

BOOK 32**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 15th day of July, 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. Wood called the meeting to order.

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

IN RE: AGENDA

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

AGENDA

**TUESDAY, JULY 15, 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. Representatives of the Old Madison Heights area
 - b. Procedure for Release of Water from County Reservoirs
- IV. Citizen Comments**
- VI. Amherst County Public Schools – Dr. Brian Ratliff**
 - a. Request for appropriation of \$265,962.98 to the 2007-08 school revenue and expenditure budget
- VII. Consent Agenda**
 - a. Board of Supervisors Meeting Minutes – June 2, 3, 16, 17 and 26, 2008
 - b. Financial Report for period ending May 31, 2008
 - c. Parks, Recreation & Cultural Development – May 19, 2008
 - d. Public Safety Monthly Report for June 2008
 - e. Building Department Monthly Report for June 2008
 - f. Reducing use of fuel and electricity – Sheriff Ayes, III letter of June 23, 2008
 - g. Sheriff's Dept. April 2008 monthly report
 - h. Sheriff's Dept. May 2008 monthly report
 - i. Letter from Bonnie Limbrick July 9, 2008
 - j. Dept. of Housing and Community Development Letter of June 23, 2008

- k. Department of Transportation – Enhancement Program
- k. VDOT Traffic Alerts – June 23-27, June 30 – July 5, 2008, July 7 – 11, and 14-18, 2008

VIII. Department Reports

Accounting Department

- a. PPTRA Rate

Recreation Department

- a. Background Checks

Building Safety & Inspections

- a. Rental Inspection Implementation

Economic Development

- a. Quarterly Report by EDA Chairman, Bill Robertson
- b. Incentive Agreement for RECH, Inc.

Planning & Zoning Department

- a. Beachwood Estates
- b. Amendment - Application by Cingular Wireless/AT&T for Wireless Communication Facility and BZA action

Solid Waste (Addition)

- a. Driver Position
- b. Paving Buffalo Springs Turnpike Convenience Center

Purchasing Department

- a. ~~Administrative Building Entrances~~ Delete pending review by County Attorney
- b. Tennis Court Renovation
- c. Salary Study and Position Classification Proposal Interview
- d. ~~Relocation of County Maintenance Building~~ Delete pending review by County Attorney

IX. County Administrator's Report

- a. Central Virginia Community Services Board – FY 2009 Performance Contract
- b. Virginia Sesquicentennial of the American Civil War Commission
- c. Goals Reporting
- d. Madison Heights Street Lights
- e. GLTC Service
- f. VDOT Revenue Sharing Program
- g. Amherst Detention Center – Preliminary Design (Addition)

X. County Attorney's Report

XI. Matters from Members of the Board of Supervisors

XII. Appropriations/Transfers/Disbursements

XIII. Old Business (See packet)

XIV. 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. Applicants

§2.2-3711.A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation which has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

a. Legal

XV. Adjourn

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

NAY: None

IN RE: REPRESENTATIVES OF THE OLD MADISON HEIGHTS AREA REQUESTING CURFEW AND EXPANSION OF THE NOISE ORDINANCE

Calvin Carlson met with the Board and presented a request for consideration of a curfew in "Old Madison Heights".

Steve Stinson of 224 Clark St., Madison Heights, requested the expansion to the County noise ordinance in old Madison Heights.

Jerry Evan, 358 Main St., Madison Heights, requested consideration of curfew ordinance in Old Madison Heights.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors directed the County Attorney to coordinate with Sheriff Ayers to develop needed functional amendments to the County's noise ordinance for the entire county and a proposed curfew ordinance for the Old Madison Heights area.

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

NAY: None

IN RE: PROCEDURE FOR RELEASE OF WATER FROM COUNTY RESERVOIRS

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved adoption of the following water release resolution as recommended by the Service Authority Board.

