

**BOOK 34****AMHERST COUNTY BOARD OF SUPERVISORS****AGENDA**

TUESDAY, AUGUST 5, 2014

ADMINISTRATION BUILDING - 153 WASHINGTON STREET - SCHOOL BOARD ROOM  
1:00 P.M.

- I. **Call to Order**
- II. **Invocation and Pledge of Allegiance**
- III. **Approval of Agenda**
- IV. **Citizen Comments** (Citizen speakers shall speak once to an issue and confine their remarks to the question before the Board. Citizen speakers should avoid repetition insofar as possible and limit their comments to three (3) minutes.
- V. **Special Presentations**
  - A. Resolution 2014-0007-CR Recognizing Monelison Rescue Squad
  - B. Introduction of D. Francine Brown as new Amherst County Registrar
- VI. **Consent Agenda**
  - A. Minutes – June 3<sup>rd</sup>, June 5<sup>th</sup>, June 9<sup>th</sup>, June 11<sup>th</sup>, June 30<sup>th</sup> and July 15<sup>th</sup>, 2014
  - B. Appropriations
  - C. Budgetary Transfers requiring Board approval
- VII. **Deputy County Administrator Reports**
  - A. Resolution 2014-0023-R Central Virginia Criminal Justice Academy
  - B. Resolution 2014-00008-CR Old Dominion Job Corps Center
- VIII. **County Attorney Reports**
  - A. Resolution 2014-0024-R Board's Rules of Procedure: Amending closed session
  - B. Resolution 2014-0025-R Board's Rules of Procedure: Adding remote participation
- IX. **Departmental Reports**
  - A. Building Safety & Inspections
  - B. Treasurer Reports – June 2014
- X. **Citizen Comments**
- XI. **Matters from Members of the Board of Supervisors**
- XII. **Closed Sessions:**
  - A. Pursuant to § 2.2-3711 (A)(7) of the Code of Virginia, to consult with the County Attorney regarding specific legal matters pertaining to specific legal matters pertaining to Learning Lane.
  - B. Pursuant to § 2.2-3711 (A)(7) of the Code of Virginia, to consult with the County Attorney regarding actual litigation involving the former Phelps Road School.
- XIII. **Adjourn**
- XIV. **Reconvene at 7:00 p.m.**
- XV. **Public Hearing**

The Board will interview the new candidates (Mr. Bumgarner and Mr. Gouldthorpe) using the same questions as were used in the interviews on June 3, 2014. The returning candidates (Mr. Olivares and Mr. Stanley) may offer any additional pertinent information that has arisen since their first interviews.

- a. ~~Alan Bumgarner~~ – Edward C. Olivares
- b. William Gouldthorpe
- c. ~~Edward C. Olivares~~ – Alan Bumgarner
- d. Jones H. Stanley

**XVI. Adjourn**

## **MINUTES**

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration Building thereof on Tuesday, the 5<sup>th</sup> of August, 2014, at 1:02 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT: Mr. Donald Kidd  
Mr. David Pugh  
Mr. John Marks, Jr.  
Mr. Robert Curd

ABSENT: Ms. Claudia Tucker

- I.** Mr. Kidd, Chairman, called the meeting to order.
- II.** Mr. Marks led in the invocation and pledge of allegiance.

**III. IN RE: APPROVAL OF AGENDA**

Mr. Kidd amended the agenda as requested by Mr. Pugh under Item XV to place Edward C. Olivares at item (a) per his request and to move Alan Bumgarner to item (c).

On motion by Mr. Kidd, and with the following vote, the Board approved the agenda as amended:

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
NAY: None  
ABSENT: Ms. Tucker

**IV. IN RE: CITIZEN COMMENTS**

Mr. Tim Ware of Amherst, Virginia, spoke to the Board regarding growth in the County, tourism, the former Amherst Baptist Church, and what the County needs to do to stimulate businesses in the County.

Mr. Jones Stanley of Monroe, Virginia, spoke to the Board regarding the meeting on August 12, 2014 at 7:00 p.m. and the School Board appointment. Mr. Stanley advised the Board of Supervisors of his withdrawal of his application for consideration for appointment to the School Board.

Mr. Steve Martin of Amherst, Virginia, spoke to the Board with regard to the need for tourism and brought an example of the Virginia Travel Guide that lists what the County has to offer. Mr. Martin further discussed the need to update the County website, and reported there are many volunteers in the County who could provide services to the County.

