AMHERST COUNTY BOARD OF SUPERVISORS

AGENDA

January 6, 2015
AMINISTRATION BULDING – 153 WASHINGTON STREET
SCHOOL BOARD MEETING ROOM
1:00 P.M.

I. **Call to Order**

II. **Invocation and Pledge of Allegiance**

III. **Board of Supervisors – Organizational Actions for 2015**
A. Election of Chair and Vice-Chair
B. Appointment of Clerk and Assistant Clerk to the Board of Supervisors
C. Scheduling of Regular Monthly Meetings and Locations
D. Adoption of Rules of Procedure
E. Supervisor Appointments to Boards and Commissions
1. Community Service Board
2. Emergency Services Council
3. Town of Amherst Joint Cooperation Committee
4. Region 2000
5. School Board
6. Social Services Board
7. Planning Commission

IV. **Approval of Agenda**

V. **Citizen Comments:** Citizens shall speak once to an issue and confine their remarks to the question before the Board. Citizens should avoid repetition insofar as possible and limit their comments to three (3) minutes.

VI. **Consent Agenda**

A. Minutes – December 2, 2014

B. Appropriations
1. Recreation and Parks Department
2. Sheriff's Department
a. Fine Revenue
b. DMV 402 Mini and HYPE Grants
c. Sheriff Receipts
d. Insurance Receipts

VII. **Old Business**

A. Goodwin Building report - John Owen, Engineered Systems, LLC
B. Planning/Zoning – Teresa Dudley Property Transfer

VIII. **New Business**

A. CIP Prioritization

B. Accounting – FY2015 State Aid Reductions
C. CSA - Office for Families and Children Services
D. Purchasing – EDA request for credit card

IX. County Administrator Report

A. Citizen appointments to boards, commissions and committees
B. Projects status

X. Departmental Reports

A. Building Safety & Inspections: November 2014 Report
B. Treasurer's Report: Monthly Reports November 2014

XI. Citizen Comments

XII. Matters from Members of the Board of Supervisors

XIII. Closed Session:

A. Virginia Code § 2.2-3711 (A)(29): Discuss the award of a public contract involving the expenditure of public funds (AMERESCO energy performance contracting)

B. Virginia Code § 2.2-3711 (A)(3): Discuss the disposition of publicly-held real property, specifically, property at tax map 160A3-A-72, to Ashley Johnson.

XIV. Adjourn

MINUTES

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 6th day of January, 2015, at 1:00 p.m. at which the following members were present:

BOARD OF SUPERVISORS:

PRESENT:	Mr. David W. Pugh, Chairman Mrs. Claudia D. Tucker, Vice-Chairman Mr. Robert M. Curd, Supervisor Mr. John M. Marks, Jr., Supervisor Mr. Donald W. Kidd, Supervisor	ABSENT: None

STAFF PRESENT: Dean Rodgers, County Administrator, David Proffitt, Deputy County Administrator/Purchasing Agent, Ellen Bowyer, County Attorney, and Regina Rice, Executive Administrative Assistant

Dean C. Rodgers, County Administrator called the meeting to order. Supervisor Marks gave the Invocation and led the Pledge of Allegiance.

III. Board of Supervisors – Organizational Actions for 2015

A. Election of Chair and Vice-Chair

Mr. Rodgers opened the floor for nominations for election of the Chairman. Supervisor Kidd nominated David Pugh as Chairman to the Board of Supervisors for 2015. There were no other nominations.

On motion by Mr. Rodgers and with the following vote, the Board declared David W. Pugh, Jr. as Chairman to the Board of Supervisors for 2015.

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

Mr. Rodgers turned the meeting over to Chairman Pugh.

Chairman Pugh opened nominations for Vice-Chair of the Board of Supervisors. Supervisor Curd nominated Claudia Tucker for Vice-Chair. There were no other nominations.

On motion by Chairman Pugh and with the following vote, the Board declared Claudia D. Tucker as Vice-Chair to the Board of Supervisors for 2015.

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

B. Appointment of Clerk and Assistant Clerk to the Board of Supervisors

Chairman Pugh opened nominations for appointment of Clerk to the Board of Supervisors. Supervisor Kidd nominated Dean C. Rodgers for Clerk of the Board of Supervisors. There were no other nominations.

On motion by Chairman Pugh and with the following vote, the Board appointed Dean C. Rodgers as Clerk to the Board of Supervisors for 2015.

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

Chairman Pugh opened nominations for Assistant Clerk to the Board of Supervisors. Mr. Marks nominated David Proffitt as Assistant Clerk to the Board of the Supervisors.

