

BOOK 32**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 20th day of May, 2008 at 7:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

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

PRESENT:	Mr. L. Parrish Mr. M. Heisman	Ms. B. Limbrick Mr. D. Hedrick	Mr. R. Fener Ms. B. Jones
ABSENT:	Mr. J. Fulcher		

Chairman Wood called the meeting to order and recognized newly assigned news reporter Justin Faulconer.

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

IN RE: APPROVAL OF AGENDA

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the following agenda with the addition of a closed session under personnel 2.2-3711(A).1:

AGENDA

TUESDAY, MAY 20, 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. Special Appearances and Presentations**
- V. Public Hearings**
 - a. **2008-07** Request by Mike Patel/Shree Ganesh of Virginia, Inc. for a conditional Zoning from R-2 General Residential District to V-1 Village Center District. The purpose of the rezoning is to allow a proposed installation of gas pumps and canopy located at Lee and Moss Grocery Store. The request will include an amendment to the Amherst County future land use map 2027 to change the land use category from Commercial

to Village District. The property is located on 517 Old Wright Shop Road and is further identified as tax map number 161C1-A-60.

b. Planning Department

- a. Joint Public Hearings
- b. Review of Comprehensive Plan/Zoning Ordinance
- c. Resolution requesting addition of all streets located in Foxbriar Subdivision into VDOT system.
- d. Zoning Case 2008-09 Forest Service Roads

VI. Public Hearings

- a. Public Hearing School Board Appointments

VIII. Citizen Comments

IX. Consent Agenda

- a. Town of Amherst Industrial Dev. Authority – May 5, 2008
- b. County of Roanoke – Office of the County Administrator – May 7, 2008
- c. Commissioner of Revenue – Real Estate Tax Relief for the Elderly or Disabled
- d. Public Safety – April 2008
- e. Amherst County Building Safety & Inspections Minutes – April 2008
- f. VDOT – Traffic Alert – May 5, 2008, May 12-16, 2008 and May 19-23, 2008

X. County Administrator's Report

- a. Amtrak Service from Lynchburg to Washington
- b. Possible Workshop to Evaluate Space Needs Options

XI County Attorney's Report

XII. Matters from Members of the Board of Supervisors

XIII. Appropriations/Transfers/Disbursements

XIV. Old Business (See packet)

XVI. Adjourn

**REMINDER: AMHERST COUNTY HIGH SCHOOL GRADUATION – FRIDAY, MAY 30, 2008 6:00 P.M.
VINES CENTER – LIBERTY UNIVERSITY**

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

NAY: None

Mr. Wood turned the floor over to the Planning Commission Vice-Chairperson Bonnie Limbrick in Mr. Fulcher's absence.

IN RE: PUBLIC HEARING

2008-07 Request by Mike Patel/Shree Ganesh of Virginia, Inc. for a conditional Zoning from R-2 General Residential District to V-1 Village Center District. The purpose of the rezoning is to allow a proposed installation of gas pumps and canopy located at Lee and Moss Grocery Store. The request will include an amendment

to the Amherst County future land use map 2027 to change the land use category from Commercial to Village District. The property is located on 517 Old Wright Shop Road and is further identified as tax map number 161C1-A-60.

Planning Director Bryant introduced components of the request for the Planning Commission and Board of Supervisors.

Ed Ewers, Engineer and applicant representative, presented further information.

Proponents: None

Opponents: None

County Attorney Vaden Hunt provided the following information and opinion regarding “spot zoning”.

What is “Spot Zoning”

