

**BOOK 33****VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 7<sup>th</sup> day of April, 2009 at 1:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT:	Mr. L. Parrish Mr. C. Adams Mr. D. Kidd Mr. R. Vandall Mr. V. Wood	ABSENT: None
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Mr. L. Parrish called the meeting to order.

Mr. Parrish opened with prayer and led in the pledge of allegiance to the flag.

**IN RE: AGENDA**

On motion of Mr. C. Adams and with the following vote, the Board of Supervisors approved the following agenda with additions:

**AGENDA**

**TUESDAY, APRIL 7, 2009  
ADMINISTRATION BUILDING – 153 WASHINGTON STREET  
SCHOOL BOARD MEETING ROOM  
1:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Special Appearances and Presentations**
  - a. VPI Extension – Bill Seay
- V. Amherst County Public Schools – Dr. Brian Ratliff**
  - a. Supplemental Appropriation - \$300,000.00
  - b. Supplemental Appropriation - \$140,000.00
- VI. Citizen Comments**
- VII. Consent Agenda**
  - a. Amherst County Board of Supervisors Minutes – March 3<sup>rd</sup>, 17<sup>th</sup>, and 24<sup>th</sup>
  - b. Calendar Items
  - c. Animal Care and Control Department – Report for 2008
  - d. Amherst County Sheriff's Department – February 2009
  - e. Amherst County Parks, Recreation and Cultural Development Board Meeting February 9, 2009
  - f. Department of Health – Wildwood Campground
  - g. Galts Mill Historic District
  - h. Twenty-Fourth Judicial Dist Court Service Unit – Letter of March 17, 2009
  - i. Robert E. Lee Soil & Water Conservation Dist. – February 26, 2009
  - j. VDOT Traffic Alerts – March 23-27, March 30 – April 3, April 6-10, April 6 – 10, 2009

- k. Invitation from Town Manager for Board to participate in the April 20 community forum on the Town of Amherst Centennial Celebration

## **VIII. Department Reports**

### Building Safety and Inspections Department

- a. Demolition of houses on Horseford Road, Lynchburg Ave. and Main Street, Madison Heights, Va

### Tourism Department

- a. Fish Virginia First Update

### Planning/Zoning Department

- a. 2008-33 Wind Turbines
- b. Zoning Request from Blue Ridge Marine

### Solid Waste

- a. Report on soils testing at former open container site on Elon Road

## **IX. Budget Workshop**

- a. Sale of Delinquent Tax Property
- b. Fund Balances

## **X. County Administrator's Report**

- a. National Forest Watershed Protection Request
- b. Child Abuse Prevention Month Resolution
- c. Virginia Rocks!
- d. Central Virginia Community Services Resolution
- e. Report on Projects and Goal Status
- f. Old Madison Heights Grant Resolution
- g. Recommendation from Amherst County Service Authority to authorize acceptance of bid for Alternate One for construction of sewer line in conjunction with development of the Amherst Adult Detention Center
- h. Business License Tax

## **XI. County Attorney's Report**

- a. Local Government Liability Issues for Rental/Building Inspections
- b. Code of Ethics
- c. Amherst County/CVCC Lease
- d. Notice to Proceed Construction Amherst County, VA @ Tobacco Row, VA Site 88333

## **XII. Matters from Members of the Board of Supervisors**

## **XIII. Appropriations/Transfers/Disbursements**

## **XIV. Closed Meeting (§2.2-3711.A, Code of Virginia, as amended)**

§2.2-3711.A.1 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. Interviews
  - i) Parks, Recreation & Cultural Dev
  - ii) Zoning Appeals Board
  - iii) Central Virginia Community College
  - iv) Buildings Appeals Board

§2.2-3711.A.3 Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

- a. Consideration of property acquisition

## **XV. Adjourn**

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

NAY: None

### **IN RE: VPI EXTENSION ACTIVITY REPORT**

Bill Seay and Jan Baker, VPI Extension agents met with the Board and presented their 2008 activities report.

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

Dr. B. Ratliff, School Superintendent, met with the Board and provided a status report for current school activities and request for two supplemental appropriations:

On motion of Mr. C. Adams and with the following vote, the Board of Supervisors approved the appropriation of both supplemental appropriations:

Additional funding for the 2008-2009 school session

#### **Federal Funding**

Child Nutrition Program	\$300,000.00
Balance from FY08 (one time appropriation)	\$140,000.00

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

NAY: None

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

Calvin Carlson, resident of “Old Town” Madison Heights, addressed the Board with a proposal for hiring a discharge coordinator for the new Amherst Adult Detention Center.

