

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

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 15<sup>th</sup> day of June, 2010 at 7:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT:	Mr. D. Kidd Ms. C. Tucker Mr. R. Vandall Mr. R. Curd Mr. F. Campbell	ABSENT: None
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Mr. D. Kidd, Chairman, called the meeting to order.

Invocation and Pledge of Allegiance was led by Mr. R. Vandall.

**IN RE: CITIZEN COMMENTS**

Calvin Carlson, Old Town Madison Heights – rental ordinance – wants to see the rental ordinance continue and be more aggressive and to thank Ken Campbell for all that he has been doing.

John Marks – Madison Heights – Phelps Road School property – detailed report on the Phelps Road School and the progress or the lack of progress in getting this cleaned up. Wanted the Board to take more action in getting this progress cleaned up and to see what the problem was with Mr. Gibbs.

Donald Tyree – 162 Phelps Road – neighbor of the school property – problems with the property

**IN RE: APPROVAL OF AGENDA**

Delete 'b' under VI. Special Appearance and Presentations

On motion of Mr. Vandall and with the following vote, the Board approved the agenda with the deletion of 'b' under VI. Special Appearance and Presentations.

**AGENDA**

**TUESDAY, JUNE 15, 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**

**2010-12** Request by Sonoco Products Company for a conditional zoning from the R-2 General Residential District and the B-2 General Commercial District to the M-1 Industrial District. The proposed rezoning is to allow a salvage yard on the property, which is a special exception use. The property is located on Recycle Road and is further identified as tax map numbers 160A2-5-B, 160A2-5-38A, 39A, 40B, 41A and 42A.

**2010-13** Request by Sonoco Products Company for a special exception in the M-1 Industrial District. The purpose of the special exception is to allow a salvage yard to be placed on the property. The property is located on Recycle Road and is further identified as tax map numbers 160A2-5-B, 160A2-5-38A, 39A, 40B, 41A and 42A.

**VI. Special Appearance and Presentations**

- a. Bond financing – Dan Siegel, Sands Anderson, & Rowland Kooch, Davenport
- b. Phelps Road School Property – Dennis A. Gibbs

**VII. Other Planning and Zoning Items (if any)**

- a. Assistant Zoning Administrator/Planner Position
- b. Zoning Ordinance Priority Changes

**VIII. Consent Agenda**

- a. July and August meeting schedule

**IX. Correspondence**

- a. Reminder of Historical Survey presentation
- b. Building Safety and Inspections May 2010 monthly report
- c. Virginia's Region 2000 Economic Development Council – May 27, 2010
- d. Twenty-Fourth Judicial Circuit Of Virginia – May 24, 2010
- e. The City of Lynchburg, Virginia Dept. of Utilities – Pedlar Dam Alterations -May 21, 2010
- f. Virginia Electric and Power Company – Case No. PUE-2010-00042
- g. Dept. of Agriculture and Consumer Services – Inspection – May 26, 2010
- h. Dept. of Environmental quality – Biosolids – June 8, 2010
- i. VDOT Traffic Alerts – May 31 – June 4, 2010 - June 7-11,2010 – Structure Inspections Scheduled – June 14-18, 2010

**X. Department Reports**

**Accounting Department**

- a. Resolution for VRS Member Contribution Pick-up
- b. May 2010 Financial Report

**Purchasing Department**

- a. Janitorial Services
- b. Goodwin Street Building HVAC Upgrade
- c. Coolwell Recreation Center Parking Lot
- d. Riveredge Park Project

**XI. County Administrator's Reports**

**XII. Appropriation/Transfers/Disbursements**

**XIII. Matters from Members of the Board of Supervisors**

**XIV. Adjourn**

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

NAY: None

**IN RE: ZONING PUBLIC HEARINGS**

**2010-12 Request** by Sonoco Products Company for a conditional zoning from the R-2 General Residential District and the B-2 General Commercial District to the M-1 Industrial District. The proposed rezoning is to allow a salvage yard on the property, which is a special exception use.

