IN RE: CLOSED SESSION

Mr. Vandal moved to go to closed session to discuss (1) personnel matters (3) discussion relating to the acquisition or disposition of real property (5) matter relating to prospective business or industry or the expansion of an existing business or industry

§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.

§2.2-3711.A.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

This was seconded by Mr. 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. moved to come out of closed session, seconded by Mr. 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: RECOMMENDATION OF APPOINTMENT TO THE BOARD OF ZONING APPEALS

On motion of Mr. Adams and with the following vote, the Board of Supervisors of Amherst County approved the recommendation to the Circuit Court Judges, the reappointment of George "Bill" Wise, 216 Oakcroft Drive, Madison Heights, VA 24572 to the Amherst County Board of Zoning Appeals representing District 3, for a term that will expire February 3, 2013.

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

IN RE: ADJOURMENT

On motion of Mr. Parrish, seconded by Mr. Wood and with the following vote, the Board of Supervisors adjourned to Wednesday, April 9, 2008 at 9:30 a.m. in the Board of Supervisors meeting room.

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

Vernon L. Wood, Chairman
Amherst County Board of Supervisors

Rodney E. Taylor, County Administrator