Consuela Tab, resident of Penn Lane, addressed the Board with concerns of “shooting” near her home.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors requested the Planning Commission review the current shooting zones within the County.

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

NAY: None

Hazel Childry, addressed the Board with shooting zone concerns and to express appreciation for efforts made to improve living conditions in “Old Madison Heights”. Ms. Childry addressed several current concerns with waste tires, abandoned housing and illegal parking.

Ann Carlson, 330 Main St., Old Madison Heights, expressed concerns with a partially burned house in their neighborhood.

Bernie Proctor expressed concerns with proposed release policies for the new Amherst Adult Detention Facility. Mr. Proctor addressed the Board with concerns with upcoming proposed zoning text amendments that would allow “motor cross” facilities, including the need to enhance a revised noise ordinance.

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

- a. Amherst County Board of Supervisors Minutes – March 3<sup>rd</sup>, 17<sup>th</sup>, and 24<sup>th</sup>

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the March 3<sup>rd</sup>, and 17<sup>th</sup>, 2009 minutes as presented. The minutes of March 24<sup>th</sup> was deferred.)

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

NAY: None

On motion of Mr. Wood and with the following vote, the Board of Supervisors approved the March 24, 2009 minutes as presented.

AYE: Mr. R. Vandall, Mr. L. Parrish, Mr. V. Wood

NAY: Mr. D. Kidd and Mr. C. Adams

- b. Calendar Items
- c. Animal Care and Control Department – Report for 2008
- d. Amherst County Sheriff’s Department – February 2009
- e. Amherst County Parks, Recreation and Cultural Development Board Meeting February 9, 2009
- f. Department of Health – Wildwood Campground
- g. Galts Mill Historic District
- h. Twenty-Fourth Judicial Dist Court Service Unit – Letter of March 17, 2009
- i. Robert E. Lee Soil & Water Conservation Dist. – February 26, 2009
- j. VDOT Traffic Alerts – March 23-27, March 30 – April 3, April 6-10, and April 6 – 10, 2009

The County Administrator reviewed consent agenda items and presented a letter from Jack Hobbs, Amherst Town Manager inviting the Board of Supervisors to participate in the Town’s April 20, 2009 forum for planning the Town’s centennial celebration.

#### **IN RE: BUILDING SAFETY AND INSPECTIONS DEPARTMENT - DEMOLITION OF HOUSES ON HORSEFORD ROAD, LYNCHBURG AVE. AND MAIN STREET, MADISON HEIGHTS, VA**

The County Building Official, Kenneth Campbell, presented the following information regarding demolition of houses on Horseford Road, Lynchburg Ave and Main Street, Madison Heights, VA.

Site 1: Horseman Drive	\$14,500.00
Site 2: Lynchburg Ave	\$11,500.00
Site 3: Main Street	<u>\$ 5,000.00</u>
 TOTAL if completed at one time	 \$25,000.00

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the house demolitions and directed the County Administrator to investigate funding options and cost savings measurers and to appropriate up to \$25,000 from the unobligated general fund to cover the cost.

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

NAY: None

#### **IN RE: TOURISM DEPARTMENT - FISH VIRGINIA FIRST UPDATE**

Joe Bondurant, Tourism Director, met with the Board and provided a “Fish Virginia First” update.

**IN RE: PLANNING/ZONING DEPARTMENT - 2008-33 WIND TURBINES**

Jeremy Bryant, Planning Director, met with the Board and presented a recently developed County code for wind turbines.

There was a Board discussion and consensus to direct the Planning Commission to advertise the proposed wind turbine ordinance for public hearing with added set-back requirements from structures.

**IN RE: ZONING REQUEST FROM BLUE RIDGE MARINE**

Jeremy Bryant presented a zoning request from Blue Ridge Marine and proposed draft ordinance for the B-2 Commercial District.

Leane Schlemmer, Vice President of Blue Ridge Marine, met with the Board and presented information.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors directed the Planning Commission to consider the proposed ordinance by removing the text that was included in the permitted use section and leave the text in as a special exception use.

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

NAY: None

**IN RE: BUDGET WORKSHOP**

a. Rainy Day Fund

The County Administrator presented a fund balance recommendation and presented establishment of a proposed "rainy day fund".

