

BOOK 34**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration Building thereof on Tuesday, the 3rd of June 2014, at 1:03 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Mr. D. Pugh	ABSENT:	None
	Ms. C. Tucker		
	Mr. D. Kidd		
	Mr. J. Marks		
	Mr. R. Curd		

Mr. D. Kidd, Chairman, called the meeting to order.

Mr. J. Marks led in the invocation and pledge of allegiance.

IN RE: APPROVAL OF AGENDA

Ms. C. Tucker stated that Mr. McDowell will be present for the School Board interviews. Ms. Tucker motioned to approve the agenda.

- 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. School Board Interviews
 - a. District 1
 1. ~~Oliver McDowell~~ Withdrew Letter
 2. William "Mike" Henderson
 - b. District 3
 1. Jones H. Stanley
 2. Edward Olivares
- VI. Special Presentations
 - a. Planning Department – Jeremy Bryant
 1. Train Depot – Discussion of Building Occupants
 2. Resolution for the acceptance of portions of Pleasant Ridge Drive into the Secondary System of State Highways
- VII. Consent Agenda
 - a. Minutes – May 6th, 20th and 27th, 2014
 - b. Appropriations
 - c. Appropriation Request form Circuit Court Clerk

- d. Resolution 2014-0010-R: A resolution, approving the Secondary Six-Year Road Plan covering the period 2015 through 2020, and a Construction Priority List for fiscal year 2015
- e. Virginia Retirement Employer's Rate – Language in the 2013 Appropriations Act, Item 468(I)
- f. Personal Property Tax Relief for FY2015
- VIII. Interim County Administrator Report
 - a. County Audit Proposals
- IX. Board of Supervisors Items for Discussion
 - a. Status of Current County Employment Vacancies
- X. Departmental Reports
 - a. Treasurer's Report
 - b. Department of Social Services Board Vacancy
 - 1. Elynor Rose
 - 2. David Clay
 - c. Board of Trustees District 2 Vacancy
 - 1. Jean Higginbotham
 - 2. David Clay
 - 3. Rae Hart
- XI. 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.)
- XII. Matters from Members of the Board of Supervisors
- XIII. Closed Sessions
 - a. Pursuant to the authority at §2.2-3711 (A)(3) of the Code of Virginia to discuss the acquisition of real property, where discussion in open session would adversely affect the County's bargaining position or negotiating strategy.
 - b. Pursuant to the authority at §2.2-3711 (A)(7) of the Code of Virginia to consult with the County Attorney regarding actual litigation.
- XIV. Adjourn

AYE: Ms. C. Tucker, Mr. D. Pugh, Mr. D. Kidd, Mr. R. Curd and Mr. J. Marks
 NAY: NONE

IN RE: CITIZEN COMMENTS

None

IN RE: SCHOOL BOARD INTERVIEWS

The Board asked a set series of questions to Oliver McDowell, William "Mike" Henderson, Jones Stanley and Edward Olivares. Decision for the appointments will be made on June 17, 2014.

IN RE: TRAIN DEPOT

Jeremy Bryant, Director of Planning and Zoning, presented information on occupants for the Amherst Train Depot. Construction on the exterior is underway and it is time to plan for Phase III. Both the Chamber of Commerce and the Amherst Economic Authority have expressed written

interest in utilizing the space. Mr. Bryant answered questions from the Board. Mr. Proffitt added additional information concerning appropriate usage of the Train Depot.

Ms. Tucker moved that the Board authorize staff to proceed with designing a preliminary layout to the interior of the building by working with the Chamber of Commerce and the Economic Development Authority.

AYE: Ms. C. Tucker, Mr. J. Marks, Mr. R. Curd, Mr. D. Kidd and Mr. D. Pugh
NAY: None

IN RE: RESOLUTION NO. 2014-0011-R

Mr. Bryant presented information on a resolution for the acceptance of portions of Pleasant Ridge Drive into the Secondary System of State Highways.