PROCEDURE FOR WATER RELEASE FROM COUNTY RESERVOIRS

WHEREAS, there is a history of Amherst County releasing stored water from the Mill Creek Reservoir when drought conditions have made the flow of the Buffalo River inadequate to meet the water treatment needs of the Town of Amherst; and

WHEREAS, the parties wish to establish a new standardized procedure for these releases,

THEREFORE BE IT RESOLVED, that the following procedures are established.

1. If the Amherst County Service Authority has established either voluntary or mandatory water conservation regulations at the time the Town of Amherst request a release, the Town of Amherst shall impose similar legally enforceable regulations to restrict or otherwise reduce daily water usage and consumption by all its water users. If the Amherst County Service Authority establishes such regulations after water releases from a reservoir have begun the Town must also promptly do so, until the Authority has suspended its regulations, or the water release ceases.
2. The Town of Amherst will submit a written request to the Amherst County Administrator for the releases of water into the Buffalo River from a County owned reservoir or reservoirs in an amount sufficient to meet the water demand of the Town of Amherst during the drought. The amount of water needed to meet this demand, or the difference between the restricted daily demand and the actual flow in the river, shall be included in the request.
3. Subsequent to the Town of Amherst's request and due to the need for timely action, the County Administrator will contact each member of the Board of Supervisors to advise of the request and to further advise of his action to release the water from a County-owned reservoir or reservoirs. The Board of Supervisors will then review the action at the next regularly scheduled meeting of the Board of Supervisors.
4. The release of water to benefit the Town of Amherst shall be the minimum to meet the Town's need, and shall not exceed 1,000,000 gallons per day as measured at the reservoir outlet(s). As in past instances of such reservoir releases, an employee of the Amherst County Service Authority shall assist the Town's representative whenever outlet valves are being adjusted.
5. The release of water shall continue until such time as the drought condition has abated to the extent that the Town of Amherst can withdraw water from the Buffalo River in amounts sufficient to meet its water demands.

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

NAY: None

IN RE: CITIZEN COMMENTS

There were no citizen comments.

IN RE: REQUEST FOR APPROPRIATION OF \$265,962.98 TO THE 2007-08 SCHOOL REVENUE AND EXPENDITURE BUDGET

Whereas the Amherst County School Board had received notification of additional funding for the 2007-2008 school session,

Local Funding

Insurance Adjustments	\$ 3,962.98
GED Local Funds	12,000.00
Child Nutrition Program	250,000.00

And that the members of the Amherst County School Board requested the members of the Amherst County Board of Supervisors to consider a supplemental appropriation of \$265,962.98 to the 2007-08 school revenue and expenditure budget.

On motion of Mr. L. Parrish and with the following vote, the Board of Supervisors approved the appropriation of \$265,962.98 to the 2007-08 school revenue and expenditure budget as requested.

Mr. Kidd stated that he is a contractor for the Child Nutrition System that he has consulted with the County Attorney and been advised that there is no conflict of interest for him to vote on the request that will be used for that program.

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

Dr. Ratliff proceeded to provide a status report of current school activities.

IN RE: CONSENT AGENDA

- a. Board of Supervisors Meeting Minutes – June 2, 3, 16, 17 and 26, 2008

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the June 2nd, 3rd, 16th, 17th, and 26th, 2008 Board of Supervisors minutes with Mr. Kidd abstaining from the June 3rd, 2008 meeting as he was absent.

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

- b. Financial Report for period ending May 31, 2008
- c. Parks, Recreation & Cultural Development – May 19, 2008
- d. Public Safety Monthly Report for June 2008
- e. Building Department Monthly Report for June 2008
- f. Reducing use of fuel and electricity – Sheriff Ayes, III letter of June 23, 2008
- g. Sheriff's Dept. April 2008 monthly report
- h. Sheriff's Dept. May 2008 monthly report
- i. Letter from Bonnie Limbrick July 9, 2008
- j. Dept. of Housing and Community Development Letter of June 23, 2008
- k. Department of Transportation – Enhancement Program
- l. VDOT Traffic Alerts – June 23-27, June 30 – July 5, 2008, July 7 – 11, and 14-18, 2008

Information only.