Ms. Nelly Branson of Amherst, Virginia, addressed the Board with her ideas of making Amherst even better and provided her architectural sketch of improving the former Amherst Baptist Church.

There were no other speakers and Mr. Kidd thanked all.

#### **V. IN RE: SPECIAL PRESENTATIONS**

##### **A. Resolution 2014-0007-CR Recognizing Monelison Rescue Squad**

Mr. Pugh presented to Captain Vickie Padgett, Captain of the Monelison Volunteer Rescue Squad a framed copy of Resolution 2014-0007-CR recognizing the Monelison Rescue Squad. A copy of the resolution is at Attachment A.

##### **B. Introduction of D. Francine Brown as new Amherst County Registrar**

Mr. Proffitt, Deputy County Administrator, introduced D. Francine Brown as the new Amherst County Registrar. Mr. Proffitt advised the Board of Gary Beasley's retirement effective July 1, 2014 and Ms. Brown's appointment as Registrar. Ms. Brown introduced herself to the Board and advised she is available to assist as needed.

#### **IV. IN RE: CONSENT AGENDA**

##### **A. Minutes – June 3<sup>rd</sup>, June 5<sup>th</sup>, June 9<sup>th</sup>, June 11<sup>th</sup>, June 30<sup>th</sup> and July 15<sup>th</sup>, 2014**

Mr. Marks requested deletion of the wording in the July 15, 2014 minutes on page 966 to delete "The EDA July 1 2013 – July 1, 2014", and an addition of the wording in the July 15, 2014 minutes on page 967 to read "The Board was also asked to adopt the EDA FY2015 Action Plan".

##### **B. Appropriations**

#### **COUNTY OF AMHERST APPROPRIATION REQUESTS**

**August 5, 2014**

**For FY2014**

Department	Dept Number	Line #	Description	Amount
Building Safety & Inspection	34010	3011	E & S Plan Review Contract	\$525.00
Appropriation necessary to cover cost of Plan Review as it pertains to E & S, funds to cover cost deposited with Treasurer through fees collected through the Planning Department				Total \$525.00

Department	Dept Number	Line #	Description	Amount
Building Safety & Inspection	34010	5803	Erosion Control	\$19,539.00

Funds were collected as escrow from Temple Baptist Church for Erosion Control during their project and deposited with Treasurer. Project has been successfully completed according to guidelines, and therefore funds were returned.				<b>Total</b>	<b>\$19,539.00</b>
<b>Department</b>	<b>Dept Number</b>	<b>Line #</b>	<b>Description</b>	<b>Amount</b>	
Building Safety & Inspection	34010	5805	Enforcement County Ordinances	\$2,610.25	
Budget exceeded due to grass, weeds, and refuse ordinance enforcement for property located 222 St Mary's Road.				<b>Total</b>	<b>\$2,610.25</b>
<b>Department</b>	<b>Dept Number</b>	<b>Line #</b>	<b>Description</b>	<b>Amount</b>	
Utilities	43040	5101	Electrical Services	\$17,460.19	
	43040	5102	Heating Oil/Propane	\$11,550.03	
	43040	5103	Water & Sewer Services	\$1,353.62	
Utilities costs exceeded budget for FY2014, increase cost attributed to colder winter, Monroe building being utilized for the Board of Assessors, and Board of Equalization.				<b>Total</b>	<b>\$30,363.84</b>
<b>Department</b>	<b>Dept Number</b>	<b>Line #</b>	<b>Description</b>	<b>Amount</b>	
Utilities	43040	5109	Water Usage School/Social Services	\$1,103.45	
Funds deposited with Treasurer's office as reimbursement of utility costs from School Admin and DSS exceeds adopted FY2014 budget. County Admin building served by one water meter, cost allocated between County, School, and DSS monthly. Appropriation needed to cover deficit in account				<b>Total</b>	<b>\$1,103.45</b>
<b>Department</b>	<b>Dept Number</b>	<b>Line #</b>	<b>Description</b>	<b>Amount</b>	
Other Public Safety- Confine Care of Juveniles	35990	3091	Confined Care of Juveniles	\$90,305.00	
Appropriation needed to cover budget deficit. FY2014 budget built on estimated cost of \$17,000 per month. Amount presented includes true up cost from FY2013 and a greater number of juveniles placed in facility as ordered through court				<b>Total</b>	<b>\$90,305.00</b>

Mr. Marks raised a question with Ms. Brenda Campbell regarding the Confined Care of Juveniles and appropriation amount of \$90,305.00 and Ms. Campbell addressed this question.