The property is located on Recycle Road and is further identified as tax map numbers 160A2-5-B, 160A2-5-38A, 39A, 40B, 41A and 42A.

Mr. J. Bryant

Voluntary Proffers:

1. Hours of Operation (Monday-Friday; Closed on Saturday/Sunday):  
Employee Hours 5:30 A.M. – 5:30 P.M.  
Open to the public: 7:30 A.M. – 4:00 P.M.  
Open to truck drivers: 7:30 A.M. – 4:30 P.M.
2. Buffering: The existing vegetative buffer that is established on the southern portion of lots: B, 38A, 39A, 40B, 41A, 42A shall remain. A double staggered portion of evergreens that are in accordance with the Amherst County Landscaping Ordinance shall be planted on the rear (south) line of parcel 39A, 40B and 41A.
3. Uses: The only activity that the rezoning can be used for is the use that Sonoco currently has on tax map parcel number 161-A-28. All other uses in the M-1 Industrial District, other than Salvage Yards [708.03(1)], that are permitted and special exception uses will not be allowed.
4. Noise: Sunoco will not use any equipment that is not already being used on tax map number 161-A-28. Typical equipment being used on the proposed rezoning parcels is bobcats, forklifts and tractor-trailers.
5. Public Safety: A “Knox-box” will be placed on the property that is in accordance with the standards established by the Amherst County Public Safety Department.
6. Interior Property Lines: The interior lot lines between lot 38A-42A will be vacated.
7. Height: Recycled material shall not be stacked at a height that exceeds a 1:1 ratio from the property line.

Proponents: Jim May – agent for Sonoco

Opponents: Eric Spitzer – not against but needed more information

The public hearing was closed.

Supervisors:

On motion of Ms. C. Tucker and with the following vote, the Board approved the request for a conditional zoning from the R-2 General Residential District and the B-2 General Commercial District to the M-1 Industrial District with the proffers presented as recommended by the Planning Commission.

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

NAY: None

**2010-13 Request** by Sonoco Products Company for a special exception in the M-1 Industrial District. The purpose of the special exception is to allow a salvage yard to be placed on the property. The property is located on Recycle Road and is further identified as tax map numbers 160A2-5-B, 160A2-5-38A, 39A, 40B, 41A and 42A.

J. Bryant

Proffer: Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets.

Proponents: None

Opponents: None

Supervisors:

On motion of Mr. R. Vandall and with the following vote, the Board approved request for a special exception in the M-1 Industrial District with the proffer as recommended by the Planning Commission.

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

**IN RE: RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA APPROVING THIRD SUPPLEMENTAL SUPPORT AGREEMENT AND OTHER MATTERS RELATED TO ISSUANCE OF A WATER AND SEWER REVENUE REFUNDING BOND BY THE AMHERST COUNTY SERVICE AUTHORITY**

**WHEREAS**, the Board of Supervisors of the County of Amherst, Virginia (**the “Board of Supervisors”**) created the Amherst County Service Authority (**the “Authority”**) in accordance with the Virginia Water and Sewer Authorities Act, now the Virginia Water and Waste Authorities Act, Title 15.2-5100 *et seq.* (**the “Act”**) and a certificate of incorporation was issued by the State Corporation Commission, all for the purpose of giving the Authority the power to acquire, purchase, lease, construct, reconstruct, improve, extend, equip, operate, maintain and finance a water and sewer system (**the “System”**) within or without, or partly within and without Amherst County (**the “County”**) and to otherwise have, possess and exercise the powers granted to an authority under the Act and as otherwise authorized or permitted by law; and

**WHEREAS**, the Authority has determined that it has the potential to refund its \$4,300,000 Revenue Bonds, Series 2000 (**the “Series 2000 Bonds”**) in order to achieve substantial debt service savings; and