On motion by Supervisor Marks and with the following vote, the Board appointed David R. Proffitt as Assistant Clerk to the Board of Supervisors.

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

C. Scheduling of Regular Monthly Meetings and Locations

There was a Board discussion regarding scheduling regular monthly meeting and locations.

On motion by Supervisor Kidd and with the following vote, the Board approved the regular monthly meeting for the 1st Tuesday of each month at 1:00 P.M. and the 3rd Tuesday of each month at 7:00 p.m. at the Amherst County Administration Building, 153 Washington Street, Amherst, Virginia.

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

D. Adoption of Rules of Procedure

Ellen Bowyer, Amherst County Attorney provided information to the Board regarding changes to the Board's Rules of Procedure.

Ms. Bowyer advised the Board of four proposed changes to the Rules of Procedures for 2015:

(1) Section 3-3: Modifications to the "Regular Order of Business" to reflect recent changes; and

(2) Section 4-2: Resolutions providing for endorsement or approval of a report or study are considered at the meeting following presentation of the report or study; and

(3) Section 4-3: Providing that a voice vote rather than roll call vote is the default for Board voting; and

(4) Section 4-4: Providing that it is not necessary for a motion to be seconded for it to be considered.

On motion by Supervisor Marks and with the following vote, the Board adopted the Rules of Procedure for 2015.

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

E. Supervisor Appointments to Boards and Commissions

1. Community Service Board

Chairman Pugh opened nominations for the Community Service Board. Supervisor Tucker stated she is currently sits on the Community Service Board and said this is a very interesting position but does require much time. Mrs. Tucker said the Community Service Board does wonderful things to help disadvantaged people and she is willing to serve again.
There were no other nominations.

On motion by Chairman Pugh and with the following vote, the Board voted to appoint Claudia D. Tucker to the Community Service Board.

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

2. Emergency Services Council

Chairman Pugh opened nominations for the Emergency Services Council. Supervisor Curd stated he currently serves on Emergency Service Council and he expressed interest to continue serving on the Council. Supervisor Tucker nominated Mr. Curd to serve on the Emergency Services Council. There were no other nominations.

On motion by Supervisor Kidd and with the following vote, the Board voted to appoint Robert M. Curd to the Emergency Services Council.

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

3. Town of Amherst Joint Cooperation Committee

Chairman Pugh opened nominations for the Town of Amherst Joint Cooperation Committee. Supervisor Tucker currently serves on this committee and expressed interest to continue serving on the committee. Supervisor Curd nominated Mrs. Tucker to serve on the Town of Amherst Joint Cooperation Committee. There were no other nominations.

On motion by Supervisor Curd and with the following vote, the Board voted to appoint Claudia D. Tucker to the Town of Amherst Joint Cooperation Committee.

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

4. Region 2000

Chairman Pugh opened nominations for the Region 2000 Board. Supervisor Kidd currently serves on this Board. Supervisor Tucker nominated Mr. Kidd to serve on the Region 2000 Board. There were no other nominations.

On motion by Supervisor Tucker and with the following vote, the Board voted to appoint Donald W. Kidd to the Region 2000 Board.

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

5. School Board

Chairman Pugh opened nominations for the School Board liaison. Supervisor Tucker currently is the liaison for the Board of Supervisors on the School Board. Chairman Pugh nominated Mrs. Tucker to serve as the liaison for the Board of Supervisors to the School Board. There were no other nominations.

On motion by Chairman Pugh and with the following vote, the Board voted to appoint Claudia D. Tucker as liaison for the Board of Supervisors to the School Board.

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

6. Social Services Board

Chairman Pugh opened nominations for the Social Services Board. Supervisor Marks currently serves on the Social Service Board. Supervisor Kidd nominated Mr. Marks to serve on the Social Services Board. There were no other nominations.

On motion by Supervisor Kidd and with the following vote, the Board voted to appoint John M. Marks, Jr. to serve on the Social Services Board.

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

7. Planning Commission

Chairman Pugh opened nominations for the Planning Commission. Chairman Pugh currently serves as liaison for the Board of Supervisors to the Planning Commission. Supervisor Tucker nominated Mr. Pugh to serve as the liaison for the Board of Supervisors to the Planning Commission. There were no other nominations.

On motion by Supervisor Tucker and with the following vote, the Board voted to appoint David W. Pugh, Jr. to serve as liaison for the Board of Supervisors to the Planning Commission.

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

IV. Approval of Agenda

On motion by Supervisor Kidd and with the following vote, the Board voted to approve the January 6, 2015 Agenda.

