

BOOK 32**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 7th day of October, 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.

IN RE: APPROVAL OF AGENDA

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

Agenda
Tuesday, October 7, 2008
Administration Building – 153 Washington Street
1:00 p.m.

- Call to Order
- II. Invocation and Pledge of Allegiance
- III. Approval of Agenda
- IV. Special Appearances and Presentations
 - a. Amherst County Public Safety – new hires
 - Communications: Kristy Keiser
 - Kristen Martin
 - Eleanor Mawyer
 - EMS/Fire: Joey Greer
 - b. Friends of the Historic Amherst Train Station – Marlene Fitzgerald
- V. Amherst County Public Schools – Dr. Brian Ratliff
- VI. Citizen Comment
- VII. Consent Agenda
 - a. Board of Supervisors Meeting Minutes – September 2, 2008 (1pm)
September 8, 2008 (10 am), September 16, 2008 (4pm and 7 pm)
 - b. Amherst County Budget Recap – Financial Statement as of August 31, 2008
 - c. Blue Ridge Parkway – Letter of September 10, 2008 from Philip A. Francis, Jr.,
Superintendent Blue Ridge Parkway and Elmer C. Hodge, Jr.
Virginia Vice-President Blue Ridge Parkway 75, Inc.
 - d. Riveredge Park – Letter of September 15, 2008 from Joseph H. Maroon, Director
Department of Conservation & Recreation
 - e. Letter of September 22, 2008 from Governor Tim Kaine designating drought disaster
Area for Amherst County
 - f. Sheriff's Department Report – July 2008 and August 2008
 - g. Parks, Recreation & Cultural Dev Board – August 1, 2008 meeting
 - h. Letter of September 25, 2008 from Michael Cavell of Draper Aden Associates
Regarding Amherst County Landfill – Life Expectancy Evaluation Trench A
 - i. Amherst County Events Application – Halloween
 - j. Amherst County Events Application – Sorghum Festival\
 - k. Amherst County Events Application – Apple Harvest Festival
 - l. Amherst County Events Application – Virginia Wine and Garlic Festival
 - m. VDOT – Traffic Alert for Sept. 15-19, 2008 and Update Traffic Alert for Sept. 15-19, 2008

VIII. Department Reports

Planning Department

- a. Resolution requesting addition of Yahweh Drive and Majestic Hills Circle located in Majestic Hills Subdivision into VDOT system
- b. 2008-27 – Sign in R-1 Limited Residential District

Economic Development

- a. Lighting issue at Amelon Commerce Center
- IX. County Administrator's Report
- a. Virginia Association of Counties Annual Meeting
 - b. Humane Society of Amherst County
 - c. Technology Committee
 - d. Progress Report on Goals and Priorities
- X. County Attorney's Report
- a. No Shooting Zones
- XI. Matters from Members of the Board of Supervisors
- XII. Appropriations/transfers/disbursements
- XIII. Closed Meeting (§2.2-3711.A.1 Code of Virginia, as amended)

Addition at meeting

§2.2-3711.A.5 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. Personnel Matter

Addition at meeting

§2.2-3711.1.5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

- a. 2 Discussions of prospective new business or industry

§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. Janetatos Suit

XIV. Joint Meeting with Planning Commission

- a. Presentation by Mike Chandler

XV. Adjourn

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

NAY: None

IN RE: AMHERST COUNTY PUBLIC SAFETY – NEW HIRES

Gary Roakes, Public Safety Director met with the Board and introduces new Public Safety employees: Kristy Keiser, Kristen Martin, Eleanor Mawyer and Joey Greer.

IN RE: FRIENDS OF THE HISTORIC AMHERST TRAIN STATION – MARLENE FITZGERALD

Marlene Fitzgerald met with the Board regarding the current status of the Historic Amherst Train Station relocation and stabilization project.

Rodney Taylor, County Administrator, provided project background and funding needs and potential grant resources.

Mr. Taylor informed the Board that further grant applications require 20% local cash match and that the Board approval of grant application would include the responsibility to provide matching funds.

There was a Board discussion of potential cost that may be incurred by the County and possible future benefits.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved to authorize that Amherst County continue as fiscal agent for the Amherst Depot project with the understanding that the County's interest will be secured by a deed of trust in the project.

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

NAY: None

IN RE: AMHERST COUNTY PUBLIC SCHOOLS – DR. BRIAN RATLIFF

Dr. Brian Ratliff, School Superintendent, met with the Board and presented the budget supplemental appropriation request of \$735,114.00 to the 2008-09 school revenue and expenditure budget.