Mr. D. Kidd moved to adopt Resolution 2014-0011-R

Amherst County Board of Supervisors

County Resolution No. 2014-0011-R

For consideration on June 3, 2014

A resolution, requesting the Virginia Department of Transportation add a street to the secondary system of state highways, pursuant to Virginia Code §33.1-229, and the Department's Subdivision Street Requirements.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Board of Supervisors of Amherst County hereby requests that the Virginia Department of Transportation ("Department") take a certain subdivision street into the secondary system of state highways, as follows:

WHEREAS, § 33.1-229 of the Code of Virginia provides authority for the Department to add new streets to the secondary system of state highways from time to time as public safety or convenience may require; and

WHEREAS, the street described on Additions Form AM-4.3 (hereafter, "Street"), which form is attached hereto and fully incorporated herein as Exhibit A to this Resolution, is shown on three plats entitled "Pleasant Ridge Section III", Pleasant Ridge Section IV, and Pleasant Ridge Estates Lots 1 Thru 5 and Lots 7 Thru 25" (hereafter "Plats"), which Plats were approved by the County Planning Director on March 23, 2003, April 26, 2006, and April 18, 2012, respectively; and

WHEREAS, these Plats, which are documented in the letter which is attached hereto and fully incorporated herein as Exhibit B to this Resolution, were recorded on, and can be found, as follows:

- Pleasant Ridge Section III, recorded on April 14, 2006, can be found in Plat Cabinet 1, slide 1-99 on file at the Circuit Court for the County of Amherst, and at Deed Book 1040, pages 541-543,
- Pleasant Ridge Section IV, recorded on April 16, 2009, can be found in Plat Cabinet 1, slide 1-421 on file at the Circuit Court for the County of Amherst, and at Deed Book 1137, page 230,
- Pleasant Ridge Estates Lots 1 Thru 5 and Lots 7 Thru 25, recorded on April 18, 2012, can be found in Plat Cabinet 3, slide 3-14 on file at the Circuit Court for the County of Amherst, and at Deed Book 1207, page 48; and

WHEREAS, fee simple title to the Street vested in the County upon recordation of the plats pursuant to Virginia Code § 15.2-2265; and

WHEREAS, the Area Land Use Engineer for the Department has advised the Board of Supervisors that the Street meets the requirements established by the Department's Subdivision Street Requirements; and

WHEREAS, the Board of Supervisors, as the governing body of Amherst County, wishes to request the addition of the Street to the secondary system of state highways.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

That the Board of Supervisors requests that the Department add the street described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Virginia Code §33.1-229 and the Department's Subdivision Street Requirements.

BE IT FURTHER RESOLVED:

That this Board guarantees a clear and unrestricted right of way, as described, and any necessary easements for cuts, fills and drainage.

BE IT FURTHER RESOLVED:

That the Clerk is instructed to send a certified copy of this resolution to the Department's Area Land Use Engineer.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of June, 2014.

Donald W. Kidd, Chairman

Amherst County Board of Supervisors

ATTEST:

David R. Proffitt, Clerk

Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____

AYE: Mr. D. Kidd, Mr. R. Curd, Mr. J. Marks, Ms. C. Tucker and Mr. D Pugh

NAY: None

IN RE: CONSENT AGENDA**MINUTES OF MAY 6TH, 20TH AND 27TH, 2014**

Mr. J. Marks requested a correction of the wording in the May 6, 2014 minutes on page 857 to read "Mr. J. Marks requested the Robinson Farmer & Cox recommendations from the 2013 audit be included in the plan"; and in the May 20, 2014 minutes on page 863 to "roads to be paved".

APPROPRIATIONS

A discussion between members of the Board of Supervisors ensued on the \$1,000.00 appropriation from the Sheriff for the Library's tree removal. There was a consensus that all requests should come to the Board first. The Board requested Ms. T. Nuckols and the Sheriff's Department come to the June 17, 2014, meeting to discuss.