IN RE: ACCOUNTING DEPARTMENT – PPTRA RATE

Brenda Campbell, Central Accounting Director met and presented information requesting for the Board of Supervisors to set the 2008 PPTRA tax rate.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors adopted a 2008 PPTRA rate of 46.3% for the County as recommended by Accounting and the Commissioner of Revenue.

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

IN RE: RECREATION DEPARTMENT – BACKGROUND CHECK REQUEST

Sara Lu Christian, Recreation Director, met with the Board and presented a proposed background check policy for the Recreation Department.

The County Attorney confirmed that he has reviewed the policy for legal correctness.

Allen Bumgardner, Recreation Specialist stated that he strongly supports the policy.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors adopted the background policy and appropriated \$2300 from the unobligated general fund balance to cover the first year cost.

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

IN RE: BUILDING SAFETY & INSPECTIONS - RENTAL INSPECTION IMPLEMENTATION

The Board of Supervisors received a status report from Kenneth Campbell on the rental inspection implementation.

IN RE: ECONOMIC DEVELOPMENT - QUARTERLY REPORT BY EDA CHAIRMAN, BILL ROBERTSON

The Board of Supervisors received a quarterly report of EDA activities from Mr. Robertson. Mr. Michael Russell and Mr. Edgar Kinner both EDA members were present to answer questions. Mr. Robertson stated that bids for development of the new satellite community college have been received and are currently being reviewed.

IN RE: INCENTIVE AGREEMENT FOR RECH, INC.

Joe Mullen, Economic Development Director, met with the Board and presented the request for \$6,368.44 to RECH, Inc. per the incentive agreement.

On motion of Mr. Vandall, and with the following vote, the Board of Supervisors moved to authorize payment of \$6,368.44 to RECH, Inc. as stated in the Incentive agreement and moved to authorize the appropriation from the deferred revenue account.

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

NAY: None

IN RE: PLANNING & ZONING DEPARTMENT - BEACHWOOD ESTATES

Jeremy Bryant, Planning Director, met with the Board and presented a request from Sam Davis to release a letter of credit for the amount of \$120,000.

On motion of Mr. Vandall, and with the following vote, the Board of Supervisors moved authorization to release the letter of credit that Mr. Davis is currently maintaining for Learning Lane.

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

NAY: None

IN RE: APPLICATION BY CINGULAR WIRELESS/AT&T FOR WIRELESS COMMUNICATION FACILITY AND BZA ACTION

Mr. Bryant proceeded to present information regarding application by Cingular Wireless/AT&T for wireless communication facility and BZA action.

The request is to replace an existing wooden utility pole with a taller metal pole, which is located on public property near the intersection of Rt. 29 and Izaak Walton Road.

Mr. Bryant provided the information to the Board as a project status report and requested permission for him and the County Attorney to proceed with ordinance amendments that address this situation and to allow approval of the current request.

The Board of Supervisors by consensus approved the request to replace the existing pole with a taller metal pole located on public property near the intersection of Rt. 29 and Izaak Walton Road.

IN RE: SOLID WASTE - DRIVER POSITION

Teresa Nuckols, Solid Waste Director, met with the Board and presented a proposed Solid Waste driver job description for their consideration.

The Board of Supervisors by consensus approved the driver job description with the addition of – ‘other related tasks’.

IN RE: PAVING BUFFALO SPRINGS TURNPIKE CONVENIENCE CENTER

Ms Nuckols proceed to present a request for asphalt paving for the new convenience center located on Rt. 130.

On motion of Mr. Parrish and with the following vote, the Board of Supervisors authorized a change order for paving the Rt. 130 convenience Center site with the understanding that the specification

be reviewed to insure durability with an appropriation of \$64,850 from the most recent bond financing proceeds to cover this cost.