### **C. Budgetary Transfers requiring Board approval**

A budgetary transfer and request was submitted by the Commissioner of the Revenue, requesting transfer of \$8,020.97 from the Comp-Deputy Commissioner 1209-1006 account to 1209-1003, Comp-Temporary Assistance account. This transfer is necessary to hire additional help during the time the Personal Property tax book and tickets are being generated and tickets mailed.

Mr. Kidd motioned to approve the consent agenda as amended.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

## **VI. IN RE: DEPUTY COUNTY ADMINISTRATOR REPORTS**

### **A. Resolution 2014-0023-R Central Virginia Criminal Justice Academy**

Mr. David Proffitt presented Resolution 2014-0023-R regarding the Central Virginia Criminal Justice Academy amended Charter Agreement. The resolution is appended to these minutes at Attachment B.

On a motion made by Mr. Pugh, the Board approved adoption of Resolution 2014-0023-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

### **B. Resolution 2014-0008-CR Old Dominion Job Corps Center**

Mr. David Proffitt presented Resolution 2014-0008-CR amending the Charter Agreement of the Central Virginia Criminal Justice Academy. The resolution is appended to these minutes at Attachment C.

On a motion made by Mr. Pugh, the Board approved adoption of Resolution 2014-0008-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

## **VIII. IN RE: COUNTY ATTORNEY REPORTS**

### **A. Resolution 2014-0024-R Board's Rules of Procedure: Amending closed session**

Ms. Ellen Bowyer, Amherst County Attorney, presented Resolution 2014-0024-R to amend the Board's Rules of Procedure. The resolution is appended to these minutes at Attachment D.

On motion made by Mr. Kidd, the Board approved adoption of Resolution 2014-0024-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

### **B. Resolution 2014-0025-R Board's Rules of Procedure: Adding remote participation**

Ms. Bowyer presented Resolution 2014-0024-R adding a new section to the Board's Rules of Procedure addressing participation in meeting through electronic communications. The resolution is appended to these minutes at Attachment E.

On motion by Mr. Pugh, the Board approved adoption of Resolution 2014-0025-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

## **IX. IN RE: DEPARTMENTAL REPORTS**

### **A. Building Safety & Inspections**

Mr. Kenneth Campbell, Building Inspector presented an appropriation request to purchase two tablet computers with dual cameras to document code violations. There was a Board discussion by Mr. Kidd and Mr. Marks as to why this was not put into the current budget and that the money should come out of the Building Safety & Inspection Department's budget.

Mr. Kidd motioned that the Board authorize the \$1200 cost of this equipment and that the expenses be taken from the Building Safety & Inspection Department's budget.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

## **B. Treasurer Reports – June 2014**

No action required.

### **X. IN RE: CITIZEN COMMENTS**

None

### **IX. IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS**

#### **A. New Director Department of Social Services.**

Mr. Marks advised the Board that Susan Mays has been appointed Director of Amherst County Social Services effective August 1, 2014. Ms. Mays was appointed within the Department with twenty-eight years of service.

#### **B. Citizen Task Force.**

Mr. Pugh discussed the issue of people getting involved and to consider establishing a Citizen Task Force Committee.

#### **C. Website.**

Mr. Kidd spoke about the County website that needed attention and suggested that each Department take care of upgrading their own webpage. Mr. Pugh mentioned the bateaux festival with the first stop at Galts Mill and Stapleton in Amherst County. Mr. Pugh also mentioned Panther Falls as another site to visit in Amherst County that brings visitors into the community

#### **D. Space Needs.**

Mr. Kidd mentioned the Human Resource Committee. Mr. Proffitt advised the committee has recommended a Human Resource person and the need for office space. Mr. Kidd discussed office space, specifically the church parsonage and the possibility of remodeling this building which could be turned into several office spaces quickly. Mr. Kidd made a suggestion that the County Attorney and her assistant could move into the parsonage. Mr. Proffitt advised the Board he estimates a cost of \$30,000 for renovations to the parsonage.

Mr. Pugh asked about space needs for Social Services. Mr. Proffitt advised Mr. Pugh that Bill Gillespie is in the process of completing a space-needs study and advised it will take approximately six (6) months.

