

BOOK 33**VIRGINIA:**

At a continued meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Wednesday, the 16th day of June, 2010 at 10:30 a.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.

IN RE: APPROVAL OF AGENDA

Amend agenda to include closed session 'a. Phelps Road School Property under Section IV.:

§2.2-3711.A.7 Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation which has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

On motion of Mr. Campbell and with the following vote, the Board approved the agenda with the additions.

**AMHERST COUNTY BOARD OF SUPERVISORS
AGENDA**

**WEDNESDAY, JUNE 16, 2010
AMHERST ADMINISTRATION BUILDING**

10:30 A.M.

CONTINUED MEETING

- I. Call to Order**
- II. Approval of Agenda**
- III.** §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. County Attorney Interviews

IV. Matters from members of the Board of Supervisors**V. Adjourn**

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

NAY: None

IN RE: CLOSED SESSION

Mr. R. Vandall moved to go to closed session to discuss a (1) personnel matter (7) consultation and briefings by legal counsel, consultants, or staff members pertaining to actual or probable litigation or other legal matters pursuant to § 2.2-3711.A.1, and 7 of the Virginia Code Section.

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

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

NAY: None

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

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

NAY: None

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

Mr. D. Kidd	AYE
Ms. C. Tucker	AYE
Mr. R. Vandall	AYE
Mr. R. Curd	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: PHELPS ROAD SCHOOL PROPERTY

There was a consensus of the Board to get an attorney to look at the MOU and Deed of Conveyance on the Phelps Road School property and get a recommendation from him as to the County's position regarding the Phelps Road property.

There was also discussion of what could be done in the mean time regarding the grass around the building and grounds. The Board directed Mr. Kenneth Campbell to send Mr. Gibbs a registered letter regarding the weed and grass ordinance and direction for him to have this taken care of.

IN RE: ADJOURNMENT

On motion of Mr. Vandall, seconded by Mr. Kidd and with the following vote, the Board adjourned to Friday, June 25, 2010 at 1:00 p.m.

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

NAY: None

Donald W. Kidd, Chairman
Amherst County Board of Supervisors

C. Lee Lintecum, County Administrator