

BOOK 33**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 7th day of December, 2010 at 1:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT: Mr. D. Kidd
Mr. R. Vandall
Mr. R. Curd
Mr. F. Campbell

ABSENT: Ms. C. Tucker

Mr. D. Kidd, Chairman, called the meeting to order.

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

IN RE: CITIZENS COMMENTS

There were no citizen comments.

IN RE: APPROVAL OF AGENDA

On motion of Mr. R. Curd and with the following vote, the Board moved to approve the agenda for December 7, 2010 with the deletion of VI. Amherst County Public School – Dr. Brian Ratliff and XIV. Closed Meeting.

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

NAY: None

ABSENT: Ms. C. Tucker

IN RE: INTRODUCTION OF AGRICULTURE AND NATURAL RESOURCES EXTENSION PROJECT ASSOCIATE

Mr. Kevin Irvin, Extension Agent, 4-H Youth, Acting Unit Coordinator, was present to introduce the new Agriculture and Natural Resources Extension Project Associate, Amanda Dalton.

IN RE: APPROVAL OF BOARD OF SUPERVISORS MINUTES

Correction of page 811 of the November 16, 2010 minutes – vote should be.....

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

NAY: Mr. R. Curd and Mr. R. Vandall

On motion of Mr. Campbell, the minutes for November 2nd, and 16th (1:00 p.m.) & (7:00 p.m.) with the correction of above in the November 16, 2010 minutes were approved.

November 2, 2010

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

NAY: None

ABSENT: Ms. C. Tucker

November 16, 2010

AYE: Mr. R. Curd, Mr. R. Vandall and Mr. F. Campbell
 NAY: None
 ABSENT: Ms. C. Tucker
 ABSTAIN: Mr. D. Kidd (absent)

IN RE: CORRESPONDENCE

Department of Agriculture and Consumer Services – Letter of Nov 10, 2010
 Robert E. Lee Soil & Water Conservation District – October 28, 2010
 VDOT Traffic Alerts – Nov 15-19, 2010 – Nov. 22-26, 2010

Information Only

IN RE: VIRGINIA DAM INUNDATION ZONE REQUIREMENTS FOR APPLICABLE COUNTY DAMS

Jeremy Bryant, Planning Director, presented a power point presentation that outlines the laws and requirements themselves, and provides examples of how such laws and regulations will impact Amherst County and its citizens. This presentation has been reviewed by the County's Solid Waste/Buildings & Grounds Department Director, and staff has had discussions with both the County's Service Authority Director and Assistant County Administrator. Planning & Zoning Staff will continue (if it is the desire of the Board) to keep the Board updated regarding this ongoing project and will actively research possible funding opportunities to assist in associated costs.

IN RE: EMS SERVICE

Gary Roakes, Director Public Safety, presented a request for three (3) EMS Shift Supervisors – 24 hour shifts with their career EMS providers for the Department of Public Safety. These positions will be reporting to the Deputy Director of Public Safety and will be responsible for the general supervision of our career EMS personnel on a daily basis. These positions will also provide additional personnel to provide Basic and Advanced Life Support emergency medical care and fire suppression to the citizens of the county as well as function as a front line supervisor on a daily basis.

Mr. Campbell asked about vehicles but Mr. Roakes reported that this was already in place.

IN RE: STATEMENT OF UNDERSTANDING BETWEEN AMHERST COUNTY AND THE HISTORIC VIRGINIA CHAPTER OF THE AMERICAN NATIONAL RED CROSS

On motion of Mr. Campbell and with the following vote, the Board approved the signing of the Statement of Understanding between Amherst County and the Historic Virginia Chapter of the American National Red Cross as follows:

I. PURPOSE

The purpose of this statement of understanding is to provide for cooperation and coordination between Amherst County and the Historic Virginia Chapter of the American National Red Cross (hereinafter known as the American Red Cross) in carrying out their assigned responsibilities in the event of natural or manmade disasters or domestic acts of terrorism.

