

BOOK 33**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 20th day of April, 2010 at 7:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Mr. C. Adams	ABSENT: None
	Mr. D. Kidd	
	Mr. R. Vandall	
	Ms. C. Tucker	
	Mr. F. Campbell	

Mr. C. Adams, Chairman, called the meeting to order.

Mr. L. Lintecum, County Administrator, introduced Martha Tucker who would be filming the Board of Supervisors' meeting.

Mr. R. Vandall opened the meeting with the invocation and led in the pledge of allegiance.

IN RE: CITIZEN COMMENTS

Mr. Adams invited any citizen who wished to speak to set forward, give your name and address.

There were none.

IN RE: APPROVAL OF AGENDA – APRIL 20, 2010

Mr. Adams asked if there were any additions or deletions to the agenda.

Mr. Lintecum stated that Ms. B. Campbell, Director of Accounting, would give more information with the financial report with new figures on the short fall in state revenue and the Sheriff was present to give the Board some additional information.

On motion of Mr. D. Kidd and with the following vote, the agenda was approved with the additions listed above:

AGENDA

**TUESDAY, APRIL 20, 2010
ADMINISTRATION BUILDING – 153 WASHINGTON STREET
SCHOOL BOARD MEETING ROOM
7:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Citizen Comments**
- IV. Approval of Agenda**
- V. Zoning Public Hearings**

- a. 2010-03 Request by Charles Ray Knowles, Sr., for a special exception in the R-2 General Residential District. The purpose of the special exception is to allow a manufactured home to be placed on the property. The parcel is located at tax map number 155-A-84B.
- b. 2010-09 Request by Sajal Narayan for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a used automobile sales lot. The parcel is located at 188 Faulconerville Drive and further identified as tax map number 124-A-9.
- c. 2010-10 Request by Blue Ridge Marine for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow boat/motor repair and sales. The parcel is located at 4598 South Amherst Highway and further identified as tax map number 155B-A-3.

VI. Special Appearance and Presentations

- a. School FY10/11 Budget Presentation – Dr. Brian Ratliff

VII. Correspondence

- a. March 2010 Financial Report – Brenda Campbell
- b. Monthly Activity Report April 2010 – David Proffitt
- c. Building Safety and Inspections monthly report for March 2010 – Kenneth Campbell
- d. Amherst County Professional Fire Fighters Association Local 4797- Reannon Davis
- e. Sheriff's Department monthly report for February 2010 L. J. Ayers, III
- f. Public Safety Monthly Report and FY2009-2010 Report – Gary Roakes
- g. Virginia Cooperative Extension Letter of April 12, 2010 – Kevin Irving appointment as Acting Unit Coordinator for the Amherst Extension Office
- h. Application of Virginia Electric and Power Company for approval of rate adjustment clause pursuant to §56-585.1 A 4 of the Code of Virginia Case No. PUE-2010
- i. VDOT Traffic Alerts – April 5-9, and 12-16, 2010

VIII. Department Reports

Assistant County Administrator/Purchasing Agent

- a. Renegotiated janitorial cost

IX. Appropriation/Transfers/Disbursements

a. Appropriations

Sheriff's Department

31020-3004-100	Auto Repairs	\$	573.00
31020-1010	Narcotics Comp.		373.80
31020-3004	Vehicle Repair		50.00
31020-5410	Uniform		47.50
(Pass through revenue)			

31020-1008	Traffic Enforcement (PT)	\$	25,000.00
31020-1008	Traffic Enforcement (FT)		9,414.00
31020-1009	Clerical Salary		4,877.30
31020-2001	FICA		1,030.76
31020-2002	VRS		1,877.87
31020-2005	Health Ins		2,264.63
31020-2006	Life Insurance		117.19
31020-2017	Health Credit		30.02

31020-7005	Vehicle	12,000.00
31020-5804-100	Court House/Inmate Work	1,000.00
16-33050-5804 (Fine Revenue)	DARE-Explorer Club	1,500.00