VIRGINIA: At a regular meeting of the Amherst County School Board held in the School Administration Building, Amherst, Virginia on September 25, 2008, at 6:00

PRESENT: Jones H. Stanley, Vice Chairman
Elizabeth S. Gamble
William Brown
Susan D. Cunningham
Priscilla M. Liggon
Margaret R. Morton

ABSENT: Gloria C. Walker

WHEREAS, the Amherst County School Board has received notification of additional funding for the 2008-2009 school session.

Federal and State Funding

Project Graduation	\$ 29,000.00
21 st Century Grant	\$192,000.00
Reading First Grant	\$305,288.00
School Improvement (CES)	\$100,000.00
Technology State Funding	\$ 66,326.00
Adult Regional Program	\$ 15,000.00
GED Expanded Services	\$ 7,500.00

Local Funding

GED Local Funds	\$ 20,000.00
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BE IT THEREFORE RESOLVED, that the members of the Amherst County School Board request the members of the Amherst County Board of Supervisors to consider a supplemental appropriation of \$735,114.00 to the 2008-09 school revenue and expenditure budget.

AND BE IT FURTHER RESOLVED, that this resolution be presented to the members of the Amherst County Board of Supervisors at their next regular scheduled meeting.

Teresa C. Crouch, Clerk
Amherst County School Board

A COPY teste

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 completion of the new Amherst Education Center as well as other general school administration activities.

IN RE: CITIZEN COMMENT

There were no citizen comments.

Mr. Adams temporarily left meeting.

IN RE: CONSENT AGENDA

The County Administrator reviewed highlights of the consent agenda items.

- a. Board of Supervisors Meeting Minutes – September 2, 2008 (1pm), September 8, 2008 (10am), September 16, 2008 (4pm and 7pm)

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the minutes for September 2008.

AYE: Mr. V. Wood, Mr. L. Parrish (abstained from Sept. 8 as he was absent), Mr. D. Kidd, Mr. C. Adams and Mr. R. Vandall

NAY: None

ABSTAIN: Mr. L. Parrish on the Sept. 8th meeting as he was absent)

- b. Amherst County Budget Recap – Financial Statement as of August 31, 2008
- c. Blue Ridge Parkway – Letter of September 10, 2008 from Philip A. Francis, Jr., Superintendent Blue Ridge Parkway and Elmer C. Hodge, Jr. Virginia Vice-President Blue Ridge Parkway 75, Inc.
- d. Riveredge Park – Letter of September 15, 2008 from Joseph H. Maroon, Director Department of Conservation & Recreation
- e. Letter of September 22, 2008 from Governor Tim Kaine designating drought disaster Area for Amherst County
- f. Sheriff's Department Report – July 2008 and August 2008
- g. Parks, Recreation & Cultural Dev Board – August 1, 2008 meeting
- h. Letter of September 25, 2008 from Michael Cavell of Draper Aden Associates Regarding Amherst County Landfill – Life Expectancy Evaluation Trench A
- i. Amherst County Events Application – Hallowine
- j. Amherst County Events Application – Sorghum Festival
- k. Amherst County Events Application – Apple Harvest Festival
- l. Amherst County Events Application – Virginia Wine and Garlic Festival
- m. VDOT – Traffic Alert for Sept. 15-19, 2008 and Update Traffic Alert for Sept. 15-19, 2008

Information only.

IN RE: PLANNING DEPARTMENT – RESOLUTION REQUESTING ADDITION OF YAHWEH DRIVE AND MAJESTIC HILLS CIRCLE LOCATED IN MAJESTIC HILLS SUBDIVISION INTO VDOT SYSTEM

Planning Director Bryant presented the following resolution requesting addition of Yahweh Dr. and Majestic Hills Circle into the VDOT system:

RESOLUTION FOR ADDITION OF NEW SUBDIVISION STREETS

WHEREAS, the street described on the attached Additions Form SR-5(A), fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Amherst County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that Yahweh Drive, and Majestic Hills Circle in Majestic Hills Subdivision meets the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

ADDITIONS FORM SR-5(A) – PROPOSED ADDITIONS TO THE SECONDARY SYSTEM OF STATE HIGHWAYS

Attachment to (Check one only) ☐ Board of Supervisors Resolution ☐ Surety Instrument Dates _____ Attachment _____ of _____