**COUNTY OF AMHERST
APPROPRIATION REQUESTS
June 3, 2014**

For FY2014

Department	Dept #	Line #	Description	Amount	
Sheriff-Fine	31020	5804-100	Inmate Workforce	\$1,000.00	
Appropriation requested of fine revenue to cover cost of Tree removal at Library. Library did not have funds available for this purpose				Total	\$1,000.00
Department	Dept #	Line #	Description	Amount	
Drug Forfeiture-Sheriff	31020	3004	Vehicle Repair	\$1,095.00	
Request an appropriation of funds from Sheriff's- Drug Asset account to cover cost of repairs for two seized vehicles.				Total	\$1,095.00

Department	Dept #	Line #	Description	Amount	
Sheriff-Renovations	31020	3010	Repairs & Maintenance	\$25,084.85	
Request appropriation of recovered funds received from the sale of scrap metal from the renovations of the Jail. Funds were deposited with Treasurer.				Total	\$26,813.35

Department	Dept #	Line #	Description	Amount	
Sheriff	31020	1002	Over-time	\$225.00	
	31020	1012	Workforce Supervisor	\$1,359.00	
	31020	5409	Police Supply	\$144.50	
	31020	5501	Travel	\$271.32	
Recovered unbudgeted revenue from: 1. Town of Amherst - reimbursement of OT pay 2. VDOT reimbursement of Workforce Supervisor wages 3. Deputies purchased Ammo for qualification practice 4. Reimburse by Sheriff's Institute for expenses to Sheriff's Conference				Total	\$1,999.82

Department	Dept #	Line #	Description	Amount	
CSA - Fund 090	53290	3010	FC 4E Therap & Residential	\$34,776.00	
	53290	3020	Foster Care- All Others	\$90,000.00	
	53290	3021	Foster Care- Family Maint	\$654.21	
	53290	3023	FFC - Maint & Other Services	\$19,000.00	
	53290	3030	Sp Education - Private Day	\$200,000.00	
	53290	3040	Congregate Educ	\$17,070.00	
	53290	3031	FC Prevention/Non-Resid	\$2,211.67	
Appropriation request to appropriate funds received through State reimbursement for services rendered through Comprehensive Services to children and families				Total	\$363,711.88

Department	Dept #	Line #	Description	Amount	
Maintenance	43020	7010	Building - Maintenance	\$61,622.87	
Appropriation of funds needed to begin repairs resulting from earthquake damage and additional repairs needed on County Buildings				Total	\$61,622.87

Department	Dept #	Line #	Description	Amount	
Library	73010	7001	Equipment	\$3,000.00	
Appropriation needed of funds deposited with Treasurer from Friends of the Library to purchase computer servers.				Total	\$3,000.00

APPROPRIATION REQUEST FROM CIRCUIT COURT CLERK

There was a discussion among the Board members concerning the evidence storage in the renovated former jail. Captain J. Grieser and Mr. D. Proffitt answered questions. The Sheriff's office allocated a secured room but not funds for shelving. It was a consensus of the Board to have Mr. R. Mayo come to the next Board of Supervisor's meeting.

PERSONAL PROPERTY TAX RELIEF FOR FY2015

Mr. J. Marks questioned the amounts and wondered if it were cutting it too close. Ms. L. Byers and Ms. B. Campbell answered questions and explained the formula. There is no guarantee abatements will be as large. Going by historical information, the supplements have only been a few thousand not tens of thousands. All monies must go to the PPTRA per the State. Ms. L. Byers explained how the abatements and supplements work. If money runs out the monies will come from the treasurer.

RESOLUTION 2014-0010-R: A RESOLUTION, APPROVING THE SECONDARY SIX-YEAR ROAD PLAN COVERING THE PERIOD 2015 THROUGH 2020, AND A CONSTRUCTION PRIORITY LIST FOR FISCAL YEAR 2015

Amherst County Board of Supervisors

County Resolution No. 2014-0010-R

For consideration on June 3, 2014

A RESOLUTION, NO. 2014-0010-R

A resolution, approving the Secondary Six-Year Road Plan covering the period 2015 through 2020, and a Construction Priority List for fiscal year 2015.