Frequently in citizen suits challenging a zoning action, it is decried as “spot zoning.” The term is generally used to describe a zoning that is simply different from surrounding classifications. However, the Court has upheld what might look awfully like spot zonings as a valid exercise of legislative discretion where the action also serves some identifiable public interest. Illegal spot zoning is deemed to exist where a court can find that it has no public benefit and hence is affected “solely to preserve the private interests of one or more landowners [rather than] to further the welfare of the entire county [which simultaneously benefits private interests.]” *Wilhelm v. Morgan*, 208 Va. 398, 403, 157 S.E.2d 920, 924 (1967); *Runion v. Roanoke Cnty. Supvrs.*, 65 Va. Cir. 41 (Roanoke Cnty. 2004) (not spot zoning because residential zoning proffers protect county’s interests). In *Barrick v. Board of Supervisors*, 239 Va. 628, 391 S.E.2d 318 (1990), the Court held that failure to comply with the comprehensive plan, in and of itself, does not support a finding of spot zoning. Rather, complainants must produce evidence that the zoning is solely for the benefit of private interests by focusing on the legislative purpose of the action. In *Barrick* the complainants had failed to produce any evidence on the point. It would appear that it would be difficult to do so in all but the most extraordinary circumstances. See also *Riverview Farm Assocs. v. Board of Supervisors of Charles City County*, 259 Va. 419, 528 S.E.2d 99 (2000) (trial court properly dismissed spot zoning claim as complaint alleged the purpose of rezoning was to benefit the interests of the county, as well as the interests of a private landowner); *Guest v. King George County Bd. of Supervisors*, 42 Va. Cir. 348 (King George Cnty. 1997).

In practice, most Virginia zoning actions take place for the benefit of the particular applicant, and because most localities employ the “floating zone” concept, whereby a particular zoning district “floats” in the air until it is imposed upon some parcel of ground, spot zoning challenges will rarely prevail. It will only be the exceptional case in which there is no arguable public purpose or benefit in which the spot zoning argument will have much chance of success.

“Contract zoning” is similarly illegal. In *Pima Gro Sys. v. Board of Supervisors of King George Cnty.*, 52 Va. Cir. 241 (King George Cnty. 2000), the circuit court held that a consent decree, to which the county was a party and which allowed activity that violated a valid ordinance was void ab initio. It did so despite the fact that the activity was permitted by an otherwise unchallenged and unappealed order by another judge.

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PLANNING COMMISSION RECOMMENDATION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Ms. Limbrick, seconded by Ms. Jones and with the following vote, the Planning Commission moved to recommend approval of the request to change the land use map zoning as the specific project is a benefit to the general community.

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

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 moved to recommend approval of the rezoning request for a conditional zoning from R-2 General Residential District to V-1 Village Center District to allow a proposed installation of gas pumps and canopy located at Lee and Moss Grocery Store at 517 Old Wright Shop Road.

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

BOARD OF SUPERVISORS' ACTION: Due to public necessity, convenience, general welfare or good zoning practice, on motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the request for a conditional zoning from R-2 General Residential District to V-1 Village Center District to allow a proposed installation of gas pumps and canopy located at Lee and Moss Grocery Store at 517 Old Wright Shop Road and to change the land use map zoning as recommended by the Planning Commission.

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

IN RE: JOINT PUBLIC HEARINGS

The County Administrator informed the Planning Commission that the Board had discussed the issue of whether to continue joint Board/Planning Commission public hearings at a workshop on April 22nd and determined that they would further consider the matter in September.

IN RE: REVIEW OF COMPREHENSIVE PLAN/ZONING ORDINANCE

The County Administrator proceeded to introduce information discussed at the April 22, 2008 Board workshop concerning a proposed review of comprehensive plan/zoning ordinance.

On motion of Mr. Parrish, seconded by Mr. Fener and with the following vote, the Planning Commission moved to recommend to the Board of Supervisors that they contract with Mike Chandler to review the Comprehensive Plan and Zoning Ordinance and provide a plan document for the County to use for its implementation.

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

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 moved

approval of the Planning Commission recommendation that they contract with Mike Chandler to review the Comprehensive Plan and Zoning Ordinance and to authorize the County Administrator to execute the necessary contract agreement.

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

NAY: None

IN RE: RESOLUTION REQUESTING ADDITION OF ALL STREETS LOCATED IN FOXBRIAR SUBDIVISION INTO VDOT SYSTEM

Planning Director Bryant presented the following *Resolution* requesting addition of all streets located in Foxbriar Subdivision into VDOT Secondary System.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved adoption of the following VDOT resolution requesting the addition of all streets located in Foxbriar Subdivision into VDOT Secondary System.