Name of Subdivision: Majestic Hills Subdivision Amherst County

Ref. No.	Name of Street	Street Addition Termini	R.O.W. Width (ft)	Miscellaneous Notes	Addition Length Centerline Miles
1	Yahweh Drive	From: Yahweh Drive To: Terminus Plat Recorded Date: 10-16-02 Deed Book: 893 Page: 859 (Lots 1,2-19,20,21) Plat Recorded Date: 2-14-03 Deed Book: 909 Page: 234 (Lots 9-18)	50	Approx 0.17 miles long	
2	Majestic Hills Cr	From: Majestic Hills Circle To: Terminus Plat Recorded Date: Deed Book: Page:	50	Approx. 1,347.61 ft. long	
3		From: To: Plat Recorded Date: 1-11-06 Deed Book: 1030 Page: 655			
4		From: To: Plat Recorded Date: Deed Book: Page:			
5		From: To: Plat Recorded Date: Deed Book: Page:			
6		From: To: Plat Recorded Date: Deed Book: Page:			
7		From: To: Plat Recorded Date: Deed Book: Page:			

Notes: Guaranteed width of right of way exclusive of any necessary easements for cuts, fills, and drainage.

Certification of Attachment

This attachment is certified as a part of the document indicated above:

Jeremy S. Bryant, Director of Planning

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved adoption of the above resolution.

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

NAY: None

ABSENT: Mr. C. Adams

IN RE: ZONING CASE 2008-27 – SIGN IN R-1 LIMITED RESIDENTIAL DISTRICT

Mr. Bryant presented zoning case 2008-27 – Sign in R-1 Limited Residential District for their first reading.

There was a Board discussion.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors directed staff to advertise the proposed ordinance amendment for public hearing.

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

NAY: None

ABSENT: Mr. C. Adams

IN RE: ECONOMIC DEVELOPMENT – LIGHTING ISSUE AT AMELON COMMERCE CENTER

Joe Mullen, Economic Development Director met with the Board and presented information regarding a lighting issue at Amelon Commerce Center.

There was a Board discussion of the issue and consensus to direct Mr. Mullen to contact a lighting expert for a recommended solution to the problem.

Mr. Adams returned.

IN RE: COUNTY ADMINISTRATOR – VIRGINIA ASSOCIATION OF COUNTIES ANNUAL MEETING

The County Administrator presented information regarding the Virginia Association of Counties annual meeting that will be held on Tuesday, November 11, 2008 from 10:30 a.m. until Noon. Article VI of the VACo Bylaws states that each county shall designate a representative of its vote(s) at the Annual Business Meeting. Mr. Kidd and Mr. Adams have both registered to attend the meeting. Mr. Adams stated that he could not attend and Mr. Vandall would be going in his place.

On motion of Mr. Wood, and with the following vote, the Board of Supervisors moved to designate Mr. Vandall as voting representative at the annual VACo meeting.

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

NAY: None

IN RE: COUNTY ADMINISTRATOR – HUMANE SOCIETY OF AMHERST COUNTY

The County Administrator presented a letter from Popie Martin requesting an appropriation for the Humane Society in the amount of \$2,400.00 for the month of September.

This issue was deferred until later in the meeting.

IN RE: COUNTY ADMINISTRATOR – TECHNOLOGY COMMITTEE

The County Administrator provided information regarding establishment of a Technology Committee.

On motion of Mr. Kidd and with the following vote, the Board of Supervisors moved to direct the County Administrator to advertise for citizen members for the Technology Committee.

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

NAY: None

IN RE: COUNTY ADMINISTRATOR – PROGRESS REPORT ON GOALS AND PRIORITIES

The County Administrator presented a progress report on the Board of Supervisors goals and priorities.

Mr. Taylor stated that the report would be posted on the County website.

IN RE: COUNTY ATTORNEY – NO SHOOTING ZONES

The County Attorney presented a report on Amherst County's ability to expand its "No Shooting Zones".

There was a Board discussion and consensus to consider the information provided and reconsider at the first regular meeting of November, 2008.

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Kidd suggested that a special Board workshop be scheduled to accommodate time for the Board to work on issues that they do not have time for at regular meetings.

Mr. Kidd requested consideration for another board member to take his place on the Community Services Board.

There was a consensus that Mr. Vandall and Mr. Kidd would work out an arrangement between themselves for possibly exchanging responsibilities and report to the Board.

Mr. Vandall discussed status of committee activities involved with planning Civil War commemorative activities.

IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved all of the following budget appropriations and transfers.