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

IN RE: PURCHASING DEPARTMENT - ADMINISTRATIVE BUILDING ENTRANCES AND RELOCATION OF THE COUNTY MAINTENANCE BUILDING

The County Administrator presented the following information regarding Dominion Seven Architects and his relationship with their firm:

Rodney E. Taylor/Amherst	To Vaden Hunt
07/14/2008 11:12 AM	cc Board of Supervisors, David Proffitt/Amherst @Amherst
	Subject Dominion Seven

Vaden:

On the agenda for the July 15 meeting are two proposals from Dominion Seven Architects. One is for work related to improvements to the entrances of the County Administration Building and the other for architectural services related to the relocation of the County Maintenance Facility. Dominion Seven is a tenant in a building of which I am part owner at 1000 Jefferson Street in Lynchburg. Below please find a chronology of interactions with Dominion Seven and actions that I have taken.

The County contracted with Dominion Seven to provide architectural services for the new Animal Care Center prior to my appointment as County Administrator.

The Town IDA contracted with Dominion Seven to provide architectural services related to the CVCC project prior to that project being transferred to the County. Dominion Seven continued to provide design assistance for several potential sites until the decision was made to go with a design build concept and Ebo Fauber was hired by the County EDA to assist with that project.

After the County purchased the former Amherst Baptist Church the Board authorized David Proffitt to request proposals to conduct a space needs study. David requested proposals from Calloway, Johnson, Moore and West, Craddock-Cunningham, David Giles and Dominion Seven. The only firm to respond to the request was Dominion Seven and their proposal was presented to the Board on February 6, 2007. Prior to the request being presented to the Board I informed the County Attorney at that time, Tom Shrader, that Dominion Seven was a tenant in a building of which I am part owner. Mr. Shrader informed me verbally that there was not a conflict of interest since I did not have a vote on the decision to contract with Dominion Seven. At the February 6, 2007 Board meeting when David presented the proposal from Dominion Seven, I informed the Board that the company was a tenant in a building of which I am part owner and that I had checked with Mr. Shrader to make sure there was not a conflict of interest issue. Mr. Shrader was present at the meeting when I provided this information to the Board. The Board voted to authorize me to sign the contract with Dominion Seven at the February 20, 2007 meeting. There have been several subsequent additions to the contract approved by the Board as the scope of the project has expanded.

On January 29, 2007, presentations were received from four firms which had responded to a RFP for a County and School Facilities Plan Study. Dominion Seven was one of the four firms presenting. I attended the presentations along with David Proffitt, Jeremy Bryant, Grant Massie, John Walker and Clyde Whitehead. After the presentations were completed, I informed everyone present that I would not participate in the evaluation of the firms because of my tenant / landlord relationship with Dominion Seven. The Contract was awarded to Eperitus.

Please review applicable conflict of interest statutes and render an opinion as to whether my tenant / landlord relationship with Dominion Seven and the work they have been contracted to do for the County represents a violation of any regulation. I further request that when you have completed your research into the matter you present your opinion to a City or County Attorney in another jurisdiction and request that they review your opinion and provide a written statement as to their evaluation of your opinion. Your opinion should be rendered without consulting with me in any way other than to inquire into the facts of

the relationship if necessary. Please note that the dates listed above are based on minutes of meetings and my calendar notes, and that while I believe all of the dates to be accurate, I have not verified them.

I will request that the Board delay consideration of the proposals from Dominion Seven until the August 19 meeting to give you an opportunity to complete your review.

Thank you for your prompt attention to this matter.

Rodney Taylor
County Administrator
County of Amherst
P.O. Box 390
Amherst, VA 24521
434-946-9400

Funding was included as part of the most recent bond financing in the amount of \$150,000 for reconstruction of the southern entrance to the County Administrator Building. It was anticipated that design assistance would be needed for that as well as for future improvements to each of the buildings' other three entrances. Dominion Seven Architects has provided a proposal for design of each of the four (4) entrances to the building with bidding and construction administration of the southern entrance only.

At the June 2, 2008 Board Space Study workshop, staff was directed to investigate the feasibility of relocating the County's Maintenance Building to the School's Transportation/Maintenance Compound. The County's maintenance facility needs have been reviewed and a determination made that there is sufficient space at the School's compound to accommodate both the County's maintenance facility and space for storage of the Sheriff's/Public Safety command vehicle. The School Administration has agreed conceptually to his arrangement. To proceed with further design, cost estimating and bidding of this project both architectural and engineering assistance is needed. The attached architectural cost proposal is provided which includes coordination of site plan development which would be provided under the county's hourly contract with Hurt & Proffitt.

