

**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 15th of July 2014, at 7:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT: Mr. D. Pugh  
Mr. R. Curd  
Mr. D. Kidd  
Mr. J. Marks

ABSENT: Ms. C. Tucker

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**

David Proffitt informed the Board that Teresa Nuckols wanted to add an item to the agenda. Mr. Kidd asked if we could add that under departmental reports under item "e".

Mr. J. Marks made motion to approve the agenda as amended.

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

NAY: None

ABSENT: Ms. C. Tucker

- 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. **Public Hearings**
  - a. District 4 Planning Commission
    1. George J. Brine, Jr.
- VI. **Consideration of Dean C. Rodgers as new County Administrator**
- VII. **Special Presentations**
  - a. EDA Annual Report on Work Program Progress in FY 2014 and Action Plan for FY 2015
    1. Amherst County Comprehensive Plan: Economic Development
    2. Annual Report on the FY2014 Action Plan
    3. Proposed Action Plan for FY2015
- VIII. **County Administrator's Reports**
  - a. CVCC – Local Board Representative
    1. Letter of Interest
    2. Resume
  - b. State Revenue
    1. Notice from Central Accounting

- c. Special Meeting with the School Board
  - 1. Letter from Dr. S. Nichols
- IX. **Deputy County Administrator's Reports**
  - a. Train Depot Update
- X. **Consent Agenda**
  - a. Resolution No. 2014-0007-CR
  - b. Salary Scale for FY2014-2015 Budget Year
  - c. Exterior Steps at Amherst Library
  - d. Appropriations
- XI. **Departmental Reports**
  - a. Building Department
  - b. Robert E. Lee Soil & Water Conservation District
  - c. Notification of VPSA action in refinancing School Financing Bonds
    - 1. Certificate of Refunding Local Borrower
    - 2. Use of Proceeds Certificate
  - d. Jail Renovation Project
    - 1. Memo from Mr. B. Gillespie
    - 2. Construction Update
  - e. Teresa Nuckols
- XII. **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.)
- XIII. **Matters from Members of the Board of Supervisors**
- XIV. **Closed Sessions**
  - a. Virginia Code § 2.2-3711 (A)(7): Consult with the County Attorney regarding actual litigation involving the former Phelps Road School, and regarding specific legal matters pertaining to property in the Amelon Commerce Center and to designating or classifying property as tax exempt.
  - b. Virginia Code § 2.2-3711 (A)(3): Discuss the disposition of publicly-held real property.
- XV. **Adjourn**

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

NAY: NONE

ABSENT: Ms. C. Tucker

**IN RE: CITIZEN COMMENTS**

Mr. M. Labadie requested to speak at the end.

**IN RE: PUBLIC HEARING FOR DISTRICT 4 PLANNING COMMISSION**

Mr. D. Kidd opened the public hearing asking if anyone wanted to speak in favor or against Mr. George Brine. No one spoke. Mr. D. Kidd closed the public hearing.

Mr. D. Pugh asked if we could go ahead and appoint tonight. Ms. Bowyer stated that it would be acceptable.

Mr. D. Pugh made a motion to reappoint Mr. George Brine, Jr. to the Planning Commission.

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

**IN RE: CONSIDERATION OF DEAN C. RODGERS AS NEW COUNTY ADMINISTRATOR**

Mr. D. Proffitt presented information to the Board of Supervisors reviewing the breakdown of how Mr. D. Rodgers was selected.

Mr. J. Marks made a motion to appoint Mr. Dean C. Rodgers as Amherst County Administrator effective on August 1, 2014, and for Mr. D. Kidd to sign the employment agreement.

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

Mr. D. Kidd introduced Mr. D. Rodgers to the audience.

**IN RE: ECONOMIC DEVELOPMENT AUTHORITY ANNUAL REPORT**

Mr. B. Robertson spoke and thanked the Board for allowing the EDA to present tonight. The EDA extends an invitation to Board members and staff to participate in a mid-October timeframe to do a detailed analysis of upcoming businesses and discussion. The EDA believes the meeting will last a couple of hours. Mr. B. Robertson stated that he handed out a brochure to the Board members that brings to the attention to people and businesses and will look at the County Commerce Center. Mr. B. Robertson thanked the Board.

Mr. E. Kinnier presented the financial report and Mr. L. Cobb handed it out. Mr. E. Kinnier read the report. Mr. Marks questioned if the 2014 year was fiscal or calendar, Mr. E. Kinnier stated that the year ended in June. Mr. Marks questioned what happened after 20 months passes, who will pay the money (speaking of lease of CMC Rebar building).