**WHEREAS**, the Authority has financed the expansion and improvement of the System in the past by actions including issuance of the Series 2000 Bonds, its \$825,000 Revenue Bond Anticipation Note, Series 2007 (**the “Series 2007 Note”**) and its \$8,044,000 Water and Sewer Revenue Bond, Series 2009 (**the “Series 2009 Bond”**) and in relation thereto, the County and the Authority originally entered into a Support Agreement, dated as of December 1, 2000 (**the “Original Support Agreement”**) whereby the County undertook to consider appropriations as necessary in support of debt service payments on the Series 2000 Bonds, a Supplemental Support Agreement, dated as of September 1, 2007 (**the “Supplemental Support Agreement”**) whereby the County undertook to consider appropriations as necessary in support of debt service payments on the Series 2007 Note and a Second Supplemental Support Agreement, dated as of September 1, 2009 (**the “Second Supplemental Support Agreement”**) and together with the Original Supplemental Support Agreement and the Supplemental Support Agreement, the **“Support Agreement”**) whereby the County undertook to consider appropriations as necessary in support of debt service payments on the Series 2009 Bond; and

**WHEREAS**, the Series 2009 Bond refunded, paid and redeemed the Series 2007 Note in full; and

**WHEREAS**, the Authority desires to finance the costs of advance refunding its Series 2000 Bonds in full through issuance of its not to exceed \$3,630,000 Water and Sewer Revenue Refunding Bond (**the “Series 2010 Bond”**) through the sale of such Series 2010 Bond to Carter Bank & Trust (**the “Bank”**), such Series 2010 Bond to be secured by the revenues of the System on a parity basis with the Series 2009 Bond; and

**WHEREAS**, drafts of the following documents have been presented to the Board of Supervisors:

- (a) the Third Supplemental Agreement of Trust (**the “Third Supplemental Trust Agreement”**) between the Authority and U.S. Bank National Association, as trustee (**the “Trustee”**), which provides for the issuance of the Series 2010 Bond and the terms and conditions thereof;
- (b) the Third Supplemental Support Agreement between the Authority and the County (**the “Third Supplemental Support Agreement”**);
- (c) the Bond Purchase Agreement, between the Authority and the Bank (**the “Bond Purchase Agreement”**), to be consented to by the County; and
- (d) the form of the Series 2010 Bond.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST, VIRGINIA:**

1. It is determined to be in the best interests of the County and its citizens for the Board of Supervisors to enter into the Third Supplemental Support Agreement, which is in addition and supplemental to the Support Agreement.

2. In consideration of the Authority's undertakings with respect to advance refunding its Series 2000 Bonds, the Chairman or Vice-Chairman, either of whom may act, is hereby authorized and directed to execute and deliver the Third Supplemental Support Agreement. The Third Supplemental Support Agreement shall be in substantially the form presented to this meeting, which is hereby approved, with such completions, omissions, insertions or changes not inconsistent with this resolution as may be approved by the Chairman or Vice Chairman, the execution thereof by the Chairman or Vice Chairman to constitute conclusive evidence of his approval of such completions, omissions, insertions or changes.

3. The County Administrator is hereby authorized and directed to carry out the obligations imposed by the Third Supplemental Support Agreement on the County Administrator.

4. As provided by the Third Supplemental Support Agreement, the Board of Supervisors hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to the Third Supplemental Support Agreement, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board of Supervisors, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby state its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise during the term of the Third Supplemental Support Agreement.

5. The Board of Supervisors, on behalf of the County, consents to the provisions and terms of the Third Supplemental Trust Agreement and the Bond Purchase Agreement.

6. The Board of Supervisors, on behalf of the County, hereby agrees to the issuance by the Authority of the Series 2010 Bond, provided that the original aggregate principal amount of such Series 2010 Bond does not exceed \$3,630,000.