EDA

81300-8002	Rent – Mountain View (CVCC Satellite)	\$ 50,779.47
91050-5201	Postal Services	7.00
91050-5308	Property Insurance	522.00
91050-9775	Loan-Carter Bank	31,297.00
91100-3005	Repairs & Maintenance	498.00
91200-9860	USDA Debt Services	28,634.00
95550-3002	Professional Services	3,160.00
95550-5101	Electrical Services	11,766.00
95550-5103	Water and Sewer Services	373.00

(Establishing budget for 2009-2010 which is supported from revenues generated through payment of rent from CVCC-Satellite and CMC Rebar, along with collection of fees from bond financing. Revenues are posted to Fund 86 – EDA)

b. Transfers

Central Accounting

Transfer from:

12150-5504	Travel Education	\$ 266.54
12150-3005	Maintenance SVC Contracts	236.32
12150-5201	Postage	228.00

Transfer to:

12150-5415	Computer Supply & Checks	\$ 502.86
12150-5203	Telecommunications	228.00

(Cover the cost of payroll and accounts payable checks and clear expenditure lines through June 30th.)

Sheriff's Department

Transfer from:

31020-3005	Maint SVC	\$ 2,000.00
31020-5201	Postage	1,000.00
31020-7001	Equip	2,634.00

Transfer to:

31020-3015	Repair Furn & Fix	\$ 128.00
31020-5101	Electric	1,500.00
31020-5203	Telephone	2,000.00
31020-5449	Tires	2,000.00
31020-7005	Vehicle	6.00

(To cover expenses)

Jail

Transfer from:

33010-3005	Maint SVC	\$	2,000.00
33010-5203	Water – Sewer		3,000.00
33010-5408	Gas		1,044.00

Transfer to:

33010-3001	Doctors	\$	2,000.00
33010-3004	Building Repair		4,000.00
33010-3016	Repair Radio		21.00
33010-5401	Office Supply		23.00

(To cover expenses)

Public Safety

Transfer from:

35050-3010	Radio Maintenance	\$	977.00
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Transfer to:

35050-3005	Maintenance Service Contract	\$	977.00
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(To cover rental on copier/fax machine for the remainder of budget year)

Animal Shelter

Transfer from:

35980-1001	Comp Attendant – Shelter Manager	\$	22,917.00
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Transfer to:

35980-1003	Part-time Comp	\$	22,917.00
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(To cover shortage in part-time comp and provide funding to cover part-time wages through June 30, 2010)

Accounting

Transfer from:

91040-5494	Copy Machine Maint	\$	22.00
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Transfer to:

91040-8001	Copy machine lease	\$	22.00
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IX. Matters from Members of the Board of Supervisors

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

- a. §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.

(i) Performance Evaluation – County Administrator

XI. Adjournment

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

IN RE: PUBLIC HEARING – ZONING CASE 2010-03 CHARLES RAY KNOWLES, SR.

2010-03 Request by Charles Ray Knowles, Sr., for a special exception in the R-2 General Residential District. The purpose of the special exception is to allow a manufactured home to be placed on the property. The parcel is located at tax map number 155-A-84B.

Mr. J. Bryant opened with additional information and that Mr. May was furnishing new site plan maps. He stated that the Planning Commission had approved the request with the following conditions:

- Approval of the drainfield by the Health Department
- Existing vegetation between the public street and proposed manufactured dwelling shall remain in place
- Family cemetery shall be located on the plat when properly located by the Ware family

The Ware family met with Mr. May to show him where the cemetery was located.

Questions:

Ms. Tucker – were the current owners willing to put fence around the cemetery?

Mr. Campbell – was there a reason that the plat did not give dimensions?

Mr. May – would show dimensions on a revised map whenever the decision was made as to where the cemetery was located and the Knowles had no problem with putting a fence around the cemetery.

Mr. Adams – with the single wide trailer being done at this time when were they planning on putting in the 3 bedroom dwelling?