On the agenda for the July 15 meeting are two proposals from Dominion Seven Architects. One is for work related to improvements to the entrances of the County Administration Building and the other for architectural services related to the relocation.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors directed staff to advertise an RFP for architectural/engineering services for design of new county Administration Building entrances and relocation of the County maintenance facility.

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

IN RE: PURCHASING DEPARTMENT - TENNIS COURT RENOVATION

Funding was included as part of the most recent bond financing in the amount of \$25,000 for renovation of two county tennis courts at Amelon Elementary School. The Recreation Director has requested that the Purchase Agent proceed with obtaining bids for this project.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors authorized the County Purchasing Agent to advertise for bids for renovation of the two county tennis courts located at Amelon Elementary School.

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

IN RE: SALARY STUDY AND POSITION CLASSIFICATION PROPOSAL INTERVIEW

Interviews were conducted on June 25, 2008 of two proposers for the joint County, School and Service Authority salary study and position classification contract. The Waters Consulting Group, Inc. of Dallas, Texas and Springsted Inc. of Richmond, Virginia were interviewed by an evaluation committee

consisting of Rodney Taylor, Dr. Mary Ann Mayhew, Dan French and David Proffitt. The interview process resulted in a unanimous recommendation for contract award to Springsted, Inc. Springsted's proposed costs are:

County	\$13,700
School Division	\$18,030
Service Authority	\$ 1,670

With expense allowances not to exceed:

County	\$ 1,800
School Division	\$ 2,430
Service Authority	\$ 270

Springsted has agreed to meet with the Board of Supervisors to discuss their plans for their work and receive specific directions, prior to any work for the County or Service Authority's portion of this project.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors authorized staff to contract with Springsted, Inc. for a county salary study and position classification study as presented.

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

NAY: None

Mr. Wood left.

IN RE: CENTRAL VIRGINIA COMMUNITY SERVICES BOARD – FY 2009 PERFORMANCE CONTRACT

A copy of the Central Virginia Community Services FY2009 Performance Contract with the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Service was included in the Agenda packet. This contract requires the Community Service Board to seek formal approval of this document each year from the participating local governments that they serve. Localities are asked to take a formal action of approval and to inform the CSB of the type of action – ordinance, resolution, or motion and voice vote.

Mr. Vernon Wood temporarily left meeting.

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the FY2009 Community Services performance contract as presented.

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

NAY: None

ABSENT: Mr. V. Wood

Mr. Wood returned.

IN RE: VIRGINIA SESQUICENTENNIAL OF THE AMERICAN CIVIL WAR COMMISSION

The Virginia Sesquicentennial of the American Civil War Commission was created during the 2006 Session of the General Assembly for the purpose of planning for and commemorating the 150th anniversary of Virginia's participation in the American Civil War, which begins with activities in 2009 and continues through 2015. They are requesting that each locality form a local sesquicentennial committee to work with the state commission.

The Board of Supervisors by consensus directed the Recreation and Tourism Departments to coordinate efforts in committee development and planning for this event.

IN RE: GOALS REPORTING

The County Administrator provided information for proposed format to accommodate goals reporting to the Board of Supervisors as follows:

SAMPLE:

NEWSLETTER

Description: The Amherst County Board of Supervisors has made the implementation of a quarterly citizen newsletter one of the goals in providing an open, responsible government for citizens. The newsletter will provide an opportunity to inform citizens of initiatives and activities taken by the County.

Board of Supervisors Vision Priority: Open, responsible government: Priority 1.