There was a Board discussion and consensus to direct the County Administrator to present the proposed Fund Balance report to the County's auditors for their advice and comment and also request their suggested minimum balance to be maintained in an unobligated fund balance.

b. Sale of Delinquent Tax Property

Debbie Shrader and Jennifer Tuggle of J. Thompson Shrader Law Firm, met with the Board to provide information and answer questions regarding delinquent tax sales process. There were Board questions and discussions. Board members stated that the quality of work performed by the Shrader Law Firm has not been in question only conceptual ideas for possible cost savings and/or revenue increases.

c. Business License Tax Reduction

The County Administrator presented proposed business license tax reduction information. There was a consensus to delay discussion of this issue until a future budget workshop.

**IN RE: NATIONAL FOREST WATERSHED PROTECTION REQUEST**

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved adoption of the following National Forest Watershed Protection resolution.

**RESOLUTION TO SUPPORT REVISIONS TO THE GEORGE WASHINGTON FOREST MANAGEMENT PLAN AND THEREBY IMPROVE THE MANAGEMENT OF DRINKING WATER SOURCES**

**WHEREAS**, the U.S. Forest Service is in the process of revising its 1993 Land and Resource Management Plan for the George Washington National Forest; and

**WHEREAS**, the provision of clean safe drinking water is one of the primary benefits that the George Washington National Forest provides to communities that surround it; and

**WHEREAS**, the U.S. Forest Service's agency-wide Strategic Plan for 2004-2008 seeks to achieve six goals, including "Improve watershed condition," and

**WHEREAS**, approximately 44 percent of the land in the George Washington National Forest is within watersheds that provide public drinking water to more than 260,000 residents of western Virginia in 22 communities surrounding the national forest by means of reservoirs and surface waters; and

**WHEREAS**, drinking water sources from streams of the Buffalo River watershed within the George Washington National Forest serve an estimated 5,000 residents and many businesses and institutions in Amherst County; and

**WHEREAS**, the greatest threats to water quality within George Washington National Forest are ground disturbing activities, such as timber harvesting and road construction, which can result in serious erosion and sedimentation if not carefully managed by the Forest Service staff or its contractors as public water supply resources; and

**WHEREAS**, the 1993 George Washington National Forest Management Plan address riparian areas (narrow corridors bordering rivers and streams) and narrow areas bordering reservoirs, but does not provide management objectives for lands within the larger watersheds that determine the health of the water resources in these streams and rivers; and

**WHEREAS**, the 1993 George Washington National Forest Management Plan permits ground disturbing activities on most of the land (64%) in the surface watersheds that provide drinking water through river intakes; and

**WHEREAS**, a 2008 report by the National Research Council (part of the National Academies) states that a sustainable supply of clean water is the most important product or commodity produced by our forest; and

**WHEREAS**, Amherst County works closely with the Amherst County Service Authority, the Robert E. Lee Soil & Water Conservation District and the Town of Amherst to provide a watershed protection program and watershed protection ordinance, participates in a local incentive grant to assist landowners with installing conservation measures to protect the Buffalo River and its surrounding tributaries at the source to provide clean drinking water, and shared the Environmental Protection Agency's 2003 Clean Partner Award, and then 2004 Source Water Protection Award, with these partner organizations;

**NOW THEREFORE**, in order to ensure the quality and quantity of drinking water sources within the nation forest boundaries, be it resolved that the Amherst County Board of Supervisors hereby supports the following revisions to the George Washington National Forest Management Plan

- The U.S. Forest Service should formally identify all the drinking watersheds serving reservoir and surface water resources within the George Washington National Forest. The rivers and streams within these watersheds should be considered and managed under the most stringent water quality standards and practices as public water supplies.
- The U.S. Forest Service should establish management objectives that encompass the health of entire drinking watersheds, in order to ensure that conditions within the watersheds will maintain, protect and enhance drinking water quality.
- The U.S. Forest Service should gather more information to describe and assess watershed conditions, develop a plan to systematically monitor water resources programs and obtain all data pertinent to water quality and watershed conditions, in cooperation with other agencies, organizations, local communities and volunteers.
- The U.S. Forest Service should seek to communicate more effectively with localities that obtain drinking water from sources within the George Washington National Forest in order to ensure that the drinking watersheds are managed effectively, appropriately and for the public good.
- The U.S. Forest Service should work with local communities, agencies and the larger public to establish policies and develop management plans for the drinking watersheds to permanently maintain, protect and enhance drinking water quality.