Mr. L. Cobb spoke about the annual report, action plan and an insert from the Comprehensive Plan to indicate how these reports were being tied together. He discussed the active projects for 2014. Mr. L. Cobb pointed out some of the positive and negative aspects of the past year. Mr. L. Cobb introduced Victoria Hansen as the new part-time employee that will work into a full time Economic Development Official to represent the EDA.

Mr. D. Kidd asked if the Board members could get hard copies of the documents. Mr. L. Cobb handed them out.

Mr. D. Kidd asked if the CMC Rebar building could be used as an incubator space. Mr. L. Cobb explained that the EDA will discuss the issue during the EDA meeting on Wednesday.

Mr. L. Cobb mentioned that he is working with the County regarding office space in the Train Depot.

Mr. L. Cobb spoke about marketing Amherst County. He said the top priority of the EDA is to get the marketing program up to date. Website, electronic marketing techniques, brochures, are currently the marketing media being utilized.

Mr. L. Cobb spoke about their strong relationship with the Town of Amherst.

Mr. Cobb asked the Board to consider working with the EDA and spend time with them in October and understand what it is that the EDA is working so hard on. Mr. D. Kidd thanked the EDA for their hard work and great progress. The Board was also asked to adopt the EDA FY2015 Action Plan.

Mr. M. Russell stated how proud he was to part of the EDA.

Mr. W. Teates stated that he wanted to remind the Board that he was concerned about the viability of the EDA and spoke about how much things have turned around. He spoke about the cooperation with the Town of Amherst and also thanked Mr. D. Wydner and Mr. E. Kinnier who worked hard to cooperate with the Town of Amherst.

#### **IN RE: CVCC LOCAL BOARD REPRESENTATIVE**

Mr. D. Proffitt gave the description for the CVCC Board Representative. Mr. D. Kidd asked Ms. E. Bowyer if an advertising requirement is needed. Ms. E. Bowyer stated that they could appoint tonight and no public hearing was required.

Mr. Kidd made a recommendation to appoint John Walker as a representative from Amherst County to the CVCC Local Board.

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

NAY: None

ABSENT: Ms. C. Tucker

#### **IN RE: STATE REVENUE**

Mr. D. Proffitt went over the concerns the Board of Supervisors had about the State Legislature not adopting a state budget. When they did adopt the budget there were concerns that our local revenue projections may have been overstated. A memo from Central Accounting Director indicates that state revenue projections seem to be accurate at this time.

#### **IN RE: SPECIAL MEETING WITH THE SCHOOL BOARD**

Mr. D. Proffitt presented a letter from Dr. S. Nichols, School Superintendent, requesting a joint meeting with the Board of Supervisors. The meeting concerns the results of the efficiency study which has been recently completed. The meeting would be a regular School Board meeting that will take place at Amherst County High School on August the 14<sup>th</sup> at 7:00 p.m. It is the requests of the School Board for the Board of Supervisors join them in a joint meeting.

It was a consensus of the Board of Supervisors to accept the invitation.

#### **IN RE: TRAIN DEPOT UPDATE**

Mr. J. Bryant discussed both Phases II and Phase III of the Train Depot. Phase II should be complete around mid August. There has been a delay because of the issue of lead paint test that has been done. There are some final aspects to be completed for Phase II. A donation, from Mr. Bill Callahan, of a feature that was once a 16 ft. signal from the old Southern Rail Line. The signal is to be placed for pedestrians to walk from the parking area to the building. It will be wired up and working.

Phase III will be work to be done on the interior of the building. Also there will be a meeting with the Chamber of Commerce and the Economic Development Authority for their possible space needs. Doing this will assist in getting cost estimates for the completion Phase III. Also to prepare in applying for grants, that are due in November.

Discussion between the Board members took place concerning grants and additional costs to Phase II due to the lead paint and rafters.

#### **IN RE: CONSENT AGENDA**

Mr. D. Kidd asked the Board members if they wanted to speak about specific items. (Re: Resolution No. 2014-0007-CR; Salary Scale for FY2014-2015 Budget Year; Exterior Steps at Amherst Library and Appropriations.)

Mr. J. Marks stated that he thought it would be a good idea if the members in the audience knew what the resolution was about. Mr. D. Proffitt stated it was a commemorative resolution for the Monelison Rescue Squad on their 50<sup>th</sup> anniversary to be presented at the next meeting.

