

BOOK 34

AMHERST COUNTY BOARD OF SUPERVISORS

AGENDA

April 7, 2015

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

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Citizen Comments:** Citizens shall speak once to an issue and confine their remarks to the question before the Board. Citizen should avoid repetition insofar as possible and limit their comments to three (3) minutes.
- V. Consent Agenda**
 - A. Minutes – March 3, 2015, March 9, 2015
 - B. Appropriations
 - 1. Accounting
 - a. FY2015 Appropriation request - insurance proceeds
 - b. FY2015 Appropriation request - DMV sale of animal friendly license plates
 - c. FY2015 Appropriation request - Juvenile Accountability Block Grant
 - d. FY2015 Appropriation request - Brockman Park Recoupment Fund
 - 2. Registrar
 - a. FY2015 Appropriation request – grant funding computer purchase
 - 3. Sheriff's Office
 - a. FY2015 Appropriation request – pass-through funds
 - b. FY2015 Appropriation request – Drug asset forfeitures
 - 4. Social Services
 - a. FY2015 Appropriation of revenue
- VI. New Business**
 - A. Sheriff's Office – Armored vehicle
 - B. Public Works - Main Street Trash Can Project
 - C. Lynchburg Juvenile Detention Home Advisory Board appointment
- VII. Old Business**
 - A. Procurement - School Infrastructure Improvement Project
- VIII. County Administrator Report**
 - A. Board recommendation – Board of Zoning Appeals District 4 vacancy

IX. Departmental Reports

A. Treasurer's Report - Monthly Reports, February 2015

X. Citizen Comments

XI. Matters from Members of the Board of Supervisors

XII. Closed Session

A. Virginia Code § 2.2-3711 (A)(7): To consult with the County Attorney regarding specific legal matters pertaining to the County's lease associated with Winton Country Club.

XIII. Adjourn

MINUTES

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 7th day of April, 2015, at 1:00 p.m. at which the following members were present:

BOARD OF SUPERVISORS:

PRESENT: Mr. David W. Pugh, Jr., Chairman
Mrs. Claudia D. Tucker, Vice-Chair
Mr. Robert M. Curd, Supervisor
Mr. John A. Marks, Jr., Supervisor
Mr. Donald W. Kidd, Supervisor

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

I. Call to Order

Chairman Pugh called the meeting to order at 1:00 p.m.

II. Invocation and Pledge of Allegiance

Supervisor Marks led the Invocation and Pledge of Allegiance

III. Approval of Agenda

By motion of Supervisor Tucker and with the following vote, the Board voted to amend the agenda by adding item VII. B. Update on the DSS Building Committee and item VII. C. Amherst Middle School Chiller Installation.

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

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

Debbie Thurman of Madison Height, Virginia spoke to the Board regarding the closure of Sweet Briar College. Ms. Thurmond expressed her thanks to the County Attorney and asked that the Board support her moving forward and asked for a resolution from this Board to continue supporting Ms. Bowyer.

Ms. Thurman read a statement from Sweet Briar College alum Shannon Beasley who was not present. Ms. Beasley's statement asked for the continued support by the Board of the County Attorney and supported a resolution by the Board.

Matt Rowe of Bowling Green, Virginia addressed the Board concerning the loss of Sweet Briar and to fight against the closure and the grave impacts for Amherst County and to the local economy. Mr. Rowe stated he supports the County Attorney and asked the Board to please support the County Attorney's lawsuit.

Megan Rowe of Bowling Green, Virginia spoke to the Board. As a graduate of Sweet Briar College, Ms. Rowe expressed her strong roots with Sweet Briar College and the community. Ms. Rowe asked the Board to think of the local businesses that will suffer, to support the County Attorney and help save this important part of Amherst County so others can come here, grow roots and call this place home.

Dan Goltlieb of Amherst, Virginia, addressed the Board. As a homeowner in Amherst County and professor at Sweet Briar College, Mr. Goltlieb spoke of trend changes that occurred with the former President Joe Ellen Parker in 2010 that included an increase in student aid and scholarships to students. Mr. Goltlieb stated the key problem was due to the revenue loss and the discounted rate that had to be maintained. He said that these problems are solvable and the decision appeared to have been made on very bad misinformation.

John Ashbrook of Amherst, Virginia spoke to the Board asking for support of the County Attorney's lawsuit, and as an independent faculty member asking the Board for a resolution. Mr. Ashbrook stated there are staff at Sweet Briar College who are unable to voice their concerns such as health insurance ending, job loss of approximately 300 and relocation that will be devastating to the County. For others such as professors may be easier to find jobs but it is important to keep the staff in mind and not just faculty members and again supports the County Attorney.