Project Status: Open

Project Manager: Rodney Taylor, County Administrator

Task and Milestones	Date Planned
1. Present draft of newsletter to Board of Supervisors Including proposed quarterly schedule	8/9/2008
2. Finalize newsletter for posting on County web site	9/1/2008
3. Publish printed copy in Marks and Rec newsletter	9/15/2008
4. Research options for subscription based e-newsletter	10/1/2008
5. Present options for future e-newsletter to Board	10/7/2008
6. Publish e-newsletter	12/1/2008

The Board of Supervisors by consensus moved to proceed with goals and old business reporting through the format proposed.

IN RE: MADISON HEIGHTS STREET LIGHTS

The County Administrator has received frequent requests from residents of Old Town Madison Heights to replace street lights that are outdated and provide insufficient lighting in the community. APCo has cooperated with the County in replacing those lights that need to be replaced and has recommended that the County conform to current Federal regulations by replacing all of the old mercury bulbs on street lights provided by the County. Residents have requested that the County adopt the brighter 400 watt light bulbs as the standard for the area.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors authorized the County Administrator to have the upgrade to street lights to conform to current Federal standards, to install 400 watt bulbs where appropriate and to install new lights on intersections that do not currently have street lights in Madison Heights area.

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

NAY: None

IN RE: GLTC SERVICE

Mike Carroll, General Manager of GLTC, contacted the County Administrator on July 8, 2008 and informed him that due to increased fuel cost and level funding for local service, GLTC will be required to reduce service in the Madison Heights area of the County. Public hearings are required prior to the cut backs in service and be scheduled in the next few weeks.

The Board of Supervisors by consensus requested a representative from GLTC to provide additional information at either the August 19, 2008 meeting or the first regular meeting of September 2008.

IN RE: VDOT REVENUE SHARING PROGRAM

The Board of Supervisors appropriated \$50,000 in the current budget to participate in the VDOT Revenue Sharing Program. The money was designated for improvements to sidewalks along Route 29 in Madison Heights. Participation in the VDOT Revenue Sharing Program requires adoption by the Board of Supervisors of the attach resolution. The County Administrator has met with Mike McCormack and Sharon White with VDOT and upon approval of the Board of Supervisors the application will be submitted by August 1, 2008.

On motion of Mr. Adams and with the following vote, the Board of Supervisors adopted the following VDOT resolution regarding the revenue sharing program:

Resolution for VDOT Revenue Sharing Program Application

WHEREAS, the Amherst County Board of Supervisors desires to submit an application for an allocation of funds of up to \$50,000 through the Virginia Department of Transportation Fiscal Year 2008 – 09, Revenue Sharing Program; and

WHEREAS, \$50,000 of these funds are requested to fund sidewalk improvements on Route 29 Business in the Madison Heights area of the County; and

NOW, THEREFORE, BE IT RESOLVED THAT: THE Amherst County Board of Supervisors hereby supports this application for an allocation of \$50,000 through the Virginia Department of Transportation Revenue Sharing Program.

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

NAY: None

IN RE: AMHERST DETENTION CENTER – PRELIMINARY DESIGN (ADDITION)

The County Administrator proceeded to provide a status report for development of a new Amherst County Adult Detention Center. Mr. Taylor stated that bids are planned to be advertised within six (6) months and construction to commence in the spring of 2009.

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Vandall read a list of seven zoning violations that have been presented to him from citizens of his district. There was a Board consensus to provide the list of issues to the County Administrator for action to be taken.

Mr. Kidd discussed the need for maintenance of the County's Rt. 29 gateway to the County from Lynchburg.

Mr. Adams supported Mr. Kidd's request for clean-up along the County's gateway corridors.

Mr. Adams stated that the old skateland building is currently an "eyesore". The Board directed staff to review this property for compliance with the County zoning requirements.

Mr. Parrish also expressed the need to clean-up county roads, especially the county's gateway corridors.

IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS

The Board of Supervisors reviewed the appropriation and transfer requests.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the following appropriations and transfers with the correction on Page 1 (Treasurer – pass through funds "to" state not from) and Page 2 Recreation Department – Compensation Assistants (\$1753.00).

a. APPROPRIATIONS

Board of Supervisors

11010 2013	Education Refund	\$	200.00
(Unobligated General Fund Balance – Tracie Lann – Accounting)			
11010 3017	Organizational Development		1,600.00
(Unobligated General Fund Balance – To balance line)			
011010 3020	Legal Services	\$	13,734.71

(Unobligated General Fund Balance to help balance the transfers to lines in the red)

Treasurer

12130	5810	Levy on Project PP	\$	20,020.00
(Pass through funds to state)				

Circuit Court Clerk

21060	7008	Lease – Copy machine/fax	\$	3,900.00
(Pass through reimbursed from state)				

Sheriff's Department

31020	3004-100	Repairs – Insurance	\$	547.36
(Pass through from insurance on vehicle)				
31020	1013	ACHS compensation	\$	1,251.43
31020	5501	Travel		546.00
31020	5804-100	Courthouse beautification		212.80
8-3125-1008		DMV salary		4,114.84
(Pass through revenue)				
31020	1008	Traffic Enforcement	\$	1,126.00
31020	7005	Vehicle		21,569.00
(Fine revenue)				
31020	5804	Misc	\$	855.00
(Drug Asset Forfeiture)				
16-3305-5804		DARE	\$	14,511.80
(Revenue received March 1, 2008 – June 30, 2008)				

Maintenance Department

43020	3022	HVAC Engineering Contract	\$	2,186.25
(Revenue from Bond Financing designated as Deferred Maintenance County Maintenance/Facilities for HVAC Study)				

Public Library

73010	5411	Books & Subscriptions	\$	2,478.79
(Fine money collected exceeds the projected \$20,000.00 revenue)				

Train Station

93010	5845	Transfer to Grants- Train Station	\$	91,179.39
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Mgt Winton

41990	7010	Mgt. Fee Winton	\$	4,240.92
(Per Lease Agreement)				

Recreation Department

71010	1007	Comp Assistants	\$	1,753.00
(Revenue from fees and charges generated in June 2008)				

b. TRANSFERS

Board of Supervisors

Transfer from:

11010	2014	Tuition Cost – Paramedics	\$	2,500.00
11010	5411	Microfilming, Books & Subscriptions		168.91

1479

11010	5501	Travel	1,879.77
11010	5504	Travel – Education	3,269.91
11010	5811	Employee Awards	2,217.54

Transfer to:

11010	3002	Auditing by C.P.A.	\$ 720.59
11010	3007	Advertising	2,567.85
11010	3013	Professional Services	4,743.63
11010	3020	Legal Services	14,929.96
11010	5801	Dues & Assoc Membership	649.00
11010	5815	Youth Sports/Vol. Programs	159.81

Circuit Court

Transfer from:

21010	5203	Telecommunication	\$ 138.00
21010	5804	Misc	590.00

Transfer to:

21010	7002	Furniture & Fixture	\$ 728.00
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Circuit Court Clerk

Transfer from:

21060	5401	Office Supplies	\$ 500.00
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Transfer to:

21060	3002	Audit	500.00
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Sheriff's Department

Transfer from:

31020	3005	Maint SVC	\$ 1,600.00
31020	5101	Electric	731.00
31020	5409	Police Supply	3,370.00
31020	5410	Uniforms	1,300.00
31020	7009	Misc Equip	300.00
31020	3001-400	K9 Vet	900.00
31020	5805	EMS train	250.00

31020	5408	Gas	\$ 3,267.00
31020	5409	Police Supply	1,114.00
31020	7001	Equipment	8,000.00
33010	3005	Maint SVC	590.00
33010	5101	Electric	4,900.00
33010	5103	Water – Sewer	1,600.00
33010	5404	Med Supply	267.00
33010	5410	Uniform	170.00

Transfer to:

31020	3002	Prof SVC	\$ 594.00
31020	3004	Vehicle Repair	4,228.00
31020	3016	Radio Repair	518.00
31020	5203	Telephone	2,741.00
31020	5449	Tires	175.00