**BE IT FURTHER RESOLVED** that the Clerk is instructed to transmit a certified copy of the resolution to the U.S. Forest Service, the Town of Amherst, Robert E. Lee Soil and Water Conservation District, the Amherst County Board of Supervisors, Amherst County Service Authority and Wild Virginia in order to advise each of this action and to request support on this issue.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

**IN RE: CHILD ABUSE PREVENTION MONTH RESOLUTION**

On motion of Mr. C. Adams and with the following vote, The Board of Supervisors approved the following resolution for child abuse prevention month.

**CHILD ABUSE PREVENTION MONTH**

**WHEREAS**, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

**WHEREAS**, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

**WHEREAS**, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

**WHEREAS**, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

**WHEREAS**, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, and the business community; and

**THEREFORE**, I do hereby proclaim April as Child Abuse Prevention Month and call upon all citizens, community agencies, faith groups, medical facilities and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

**NOW THEREFORE** the Board of Supervisors does hereby recognize April, 2009 as Child Abuse Prevention Month in Amherst County and I call this observance to the attention of all our citizens.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

**IN RE: VIRGINIA ROCKS!**

The County Administrator reported to the Board on the successful completion of an Eagle Scout project by Draper Lee. The project includes signage and an interpretative rock garden adjacent to Riverwalk Trail and Fertilizer Road Parking lot and is called "Virginia Rocks"!.

**IN RE: CENTRAL VIRGINIA COMMUNITY SERVICES RESOLUTION**

On motion of Mr. Wood and with the following vote, the Board of Supervisors approved the following resolution on the Central Virginia Community Services' 40<sup>th</sup> anniversary.

**CENTRAL VIRGINIA COMMUNITY SERVICES**

**WHEREAS**, Central Virginia Community Services was established on April 18, 1969, employing a staff of five with a budget of \$18,350. Services initially provided were for the treatment of mental illnesses and intellectual disabilities;

**WHEREAS**, Central Virginia Community Services has faithfully served the counties of Amherst, Appomattox, Bedford and Campbell and the cities of Lynchburg and Bedford for 40 years, providing quality behavioral health services to thousands of residents of all ages;

**WHEREAS**, Central Virginia Community Services' mission is to "support and promote the health, independence and self-worth of individuals and families in Central Virginia by providing a continuum of community-based prevention, early intervention, aftercare and psychosocial rehabilitation services for persons affected by mental illness, intellectual disability, substance use and co-occurring disorders.

**WHEREAS**, last year, over 650 Central Virginia Community Services' staff members provided services to 7,603 individuals experiencing problems with mental illness, substance abuse and intellectual disabilities. Central Virginia Community Service programs are provided at 23 sites throughout the Region 2000 area.

**WHEREAS**, Central Virginia Community Services continues to provide programs and services to children, adolescents, adults and their families, including emergency service, assessment services, psychiatric evaluation and medication management, crisis intervention, crisis stabilization residential services, detoxification, nine group homes, day treatment services, assertive community treatment services, intensive in-home services, psychosocial rehabilitation services, mental health supports, early intervention services, case management, outpatient counseling services and prevention programs.

**WHEREAS**, Central Virginia Community Services' staff seeks to provide services in a manner that preserves the independence, dignity, choice and privacy of those individuals assisted.

**WHEREAS**, the Board members and staff of Central Virginia Community Services continually strive to live up the CVCS' mission and values, including the CVCS' motto "**Quality Care ... Changed Lives?**"

**NOW THEREFORE, BE IT RESOLVED** that the Amherst County Board of Supervisors commend the Central Virginia Community Services, Board members and staff for their dedication on this their 40<sup>th</sup> Anniversary.

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

NAY: None

#### **IN RE: REPORT ON PROJECTS AND GOAL STATUS**

The County Administrator presented the following monthly activity report and reviewed it with the Board.

#### **MONTHLY ACTIVITY REPORT APRIL, 2009**

##### **Learning Lane**

Recent Activity: The final plat is being circulated for signatures by all adjacent property owners. When all signatures have been received the plat will be recorded.

Next Steps: Once the plat is recorded the County will instruct Hurt & Proffitt to proceed with the development of bid documents for the road upgrades that will be required to meet VDOT standards

Last Updated: 4/7/09

##### **American Tower – Internet Access for Pedlar and Animal Care and Control Facility**

Recent Activity: The County received approval from American Tower to locate the necessary equipment on their tower on High Peak Mountain.

Next Steps: Wireless Data Systems has been authorized to proceed with the installation of the equipment.