7. All resolutions or parts thereof in conflict herewith are hereby repealed.

8. This resolution shall take effect immediately.

### **THIRD SUPPLEMENTAL SUPPORT AGREEMENT**

9. **THIS THIRD SUPPLEMENTAL SUPPORT AGREEMENT**, dated as of June 1, 2010 (**this "Third Supplemental Support Agreement"**), by and between the County of Amherst, Virginia (**the "County"**), by its Board of Supervisors (**the "Board"**) and the Amherst County Service Authority (**the "Authority"**).

### **W I T N E S S E T H:**

10. **WHEREAS**, the Authority was created by resolution of the Board pursuant to the Virginia Water and Waste Authorities Act, Chapter 59, Title 15.2, of the Code of Virginia of 1950, as amended (**the "Act"**), was chartered by the State Corporation Commission and owns and operates its water, sewer and sewage disposal facilities in the County (**the "System"**); and

11. **WHEREAS**, the Authority has previously financed portions of the design, acquisition, construction and equipping of the System through the issuance of its Series of 2000 revenue bonds in the original principal amount of \$4,300,000 (**the "Series 2000 Bonds"**) pursuant to an Agreement of Trust, dated as of December 1, 2000 (**the "Original Trust Agreement"**) between the Authority and U.S. Bank National Association (formerly known as SunTrust Bank) as Trustee (**the "Trustee"**); and

12. **WHEREAS**, in connection with the issuance of the Series 2000 Bonds, the Authority entered into a Support Agreement with the County, dated as of December 1, 2000 (**the "Support Agreement"**) which provides among other things that in the event of a deficit in the Debt Service Reserve Fund (as defined in the Trust Agreement) securing the Series 2000 Bonds, the Authority will request the County to appropriate funds to correct any such deficiency; and

13. **WHEREAS**, the Authority has previously refunded its \$825,000 Revenue Bond Anticipation Note, Series 2007, issued pursuant to a Supplemental Agreement of Trust, dated as of September 1, 2007, between the Authority and the Trustee (**the “Supplemental Trust Agreement”**), and financed costs associated with certain improvements and upgrades to the Authority’s System through the issuance of its Series of 2009 water and sewer revenue bond in the original principal amount of \$8,044,000 (**the “Series 2009 Bond”**) pursuant to a Second Supplemental Agreement of Trust, dated as of September 1, 2009 (**the “Second Supplemental Trust Agreement”**) between the Authority and the Trustee; and

14. **WHEREAS**, in connection with the issuance of the Series 2009 Bond, the Authority entered into a Second Supplemental Support Agreement with the County, dated as of September 1, 2009 (**the “Second Supplemental Support Agreement”**) which provides among other things that the County will consider appropriation of funds to be applied toward payment of the Series 2009 Bond should the Authority anticipate a shortfall in Revenues (as defined in the Original Trust Agreement); and

15. **WHEREAS**, the Authority desires to issue, offer and sell its water and sewer revenue refunding bond in the maximum principal amount of \$3,630,000 (**the “Series 2010 Bond”**) to Carter Bank & Trust (**the “Bank”**) to refund and prepay in full its Series 2000 Bonds and to pay certain costs of issuance of the Series 2010 Bond; and

16. **WHEREAS**, the Series 2010 Bond is to be issued pursuant to a Third Supplemental Agreement of Trust dated as of June 1, 2010 between the Authority and the Trustee (**the “Third Supplemental Trust Agreement” together with the Original Trust Agreement, Supplemental Trust Agreement and Second Supplemental Trust Agreement, the “Trust Agreement”**) as an Additional Bond (as defined in the Trust Agreement) secured by a pledge of Revenues of the System on parity with the Series 2009 Bond; and

17. **WHEREAS**, the Bank has provided a letter of commitment to purchase the Series 2010 Bond on conditions which include but are not limited to the Authority and the County agreeing that the County will provide its “moral obligation” pledge to consider appropriation of funds in support of payment of debt service on the Series 2010 Bond should the Authority anticipate or experience a shortfall in Revenues and the Authority and the County desire to enter into this Third Supplemental Support Agreement to satisfy this condition and to provide for the health, safety and welfare of the County citizens and to promote industrial and residential growth for the County to increase employment and the County’s tax base.