RESOLUTION FOR ADDITION OF NEW SUBDIVISION STREETS

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Amherst County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that Foxbriar Lane, Ralls Apple Way, Black Twig Land and Pippin Way in Foxbriar Subdivision meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add Foxbriar Lane, Ralls Apple Way, Black Twig Land and Pippin Way described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Additions Form SR-5(A) – Proposed Additions to the Secondary System of State Highways

Attachment to (Check one only) ☐ Board of Supervisors Resolution ☐ Surety Instrument Dates ____ Attachment ____ of ____

Name of Subdivision: Foxbriar Amherst County

Ref. No.	Name of Street	Street Addition Termini	R.O.W. Width (ft)	Miscellaneous Notes	Addition Length Centerline Miles
1	Fox Briar Lane	From: Winridge Road To: Terminus Plat Recorded Date: 10-21-05 Deed Book: 1023 Page: 72	50	Approx 2,494 feet long	
2	Pippin Way	From: Foxbriar Lane To: Terminus Plat Recorded Date: 10-21-05 Deed Book: 1023 Page: 72	50	Approx 344 feet long	
3	Ralls Apple Road	From: Foxbriar Lane To: Terminus Plat Recorded Date: 10-21-05 Deed Book: 1023	50	Approx 1,280 feet long	

		Page: 72			
4	Black Twig Lane	From: Ralls Apple Road To: Terminus Plat Recorded Date: 10-21-05 Deed Book: 1023 Page: 72	50	Approx 515 feet long	
5		From: To: Plat Recorded Date: Deed Book: Page:			
6		From: To: Plat Recorded Date: Deed Book: Page:			
7		From: To: Plat Recorded Date: Deed Book: Page:			

Notes: Guaranteed width of right of way exclusive of any necessary easements for cuts, fills, and drainage.

Certification of Attachment

This attachment is certified as a part of the document indicated above:

Jeremy S. Bryant, Director of Planning

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

NAY: None

IN RE: ZONING CASE 2008-09 FOREST SERVICE ROADS

Planning Director Bryant presented the following zoning text amendment case 2008-09 Forest Service Roads for 1st reading.

302.54.1 Street, Forest (Service Road). Those roads that are maintained and owned by the Federal Government to access remote undeveloped areas. Forest Service Roads must comply with Section 1301.07 of this ordinance.

302.138.1. Street, private. Any road or other means of vehicular access to more than one (1) parcel of land not maintained by the Virginia Department of Transportation. ~~or other government agency regardless of ownership.~~ Private streets must comply with Section 1301.07 of this ordinance.

302.138.2. Street, public. A strip of land comprising the entire area within the right-of-way intended for public use as a means of vehicular and pedestrian circulation to provide access to more than one (1) lot and which is presently a portion of the Virginia Department of Transportation's street and road system, or is a proposed addition to the Virginia Department of Transportation's street and road system in which case the improvement of which shall meet the construction standards of the Virginia Department of Transportation.

1301.07. Private streets/Forest Service Road.

1. Private streets may be constructed in accordance with the Virginia Department of Transportation's subdivision street requirements. The minimum lot size for said streets is one (1) acre. **A maintenance agreement including all lots accessing the private street shall be prepared and submitted as part of the subdivision plat approval process.**

2. (a) A private street ~~and-or forest service road~~ and all private roads **streets or forest service roads** connected to that private street system **or forest service road system** not constructed in accordance with the Virginia Department of Transportation subdivision street requirements or not otherwise included in the State Secondary Road Maintenance System may provide access to a maximum of five (5) lots all of which are ten (10) acres or greater in size. **A maintenance agreement including all lots accessing the private street shall be prepared and submitted as part of the subdivision plat approval process.**

2. (b) An individual parcel which is described on May 02, 2001 by the then most current deed or other instrument conveying an estate in fee, for life, in possession or otherwise, with regard to estates in law or in equity, or in any deed or other such instrument drawn thereafter may have a maximum of five (5) lots subdivided from that parcel which are to be accessed by private streets **or forest service roads** not constructed in accordance with the Virginia Department of Transportation subdivision street requirements provided that the number of lots served by any private street **or forest service road** may not exceed a total of five (5) whether said lots are derived from the individual parcel or other parcels.