II. DEFINITION OF DISASTER

A disaster is a threatening or occurring event of such destructive magnitude and force as to dislocate people, separate family members, damage or destroy homes, and injure or kill people. A disaster produces a range and level of immediate suffering and basic human needs that cannot be promptly or adequately addressed by the affected people, and impedes them from initiating and proceeding with their recovery efforts. Natural disasters include floods, tornadoes, hurricanes, typhoons, winter storms, tsunamis, hail storms, wildfires, windstorms, epidemics, and earthquakes. Human-caused disasters – whether intentional or unintentional – include residential

fires, building collapses, transportation accidents, hazardous materials releases, explosions, and domestic acts of terrorism.

COMMUNITY EMERGENCY DEFINITION

A community emergency is the development of human need to the degree that prompts action by community organizations and responsible local government officials. Often, this is accompanied by local government and citizen expectations for American Red Cross chapter participation.

III. AUTHORITY

Commonwealth of Virginia

Issues under the authority of and in accordance with the provisions of the "Commonwealth of Virginia Emergency Services and Disaster Law of 1973, " Title 44, Chapter 3.2 Sections 44-146.13 through 44-146.40, as amended. Code of Virginia.

American Red Cross

American Red Cross is an instrumentality of the United States Government, with a congressional charter, codified at 36 U.S.C., Section 1 et. Seq., under which it is charged to "....carry on a system of relief in time of peace and apply the same in mitigating the suffering caused by pestilence, famine, fire, floods, and other great national calamities..."

This role has been restated in the Robert T. Stafford Disaster Relief and Emergency Assistance Act (P.L. 93-288, as amended by P.L. 100-707, which says "...nothing contained in this act shall limit or in any way affect the responsibilities of the American National Red Cross under the Act of January 5, 1905")

IV. NATURE AND SCOPE OF AMERICAN RED CROSS ACTIVITIES

Natural Disasters

The magnitude of a disaster or emergency situation may be such that it simultaneously affects tens of thousands of people in several states or it may bring suffering and anguish to just a few persons in one apartment building or group of houses. Regardless of the extent of the event, it is the responsibility of the American Red Cross to help meet the needs of affected persons. The American Red Cross assistance given to meet such needs is an outright gift, never a loan. These needs may include food, clothing, shelter, and other basic elements for comfort and survival.

The American Red Cross also helps disaster victims needing long term recovery assistance by advising and counseling them on the availability of resources, so that they can resume living in keeping with acceptable standards of health, safety, and human dignity. Such resources include those of their own families, as well as federal, state and local agencies, both public and private. If there are not other resources available, the American Red Cross may provide direct additional assistance to enable the victims to reestablish themselves.

American Red Cross assistance to disaster victims is not dependent upon a presidential or other federal or state declaration but is provided regardless of the size of the disaster or emergency situation.

In carrying out its responsibilities to provide for mass care in peacetime disasters, including precautionary evacuations and peacetime radiological emergencies/nuclear accidents, in cooperation with the Amherst County, the American Red Cross will operate appropriate shelter facilities and arrange for mass feeding and other appropriate support. In doing so, the American Red Cross will pay related cost only when such activities are under the administrative control of or authorized by the American Red Cross, or when prior written agreements have been made for some other organization to provide emergency services on behalf of the American Red Cross.

The American Red Cross disaster responsibilities are nationwide. Therefore, when the local chapters in the affected areas are unable to meet the needs of disaster victims, the resources of the total organization are made available.

The American Red Cross provides blood and blood products and handles welfare inquiries from relatives.

The American Red Cross will conduct an appeal for voluntary contributions of funds at the time of disaster.

Owner Liability

In emergency situations with company or owner liability implications, the customary American Red Cross emergency services are extended on either a mass care basis or to individuals and families if such help is not or cannot be provided immediately by the owner of the property involved. After such unpredictable catastrophes as commercial transportation accidents, collapse of private dams, fires in hotels, theaters and night clubs and on pleasure boats, individual assistance, including temporary maintenance, transportation, clothing, and other basic needs, shall be provided only after a determination with responsible representatives of the company or owner as to whether they are prepared to meet the continuing needs of persons affected by the emergency situation.