1480

31020	5501	Travel	95.00
31020	5402-100	K9 Supply	100.00
33010	3001	Med Doctor	\$ 7,150.00
33010	3004	Building Repair	4,100.00
33010	3011	Car Repair	91.00
33010	5402	Food	5,607.00
33010	5405	Cleaning Supply	1,226.00
33010	5408	Gas	1,721.00
33010	5804	Pre employ	13.00

Maintenance Department

Transfer from:

43020	3005	Maintenance Service Contracts	\$ 7,218.91
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Transfer to:

43020	3015	Dam Repairs	\$ 1,208.91
43020	5405	Janitorial Supplies	800.00
43020	5407	Maintenance Supplies	1,500.00
43020	5408	Gas Oil Grease	1,500.00
43020	5415	Auto Tires Tubes Parts	2,000.00
43020	5501	Travel	10.00
43020	7010	Building Maintenance	200.00

Public Library

Transfer from:

73010	3004	Repairs & Maintenance	\$ 141.47
73010	3002	Professional Services	215.27
73010	5504	Travel & Education	94.28
73010	5401	Office Supplies	122.28
73010	5203	Telecommunications	506.45

Transfer to:

73010	3005	Maintenance Service	141.47
73010	5806	Special Programming Supplies	938.28

EDA

Transfer from:

81300	3002	Professional Services	\$ 1,075.00
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Transfer to:

81300	5804	Miscellaneous	\$ 1,075.00
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Economic Development

Transfer from:

81500	3007	Advertising/Marketing	\$ 1,811.25
81500	3013	Amelon Commerce Prof SVCS	1,582.09

Transfer to:

81500	3005-100	Maint Serv Contract – Website	1,811.25
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81500	3014	Misc. Prof Devel	568.00
81500	5101	Electrical – Amelon Park	1,014.09

Public Safety

Transfer from:

32070	3007	Advertising	\$ 1,500.00
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Transfer to:

32070	1003	Part Time	\$ 1,500.00
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Recreation Department

Transfer from:

71010	1011	Comp Board Members	\$ 600.00
71010	1012	Comp Recreation Officials	264.00
71010	1013	Comp Senior Citizen Coord	296.42
71010	5101	Electrical Services	553.00

Transfer to:

71010	1007	Comp Assistants	\$ 1,160.42
71010	5413	Recreation Supplies	493.00
71010	5507	Travel – Sr. Citizens	30.00
71010	7007	Furniture & Fixtures	30.00

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 reviewed the old business items.

The Board discussed a September 2008 meeting to be held in Madison Heights. There was a consensus to direct the County Administrator to consider either Monelison or Amelon Schools for the meeting place.

IN RE: CLOSED SESSION

Mr. Parrish moved to go to closed session to discuss a (1) personnel matter (7) consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters, pursuant to § 2.2-3711.A.1, 3, and 7 of the Virginia Code Section.

§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.

§2.2-3711.A.7 – Briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and, consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

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. Adams moved to come out of closed session, seconded by Mr. 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. 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: SOCIAL SERVICES BOARD

On motion of Mr. Wood and with the following vote, the Board of Supervisors moved to appoint W. Scott Brown, 531 Long Branch Dr., Amherst, Virginia 24521 to the Social Services Board for a four year term to expire June 30, 2012 to replace Mr. Thomas M. Smith.

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

IN RE: CENTRAL VIRGINIA COMMUNITY COLLEGE

On motion of Mr. Wood and with the following vote, the Board of Supervisors moved to appoint Beverly Jones, 682 Amelon Road, Madison Heights, Virginia 24572 to the Central Virginia Community College Board to fill unexpired term of June 30, 2009 to replace Deborah Shrader.

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

IN RE: BUILDING APPEALS BOARD

On motion of Mr. Adams, and with the following vote, the Board of Supervisors moved to appoint G. Rusty Nichols to the Buildings Appeals Board for a four year term to expire April 30, 2012.

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

IN RE: ADJOURNMENT

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

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

NAY: None

Vernon L. Wood, Chairman
Amherst County Board of Supervisors

Rodney E. Taylor, County Administrator