18. **NOW THEREFORE**, for and in consideration of the mutual covenants herein contained, the receipt of which is hereby acknowledged, the parties do covenant and agree as follows:

1. Except as otherwise defined in this Third Supplemental Support Agreement; words defined in the Trust Agreement are used in this Third Supplemental Support Agreement with the meanings assigned to them in the Trust Agreement.

2. The Authority agrees to operate and maintain the System in compliance with all local, state and federal laws and regulations applicable to the System, to continue to provide sewer and water service to the residents of the County living in the area serviced by the System and to issue the Series 2010 Bond to pay certain costs of the issuance related to the financing.

3. No earlier than May 15 of each year, beginning May 15, 2011, the Authority shall notify the Board of the amount (**the “Annual Deficiency Amount”**) by which the Authority reasonably expects the Revenues to be insufficient to pay debt service obligations under the Series 2010 Bond due during the County’s fiscal year beginning the following July 1.

4. The County Administrator of the County (**the “County Administrator”**) shall include the Annual Deficiency Amount in the budget submitted to the Board for the following fiscal year as an amount to be appropriated to or on behalf of the Authority. The County Administrator shall deliver to the Authority within ten days after the adoption of the County’s budget for each fiscal year, but not later than July 15 of each year, a certificate stating whether the Board has appropriated to or on behalf of the Authority an amount equal to the Annual Deficiency Amount.

5. If at any time the Bond Fund created by the Trust Agreement shall fail to have less than the amount required to pay the interest on the Series 2010 Bond then due, or the principal of the Series 2010 Bond then due, the Authority's Director of Utilities shall notify the County Administrator of the amount of such deficiency and shall request an appropriation from the Board in the amount of such deficiency to increase the amount on deposit in the Bond Fund required under the Trust Agreement.

6. Upon receipt of each request for appropriation from the Authority pursuant to paragraphs 4 or 5 above, the Board shall consider such request, at its next regularly scheduled meeting. Promptly after such meeting, the County Administrator shall notify the Trustee and the Authority as to whether the amount so requested was appropriated.

7. The County shall pay to the Trustee, on behalf of the Authority, for deposit in the appropriate account or subaccount of the Bond Fund, the amount of any appropriation made pursuant to this Agreement.

8. The Board hereby undertakes a non-binding obligation to appropriate to the Authority such amounts as may be requested from time to time pursuant to paragraphs 4 and 5 above, to the fullest degree and in such manner as is consistent with the Constitution and laws of the Commonwealth of Virginia. The Board, while recognizing that it is not empowered to make any binding commitment to make such appropriations in future fiscal years, hereby states its intent to make such appropriations in future fiscal years, and hereby recommends that future Boards of Supervisors do likewise.

9. Nothing herein contained is or shall be deemed to be a lending of the credit of the County to the Authority or to any holder of any of the Series 2010 Bond, the Series 2009 Bond or any Additional Bonds that may be issued, or to any other person, and nothing herein contained is or shall be deemed to be a pledge of the faith and credit or the taxing power of the County. Nothing herein contained shall bind or obligate the Board to appropriate funds to the Authority for the purposes described herein nor shall any provision of this Agreement give the Authority or any holders of the Bonds or any other person any legal right to enforce the terms hereof against the Board or the County.

10. The terms, conditions and provisions of the Support Agreement and the Second Supplemental Support Agreement, except as they may be modified by this Third Supplemental Support Agreement, are confirmed and ratified.

11. This Third Supplemental Support Agreement may be executed in several counterparts, each of which will be an original and all of which together shall constitute but one and the same instrument.

**AMHERST COUNTY SERVICE AUTHORITY**

By: \_\_\_\_\_

Its: Chairman

**AMHERST COUNTY, VIRGINIA**

By: \_\_\_\_\_

Its: Chairman

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

NAY: None

**IN RE: PLANNING/ZONING – ASSISTANT ZONING ADMINISTRATOR/PLANNER POSITION**

Mr. Bryant informed the Board that he had received a letter of resignation from Theresa Jorgensen effective July 23, 2010.