Peacetime Radiological Emergencies/Nuclear Accidents

In the case of peacetime radiological emergencies/nuclear accidents, which have company or owner liability implications and necessitate mass evacuations, the American Red Cross will conduct shelter and feeding operations in facilities designated in advance by the local government, under arrangements worked out between the local government, the American Red Cross and officials or owners of the facilities.

Civil Disorders

The term "civil disorder" pertains to riot situations and acts of public disobedience that deprive individuals or families access to their homes or prevent them from safely occupying their primary residence. It **does not** apply to law enforcement actions such as police barricade and hostage situations.

Where there is suffering and want resulting from civil disorders and fundamental human needs are not met, the American Red Cross will participate in community action to supplement the efforts of the responsible civil authorities in extending emergency services and relief to the victims of such disturbances.

It is essential that the American Red Cross safeguard the Impartiality and Neutrality principles of the Red Cross Movement. *See Annex A attached*

American Red Cross services and assistance must be provided in a safe and secure setting. This may require that services be provided only outside the impacted areas during the active period of the civil disorder.

War-Caused Situations

In war-caused situations, the American Red Cross will use its facilities and personnel to support and assist mass care and emergency operations of the local government, to the extent the American Red Cross considers possible, while carrying out its other essential responsibilities and assignments.

The American Red Cross will support national emergency blood collections and supply efforts as provided for under special Federal Emergency Management Agency procedures and regulations related to the National Emergency Blood Program.

National Emergency Repatriation

During the emergency repatriation of U.S. citizens and dependents evacuate from foreign countries during national emergencies, the American Red Cross will, at ports of entry, cooperate with federal, state and voluntary agencies involved with their reception, temporary care and onward transportation. The American Red Cross may provide mobile and fixed feedings, first aid and mass care including disaster health services.

Other Emergency Situations

Situations caused by economic, political and social maladjustment including the usual hazards of industry and agriculture, are not usually considered to be within the American Red Cross responsibility for disaster preparedness and relief. There may be other kinds of emergencies involving large numbers of people or problems related to energy shortages that create evident human needs or in which public officials request American Red Cross assistance

V. COORDINATION AND COOPERATION

In providing disaster relief, the American Red Cross has both a legal and a moral mandate that it has neither the authority nor the right to surrender. Red Cross has both the power and the duty to act in disaster, and our prompt action is clearly expected and supported by the public.

In the discharge of its responsibilities, the American Red Cross recognizes that §44-146.19(A) of the Code of Virginia, 1950 as amended, places upon the Amherst County "responsibility for local disaster preparedness and coordination of response." Accordingly, the American Red Cross will coordinate its activities with the responsible county agencies, as well as with other volunteer agencies, including The Salvation Army, as required.

The American Red Cross will keep the Director of Public Safety for Amherst County, or his/her designee, advised of actions taken and will keep in contact with the offices of the Amherst County to ensure effective assistance to all disaster victims.

Responsibility for coordinating the services of other voluntary agencies or groups during and after a major disaster will be undertaken by the American Red Cross with consent of such agencies or groups.

The American Red Cross agrees that, in an emergency, at the request of Amherst County, American Red Cross liaison personnel will be provided at the County's Emergency Operations Center, as appropriate.

VI. PLANNING AND IMPLEMENTATION

Cooperative arrangements for planning, exchange of information and continuing liaison regarding preparedness and disaster operations will be developed and maintained by the Amherst County and the American Red Cross.

The Director, Emergency Services for the American Red Cross and the Director of Public Safety for Amherst County will meet annually, on or around the date of this agreement, to evaluate the progress in the implementation of the Statement of Understanding and to revise and develop new plans or goals as appropriate.

This Statement of Understanding is in effect as of the date indicated below and shall remain in effect until termination by written notification from either party.

The parties understand that at any time this Agreement may be terminated by written notification from with partner to the other.

VII. MISCELLANEOUS

This agreement does not create a partnership nor a joint venture, and neither part has the authority to bind the other.

IN WITNESS THEREOF, the parties hereto have executed this statement of Understanding on the dates indicated.