Last Updated: 4/7/09

##### **CVCC Lease**



Recent Activity: The revised lease was approved by the County and CVCC and submitted to the Attorney General's office for review on or around February 10, 2009. Mr. Hunt has followed up repeatedly to inquire as to the status of the review.

Next Steps: Awaiting approval from Attorney General's office.

Last Updated: 4/7/09

### **Amherst Train Station**

Recent Activity: The money advanced by the County has been requested from VDOT from the proceeds of the most recent grant. An application for additional grant funds was submitted in 2008 and grant awards will be announced in June of 2009. The Friends of the Amherst Train Station has been meeting on a regular basis to plan fund raising for the local match portion of the work. The County submitted an application for Stimulus Funding for the Train Station.

Next Steps: Monitor repayment of funds advanced.

Last Updated: 4/7/09

### **Animal Care and Control Facility**

Recent Activity: The Animal Care and Control Facility was recently inspected by the Department of Agriculture and the inspection report was received on March 31, 2009. This was the first formal inspection since the facility opened. The County side of the facility was found to be in compliance with all regulations. The County was cited for not having current certificates for emergency euthanasia by firearms. The Humane Society side of the facility was cited for cleanliness of the floors and for allowing cats to wander at large in the facility.

Next Steps: The County Administrator will meet with the Humane Society and respond to the Department of Agriculture prior to April 15, 2009. The Animal Warden will obtain the necessary certificates. Mr. Hunt is drafting a request to the Department of Agriculture to officially separate the two facilities.

Last Updated: 4/7/09

### **Rental Inspection Ordinance Implementation**

Recent Activity: Letters were sent to all property owners in the area where the ordinance will be first implemented (the Old Madison Heights area between Route 29 Business and Route 163. The Building Official has received applications for five rental properties and has contacted the owners to schedule the inspections over the next few weeks. The County Attorney will present a report on liability issues at the April 7, 2009 meeting.

Next Steps: Conduct first inspections and evaluate.

Last Updated: 4/7/09

### **Blighted Property Report**

Recent Activity: The County Attorney presented a report on enforcement actions at the March 17, 2009 meeting. The Building Official will present the Board with information on the demolition of blighted properties on Horsford Road, Lynchburg Highway and Main Street in Madison Heights at the April 7, 2009 meeting.

Next Steps: Proceed with demolition if authorized by the Board.

Last Updated: 4/7/09

### **Madison Heights CDBG Grant Application**

Recent Activity: A public meeting was scheduled in Madison Heights by Region 2000 on Monday, April 6, 2009. The Board will consider a resolution authorizing the grant application at the April 7, 2009 meeting.

Next Steps: Submit application upon approval by Board

Last Updated: 4/7/09

### **Sidewalk Improvements in Madison Heights**

Recent Activity: The County received a grant of \$50,000 to match County funds for sidewalk improvements in Madison Heights. Hurt and Proffitt conducted an assessment of the sidewalks in Madison Heights and has identified priority improvement areas for construction of curb cuts and installation of a limited amount of new sidewalks.

Next Steps: Submit improvement plan to VDOT for review

Last updated: 4/7/09

### **Survey of Historic Properties**

Recent Activity: The County received a grant from the Department of Historic Resources (DHR) to conduct a survey of historic properties in the County. DHR and the County have entered into a cooperative partnership with the Tusculum Institute at Sweet Briar College to conduct the survey. The grant and all contracts will be administered by DHR.

Next Steps: DHR will authorize work to proceed

Last Updated: 4/7/09

### **Space Needs Study**

Recent Activity: The County has explored a number of options to address space needs with the County Administration building and problems with the HVAC system at the Goodwin Street Building. The County will consider the purchase of property related to the space needs study in closed session on April 7, 2009.

Next Steps: Board to consider options

Last Updated: 4/7/09

### **Broadband Availability**

Recent Activity: The Board will hold a public hearing on April 21, 2009 regarding the establishment of a Broadband Authority which would facilitate the expansion of broadband availability in the unserved and underserved areas of the County. The County has also applied for Stimulus Funds and will continue to monitor the development of criteria for qualifying for funding.

Next Steps: Public Hearing on April 21. Continue to follow process for qualifying for ARRA funding.

Last Updated: 4/7/09

### **Phelps Road School**

Recent Activity: The Board authorized the transfer of the former Phelps Road School to Dennis Gibbs following a public hearing on March 17, 2009. The deed has been prepared and will be recorded following approval of the subdivision plat.

Next Steps: Final Report regarding transfer. The County will monitor the property to ensure that the MOU is followed.