On a motion from Mr. J. Marks and with the following vote the Board of Supervisors approved the Consent Agenda.

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

NAY: None

ABSENT: Ms. C. Tucker

#### **IN RE: DEPARTMENTAL REPORTS**

Mr. D. Kidd asked if there were other items that needed to be discussed.

School Financing - Mr. D. Pugh said he wanted notification on the School Financing Bonds. Ms. B. Campbell spoke to the issue. She stated that VPSA notifies County of credit in most circumstances, but this time VPSA took a series of bonds and Amherst County's portion of bonds were refinancing structure and a result, the school system will realize a credit and the monies need to be used in an appropriate manner. Savings can only be used for construction purposes explained Ms. Campbell.

Cleaning of park restrooms - Ms. T. Nuckols presented and handed out a document dated July 14, 2014 from Troy Rice who handles the janitorial services for the County. Mr. D. Kidd stated that at one time she had taken a part time person and making them full time. Ms. Nuckols stated that a full time employee would be cheaper than hiring a consultant. Mr. Kidd asked if she wanted the Board to take action tonight. Ms. T. Nuckols explained the cost difference between hiring a private contract versus making a part time employee full time. Mr. D. Proffitt explained the reasoning behind using the current janitorial company and perhaps using them on a month to month basis to see how it works. Discussion and questions with the Board and Ms. T. Nuckols.

Mr. R. Curd made a motion to approve TCM on a contract for a month to month basis, not to exceed \$2,750 per month. Using line item 43400-3160 for janitorial services.

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

NAY: None

ABSENT: Ms. C. Tucker

#### **IN RE: CITIZEN COMMENTS**

Mr. M. Labadie: started with the EDA. He noticed quite a few businesses shutting down in the County and spoke about his ideas. He spoke about Mr. L. Cobb's incentives and considered it corporate welfare. He is thankful that the County is doing something about the cleanliness of the parks. He finds it interesting that Sheriff Ayers does signs, lawn care and maintenance but not the cleaning. Never in his life seen such a boondoggle and blackhole quite as large like the Train Depot. Lack of professionalism with the building. When is this going to come to an end and when will taxpayer dollars stop? He will be sending a FOIA request regarding the County Comprehensive Plan and federal funding for Agriculture. He spoke to the active ingredients in Roundup. The County is to provide information on who are recipients of subsidy on USDA, etc. He is also requesting FOIA request on expenditures for Sheriff Ayers.

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

Mr. J. Marks thanked Mr. D. Proffitt and others for putting the new shutters on the Courthouse. Mr. D. Proffitt explained that there was new paint, gutters and repairs to the soffit.

Mr. D. Kidd's item is in regards to the joint meeting with the School Board's efficiency study. Mr. D. Kidd stated that it would be important to appoint someone for the School Board before the meeting with the School Board regarding the efficiency study.

Mr. D. Pugh, motion to have a special meeting on August 12, 2014 to appoint a school board member at 6:00 PM.

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

NAY: None

ABSENT: Ms. C. Tucker

Board to take a short break before Closed Session.

#### **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)(7) of the Code of Virginia to consult with the County Attorney regarding actual litigation involving the former Phelps Road School, and regarding specific legal matters pertaining to property in the Amelon Commerce Center and to designating or classifying property as tax exempt and pursuant to the authority at § 2.2-3711 (A)(3) of the Code of Virginia to discuss the disposition of publicly-held real property.

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

NAY: None

ABSENT: Ms. C. Tucker

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

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

NAY:

#### **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.

Mr. D. Kidd	AYE
Mr. D. Pugh	AYE
Mr. J. Marks	AYE
Mr. R. Curd	AYE

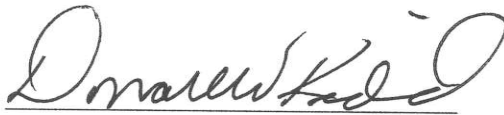
**IN RE: ADJOURNMENT**

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

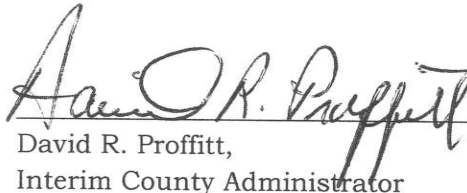
AYE: Mr. J. Marks, Mr. R. Curd, Mr. D. Kidd and Mr. D. Pugh

NAY: None

ABSENT: Ms. C. Tucker



Donald W. Kidd, Chairman  
Amherst County Board of Supervisor



David R. Proffitt,  
Interim County Administrator