Approved as to form by the County Attorney

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

I. That the Amherst County Board of Supervisors ("Board") hereby adopts the Virginia Department of Transportation's Secondary Six-Year Road Plan covering the period 2015 through 2020, and the Construction Priority List for fiscal year 2015, both as prepared for Amherst County, as follows:

WHEREAS, Virginia Code §§ 33.1-23.1 and 33.1-23.4 provide the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-year Road Plan; and

WHEREAS, the Board had previously agreed to assist in preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2015 through 2020) as well as the Construction Priority List (Fiscal Year 2015) on May 20, 2014, duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Don Austin, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-year Plan for Secondary Roads (2015 through 2020) and the Construction Priority List (Fiscal Year 2015) for Amherst County, as that was amended by the Board at the May 20, 2014, public hearing; and

WHEREAS, that amended Six-year Plan for Secondary Roads (2015 through 2020) and the Construction Priority List (Fiscal Year 2015) for Amherst County are attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:

As the Plan and Priority List appear to be in the best interests of the secondary road system in Amherst County and of the citizens utilizing that secondary system, the Board of Supervisors hereby approves the Secondary Six-Year Plan (2015 through 2020) and Construction Priority List (Fiscal Year 2015) as those were presented and modified at the public hearing on May 20, 2104.

II. That this resolution shall be in force and effect upon adoption.

Adopted this 3rd day of June, 2014.

Donald W. Kidd, Chairman

Amherst County Board of Supervisors

ATTEST:

David R. Proffitt, Clerk

Amherst County Board of Supervisors

Ayes _____

Nays _____

Abstentions _____

Mr. D. Kidd motioned to approve the consent agenda with the request from the Circuit Court Clerk pulled and item (e) The Virginia Retirement Employers Rate.

AYE: Mr. D. Kidd, Mr. R. Curd, Mr. J. Marks, Ms. C. Tucker and Mr. D. Pugh

NAY: None

IN RE: VIRGINIA RETIREMENT EMPLOYER'S RATE - LANGUAGE IN THE 2013 APPROPRIATIONS ACT, ITEM 468(I)

Ms. Campbell presented information and recommended the selection of 12.84% it was approved during the budget process. Also for the approval of the resolutions and for the Chairman to check the rate box and sign the resolution. Plus the School Board needs a concurrence of this Board for acknowledgement of the School Board who will also be using the 12.84%. As certified by the VRS Board of Trustees. This was approved at the last School Board meeting.

Mr. D. Pugh motioned to allow the Chairman of the Board to sign Resolution No. 2014-0009-R and to check the certified rate of 12.84%

Amherst County Board of Supervisors

County Resolution No. 2014-0009-R

For consideration on June 3, 2014

A RESOLUTION, NO. 2014-0009-R

A resolution, adopting the Employer Contribution Rate for Amherst County, in accordance with the 2014 Appropriation Act Item 467(I).

Approved as to form by the County Attorney

BE IT RESOLVED, that the County of Amherst 55104, does hereby acknowledge that its contribution rates effective July 1, 2014 shall be based on the higher of a) the contribution rate in effect for FY 2012, or b) eighty percent of the results of the June 30, 2013 actuarial valuation of assets and liabilities as approved by the Virginia Retirement System Board of Trustees for the 2014-16 biennium (the "Alternate Rate") provided that, at its option, the contribution rate may be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the County of Amherst 55104, does hereby certify to the Virginia Retirement System Board of Trustees that it elects to pay the following contribution rate effective July 1, 2014:

(Check only one box)

- ☐ The Certified Rate of 12.84% ☐ The Alternate Rate of 10.27%; and

BE IT ALSO RESOLVED, that the County of Amherst 55104, does hereby certify to the Virginia Retirement System Board of Trustees that it has reviewed and understands the information provided by the Virginia Retirement System outlining the potential future fiscal implications of any election made under the provisions of this resolution.

NOW, THEREFORE, the officers of Amherst County are hereby authorized and directed in the name of the County of Amherst to carry out the provisions of this resolution, and said officers of the County of Amherst are authorized and directed to pay over to the Treasurer of Virginia from time to time such sums as are due to be paid by the County of Amherst for this purpose.

Adopted this 3rd day of June, 2014.

Donald W. Kidd, Chairman

Amherst County Board of Supervisors

CERTIFICATE

I, _____, Clerk of the Amherst County Board of Supervisors, Amherst County, Virginia, certify that the foregoing is a true and correct copy of a resolution passed at a lawfully organized meeting of the Amherst County Board of Supervisors, held at 153 Washington Street, Amherst, Virginia at one o'clock p.m. on June 3, 2014.