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

V. Citizen Comments

There were no citizen comments.

VI. Consent Agenda

A. Minutes – December 2, 2014
B. Appropriations

1. Recreation and Parks Department

2. Sheriff's Department

On motion by Supervisor Tucker and with the following vote, the Board voted to approve the Consent Agenda as a whole.

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

VII. Old Business

A. Goodwin Building report - John Owen, Engineered Systems, LLC

Mr. John Owen of Engineered Systems, LLC recommended to the Board several necessary repairs needed to the Goodwin building; specifically replacement of the HVAC system, lighting and window replacement and a proposed vestibule at front door to conserve heat loss. Mr. Owen recommended the Board make a decision due to the possibility of the HVAC system failing this summer. Mr. Owen estimated these repairs can be completed without vacating the building and repairs will take approximately six months to complete.

Chairman Pugh thanked Mr. Owens for his report.

Supervisor Marks questioned where the money would come from to pay for these repairs.

Supervisor Tucker stated that the Board should proceed with the repairs and have the County Administrator start the process.

Mr. Rodgers advised the Board there is no money in the current budget; however, the County could tap into the general fund or borrow money. If the Board goes forward with the AMERESCO funding, the County could also seek funding for the Goodwin building.

Supervisor Curd stated the Board should delay their decision at this time until the Closed Session discussion regarding AMERESCO.

Supervisor Tucker was in favor of repairing the Goodwin building and agreed with Supervisor Curd and Kidd.

Chairman Pugh acknowledged representatives from AMERESCO seated in the audience and asked Mr. John Plack to come forward to answer questions from the Board.

Mr. Rodgers asked Mr. Plack if the Goodwin building could be rolled into the AMERESCO funding and Mr. Plack stated it would not be a problem to include the Goodwin building.

Chairman Pugh stated that the Board should wait until the Closed Session discussion and then vote on the issue.

A. Planning/Zoning – Teresa Dudley Property Transfer

Jeremy Bryant, Planning/Zoning Director, advised the Board the next step regarding the Dudley property transfer is adoption of Ordinance 2015-0001vacating the County's interest in the property identified as an unused public right-of-way located on Tax Map 155B in Madison Heights. Mr. Bryant advised the Board this is the first reading of the ordinance and staff will proceed with scheduling a public hearing on January 20, 2015 for consideration of adopting of the ordinance.

On motion by Supervisor Tucker and with the following vote, the Board voted to direct staff to schedule a public hearing on January 20, 2015, to consider the adoption of Ordinance No. 2015-0001.

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

VIII. New Business

A. CIP Prioritization

1. CIP – projects in excess of $50,000
2. Supplemental budget- projects less than $50,000
3. Bare bones budget – what it takes to operate to keep the lights on and the doors open

Mr. Rodgers provided the Board with a packet of information and asked the Board to prioritize the FY16 CIP requests for funding and to rank each project numbered 1 – 28.

Mr. Rodgers advised the Board that as they review the CIP budget requests, if they have any questions, to contact that department directly. Mr. Rodgers stated the departments will share their answers with him and he will supply that information to all the Board members.

Mr. Rodgers asked the Board to review the justification sheets for each project and provide CIP budget score sheets to him by January 16, 2015.

Supervisor Tucker thanked Mr. Rodgers for preparing all of this information and Chairman Pugh thanked Mr. Rodgers for the smooth process.

B. Accounting – FY2015 State Aid Reductions

Mr. Rodgers advised the Commonwealth's Department of Planning and Budget (DBP) notified him by letter dated November 14, 2014 that Amherst County's reduction in State aid for FY2015 is $66,922.00. Mr. Rodgers advised the Board must reduce its operating budget by $66,922.00. Mr. Rodgers had asked all departments to submit their reductions, which amounted to $62,696.00. After these reductions were submitted, a balance of $4,226.00 was left.

Mr. Rodgers notified DBP that the County would absorb the shortfall.

On motion by Supervisor Curd and with the following vote, the Board voted to adjust the FY15 operations budget to reflect the reductions in state aid to the accounts specified on the attached Appropriation Request Form. (See Attachment A)

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

B. CSA - Office for Families and Children Services

Joni Tables, CSA Coordinator for Office of Families and Children Services, submitted information to the Board to appoint Erin Mace as the Amherst County CPMT Vendor Representative. Ms. Mace will be a member of the team that participates in the group process of determining and approving the least restrictive and most appropriate services/placements for the children and families in need of mental health and educational services in Amherst County.

The CPMT Policy manual requires member representatives to CPMT be approved by the local Board of Supervisors.