APPROPRIATIONS

Board of Supervisors

11010	2013	Educational Refund – Jeremy Bryant	\$	200.00
(Unobligated General Fund Balance)				

General Construction

Fund 011 - Construction

95510	7011	Construction – Animal Shelter	\$917,870.51
95510	7001	Equipment	\$140,000.00
(Based on reminder of Rural Development loan proceeds)			

Treasurer

12130	5810	Levy on Projected PP Review	\$	3,940.00
(Fees collected to off-set levy on projected PP Revenue Paid to State)				

Commonwealth Attorney

22010	7001	Equipment	\$	125.72
(To appropriate forfeiture funds to cover expenditures balance)				

Sheriff's Department

31020	7005	Vehicle	\$	9,700.00
(Insurance claim for damages to vehicle)				

1570

8-3130 7001	Grant – Department of Justice COPS office	\$163,678.00
(Appropriate Grant – no local match)		
8-3125 1008	DMV Grant	\$ 6,614.38
(Pass through revenue)		
16-3305 5804	DARE	\$ 8,001.30
16-3305 5805	HEM-RAID	1,139.55
17-33-5 5806	ALHE	\$ 3,977.94
(To carry forward into new Fiscal Year 2009-2010)		

Sheriff-Jail

3102 1007	Forest Patrol	\$ 1,900.00
3102 1013	ACHS – Football security	2,839.27
3102 1008	Traffic Enforcement	75.00
3102 5501	Travel	5.07
3301 3001	Medical	\$ 1,064.22
(Pass through revenue)		

Board of Equalization

12110 1001	Comp Board of Equalization	\$ 5,780.00
12110 2001	FICA	319.78
12110 5201	Postal Services	58.19
12110 5203	Telecommunications	298.65
12110 5401	Office Supplies	704.22
12110 5804	Miscellaneous	51.45
12110 8003	Copier Rental	276.00
12110 1006	Office Assistant	4,180.00
(To appropriate funds for the operation and compensation for The Board of Equalization for the period ending 6/30/08. TOTAL\$ 11,668.29		

Animal Control

35010 3010-100	Ins. Recoveries	\$ 1,628.27
(Appropriate funds deposited to Insurance Recoveries in General Fund)		

TRANSFERS**Tourism**

Transfer from		
81600 3002	Professional Services	\$ 1,800.00
81600 5201	Postage	1,031.08
Transfer to		
81600 2001	FICA	\$.46
81600 5804	Miscellaneous	2,830.62
(Cover cost for Dixie Youth World Series)		

Board of Supervisors (FY08)

Transfer from:		
11010 5306	Surety Bonds	\$ 302.22
Transfer to:		
11010 1001	Compensation Board	\$.20
11010 5504	Travel Education	302.02

County Administration (FY08)

Transfer from:
 12010 5203 Telecommunication \$ 179.99

Transfer to:
 12010 5401 Office Supplies \$ 129.91
 12010 2002 Retirement (VSRS) 50.08
 (Clear End of Year Deficits)

Commissioner of Revenue (FY08)

Transfer from:
 12090 5203 Telecommunication \$ 1,607.40
 12090 1003 Comp – Temp Assist 1,587.50

Transfer to:
 12090 1006 Comp – Deputy Comm. \$ 3,194.90
 12090 2005 Hospitalization 629.75
 (Clear End of Year Deficits)

Treasurer

Transfer from:
 12130 5204 Rental Postal Meter \$ 142.44

Transfer to:
 12130 8003 Rental of Equipment \$ 142.44

Central Accounting

Transfer from:
 12150 5504 Travel – Education \$ 275.54

Transfer to:
 12150 7002 Furniture & Fixture \$ 259.00
 12150 5804 Miscellaneous 15.50
 12150 1001 Comp. – Director .04
 (Clear End of Year Deficits)

Purchasing

Transfer from:
 12170 5203 Telecommunication \$ 356.81

Transfer to:
 12170 1001 Comp – Purchasing Agent \$.04
 12170 2002 Retirement (VRS) 348.45
 12170 5401 Office Supplies 8.32
 (Clear End of Year Deficits)

Information Technology

Transfer from:
 12200 3002 Professional Services \$ 72.18

Transfer to:
 12200 5204 WATS Support 38.00
 12200 2010 Workman's Comp 34.18

(Clear End of Year Deficits)