Given under my hand and seal of the County of Amherst, Virginia, this 3rd day of June, 2014.

Clerk

AYE: Mr. D. Pugh, Mr. D. Kidd, Mr. R. Curd, Mr. J. Marks and Ms. C. Tucker

NAY: None

Mr. D. Pugh motioned to approve Resolution No. 2014-0012-R.

Amherst County Board of Supervisors

County Resolution No. 2014-0012-R

For consideration on June 3, 2014

A RESOLUTION, NO. 2014-0012-R

A resolution, expressing concurrence by the County of Amherst with the Amherst Public Schools Division's decision electing to pay the VRS Board-Certified Rate, in accordance with the 2014 Appropriation Act Item 467(I).

Approved as to form by the County Attorney

BE IT RESOLVED, that the County of Amherst 55104, does hereby acknowledge that the Amherst County Public Schools Division has made the election for its contribution rate to be based on the employer contribution rates certified by the Virginia Retirement System Board of Trustees pursuant to Virginia Code § 51.1-145(I) resulting from the June 30, 2013 actuarial value of assets and liabilities (the "Certified Rate"); and

BE IT ALSO RESOLVED, that the County of Amherst 55104, does hereby certify to the Virginia Retirement System Board of Trustees that it concurs with the election of the Amherst County Public Schools Division to pay the Certified Rate, as required by Item 467(I) of the 2014 Appropriation Act; and

NOW, THEREFORE, the officers of Amherst County 55104, are hereby authorized and directed in the name of the County of Amherst to execute any required contract to carry out the provisions of this resolution. In execution of any such contract which may be required, the seal of the County of Amherst, as appropriate, shall be affixed and attested by the Clerk.

Adopted this 3rd day of June, 2014.

Donald W. Kidd, Chairman

Amherst County Board of Supervisors

CERTIFICATE

I, _____, Clerk of the Amherst County Board of Supervisors, Amherst County, Virginia, certify that the foregoing is a true and correct copy of a resolution passed by the Amherst County Board of Supervisors and ratified by the Amherst County Board of Supervisors at a lawfully organized meeting of the Amherst County Board of Supervisors, held at 153 Washington Street, Amherst, Virginia at one o'clock p.m. on June 3, 2014.

Given under my hand and seal of the County of Amherst, Virginia, this 3rd day of June, 2014.

Clerk

AYE: Mr. D. Pugh, Mr. D. Kidd, Mr. R. Curd, Mr. J. Marks and Ms. C. Tucker

NAY: None

IN RE: INTERIM COUNTY ADMINISTRATOR REPORT

Mr. D. Proffitt presented information to the Board. Proposals were received from Brown Edwards, Robinson, Farmer & Cox Associates and Maximus. Mr. D. Proffitt went over costs and that adjustments to the budget would have to be made and answered the Board's questions. Mr. J. Marks and Mr. G. Friend provided additional information. Mr. Friend spoke in support of the services from Brown Edwards.

Mr. J. Marks made a motion to authorized acceptance of Brown Edwards proposal for Auditing Services for the County's 2014-2015 fiscal year and Maximus' proposal for Cost Allocation Plan services for the same period and appropriate up to \$24,000.00 to the relevant budget line to cover that cost.

AYE: Mr. J. Marks, Ms. C. Tucker, Mr. D. Pugh, Mr. D. Kidd and Mr. R. Curd

NAY: None

Ms. C. Tucker stated she was pleased with the committee and the process to come up with the recommendation.

IN RE: BOARD OF SUPERVISORS ITEMS FOR DISCUSSION

Status of current County Employment Vacancies was discussed among the Board members. Mr. J. Marks questioned procedures. Mr. D. Proffitt explained that the County Administrator coordinates with Department Heads and work together to choose a candidate for a position. Mr. Proffitt asked for input from the Board for the Human Resources position since it is a new position and department for the County. Mr. Proffitt answered Board questions. It was a consensus of the Board to collect applications for the position of Executive Administrative Assistant and allow the future County Administrator to be part of the hiring process.