He was asking the Board their direction as he would like to start advertising as soon as possible

Ms. Tucker said she thought an exit interview should be done and placed in her personnel file.

The Board informed Mr. Bryant that he and Mr. Lintecum should to the interviewing.

**IN RE: ZONING ORDINANCE PRIORITY CHANGES**

Mr. Bryant gave the Board some highlights as to what this was and would do for the zoning ordinance.

On motion of Ms. Tucker and with the following vote, the Board approved Mr. Bryant taking the zoning ordinance priority changes to Planning Commission public hearing.

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

NAY: None

**IN RE: JULY AND AUGUST MEETING SCHEDULE**

By consensus of the Board, the July and August meeting schedule will remain the same, 1<sup>st</sup> and 3<sup>rd</sup> Tuesday of each month.

**IN RE: CORRESPONDENCE**

- j. Reminder of Historical Survey presentation
- k. Building Safety and Inspections May 2010 monthly report
- l. Virginia's Region 2000 Economic Development Council – May 27, 2010
- m. Twenty-Fourth Judicial Circuit Of Virginia – May 24, 2010
- n. The City of Lynchburg, Virginia Dept. of Utilities – Pedlar Dam Alterations -May 21, 2010
- o. Virginia Electric and Power Company – Case No. PUE-2010-00042
- p. Dept. of Agriculture and Consumer Services – Inspection – May 26, 2010
- q. Dept. of Environmental quality – Biosolids – June 8, 2010
- r. VDOT Traffic Alerts – May 31 – June 4, 2010 - June 7-11,2010 – Structure Inspections Scheduled – June 14-18, 2010

Information only

**IN RE: NEW HIRE CONTRIBUTION TO VRS UNDER § 414(H) OF THE INTERNAL REVENUE CODE FOR PLAN 2 EMPLOYEES**

By consensus of the Board of Supervisors, the Board of Supervisors acknowledges that any new hires after July 1, 2010 will pay the five (5) percent member contribution according to the terms of the legislation. This action does not require action by the governing body and authorized the County Administrator to sign this authorization.

**IN RE: MAY 2010 FINANCIAL REPORT**

Ms. B. Campbell presented the May 2010 financial report to the Board and was available for any questions.

**IN RE: JANITORIAL SERVICES**

Mr. Proffitt explained to the Board his actions in advertising for in-house janitorial services and that arrangement have been made for the in-house janitorial services for the County parks but we have not had very good response for in-house janitorial applicants.

On motion of Ms. Tucker and with the following vote, the Board thanked Mr. Proffitt and directed his to cease any further search and to continue on a month to month basis with the present janitorial services.

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

NAY: None

**IN RE: GOODWIN STREET BUILDING HVAC UPGRADE**

During the May 4, 2010 Board of Supervisors meeting, staff was directed to coordinate with Engineered Systems, LLC for the procurement of chiller – replacement for the Goodwin St. Building.

Proposal to prepare RFP for Chiller System procurement for Goodwin Building

Scope of Work:

1. Site visit to review existing HVAC issues with respect to temperature and environmental controls
2. Draft of technical portions of RFP to be advertised by county purchasing
3. Meet with prospective HVAC contractors who wish to make a proposal in response to RFP
4. Answer technical questions of HVAC contractors during proposal preparation period
5. Review proposals and interview contractors
6. Make recommendations to county purchasing for award of contract
7. Includes assistance with contract administration and inspection

Engineered Systems will be assisted by Wiley and Wilson during drafting of RFP and certain elements of construction phase.

Total – Not to exceed 64 hours @\$125.00 per hour, plus \$.52 per mile for travel.

On motion of Mr. D. Kidd and with the following vote, the Board approved the proposal from Engineered Systems and to proceed with the HVAC procurement process for the Goodwin St. Building.