On motion by Chairman Pugh and with the following vote, the Board approved the appointment of Ms. Erin Mace as the Amherst County CPMT Vendor Representative.

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

C. Purchasing – EDA request for credit card

Mr. Rodgers informed that the EDA has requested the County issue a credit card to conduct business on behalf of the EDA. The bank will not issue a credit card to the EDA since it does not have a checking account or line of credit. All expenses incurred will be paid out of the EDA's budget and shall follow the same policy guidelines as a staff member being issued a County credit card.

On motion by Supervisor Curd and with the following vote, the Board voted to authorize the issuance of a credit card in accordance with the County's credit card policy and setting a limit of $2,000.00.

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

IX. County Administrator Report

A. Citizen appointments to boards, commissions and committees

Mr. Rodgers advised the Board he received requests from Gary Evans, member of the Parks, Recreation and Cultural Development Board and Michael Russell, at-large member on the EDA Board expressing their desire for reappointment to each of these Boards. The term for Mr. Evans expired on December 31, 2014 and Mr. Russell's term expires January 18, 2015.

Mr. Rodgers asked the Board provide guidance as to advertisement of vacancies on each Board.

There was a Board discussion regarding advertisement of vacancies.

Ms. Bowyer stated there are no rules on advertising openings and if the term ends before the advertisement is done, the incumbent can carry over his/her appointment until the vacancy is filled.

Ms. Bowyer advised the Board to authorize staff to advertise these two positions and to advertise all vacancies regardless if an incumbent is seeking reappointment.

Mr. Rodgers suggested the advertisement have a two week closing date and be published one time in the local newspaper.

Supervisor Tucker requested the County Administrator notify the Chairman of those Boards of this policy.

On motion by Supervisor Marks and with the following vote, the Board voted to advertise these two positions and to direct the staff to establish a policy of advertising all position vacancies.

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

A. <u>Projects status for information only</u>

Mr. Rodgers provided a projects status to the Board.

X. Departmental Reports

A. Building Safety & Inspections: November 2014 Report
B. Treasurer's Report: Monthly Reports November 2014

Both reports were for information only and no Board discussion.

XI. Citizen Comments

Chairman Pugh invited any one to come forward if they wished to make a comment.

Mr. Alan Wood, Madison Heights Virginia spoke to the Board regarding AMERESCO and expressed his support and the School Board's support of the Board of Supervisors to move forward considering the current interest rates and benefits. Mr. Wood informed that he spoke with the folks from AMERESCO today and they are willing to lower the profit margin and invited them to come and speak to you.

Mr. John Plack of AMERESCO came forward and spoke to the Board regarding the project. Mr. Plack informed that with the roofs being added into the project and deducting a 1/2 percent for that, AMERESCO would be willing to deduct another 1-1/2 percent as the Board considers their program to add in the roofs.

XII. Matters from Members of the Board of Supervisors

There were no matters from the Board for discussion.

XIII. Closed Session:

Supervisor Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to:

A. Virginia Code § 2.2-3711 (A)(29): Discuss the award of a public contract involving the expenditure of public funds (AMERESCO energy performance contracting)

B. Virginia Code § 2.2-3711 (A)(3): Discuss the disposition of publicly-held real property, specifically, property at tax map 160A3-A-72, to Ashley Johnson.

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

Supervisor Marks motioned to come out of closed session and was approved with the following vote:

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

On motion by Supervisor Marks and with the following vote, the Board directed the County Attorney to prepare an ordinance accepting Ashley Johnson's offer that will abandon the County's right-of-way and transfer the land to the applicant.

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

On motion by Supervisor Marks and with the following vote, the Board authorized staff to undertake procurement process for obtaining a new chiller for Amherst Middle School.

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

On motion by Supervisor Marks and with the following vote, the Board directed staff to proceed with obtaining bids for the Goodwin building in accordance with the engineering study provided by Engineering Systems, LLC and Wiley Wilson, dated December 29, 2014 to include HVAC, windows, lightening and vestibule.

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

Supervisor 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 the 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 was heard, discussed, or considered in the closed session.

CERTIFICATION OF CLOSED MEETING

Supervisor 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 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. Pugh	AYE
Mrs. Tucker	AYE
Mr. Curd	AYE
Mr. Marks	AYE
Mr. Kidd	AYE

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

XIV. Adjourn

On motion by Supervisor Kidd and with the following vote, the Board moved to adjourn.

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

David W. Pugh, Jr., Chairman
Amherst County Board of Supervisors

Dean C. Rodgers, Clerk