IN RE: DEPARTMENTAL REPORTS

The Board reviewed the departmental reports. Mr. G. Friend presented the Treasurer's report to the Board and answered questions concerning the State not having a budget at this time. Mr. D. Kidd asked what happens if the State does not adopt a budget and the State shuts down. Mr. G. Friend stated that we should have a cash flow analysis. He feels that we should be able to go a good month. Ms. C. Tucker asked the Interim County Administrator if a contingency plan is being prepared.

IN RE: DEPARTMENT OF SOCIAL SERVICES BOARD VACANCY

Mr. J. Marks motioned to reappoint Ms. Elynor Rose to the Social Services Board.

AYE: Mr. J. Marks, Mr. R. Curd, Mr. D. Kidd, Mr. D. Pugh and Ms. C. Tucker

NAY: None

IN RE: LIBRARY BOARD OF TRUSTEES DISTRICT 2 VACANCY

There was a Board discussion of whether or not to have interviews. Ms. C. Tucker stated that in the email from Ms. Higginbotham that the Board of Trustees encouraged her to apply.

Mr. D. Pugh motioned to reappoint Ms. Jean Higginbotham to the Board of Trustees;

AYE: Mr. D. Pugh, Ms. C. Tucker, Mr. J. Marks, Mr. R. Curd and Mr. D. Kidd

NAY: None

IN RE: CITIZEN COMMENTS

Juanita Roberson – Questioned the purpose of the Train Depot; concerned the Sheriff and the Library shifting of monies and what the County's policy would be; suggested that the Board establish a committee to interview and make recommendation for the Human Resources position.

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. J. Marks would like on the June 17, 2014, agenda the criteria for active volunteers, incentives for 2014 and capital expenditures. Mr. D. Kidd spoke with Mr. G. Roakes and the ESC will have a meeting on June 11, 2014, to discuss incentives. Mr. G. Roakes gave explanations about the incentives and who should get them. There was a consensus of the Board to have the ESC and Public Safety to be on the June 17, 2014, agenda. Mr. Roakes would like to know what issues the Board would like to be brought forward to the ESC. Mr. J. Marks would like to see a more level playing field.

Ms. C. Tucker we all received a letter from Ms. Jenny Willow concerning the condition of Stone House Lake restroom. Ms. Tucker went by and stated that the conditions were "gross". A plan is needed to keep it clean. She contacted the Director of Public Works and the response was that it wasn't funded. Mr. D. Proffitt has asked Ms. Nuckols for a plan.

CLOSED SESSION

Mr. J. Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to the authority at §2.2-3711 (A)(3) of the Code of Virginia to discuss the disposition of real property, where discussion in open session would adversely affect the County's Bargaining position or negotiating strategy and pursuant to the authority at §2.2-3711 (A)(7) of the Code of Virginia to consult with the County Attorney regarding actual litigation.

AYE: Mr. D. Kidd, Mr. D. Pugh, Ms. C. Tucker and Mr. J. Marks

NAY: NONE

ABSENT: Mr. R. Curd

Mr. D. Kidd moved to come out of closed session, and approved with the following vote:

AYE: Mr. D. Kidd, Mr. D. Pugh, Ms. C. Tucker and Mr. J. Marks

NAY: NONE

ABSENT: Mr. R. Curd

CERTIFICATION OF CLOSED MEETING

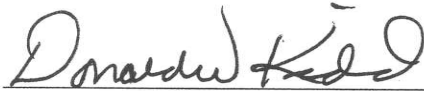
Mr. J. Marks moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing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

Ms. C. Tucker	AYE
Mr. D. Kidd	AYE
Mr. D. Pugh	AYE
Mr. J. Marks	AYE

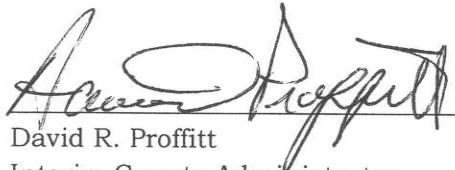
IN RE: ADJOURNMENT

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

AYE:	Mr. D. Kidd, Mr. D. Pugh, Ms. C. Tucker and Mr. J. Marks
NAY:	NONE
ABSENT:	Mr. R. Curd



Donald W. Kidd, Chairman
Amherst County Board of Supervisor



David R. Proffitt
Interim County Administrator