Electoral Board

Transfer from:			
13010 5401	Election Supplies	\$	75.00

Transfer to:			
13010 5801	Dues	\$	75.00

Registrar

Transfer from:			
13020 2001	FICA	\$	222.33

Transfer to:			
13020 2002	Retirement		71.68
13020 2005	Hospitalization		150.65

(Clear End of Year Deficits)

Circuit Court

Transfer from:			
21010 5894	Record Books	\$	34.84
21010 1001	Comp Jury Comm Members		65.36

Transfer to:			
21010 1006	Comp – Secretary	\$.04
21010 2002	Retirement		65.32
21010 2010	Workman's Comp		9.84
21010 5401	Office Supplies		25.00

(Clear End of Year Deficits)

General District Court

Transfer from:			
21020 5801	Dues, Membership, Subscriptions	\$	248.00

Transfer to:			
21020 3004	Repairs	\$	113.38
21020 5201	Postal SVC – Box Rent		16.00
21020 8003	Lease Purchase		118.62

(Clear End of Year Deficits)

Magistrate

Transfer from:			
21030 3005	Maintenance SVC Contract	\$	63.24

Transfer to:			
21030 5201	Postal SVC – PO Box Rent		16.00
21030 5203	Telecommunication		47.24

(Clear End of Year Deficits)

County Attorney

Transfer from:			
22020 3002	Professional Services	\$	267.77

Transfer to:

1573

22020	5201	Postal Services	12.59
22020	5501	Travel	250.18
22020	5504	Training & Education	5.00
(Clear End of Year Deficits)			

Sheriff

Transfer from:

31020	5804	Misc/Pre Emp	\$	350.00
31020	3002	Professional Services		115.00
31020	7003	Comm Equipment		130.00

Transfer to:

31020	5408	Gas	\$	82.00
8-31250	1008	DMV (grant local share)		513.00
(Clear End of Year Deficits)				

Jail

Transfer from:

33010	5101	Electrical	\$	477.29
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Transfer to:

33010	3001	Doctor	\$	398.90
33010	5103	Water/Sewer		77.85
33010	3160	Janitorial Contract		.54
(Clear End of Year Deficits)				

Building Safety & Inspections

Transfer from:

34010	3010	Repair – Auto	\$	238.58
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Transfer to:

34010	2001	FICA	\$	2.87
34010	5201	Postal Services		21.71
34010	5449	Auto Tires, Tubes, Parts		121.00
34010	5504	Travel-Education		93.00
(Clear End of Year Deficits)				

Animal Control

Transfer from:

35010	5308	Liability Ins. – Professional	\$	21.67
35010	7005	Purchase of Truck		1,619.54

Transfer to:

35010	3002	Contract Service		105.00
35010	5203	Telecommunication	\$	188.65
35010	5408	Gas, Grease, Oil		1,347.56
(Clear End of Year Deficits)				

County – Utilities

Transfer from:

43040	5101	Electrical Services	\$	824.19
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Transfer to:

43040	5103	Water/Sewer		824.19
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County Support

Transfer from:
53040 5605 Hospital State & Local \$ 1.00

Transfer to:
51010 5601 Contribution Co Health Dept. \$ 1.00

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

NAY: None

IN RE: CLOSED SESSION

Mr. Parrish moved to go to closed session to discuss a (1) personnel matter ((5) matter relating to prospective business or industry or the expansion of an existing business or industry (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, 2, 3, 4, 5, 6 or 7 of the Virginia Code Section, involving

§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.5 - Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

§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. 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. Parrish moved to come out of closed session, seconded by Mr. Adams 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: JOINT MEETING WITH PLANNING COMMISSION

The Board of Supervisors members met jointly with the Planning Commission for a comprehensive planning/zoning ordinance review presentation from Consultant Mike Chandler.

Mr. Chandler proceeded to provide a phase I and phase II report and requested feedback.

IN RE: CLOSED SESSION

Mr. Parrish moved to go to closed session to discuss a (1) personnel matter and (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, 2, 3, 4, 5, 6 or 7 of the Virginia Code Section, involving

§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.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. Wood 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. Kidd moved to come out of closed session, 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. 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: ADJOURNMENT

On motion of Mr. Parrish, seconded by Mr. Adams, and with the following vote, the Board of Supervisors adjourned until Wednesday, October 15, 2008 at 9:30 a.m. in the Board of Supervisors meeting room.

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

NAY: None

ABSENT: Mr. R. Vandall

Vernon L. Wood, Chairman
Amherst County Board of Supervisors

Rodney E. Taylor, County Administrator