Lynn Cunningham of Amherst, Virginia addressed the Board for her support to save Sweet Briar College and the County Attorney actions and to ask the Board to support the resolution. Ms. Cunningham expressed how important Sweet Briar College is to this community. As a retired architect her firm was the architect for a number of projects at Sweet Briar College and there is a huge wealth of historic buildings. If the campus is abandoned, these buildings could sit for a long time and become derelict, which would be tragic.

Chairman Pugh thanked all who spoke and closed the Citizen comments. Chairman Pugh advised that the Board will discuss this issue later in the meeting under Matters from Members of the Board of Supervisors.

V. Consent Agenda

A. Minutes – March 3, 2015, March 9, 2015

B. Appropriations

1. Accounting

- a. FY2015 Appropriation request - insurance proceeds
- b. FY2015 Appropriation request - DMV sale of animal friendly license plates
- c. FY2015 Appropriation request - Juvenile Accountability Block Grant
- d. FY2015 Appropriation request - Brockman Park Recoupment Fund

2. Registrar
 - a. FY2015 Appropriation request – grant funding computer purchase
3. Sheriff's Office
 - a. FY2015 Appropriation request – pass-through funds
 - b. FY2015 Appropriation request – Drug asset forfeitures
4. Social Services
 - a. FY2015 Appropriation of revenue

On motion by Supervisor Kidd and with the following vote, the Board approved the Consent Agenda.

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

VI. New Business

A. Sheriff's Office – Armored vehicle

Mr. Rodgers explained to the Board this is a request by the Amherst County Sheriff's Office to donate the 1987 armored vehicle to the Appomattox County Sheriff's Office. This armored vehicle is no longer used by the Amherst Sheriff's Office.

On motion by Supervisor Tucker and with the following vote, the Board approved the transfer of title of the 1987 armored vehicle from the Amherst County Sheriff's Office to the Appomattox County Sheriff's Office

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

B. Public Works - Main Street Trash Can Project

Mr. Rodgers explained Amherst County and Town of Amherst file for a non-competitive litter grant through the Department of Environmental Quality each year as a co-operative program to received litter grant funds. In the past, the Town of Amherst has asked for its share of these funds to purchase trash cans. Funds come from the Solid Waste Fund.

Ms. Teresa Nuckols, Solid Waste Director came forward and addressed the Board's questions regarding the funding. She stated the grant program went into effect around 1995 through DEQ. Ms. Nuckols explained the County and Town file together to receive more money as a co-op, and this money comes from the litter state taxes the state receives and then it is allocated. The grant money received is placed in the Solid Waste Fund. The money from the unobligated Solid Waste Fund is also used for rental and hauling of recycling of containers.

On motion by Chairman Pugh and with the following vote, the Board appropriated \$12,547 from the Solid Waste Fund to line 42030-7001 purchase trash cans for the Main Street Project.

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

C. Lynchburg Juvenile Detention Home Advisory Board appointment

Mr. Rodgers stated that the County of Amherst has been a member of the Lynchburg Juvenile Detention Home Advisory Board since 1996. The Advisory Board has recently asked for a meeting of their advisors. There is no record of who represented Amherst County on this

Board. Mr. Rodgers recommended to the Board that he be appointed to serve as the County's representative

Supervisor Curd made a motion that the Board appoint the County Administrator as the County's representative on the Advisory Board of Lynchburg Juvenile Detention Home.

This record reflects Mrs. Tucker stepped out of the meeting and did not vote on this issue.

AYE: Mr. Pugh, Mr. Curd, Mr. Marks and Mr. Kidd

NAY: None

ABSENT: Mrs. Tucker

VII. Old Business

A. Procurement - School Infrastructure Improvement Project

Mr. Rodgers stated as the County moves forward with construction projects, the Board needed to establish a School Infrastructure Improvement Building Committee associated with the PPEA process. Mr. Rodgers recommended that the Board appoint Dr. Steven Nichols to this committee as the School Board representative for the schools projects. Mr. Rodgers informed the Board the previously appointed members on this committee are Don Kidd, Claudia Tucker and citizen representative Eldon Cox.

Supervisor Kidd made a motion to appoint Dr. Steven Nichols as the member of the Building Committee to represent the School system on the School Infrastructure Improvement Project.

AYE: Mr. Pugh, Mr. Curd, Mr. Marks and Mr. Kidd

NAY: None

ABSENT: Mrs. Tucker

This record reflects Mrs. Tucker returned to the meeting after the vote.

B. Update on the DSS Building Committee

This item was added to the Agenda as VII. B.

Mr. Rodgers provided an update to the Board regarding the DSS Building Committee and the new extension to this building. The committee met on April 6, 2015 and reviewed floor plans. The committee gave their approval to the floor plans and directed the procurement officer to move forward with the design building process. The next step is to advertise to solicit proposals.

The committee is asking MRG Consulting to look at several other space options in the County Administration building, the parsonage, the fire safety system in the building, and the Hvac system in the building. MRG has been asked to provide separate proposals.

C. Amherst Middle School Chiller Installation

This item was added to the Agenda as VII. C.