Amherst County

**American National Red Cross,
Historic Virginia Chapter**

Chairman - Board of Supervisors

Chairman of the Board

Date

Date

County Administrator

Executive Director

Date

Date

Director, Public Safety

Director, Emergency Services

Date

Date

Annex A – Fundamental Principles

The American Red Cross embraces the seven fundamental principles of the international Red Cross and Red Crescent Movement including Humanity, Impartiality, Neutrality, Independence, Voluntary Service, Unity and Universality. This principles guide the work of more than 175 Red Cross and Red Crescent societies and the Magen David Adom in Israel. The American Red Cross urges all Americans to practice humanitarian principles and apply them with their neighbors regardless of race, religion or national heritage.

Humanity – We protect life and health and prevent and alleviate human suffering worldwide.

Impartiality – We provide disaster relief based on emergency-caused physical and mental health needs without regard to economic status, or race, sex, religion, ethnicity, national origin, political beliefs or other affiliation.

Neutrality – We provide services without taking sides in hostilities or engaging in controversies of a political, racial, religious, or ideological nature.

Independence – We maintain autonomy from government in order to provide services in accordance with these Fundamental Principles, while also acting as auxiliaries to the government in humanitarian services and adhering to the laws of the United States.

Voluntary Service – We provide services voluntarily and are not prompted by personal gain.

Unity – Only one national society exists in each country (the American Red Cross in the U.S.)

Universality – All societies of the International Red Cross and Red Crescent Movement have equal status and share equal responsibilities and duties in helping each other worldwide.

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

NAY: None

ABSENT: Ms. C. Tucker

IN RE: LEGISLATIVE PRIORITIES

Mr. Lintecum provided the following list of legislative priorities:

- No unfunded state mandates should be imposed on localities.
- No additional reductions in state funding for constitutional offices.
- Consideration of legislation to allow localities the option to require employees hired before July 1 2010 to pay the five percent employee share of VRS if the localities have elected to have employees hired after July 1 2010 to pay the five percent employees share of VRS a well.
- Do not limit localities abilities to levy local taxes currently available.

The Board changed the second on the list to 'Restore state funding to constitutional offices.

IN RE: UPDATE FY12 BUDGET CONCERNS

Old Town Madison Heights – Kelly Hitchcock will be at the December 21 meeting to review the grant with the Board.

Riveredge Park – Scenic By-Way funds in the amount of \$994,100 – requires a 20% match.

Public Lands Highway Discretionary Funds in the amount of \$496,000 has been awarded and no match require

Recreational Access Funds in the amount of \$252,000 has been awarded and does not require a match.

Federal Transportation Enhancement Fund in the amount of \$225,000 but has not been accepted and requires a 20% mach of local funds.

The approx. \$200,000 local match for the first grant was anticipated by previous administration to come from bond proceeds funding. In the design and engineers and miscellaneous (oil spill cleanup and fencing) \$317,306 has been spent.

Train Station Project – According to email of 9/14/2009 from Carolyn L. France, the depot can be used for county offices, visitor's center, etc (cannot be used for commercial or for profit gain and would have to repay Feds if project not completed as agreed upon.

Mr. Vandall moved that the Board of Supervisors instruct the County Attorney to examine the scope of the obligation by the Amherst County Board of Supervisors to the physical and financial development of the Amherst County Train Depot and to report to the Board on this matter at its regularly scheduled meeting on December 21, 2010.

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

NAY: None

ABSENT: Mr. C. Tucker

IN RE: UPDATE ON REQUIREMENTS FOR SEPTIC SERVICES FOR BUSINESS IF CHANGING USE REFER TO HEALTH DEPARTMENT

The Board asked me to have a method in place to ensure that the predicament occurred by the owner of Merredith's Restaurant did not occur again. I have instructed the Building Department to have all applications for building permits for facilities that utilize a septic system and drain fill to be reviewed by the Health Department prior to a building permit and a certificate of occupancy being issued.

IN RE: ORDINANCE RELATING TO THE SIGN PROVISIONS CONTAINED IN THE COUNTY ZONING ORDINANCE

The information regarding the sign ordinance was placed before the Board for informational purposes only to assist their review of the ordinance on December 21, 2010 when the ordinance will be before the Board for adoption.

There was a consensus of the Board to check into VDOT state signs.