Mr. Kidd – who was going to live in the trailer? Mr. Knowles replied that it would be him, he lived alone.

Proponents: Mr. May – he was the agent for the owner and grandson. He reported that there were several single wide trailers in the area at this time.

Opponents: None

Board of Supervisors – When was the area rezoned? 2002

Ms. Tucker wished the wording changed about the family cemetery.

Mr. Adams directed Mr. Bryant to work with Mr. May to have the location of the cemetery in writing.

On motion of Mr. Vandall and with the following vote, the Board moved to table action on this case until the May 18, 2010 meeting.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell
NAY: None

IN RE: PUBLIC HEARING – ZONING CASE 2010-09 SAJAL NARAYAN

2010-09 Request by Sajal Narayan for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a used automobile sales lot. The parcel is located at 188 Faulconerville Drive and further identified as tax map number 124-A-9.

Mr. J. Bryant opened with history of used car lots. The reported that the Planning Commission had approved the request with the following conditions:

- Remove the free standing letter sign that is approximately 4' x 8'.
- Maximum of fifteen (15) vehicles for sale at any one time.
- A minimum of two-hundred (200) square feet of low profile plants shall be planted along the hillside adjacent to Route 29 Business and/or Smokey Hollow Road.
- Display area for automobiles may be graveled to begin the business, and shall be surface treated within eighteen (18) to twenty-four (24) months.
- Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets.

Mr. Vandall – question about the vegetation being planted on Rt. 29 Business and/or Smokey Hollow Road. He thinks it should be both.

Ms. Tucker – what was the reasoning with the surface treatment?

Proponents – Rick Mays – partner – No problem with wording to be changed from shall to may on surface Treatment and there would be only 1 vehicle being worked on and no junk vehicles.

Opponents: None

Board:

Ms. Tucker – change “shall” to “may” regarding surface treatment

Mr. Kidd – no inoperable junk vehicles

Mr. Vandall – cannot do this

Mr. Vandall – vegetation on both roads

On motion of Ms. Tucker and with the following vote, the Board approved the request with the change from “shall” to “may” on the surface treatment.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell
NAY: None

IN RE: PUBLIC HEARING 2010-10 BLUE RIDGE MARINE

2010-10 Request by Blue Ridge Marine for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow boat/motor repair and sales. The parcel is located at 4598 South Amherst Highway and further identified as tax map number 155B-A-3.

Mr. J. Bryant explained the request and informed the Board that the Planning Commission had approved the request with the following conditions:

- Require a “*Know-Box Rapid Entry System*”, per the requirements of the Amherst County Public Safety Office.
- Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets.
- Landscaping shall be required to be planted below the existing freestanding sign.
- Maximum of twenty-five (25) boats for sale or display at any one time.

Mr. Adams – Would the applicant be willing to do anything to make the place more appealing?

Renee Biache – owner – She is aware of the posts and has no problem trying to do something.

Proponents: None

Opponents: None

Board:

On motion of Mr. Adams and with the following vote, the Board approved the request.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

Mr. Adams requested the Planning Commission to see what it would take to include knoxbox keys on all new projects

IN RE: SCHOOL BOARD FY 10/11 BUDGET PRESENTATION – DR. BRIAN RATLIFF

Dr. Brian along with Mrs. E. Gamble, Vice Chair and Teresa Crouch were available to present the FY10/11 school budget. Mr. Stanley, Chairman, was out of town.

Dr. Ratliff thanked the Board for the reappointment of Mr. Stanley and Ms. Morton and for all the Board has done for the school system.

Dr. Ratliff went over some of the highlights with the Board and they were available for questions.

IN RE: FINANCIAL REPORT BRENDA CAMPBELL

Ms. Campbell presented the financial report for March 2010 and a memo with additional information on reductions for the Constitutional Offices for the FY10 year in addition to the earlier reductions for salaries. She estimated the additional loss in State reimbursements to be \$127,619.00.