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

NAY: None

**IN RE: COOLWELL RECREATION CENTER PARKING LOT**

The Board approved resurfacing of the Coolwell Recreation Center driveway entrance, parking areas and service road in September 2009. The work was accomplished shortly thereafter for a cost of \$21,865 and funded with CIP bond proceeds. The original cost estimate for the work was \$39,400 when bidding was authorized. The Board appropriated \$24,500 for the project as plans were to include thoroughly cleaning the surface and lining for parking spaces after a reasonable “curing” period. Shortly after the surface was applied there was vandalism to several areas of the surface caused by vehicles spinning through the surface to the bare material. The parking lot is ready to be cleaned and marked, however there are 6-7 “pothole” repairs that need to be made. The toil cost for pothole repair, cleaning and marking is \$3,450. This would require an additional appropriation of \$815 to complete the project.

On motion of Mr. R. Vandall and with the following vote, the Board approved the appropriation of \$815 from CIP bond proceeds to complete preparation and marking of the Coolwell Recreation Center parking lot.

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

NAY: None

**IN RE: RIVEREDGE PARK PROJECT**

After several years of planning and engineering review by state agencies, Amherst County has received authorization from VDOT to proceed with advertising the Riveredge Park project for bid. The scope of the approved project includes construction of an entrance road, demolition of the existing building, construction of a new building, provision of necessary utilities, and parking improvements. Future plans include hiking/biking trails, fishing accessibility and a handicap fishing pier.

Since approval of the existing project scope, the County has been notified by an additional bid award of \$225,000 which would require a cash match of \$56,250. Bid authorization may be expanded to include additional park features if the matching funds could be identified. A possible source for these

funds may be considered from the CIP bond proceeds, if considered appropriate by bond council and at the Board's discretion.

On motion of Mr. Vandall and with the following vote, the Board authorized bid advertisement for the Riveredge project as currently approved by VDOT.

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

NAY: None

#### **IN RE: 2010 VACO ANNUAL CONFERENCE**

There was a consensus of the Board to have the rooms reserved pending a decision as to who will be attending.

#### **IN RE: SECOND MEETING LOCATION**

There was a consensus of the Board to have the July 20, 2010 meeting at the Amherst Education Center in Madison Heights.

#### **IN RE: APPROPRIATIONS/TRANSFERS**

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

##### **a. APPROPRIATIONS**

##### **Victim Witness – FY10**

Fund 001

22030-5501	Travel	\$	323.00
22030-5201	Postage		498.00
22030-5401	Office Supplies		328.00
22030-5203	Telecommunications		41.00

(To adjust approved FY10's budget to coincide with grant award for the Victim Witness Program)

##### **Parks, Recreation & Cultural Development**

71010-3004	Repairs & Maintenance	\$	2,340.00
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(Revenue from the excess revenue generated by fees and charges for the Recreation Dept.)

##### **b. TRANSFERS**

##### **J & D Court – FY 10**

Transfer from:

21050-3004	Repairs & Maintenance	\$	539.44
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Transfer to:

21050-5203	Telephone	\$	539.44
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##### **Tourism – FY 10**

Transfer from:

81600-5605	Community Assist.	\$	1,172.59
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Transfer to:

81600-5203	Telecommunication	\$	1,000.00
81600-3020	Maintenance		172.59

**Board of Supervisors – FY 10**

Transfer from:

11010-2013	Education Assistance	\$	400.00
11010-3007	Advertising		443.35
11010-3010	Codifying Co Ordinances		462.42
11010-5401	Office Supplies		428.67
11010-5504	Travel Education		967.70
11010-5801	Dues & Association Memberships		320.79
	<b>TOTAL</b>	<b>\$</b>	<b>3,022.29</b>

Transfer to:

11010-3020	Legal Services	\$	2,737.00
11010-5411	Microfilming, Books & Subscriptions		47.71
11010-5501	Travel		236.94
	<b>TOTAL</b>	<b>\$</b>	<b>3,022.29</b>