Last Updated: 4/7/09

### **QAD**

Recent Activity: Following a public hearing held on February 17, 2009 the Board of Supervisors authorized transfer of land in the Amelon Commerce Center to QAD for the construction of a new facility. The property has been transferred and the deed recorded. A final plat is being prepared for recordation.

Next Steps: Final Report regarding transfer of land. The County will monitor construction for compliance with the MOU.

Last Updated: 4/7/09

#### **Transfer of Amelon Commerce Center property to EDA**

Recent Activity: The County is working with a company that is expected to locate in the Amelon Commerce Center. The transfer of property to that company will be considered at a public hearing to be scheduled in the next few months. Hurt and Proffitt has recommended that the County wait until after that transfer is complete to update the master plan which will be necessary for transfer to the EDA.

Next Steps: Update master plan following transfer of property to company.

Last Updated: 4/7/09

#### **Release of Industrial Access Funds**

Recent Activity: The EDA Director submitted additional information as requested by VDOT in early April.

Next Steps: Awaiting final approval by VDOT to release the funds

Last Updated: 4/7/09

#### **Monacan Park: Wake Boarding Boat Issue**

Recent Activity: Citizens in the Monacan Park area met with the Board on March 17, 2009 to discuss concerns about the disruptive activity of wake boarding boats on the James River. The Board referred the issue to the Parks, Recreation, and Cultural Development Board for consideration at their next meeting. The County Attorney has been in contact with DGIF and researched possible solutions. The Board will receive a report at the April 21, 2009 meeting.

Next Steps: Meeting of Parks, Recreation and Cultural Development Board to consider solutions.

Last Updated: 4/7/09

#### **Noise Ordinance Revision**

Recent Activity: At the March 17, 2009 meeting the County Attorney presented the Board with a proposal for revising the noise ordinance to address concerns with incessant barking dogs. The Board instructed the County Attorney to conduct a second roundtable discussion on the issue. The County Attorney has contacted those who participated in the first round table to schedule a meeting in mid May.

Next Steps: Roundtable meeting to be held in May.

Last Updates: 4/7/09

#### **Zoning Ordinance Alignment with Comprehensive Plan**

Recent Activity: The Planning Commission has formed sub-committees to review the three top priorities established by the Board to bring the Zoning Ordinance into alignment with the Comprehensive Plan.

Next Steps: Sub-committees to research issues and make presentations to the Planning Commission

Last Updated: 4/7/09

#### **Directional Signs for Motels on Bypass**

Recent Activity: Virginia Logos has processed the applications and is ordering the construction of the signs. Expected installation date is before the end of May.

Next Steps: Installation of signs by Virginia Logos

Last Updated: 4/7/09

### **Water / Sewer to Route 210 Interchange**

Recent Activity: The County is finalizing easements along Riverview Road for the water line and bid documents are expected to be released later this month. Construction of the water and sewer lines will be done in the first phase of the construction of the Lynchburg Adult Detention Center.

Next Steps: Obtain all easements and release bid documents.

Last Updated: 4/7/09

### **Riveredge Park**

Recent Activity: The plans for the park are currently being reviewed by the Bureau of Capital Outlay Management (BCOM) in the Virginia Department of General Services. Following an initial review the A&E firm for the County submitted comments and revised plans.

Next Steps: Awaiting completion of review by BCOM

Last Updated: 4/7/09

### **Blue Ridge Railway Trail**

Recent Activity: An application for grant funding to complete the next section of the trail, including the final portion of the trail in Amherst County, was submitted to VDOT in November. Grant awards will be announced in June.

Next Steps: Awaiting announcement of grant awards by the Commonwealth Transportation Board

Last Updated: 4/7/09

### **Convenience Center Development**

Recent Activity: The Board authorized the preparation of plans and bid documents for the expansion of the Coolwell Convenience Center and closure of the open container site at the landfill. Attempts to locate land for the construction of a convenience center near the open container site on Route 60 West are ongoing. The Solid Waste Director and County Administrator will visit potential sites on April 9.

Next Steps: Plans for expansion of the Coolwell Convenience Center will be completed and presented to the Board for approval. Attempts to locate a site for the Route 60 West site will continue.

Last Updated: 4/7/09

### **GIS**

Recent Activity: Timmons Group is finalizing the GIS system with an early summer launch anticipated. Data sets are currently being reviewed by the Commission of the Revenue's office for accuracy. The new site will include real estate tax parcels data and mapping.