DRAFT 5/5/08

The County Attorney provided an Attorney General's opinion regarding requirements of Homeowner's Associations for private roads.

The Board of Supervisors by consensus directed Mr. Bryant to proceed with advertisement for a public hearing for the proposed zoning text amendments regarding forest service roads.

The Planning Commission adjourned to another meeting location.

IN RE: PUBLIC HEARING - PUBLIC HEARING SCHOOL BOARD APPOINTMENTS

The County Administrator informed the Board that Gloria C. Walker, Troy Cash, Beverly C. Jones, Bruce Norman Conner, Jr., Gary A. Sibcy, II and Dr. William Brown have applied for the two School Board seats.

Chairman Wood called the public hearing to order as advertised.

There were no speakers and the public hearing was closed.

The Board of Supervisors directed the County Administrator to set candidate interviews for the first regular meeting in June 2008.

IN RE: CITIZEN COMMENTS

There were no citizen comments.

IN RE: CONSENT AGENDA

The Board reviewed the consent agenda.

- a. Town of Amherst Industrial Dev. Authority – May 5, 2008
- b. County of Roanoke – Office of the County Administrator – May 7, 2008
- c. Commissioner of Revenue – Real Estate Tax Relief for the Elderly or Disabled
- d. Public Safety – April 2008
- e. Amherst County Building Safety & Inspections Minutes – April 2008
- f. VDOT – Traffic Alert – May 5, 2008, May 12-16, 2008 and May 19-23, 2008

IN RE: AMTRAK SERVICE FROM LYNCHBURG TO WASHINGTON

The County Administrator presented information including a resolution regarding Amtrak service from Lynchburg to Washington.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the following *Resolution* in favor of Amtrak's proposed new daily passenger rail service in the US29 Corridor and in support of related infrastructure improvements.

RESOLUTION IN FAVOR OF AMTRAK'S PROPOSED NEW DAILY PASSENGER RAIL SERVICE IN THE US29 CORRIDOR AND IN SUPPORT OF RELATED INFRASTRUCTURE IMPROVEMENTS

WHEREAS, the Virginia Department of Rail and Public Transportation (VDRPT) is developing a State Rail Plan that will address the present and future needs for rail in the Commonwealth and provide a strategy to address them, and

WHEREAS, the State Rail Plan will address commuter, intercity, higher speed and high speed rail services as well as multimodal integration of rail with other modes of transportation, and

WHEREAS, the DRPT has asked for public input on the needs, priorities and rail improvements to be considered when developing the State Rail Plan, and

WHEREAS, the US29 – I-66 (Piedmont) rail corridor between Danville and Alexandria is home to 30% of the state's population, and

WHEREAS, the cities, towns and counties of the US29 Corridor have experienced significant residential and commercial growth and with it, significant increases in highway traffic, congestion and travel time on through trips, and

WHEREAS, fifty years ago, the Piedmont Corridor was served by 22 passenger trains a day operated by the Southern and C & O Railroads, and

WHEREAS, today, the Piedmont Corridor is served by only one daily round trip train (Amtrak's Crescent) between New Orleans and New York, and for stations north of Charlottesville, by an additional train (Amtrak's Cardinal) three days a week, and

WHEREAS, these long-distance trains are frequently overbooked, with most seats reserved for long-distance ticket holders, the schedule is not conducive to business travel, and trains are frequently late, the existing level and quality of passenger rail service offered by these trains cannot meet the demands of business travelers, tourists, students or the traveling public, and

WHEREAS, Amherst County is the home of Sweet Briar College and the Virginia Center of Creative Arts and numerous businesses which depend on fast and reliable access to Washington DC and would benefit greatly from enhanced passenger rail service, and

WHEREAS, the rising cost of oil and the environmental concerns brought on by carbon based emissions have heightened the interest in energy efficient and environmentally friendly alternatives to the automobile, and

WHEREAS, recognizing the Piedmont Corridor as an underserved market, Amtrak has recommended to VDRPT that steps be taken to implement new Lynchburg to Washington rail service "as soon as possible" – including any capital improvements needed to the existing rail line by the host railroad, and