Mr. Kidd asked that Mr. Proffitt take the Board members to the parsonage and to see where to go from there.

Mr. Marks inquired about the Monroe Education Center, specifically what the upstairs of this building is being used for. Mr. Proffitt advised it is used for storage; however, items could be moved from the parsonage and stored there.

Mr. Dean Rodgers, County Administrator, commented that that he would review the space needs and bring something back to the Board.

**E. Citizen Comments.**

Mr. Kidd discussed the citizen comments portion of the meeting and explained that its Board's policy that not to respond and carry on dialogue during citizen comment section.

Mr. Rodgers advised he would invite non-profits and listen what they have to say regarding any proposals that may have merit. It was the Board's consensus that the more people to provide ideas would be not be a problem.

**XII. IN RE: CLOSED SESSIONS**

Mr. Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to the authority at §2.2-3711 (A)(7) of the Code of Virginia, to consult with the County Attorney regarding actual litigation involving the Phelps Road School and to consult with the County Attorney regarding specific legal matters pertaining to Learning Lane, which matters require the provision of legal advice.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

Mr. Marks' motion to come out of closed session, was approved with the following vote:

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd  
 NAY: None  
 ABSENT: Ms. Tucker

**CERTIFICATION OF CLOSED MEETING**

Mr. Marks moves that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Mr. Kidd	AYE
Mr. Pugh	AYE
Mr. Marks	AYE
Mr. Curd	AYE

**XIII. ADJOURN****XIV. RECONVENE AT 7:00 P.M.****XV. IN RE: PUBLIC HEARING**

The Board will interview the new candidates (Mr. Bumgarner and Mr. Gouldthorpe) using the same questions as were used in the interviews on June 3, 2014. The returning candidates (Mr. Olivares and Mr. Stanley) may offer any additional pertinent information that has arisen since their first interviews.

- a. ~~Ala Alan Bumgarner~~ – Edward C. Olivares
- b. William Gouldthorpe
- c. ~~Edward C. Olivares~~ – Alan Bumgarner

d. Jones H. Stanley

Mr. Kidd opened the Public Hearing and requested the record reflect that it is Tuesday, August 5, 2014 at approximately 7:02 p.m.

Mr. Kidd opened the Public Hearing of the School Board candidates and interview process. Mr. Kidd stated that the Board had amended the agenda to allow Mr. Edward Olivares to go first and that the two new candidates, William Gouldthorpe and Alan Bumgarner, will be asked the same questions that the Board asked the two previous candidates.

The candidates are Edward Olivares, William Gouldthorpe, Alan Bumgarner. Mr. Kidd advised that Jones Stanley has withdrawn his application for the School Board vacancy.

**IN RE: CITIZEN COMMENTS**

Mr. Tony Tvser, 132 South Park Trail, Amherst, Virginia, spoke and delivered to the Board his recommendation that the Board select Alan Bumgarner.

Mr. Les Irvin, 210 Hans Hill Drive, Madison Heights, VA, spoke and recommended the Board select Alan Bumgarner.

Ms. Sandra McConnell, 3465 Elon Road, Elon, Virginia, spoke and delivered her praise for Mr. Jones Staley and recommended the Board select Alan Bumgarner.

Mr. Kidd closed the public portion of the hearing.


The Board proceeded with interviewing candidates William Gouldthorpe and Alan Bumgarner.

At the conclusion of the interview process, Mr. Kidd advised the Board must wait seven (7) days after the Public Hearing before an announcement can be made to appoint a member to the School Board. The announcement of the candidate will be made on August 12, 2014 at 6:00 p.m.

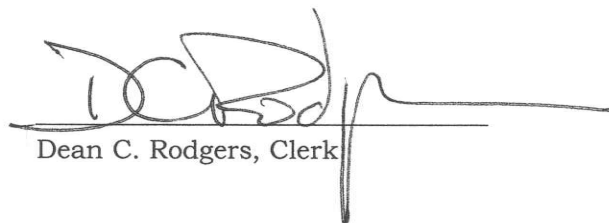
**IN RE: ADJOURNMENT**

On motion of Mr. Kidd, and with the following vote, the Board moved to adjourn.

AYE:	Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
NAY:	None
ABSENT:	Ms. Tucker



Donald W. Kidd, Chairman  
Amherst County Board of Supervisor



Dean C. Rodgers, Clerk