**Electoral Board – FY 10**

Transfer from:

13010-5804	Miscellaneous	\$	100.00
	<b>TOTAL</b>	<b>\$</b>	<b>100.00</b>

Transfer to:

13010-8003	Rental	\$	100.00
	<b>TOTAL</b>	<b>\$</b>	<b>100.00</b>

**Parks, Recreation and Cultural Development**

Transfer from:

71010-3006	Outside Printing	\$	500.00
71010-5501	Travel		2,000.00
71010-5805	Special Services		2,000.00
71010-5413	Recreation Supplies		2,000.00
71010-1007	Recreation Assistance		500.00
	<b>TOTAL</b>	<b>\$</b>	<b>7,000.00</b>

Transfer to:

71010-3004	Repairs & Maintenance	\$	200.00
71010-3010	Repairs & Maintenance – Vehicles		300.00
71010-5101	Electrical Service		5,000.00
71010-5293	Telecommunications		1,000.00
71010-1012	Recreation Officials		500.00
	<b>TOTAL</b>	<b>\$</b>	<b>7,000.00</b>

**Sheriff's Department & Jail**

Transfer from:

31020-7009	Misc Equipment	\$	700.00
33010-5201	Postage		31.00
33010-5402	Food		6,000.00
33010-5406	Linen		300.00
33010-5410	Uniform		200.00
33010-5504	Travel		300.00
33010-5408	Gas		<u>1,500.00</u>
<b>TOTAL</b>		<b>\$</b>	<b>9,031.00</b>

Transfer to:

31020-3016	Repair Radio	\$	700.00
33010-3001	Doctor – Medical		6,000.00
33010-3011	Vehicle Repair		31.00
33010-5405	Cleaning Supplies		1,500.00
33010-5409	Police Supplies		<u>800.00</u>
<b>TOTAL</b>		<b>\$</b>	<b>9,031.00</b>

**Registrar – FY10**

Transfer from:

13020-5504	Travel – Education	\$	<u>250.00</u>
<b>TOTAL</b>		<b>\$</b>	<b>250.00</b>

Transfer to:

13020-5203	Telecommunications	\$	<u>250.00</u>
<b>TOTAL</b>		<b>\$</b>	<b>250.00</b>

**General District Court**

Transfer from:

21020-3004	Repairs	\$	7.83
21020-5801	Dues Etc		14.96
21020-8003	Lease purchase		<u>121.07</u>
<b>TOTAL</b>		<b>\$</b>	<b>143.86</b>

Transfer to:

21010-5203	Telecommunication	\$	<u>143.86</u>
<b>TOTAL</b>		<b>\$</b>	<b>143.86</b>

**Public Safety**

Transfer from:

35050-3002	Professional Services	\$	389.92
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32070-7001	Equipment/Medical Communications	7,103.47
32070-5801	Dues & Membership	17.37
<b>TOTAL</b>		<b>\$ 7,510.76</b>

Transfer to:

35050-3005	Maintenance SVC Contracts	\$ 389.92
32070-1003	Part Time	6,722.18
32070-5804	Miscellaneous	17.37
32070-5504	Training & Education	<u>381.29</u>
<b>TOTAL</b>		<b>\$ 7,510.76</b>

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

NAY: None

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

Mr. R. Vandall – Mr. Sale's pond

Mr. R. Curd – None

Mr. F. Campbell – Put someone in charge of reviewing the progress of Phelps Road School property

Mr. D. Kidd – Dump on Kentmore Farm Road

Ms. C. Tucker – request a Board meeting be held at Temperance Elementary School

**IN RE: ADJOURNMENT**

On motion of Mr. R. Vandall, seconded by Mr. D. Kidd and with the following vote, the Board adjourned to Wednesday, June 16, 2010 at 10:30 a.m.

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

NAY: None

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Donald W. Kidd, Chairman  
Amherst County Board of Supervisors

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C. Lee Lintecum, County Administrator