Sheriff Ayers was present to discuss this short fall. He would like to use the fine money to cover furloughs for the Sheriff's Department in the amount of \$9,033.46. He thinks the per diem in the jail budget may be less than the \$50,000 due to the drop in inmates.

Mr. Lintecum ask the Sheriff if he could make up the \$3,586.95 for the other constitutional offices. The Sheriff responded that he did not see any problem with that.

Mr. Adams thanked the Sheriff for his help in these times.

Mr. Kidd also thanked the Sheriff for the spring cleanup that he has had the inmates doing.

The Sheriff also wanted to talk to the Board about the train depot. He said that if and when the Board made their decision on this project that he would like to use fine money to help complete this project and asked that the Board dedicate the building to the fire and rescue squads in the county. He

said that the Board would have to front the money and then he would dedicate the funds from the fine money on a quarterly basis.

Third the Sheriff asked the Board what their thoughts would be about contributions to the Dixie Youth Organizations in the County. He would like to contribute to each of the three groups due to their short fall in revenue.

Mr. Vandall asked the Sheriff if he had talked to the Recreation Department to see what their ideas were.

Mr. Lintecum stated that he would get with the Recreation Department Director to see what's needed.

They also thought the Sheriff would need to get some information back as to what they did with the money.

On motion of Mr. Adams and with the following vote, the Board moved to allow the Sheriff to contribute up to \$15,000 out of the fine revenue money to each of the three Dixie Youth Organizations.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

IN RE: RENEGOTIATED JANITORIAL COST

Mr. Proffitt presented the following to the Board regarding the janitorial cost.

AMHERST COUNTY

DEPUTY COUNTY ADMINISTRATOR'S OFFICE/PURCHASING OFFICE

P. O. BOX 390

Phone: 434-946-9308

AMHERST, VA 24521

Fax: 434-946-9370

MEMO

TO: Board of Supervisors

FROM: David Proffitt, Deputy County Administrator/Purchasing Agent

DATE: April 12, 2010

RE: At the April 6, 2010 Board meeting the attached comparative cost information was presented for County Janitorial Services. Staff was directed to further negotiate with the current contractor and provide additional information at the April 20, 2010 meeting.

The most current negotiated cost comparisons are as follows:

Current Annual Janitorial Cost:	\$145,385. ⁸⁸
Negotiated Cost with no service reduction:	<u>-\$ 98,858.⁸⁸</u>

Annual Reduction	\$ 46,527. ⁰⁰
Annual Estimated "in-house" operational cost (excluding parks): Note: Less initial equipment purchase, employee training, etc. estimated \$10,000	\$ 71,427. ⁰⁰
Re-negotiated Annual Contract Cost - excluding parks:	\$ 87,761. ²⁸

Since the last discussion with the Board regarding this issue, Teresa Nuckols has calculated a cost for "in-house" Janitorial Services for County Parks, utilizing existing part-time labor. (The part-time labor hours would be increased.)

This cost estimate, including supplies and travel is: \$725 (month) x 12 = \$8,700 annually

The most current negotiated contract cost for the County parks is: \$924.80 x 12 = \$11,097.⁶⁰

AMHERST COUNTY

DEPUTY COUNTY ADMINISTRATOR'S OFFICE/PURCHASING OFFICE

P. O. BOX 390

Phone: 434-946-9308

AMHERST, VA 24521

Fax: 434-946-9370

MEMO

COPY

TO: Board of Supervisors

FROM: David Proffitt, Deputy County Administrator/Purchasing Agent

DATE: March 30, 2010

RE: At the Board's Budget Workshop on March 24th, I was directed to further negotiate with the County's janitorial contractor to obtain a reduced comparison contract cost, with no reduction in services. This cost could be compared with the estimated cost provided for provision of "in-house" janitorial services.