Mr. Proffitt stated that the Board is being asked to approve the installation agreement with Southern Air, including a temporary rental of another chiller for this cooling season and to appropriate up to \$158,000 from the unobligated general fund to cover the cost.

Mr. Proffitt advised the tentative shipping date is May 5, 2015.

Supervisor Kidd stated on October 28, 2014, Southern Air sent in their proposal to do the complete turnkey job to do what Ameresco was proposing to do. It was also the same day the Board was given the Ameresco power-point presentation. Supervisor Kidd commented that due to a lack of communication, if the Board had known of Southern Air's proposal of \$204,000, the County could have saved approximately \$318,000 on this one project.

Chairman Pugh made a motion that the Board authorize the installation of the Amherst Middle School Chiller from Southern Air, Inc., including temporary rental as required, and appropriate up to \$158,000 from the unobligated general fund to cover that cost.

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

VIII. County Administrator Report

A. Board recommendation – Board of Zoning Appeals District 4 vacancy

Mr. Rodgers advised two individuals indicated they are interested in this seat and asked the Board when they would like to conduct interviews of those individuals.

Ms. Bowyer advised all seats are At-large and there is no statutory or regulatory requirement.

It was the Board's consensus to schedule these interviews at the May 5, 2015 meeting.

In addition, there were several items Mr. Rodgers addressed to the Board.

Mr. Rodgers advised the Board he granted permission for Second Stage to have the Farmer's Market this summer. The lease is negotiated and he will have this to the Board for a closed session at the next meeting.

In addition, the announcement for the removal of Home Economic building closes on April 22, 2015. If no one is interested in this building, it will be offered as salvage.

IX. Departmental Reports

A. Treasurer's Report - Monthly Reports, February 2015

For Information only.

X. Citizen Comments

There were no speakers.

XI. Matters from Members of the Board of Supervisors

Supervisor Kidd questioned the Brockman Park Recoupment fund appropriation on the Consent Agenda with two different figures; one showing \$6,194 for the appropriation and the other for \$16,136.24, which figure was stated in a letter from Jack Hobbs, Amherst Town Manager.

Supervisor Kidd asked this be clarified for record and Mr. Rodgers advised the \$6,194 figure is the correct amount to be appropriated.

Supervisor Marks addressed the Board with his statement:

"We are all aware that as we proceed through the fiscal year matters occur that require funding which are not included in the budget. In order to handle these matters it becomes necessary for the board to appropriate money from the unobligated general fund. In order for the board to keep abreast of these appropriations I would like to propose the following motion:

I move that the County Attorney draft a resolution, that commencing with the 2016 fiscal year the administration be directed to provide the Board of Supervisors, on a quarterly basis at a minimum, a report detailing all Board of Supervisors appropriations from the unobligated fund for the previous quarter and the total of these appropriations for the year to date. Detail will include the amount appropriated and a brief description of the reason".

Mr. Rodgers advised the Board he will get a quarterly statement of account and if the Board wishes it can pass a resolution and this will be written into the County's financial rules.

Supervisor Marks and Supervisor Kidd requested a resolution as part of the permanent record. The County Attorney was asked to draft the resolution and provide to the Board at the next meeting.

A restatement of Supervisor Marks's motion:

I move that the County Attorney draft a resolution, that commencing with the 2016 fiscal year the administration be directed to provide the Board of Supervisors, on a quarterly basis at a minimum, a report detailing all Board of Supervisors appropriations from the unobligated fund for the previous quarter and the total of these appropriations for the year to date. Detail will include the amount appropriated and a brief description of the reason.

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

Supervisor Curd did not raise any matter to discuss.

Supervisor Tucker thanked all the folks who came today and spoke to the Board regarding the closure of Sweet Briar College. All members of the Board have been contacted by folks who are interested in the work the County Attorney is doing and are interested in the future of Sweet Briar College and want to see that community stay and be as vibrant as it has in the past.

Supervisor Tucker made a motion that the Board direct the County Attorney to compose a resolution supporting the work that has been done and to continue to support any type of legal activities to support Sweet Briar College.

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

Chairman Pugh did not raise any matter to discuss.

XII. Closed Session

A. Virginia Code § 2.2-3711 (A)(7): To consult with the County Attorney regarding specific legal matters pertaining to the County's lease associated with Winton Country Club.

Supervisor Kidd moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711 (A)(7) of the Code of Virginia, to consult with the County Attorney regarding specific legal matters pertaining to Winton Country Club, which matters require the provision of legal advice by the County Attorney.

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

Supervisor Kidd 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

CERTIFICATION OF CLOSED MEETING

Supervisor Kidd 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

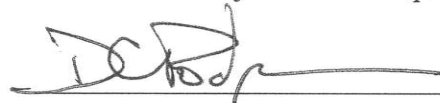
XIV. Adjourn

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