IN RE: RESOLUTION RELATING TO THE PROCEEDINGS OF THE NOVEMBER 16, 2010 PUBLIC NUISANCE WORKSHOP

On motion of Mr. Vandall and with the following vote, the Board approved the following resolution with changes in the participants that were involved.

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

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST that the proceedings of the workshop on public nuisance that the Board held on November 16, 2010, are memorialized as follows:

WHEREAS, the Amherst County Board of Supervisors held a meeting on November 16, 2010, to discuss the question of public nuisance, and

WHEREAS, participants in that meeting included all members of the Board of Supervisors, the County Attorney and County Administrator, the Sheriff's Office, the Director of Solid Waste, the Building Code Official, and the Director of Planning; and

WHEREAS, all participants agreed that dilapidated residential and commercial structures, illegal trash dumping, and noise are key problems for the County; and

WHEREAS, the Board of Supervisors seeks to ensure that these problems are addressed in the coming year; and

WHEREAS, there are contained in the County Code at Chapter 4, Articles IV (Unsafe Buildings), VI (Public Nuisances), VII (Grass and Weed Control), and VIII (Refuse) provisions authorizing the County to identify and abate various conditions that constitute public nuisances; and

WHEREAS, there are not currently established regulations or procedures governing the implementation of those Code provisions; and

WHEREAS, the Board of Supervisors directs the County Attorney and the County Administrator (hereafter "staff") to give priority attention to the development of regulations, model communications, and written procedures to help facilitate the effective and consistent application of those Code provisions; and

WHEREAS, the Board of Supervisors directs that during at least the balance of calendar year 2010, and throughout calendar year 2011, staff focus their attention on efforts to address existing nuisances that are plainly apparent throughout the County, rather than attempt to identify nuisances that are not plainly apparent.

NOW THEREFORE,

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST that the Board of Supervisors instructs the County Attorney to undertake as an immediate priority the institution of legal action against properties that already have been identified by the Building Inspector as public nuisances for purposes of abating those public nuisances.

BE IT FURTHER RESOLVED that the Board of Supervisors instructs the County Administrator to have his staff prepare, for the County Administrator's presentation at the meeting of the Board of

Supervisors on March 1, 2011, a written outline describing: the process used to identify structures that pose public nuisances; the criteria used to determine that structures should be condemned; the steps, including timeframes, that should be taken to notify owners that the County is contemplating demolition of their building; and any other information necessary to place the case before the County Attorney for legal action.

BE IT FURTHER RESOLVED that the Board of Supervisors instructs the County Attorney to develop, for presentation at the meeting of the Board of Supervisors on March 1, 2011, pleadings and other legal documents that can be used to secure a court order relating to demolition of a building once County staff have communicated the necessity of such a demolition to the County Attorney.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to outline, for presentation at the meeting of the Board of Supervisors on March 1, 2011, the process for establishing liens on properties so as to ensure that the County can recoup any monies it expends on abatement of public nuisance conditions, including the extent to which the County can compel the sale of property carrying such liens.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to review all County ordinances addressing public nuisances and to identify any necessary revisions to those ordinances and to propose those as ordinances to the Board of Supervisors no later than the meeting of the Board of Supervisors on April 5, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors further instructs the County Attorney to prepare a noise ordinance for its consideration no later than the meeting of the Board of Supervisors on April 5, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors will consider at its meeting of December 21, 2010, the question of appropriating funds to support the purchase of hidden cameras to track and identify persons violating the County's ordinances banning the improper dumping of solid waste, and towards that end instructs the County Administrator to supply no later than by the meeting of December 21, 2010, estimates of the costs of such cameras.

BE IT FURTHER RESOLVED that if the Board of Supervisors appropriates funds to support the purchase of hidden cameras, the County Attorney shall prepare the pleadings necessary to pursue civil penalties so that the County can respond promptly to any evidence of improper dumping captured by the cameras.

This resolution shall be in force and effect upon passage.