Attached is the negotiated cost proposal received. The comparative cost is as follows:

Current Janitorial Cost:	\$145,385. ⁸⁸	Annual
Negotiated Cost with no service reduction:	<u>-\$116,308.⁵⁶</u>	
	\$ 29,077. ³²	Annual reduction

Estimated "in-house" operational cost: Note: 1) Less initial equipment purchase employee training, etc. 2) Does not include parks	\$ 71,427. ⁰⁰	Annual
Re-negotiated Contract Cost - excluding parks:	\$103,252. ⁵⁶	Annual

Mr. Adams thinks it should be done in house.

Mr. Vandall asked what had to be done to cancel the existing contract?

Ms. Tucker wanted to know how they would be supervised?

On motion of Mr. Vandall and with the following vote, the Board directed staff to move forward with setting up in house janitorial service.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

IN RE: APPROPRIATIONS/TRANSFERS

On motion of Mr. Kidd and with the following vote, the Board approved the appropriations and transfers as requested:

a. Appropriations

Sheriff's Department

31020-3004-100	Auto Repairs	\$	573.00
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31020-3004	Vehicle Repair		50.00
31020-5410	Uniform		47.50
(Pass through revenue)			

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16-33050-5804	DARE-Explorer Club		1,500.00
(Fine Revenue)			

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(Establishing budget for 2009-2010 which is supported from revenues generated through payment of rent from CVCC-Satellite and CMC Rebar, along with collection of fees from bond financing. Revenues are posted to Fund 86 – EDA)

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Transfer from:

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(Cover the cost of payroll and accounts payable checks and clear expenditure lines through June 30th.)

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31020-5449	Tires		2,000.00
31020-7005	Vehicle		6.00

(To cover expenses)

Jail

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33010-3004	Building Repair		4,000.00
33010-3016	Repair Radio		21.00
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(To cover expenses)

Public Safety

Transfer from:

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Transfer to:

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(To cover rental on copier/fax machine for the remainder of budget year)

Animal Shelter

Transfer from:

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Transfer to:

35980-1003	Part-time Comp	\$	22,917.00
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(To cover shortage in part-time comp and provide funding to cover part-time wages through June 30, 2010)

Accounting

Transfer from:

91040-5494	Copy Machine Maint	\$	22.00
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Transfer to:

91040-8001	Copy machine lease	\$	22.00
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AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

IN RE: MATTERS FROM THE BOARD OF SUPERVISOR MEMBERS

Mr. Lintecum informed the Board that the joint meeting with the EDA would be May 12, 2010 at 6:00 p.m. in the Board of Supervisor's meeting room.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

Ms. Tucker – would like some changes in ordinance on the landscaping
Also she did not like voting first all the time

Mr. Kidd – joint meeting with Planning Commission – June 3, 2010 at 5:00 p.m.

Mr. Vandall – none

Mr. Campbell – none

Mr. Adams – none

IN RE: CLOSED SESSION

Mr. D. Kidd moved to go to closed session to discuss a (1) personnel matter (pursuant to § 2.2-3711.A.1, of the Virginia Code Section involving the performance evaluation of the County Administrator.

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

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms C. Tucker and Mr. F. Campbell

NAY: None

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

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms C. Tucker and Mr. F. Campbell

NAY: None

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

Mr. C. Adams	AYE
Mr. D. Kidd	AYE
Mr. R. Vandall	AYE
Ms. C. Tucker	AYE
Mr. F. Campbell	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: COUNTY ADMINISTRATOR

On motion of Mr. Adams and with the following vote, the Board of Supervisors moved to release Mr. Lee Lintecum, County Administrator from the six (6) month contract probationary period.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell

NAY: None

IN RE: ADJOURNMENT

On motion of Mr. Kidd, seconded by Mr. Campbell and approved with the following vote, the Board of Supervisors adjourned.

AYE: Mr. C. Adams, Mr. D. Kidd, Mr. R. Vandall, Ms. C. Tucker and Mr. F. Campbell
NAY: None

Christopher R. Adams, Chairman
Amherst County Board of Supervisors

C. Lee Lintecum, County Administrator