WHEREAS, Amtrak reports that the addition of a second daily train can be accomplished easily and at a relatively low cost, and

WHEREAS, ridership on the Piedmont Corridor can be expected to increase significantly as direct service results in reliable, on-time trains with available seats, and

WHEREAS, the Route 29 passenger rail corridor is significantly under-served compared to the I-95 corridor, where the State has made massive investments for rail infrastructure and operations, and

WHEREAS, an application for State Rail Enhancement Funds (REF) for capital investments in the corridor in support of the proposed new Amtrak passenger service has been developed by Norfolk Southern Railroad and is included in the list of projects recommended by VDRPT for inclusion in the State's 2009-2014 Six Year Improvement Program,

NOW THEREFORE BE IT RESOLVED, that the Amherst County Board of Supervisors urges the VDRPT to include enhanced passenger rail service for the US29 (Piedmont) Corridor in the State Rail Plan, specifically the proposed new daily direct service between Lynchburg and Washington, DC and on to New York and Boston, as proposed by Amtrak, and

BE IT FURTHER RESOLVED, that the Amherst County Board of Supervisors urges the Commonwealth Transportation Board to approve DRPT's recommended REF funding for infrastructure investments needed to support new passenger service in the corridor, and

BE IT FURTHER RESOLVED, that the Amherst County Board of Supervisors requests that DRPT identify the US29 corridor as the state's top priority for funding new rail service according to Amtrak's recommended Short Term Action Plan for Advancing Passenger Rail in the Commonwealth.

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

NAY: None

IN RE: POSSIBLE WORKSHOP TO EVALUATE SPACE NEEDS OPTIONS

The Board of Supervisors considered proposed dates for scheduling a workshop for the proposed county space needs consideration.

The Board of Supervisors by consensus set a workshop date for the proposed space needs for 1:30 p.m., June 2, 2008.

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Kidd requested information from the County Purchasing Agent (1) regarding procurement procedure and (2) investigation into upgrade of County's fueling system to include fire and rescue.

Mr. Adams complimented (1) improvements to Madison Heights Burger King and (2) recent successful activities of the Sheriff's Department.

Mr. Wood stated that Hill Hardware has expressed concern about a large Oak tree in the Courthouse yard that is leaning toward their oil fueling station.

IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the following appropriations and transfers:

a. APPROPRIATIONS

Board of Supervisors

11010 2013	Education Refund	\$	200.00
(Unobligated General Fund Balance)			

Reassessment

12100 1006	Comp Office Assist	\$	759.00
12100 2001	FICA		58.07
12100 3013	Contracted SVC		27,757.72
12100 5201	Postal SVC		450.00
(To balance line for Reassessment)			

Commonwealth Attorney

22010 5801	Dues & Membership	\$	590.00
(Drug Forfeiture Fund)			

Sheriff's Department

31020 5408	Gas	\$	32,000.00
33010 3001	Medical		24,000.00
33010 5402	Food		28,000.00
(Unobligated General Fund Balance)			
31250 1008	Compensation	\$	3,058.35
31250 7001	Equipment		4,939.00
(Pass through revenue)			
31300 1008	Compensation	\$	5,000.00
(Pass through revenue)			
31020 1013	ACHS Athletic	\$	1,237.98
31020 3004	Auto Repairs		65.35
(Pass through revenue)			

Animal Control

35010 3010	Repairs Auto – Ins. Rec.	\$	732.84
(Insurance pass through)			
35010 3010	Repairs Auto		728.54
(Unobligated General Fund Balance)			

Maintenance Department

43020 3004	Repair Contracts	\$	1,855.00
(Insurance pass through)			

b. TRANSFERS**Circuit Court – Judge****Transfer from:**

21010 5804	Miscellaneous	\$	629.00
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Transfer to:

21010 5501	Travel	\$	419.00
21010 7001	Equipment	\$	210.00

Circuit Court Clerk**Transfer from:**

21060 3004	Repairs	\$	400.00
21060 3005	Maintenance		1,200.00

Transfer to:

21060 3006	Printing	\$	150.00
21060 5401	Office Supplies		1,450.00

Purchasing Department**Transfer from:**

12170	2001	FICA	\$	252.00
12170	2006	Gr Life		112.00

Transfer to:

12170	2005	Hospitalization	\$	364.00
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County Attorney**Transfer from:**

22020	3002	Professional SVCS	\$	23,296.35
22020	3002	Professional SVCS		45,827.97

Transfer to:

53010	3021	Legal SVCS	\$	23,296.35
(J. Thompson Shrader services)				
22020	1001	Comp – Attorney		35,250.02
22020	2001	FICA		2,696.60
22020	2002	Retirement		4,153.50
22020	2005	Hospitalization		3,139.50
22020	2006	Life Ins.		325.02
22020	2017	H.C.C.		172.26
22020	5203	Telecommunications		91.07
(To cover Vaden Hunt's salary, benefits and Communication for Jan – June 08)				

Maintenance Department**Transfer from:**

43020	3160	Janitorial Contract Services	\$	9,173.52
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Transfer to:**Public Safety**

35050	3160	Janitorial Contract Services	\$	9,173.52
(To accurately represent expenditures in 2007-08 operating budget)				

Sheriff's Department**Transfer from:**

31020	7001	Equipment	\$	4,431.00
31020	3002	Prof SVC		615.00
31020	3005	Maint SVC		3,000.00
31020	7001	Equip		2,500.00
33010	3005	Maint SVC		600.00
33010	5103	Water SVC		3,000.00
33010	5410	Uniform		1,815.00
33010	7003	Comm Equip		295.00

Transfer to:

31300	5409	Supply	\$	175.00
31300	7001	Equipment		4,256.00
(Local share of grants)				
31020	3016	Repair Radio		200.00
31020	3160	Janitor		3,100.00
31020	5203	Telephone		2,000.00
31020	5401	Office Supplies		700.00
31020	5449	Tires		600.00
31020	5501	Travel		1,500.00
33010	3160	Janitor		1,615.00
33010	5409	Police Supplies		700.00
33010	5405	Cleaning Supplies		1,000.00
33010	5406	Linen		410.00
(To cover expenses)				

Building Department**Transfer from:**

34010	5504	Travel Education	\$	435.00
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Transfer to:

34010	5411	Code Books	\$	135.00
34010	5804	Miscellaneous		300.00

Planning Department**Transfer from:**

81010	3013	Comprehensive Plan	\$	436.96
81010	5806	Region 2000 partnership		1,382.50
81010	5504	Travel Education		739.00
81020	5201	Postage		68.50

Transfer to:

81010	5203	Telecom		350.00
81040	5401	Office Supplies (BZA)		10.00
81040	5408	Gasoline		76.96
(To bring all line items into positive standing)				
81010	5401	Office Supplies	\$	200.00
81010	5201	Postage		150.00
81010	5408	Gasoline		100.00
81020	5401	Office Supplies (Planning Comm)		100.00
81040	7002	Furniture & Fixtures		950.00
81020	7005	Communication Software		690.00
(To bring into positive standing & Purchase furniture for Asst. Zoning Administrator/Planner position)				

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

NAY: None

IN RE: OLD BUSINESS (SEE PACKET)

The County Administrator provided a status report on:

(1) CMC ReBar Development

(2) Satellite Community College Development – including construction progress and establishment of an escrow account for lease payments and

(3) Phelps Road School – provided a brief update on current proposals and stated more detailed information at the first regular meeting of June 2008.

IN RE: CLOSED SESSION

Mr. L. Parrish moved to go to closed session to discuss a (1) personnel matter.

§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. R. Vandall 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. R. Vandall moved to come out of closed session, seconded by Mr. D. Kidd 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: ADJOURNMENT

On motion of Mr. R. Vandall, seconded by Mr. D. Kidd and with the following vote, the Board of Supervisors moved to adjourn until Friday, May 30, 2008 at 7:00 p.m. at Liberty University, Vines Center.

Vernon L. Wood, Chairman
Amherst County Board of Supervisors

Rodney E. Taylor, County Administrator