IN RE: APPROPRIATIONS AND TRANSFERS

On motion of Mr. Campbell and with the following vote, the Board approved the following appropriations and transfers with the exception of the Recreation request for \$780.00 and \$4,760.00:

a. APPROPRIATIONS			
DEPT. NUMBER	LINE NUMBER	DESCRIPTION	AMOUNT
Sheriff's Department			
31020	3004-100	Auto Repairs – Gas	\$ 3,295.96
		Insurance Claim – Check deposited Treasurer	
31020	1008	Traffic Enforcement P.T.	\$ 24,000.00
31021	7001	Equipment	\$ 11,237.00
3301-1006	1006	Corrections Compensation	\$ 15,000.00
		(Fine Revenue)	
31020	1002	O.T.	\$ 2,933.46

31020	5409	Police Supplies	\$ 258.99
31020	5501	Travel	\$ 24.50
31020	7005	Vehicle	\$20,595.00
33010	3001	Doctor	\$ 148.24
		(Pass through revenue deposited with Treasurer's Office)	
Recreation Department			
71010	—5805	Special Services (Unobligated General Fund Balance)	\$ - 780.00
		Celebratory banners for each gateway signs (Unobligated General Fund Balance)	\$ 4,760.00
Building Safety & Inspections			
34010	5803	Enforcement County Ordinances (Unobligated General Fund Balance)	\$30,000.00
Social Service Department			
053020	5711	Other Purchase of Services	\$ 500.69
053020	5720	Adult Services	\$ 4,568.00
053020	5727	Independent Living Education	\$ 599.00
		(New revenue from State and Federal, no local funds)	
053010	5401	Office Supplies	\$ 2,000.00
053010	5503	Travel – Subsidies & Lodging	\$ 3,117.00
053010	7002	Furniture and Fixtures	\$ 3,238.00
		(New revenue from State and Federal – No local funds)	
053010	1009	Compensation, Benefit Staff	\$ 5,000.00
053010	2001	FICA	\$ 383.00
053010	2009	Unemployment	\$ 1,146.00
053010	5101	Electricity	\$ 1,800.00
053010	5203	Telecommunications	\$ 2,000.00
		(New revenue from state and federal – no local funds)	

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

NAY: None

ABSENT: Ms. C. Tucker

IN RE: APPROPRIATION REQUEST RECREATION DEPT.

On motion of Mr. Vandall and with the following vote, the Board reconsidered the October 5, 2010 request for \$17,500 for the Sesquicentennial Steering Committee and approved the request for the \$17,500.

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

NAY: None

ABSENT: Ms. C. Tucker

IN RE: MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Vandall – schedule regular meetings at organizational meeting

Mr. Curd – None

Mr. Campbell – The County Registrar, Gary Beasley, approached him regarding security concerns within his office area. His office is on the ground floor and includes two standard, double-hung, insulated windows with simple interior thumb latches.

Mr. Kidd – transfer of animal control report next meeting.

Road in Industrial Park – East Progress Lane – get invoices together and submit to VDOT for reimbursement

Mr. Vandall – Mr. Kidd and Mr. Campbell are to get a safe deposit box and secure personnel file for County Attorney and County Administrator personnel files

IN RE: CLOSED SESSION

Mr. R. Vandall moved that the Amherst County Board of Supervisors convene in closed session pursuant to the exemption at §2.2-3711 (A)(7) of the Code of Virginia, to consult with legal counsel retained by the Board regarding specific legal matters pertaining to the appeal of a ruling of the Board of Zoning Appeals by David L. Hooper, and the remediation of the nuisance at Phelps Road School, which matters require the provision of legal advice by legal counsel.

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

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

NAY: None

ABSENT: Ms. C. Tucker

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

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

NAY: None

ABSENT: Ms. C. Tucker

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

Mr. D. Kidd	AYE
Ms. C. Tucker	ABSENT
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: COST OF CHURCH BUILDING AND INSURANCE ON OLD SCHOOL

Mr. Campbell requested information on the cost of the old church and whether it should be put up for sale and if the Old School was covered with insurance.

IN RE: ADJOURN

On motion of Mr. R. Curd, seconded by Mr. F. Campbell and with the following vote, the Board adjourned.

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

NAY: None

ABSENT: Ms. C. Tucker

Donald W. Kidd, Chairman
Amherst County Board of Supervisors

C. Lee Lintecum, County Administrator