Next Steps: Launch of site

Last Updated: 4/7/09

### **Human Resources Position and Personnel Plan**

Recent Activity: The Personnel Plan Committee presented the Board with a draft of the revised Personnel Plan at the March 3, 2009 meeting. The County Administrator and Deputy County Administrator presented the Board with a draft RFP for Human Resources services at the March 17, 2009 meeting.

Next Steps: The two items will be placed on the May 5, 2009 agenda for Board consideration.

Last Updated: 4/7/09

### **CVTC Renovations**

Recent Activity: The County continues to meet with CVTC and closely monitor plans for the renovation of facilities and the future use of buildings and land which will no longer be needed by CVTC. Recent meetings included review of conceptual drawings for new facilities on the CVTC campus.

Next Steps: Continued meetings with CVTC and monitor plans for renovations or new facilities.

Last Updated: 4/7/09

### **Panther Mountain Tower Access**

Recent Activity: Negotiations continue regarding access to the County tower on Panther Mountain. A report on the status of negotiations will be presented to the Board in closed session at the May 5, 2009 meeting.

Next Steps: Report to Board at May 5, 2009 meeting.

Last Updated: 4/7/09

### **IN RE: OLD MADISON HEIGHTS GRANT RESOLUTION**

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the following resolution for the Community Development Block Grant for Old Madison Heights.

#### **RESOLUTION TO ENDORSE THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM TO PROVIDE HOUSING REHABILITATION, AND INFRASTRUCTURE IMPROVEMENTS TO THE STUMP HILL SECTION OF OLD TOWN MADISON HEIGHTS**

**WHEREAS,** the Commonwealth of Virginia, Department of Housing and Community Development has announced available funding for Virginia Community Development Block Grant program; and

**WHEREAS,** the Old Town Madison Heights area has a concentration of deficiencies that have been identified through public hearings and community meetings; and

**WHEREAS,** Amherst County and the Old Town Madison Heights Management Team, through prioritizing long-term needs to sustain and strengthen Old Town Madison Heights, has identified housing deficiencies of low and moderate income persons, and improvement of poor infrastructure within a large portion of the community as a key needs; and

**WHEREAS,** Amherst County will contribute toward revitalization of Old Town Madison Heights by waiving all dumping fees, zoning permit fees, building permit fees, and water and sewer hookup fees associated with the project, with an estimated value of \$40,175; and

**WHEREAS,** the requested CDBG funds will provide housing rehabilitation to an anticipated nine (9) low to moderate families of which 100% will be low to moderate income persons; and

**WHEREAS,** the requested CDBG funds will also provide upgraded infrastructure improvements to include water, sewer, and street upgrades that will benefit approximately 46 persons of which 33 or 71% are low to moderate income.

**NOW THEREFORE, BE IT RESOLVED**, that pursuant to two public hearings, Amherst County wishes to apply for \$ 1,190,949 of Virginia Community Block Grant funds to complete a Comprehensive Community Improvement Grant in Stump Hill area of Old Town Madison Heights; and

**BE IT FURTHER RESOLVED**, that Rodney Taylor, Amherst County Administrator, is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

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

NAY: None

**IN RE: BID FOR ALTERNATE ONE FOR CONSTRUCTION OF SEWER LINE IN CONJUNCTION WITH DEVELOPMENT OF THE AMHERST ADULT DETENTION CENTER**

On motion of Mr. Adams and with the following vote, the Board of Supervisors approved the Service Authority recommendation for bid acceptance for the Amherst Adult Detention Center sewer line construction, Alternate One, in the amount of \$90,000 and agrees to reimburse the Blue Ridge Regional Jail Authority for that cost.

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

NAY: None

**IN RE: SOLID WASTE**

Teresa Nuckols, Solid Waste Director, met with the Board and provided a report of current soil testing at the closed Rt. 130 Solid Waste site. There was no action.

**IN RE: LOCAL GOVERNMENT LIABILITY ISSUES FOR RENTAL/BUILDING INSPECTIONS**

County Attorney Hunt provided a report to the Board concerning liability issues for rental/building inspections.

**IN RE: CODE OF ETHICS**

The County Attorney presented the a proposed Code of Ethics at Chairman Parrish's request. There was a board discussion and consensus to defer consideration until another meeting.

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

Mr. D. Kidd requested information concerning alcohol that was served at a recent Chamber of Commerce event in the Humane Society's portion of the Animal Shelter Building. The County Attorney informed the Board that legal and liability aspects of the event had been investigated and determined to be appropriate.

Mr. R. Vandall discussed recently implemented county rental inspections program.

Mr. L. Parrish informed the County Administrator of a goat problem in Old Madison Heights, raw sewage issues and unsafe house inspections.

Mr. C. Adams requested information on the status of clean-up of old skate land property in Monroe.

**IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS**

On motion of Mr. R. Vandall and with the following vote, the Board of Supervisors approved the following appropriation/transfers:

**a. APPROPRIATIONS**

**Commonwealth Attorney**

22010 5501	Travel	\$	218.28
(Forfeit Assets Revenue)			

**Sheriff's Department**

33010	3001	Medical	\$	185.28
31020	1013	ACHS – Athletic Compensation	\$	1,359.08
8-3125	1008	DMV Compensation	\$	1,006.40

(Pass through revenue deposited with Treasurer's Office)

**Community**

81090	3002-100-100-100	Prof. Services	\$	2,513.75
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**b. TRANSFERS****Public Safety/Dispatch**

Transfer from:

35050	7002	Furniture & Fixtures	\$	500.00
35060	7002	Computer Equipment	\$	2,500.00
32070	7001	Equipment	\$	10,000.00
32070	3006	Printing	\$	1,000.00
32070	3010	Contract Services	\$	4,000.00

Transfer to:

35050	5804	Miscellaneous	\$	500.00
35060	5101	Electric	\$	2,500.00
32070	1003	Part-Time	\$	15,000.00

**Animal Care & Control**

Transfer from:

35010	3007	Advertising	\$	200.00
35010	5890	Dog Lic./Rec. Books/Forms		200.00
35010	3001	Rabies Treatment		500.00
35980	3007	Advertising	\$	300.00
35980	5501	Travel		245.00
35980	5801	Dues & Membership		265.00

Transfer to:

35010	5203	Telecommunication	\$	900.00
35980	3001	Rabies Treatment	\$	810.00

**Parks, Recreation & Cultural Development Department**

Transfer from:

71010	7002	Furniture & Fixtures	\$	1,000.00
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Transfer to:

71010	5401	Office Supplies	\$	1,000.00
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AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
 NAY: None

**IN RE: CLOSED SESSION**

Mr. R. Vandall moved to go to closed session to discuss a (1) personnel matter and (3) discussion relating to the acquisition or disposition of real property.

§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.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

This was seconded by Mr. Kidd and approved with the following vote:

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

NAY: None

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

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

NAY: None

Mr. Parrish moved the closed session resolution and was approved with the following roll call vote:

Mr. L. Parrish	AYE
Mr. C. Adams	AYE
Mr. D. Kidd	AYE
Mr. R. Vandall	AYE
Mr. V. Wood	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: REAPPOINTMENT CENTRAL VIRGINIA COMMUNITY COLLEGE**

On motion of Mr. Vandall and with the following vote, the Board of Supervisors reappointed Ms. Beverly Jones for another four (4) year term to the Central Virginia Community College Board.

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

NAY: None

#### **IN RE: RECOMMENDATION OF REAPPOINTMENT TO THE BOARD OF ZONING APPEALS**



On motion of Mr. C. Adams and with the following vote, the Board of Supervisors of Amherst County approved the recommendation to the Circuit Court Judges, the reappointment of Barbara N. Woody, 117 Fernwood Dr., Madison Heights, VA 24572 to the Amherst County Board of Zoning Appeals representing District 5 for a term that will expire February 3, 2013.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

**IN RE: REAPPOINTMENT TO BUILDING APPEALS BOARD**

On motion of Mr. Kidd and with the following vote, the Board of Supervisors moved to reappoint Mr. Kelvin Mays to the Building Appeals Board for a four year term to expire April 30, 2013.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

**IN RE: REAPPOINTMENT TO PARKS, RECREATION AND CULTURAL DEVELOPMENT BOARD**

On motion of Mr. Adams and with the following vote, the Board of Supervisors moved to reappoint Mr. John Mann to the Parks, Recreation and Cultural Development Board for a five year to expire December 31, 2013.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

**IN RE: BUDGET WORKSHOP**

There was a consensus to set a budget workshop for 9:30 a.m., April 20, 2009.

**IN RE: ADJOURNMENT**

On motion of Mr. Adams, seconded by Mr. Kidd and with the following vote, the Board of Supervisors moved to adjourn until 7:00 p.m., April 13, 2009 in the County Administration Building, School Board meeting room.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood  
NAY: None

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Leon J. Parrish, Chairman  
Amherst County Board of Supervisors

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Rodney E. Taylor, County Administrator