

**BOOK 33**

**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 3rd day of May, 2011 at 1:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

PRESENT: Ms. C. Tucker                      ABSENT: None  
          Mr. F. Campbell  
          Mr. R. Curd  
          Mr. D. Kidd  
          Ms. J. Roberson

Ms. C. Tucker, Chair, called the meeting to order.

Mr. R. Curd opened with prayer and led in the pledge of allegiance.

**IN RE: APPROVAL OF AGENDA**

Mr. F. Campbell moved approval of the agenda with amendments of: Ms. C. Tucker indicated that the Treasurer would not be available but Ms. B. Campbell would be filling in for her. Mr. D. Proffitt requested the additional of DCR Grant Application under Public Works Department and Student Recognition Awards under County Administrator's Report. Mr. D. Proffitt pointed out that under consent agenda for Transportation Company of Virginia that no action was required. Ms. E. Bowyer requested that Resolution No. 2011-0020-R Authorizing a leave of absence for Daniel Gowen and Resolution No. 2011-0021-R Expressing the Board's full support for the Treasurer's lawful efforts to collect delinquent real estate taxes be added under resolutions. Ms. E. Bowyer also requested that a motion to authorize Mr. D. Proffitt to sign CDBG Contract and a motion to authorize the County Attorney and Acting County Administrator to proceed with seeking an analysis of County finances be added under County Attorney's Report.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**AGENDA**

**TUESDAY, MAY 3, 2011  
ADMINISTRATION BUILDING – 153 WASHINGTON STREET  
BOARD OF SUPERVISORS ROOM  
1:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Citizen Comments**
- IV. Approval of Agenda**
- V. Special Appearance and Presentations**
  - a. Briefing on Regional Water Supply Plan – Dan French
  - b. Region 2000 – Bryan David
  - c. Amherst County Chamber of Commerce – July 4, 2011 event –

Libby Howell, Bill Hathaway, and Ronnie Adams

**VI. Amherst County Public School – Dr. Brian Ratliff**

**VII. Consent Agenda**

- a. Amherst County Board of Supervisors Minutes – April 5<sup>th</sup>, 15<sup>th</sup>, and 19<sup>th</sup>, 2011
- b. Transportation Company of Virginia – Support or Oppose (No action was required) (Add)

**VIII. Correspondence**

- a. Amherst County Sheriff's Office Monthly Report – March 2011
- b. United States Senator Letter of April 26, 2011 – The Honorable Mark R. Warner
- c. VDOT - Traffic Alerts – April 25-29, 2011

**IX. Department Reports**

**Treasurer's Office** (Ms. E. Martin unavailable, Ms. B Campbell will address) (Add)

- a. Transfer request
- b. Update on reconciliation

**Central Accounting**

- a. Audit Report

**Sheriff's Office**

- a. Leave of absence request

**Public Works Department**

- a. Solid Waste major permit amendment – notice of intent
- b. Parks/lakes restroom facilities
- c. DCR Grant Application (Add)

**X. County Administrator's Reports**

- a. Regional Landfill
- b. Student Recognition Awards (Add)

**XI. Resolutions**

- a. Resolution No. 2011-0020-R – Authorizing a leave of absence for Daniel Gowen. (Add)
- b. Resolution No. 2011-0021-R – Expressing the Board's Full support for the Treasurer's lawful efforts to collect delinquent real estate taxes. (Add)

**XII. County Attorney's Reports**

- a. Letter Mark Peake re: Train Depot
- b. Redistricting Committee – Appointment of Citizen member
- c. Work Session : Retreat Report, Core Services, Volunteer Funding
- d. Payment of Legal Fees
- e. Authorize Mr. D. Proffitt to sign CDBG Contract (Add)
- f. Authorize Staff to Proceed with Fiscal Analysis (Add)

**XIII. Appropriation/Transfers/Disbursements**

**XIV. Citizen Comments****XV. Matters from Members of the Board of Supervisors****XVI. Closed Meeting §2.2-3711.A.7 Code of Virginia, as amended**

- a. Consult with the County Attorney regarding specific legal matters requiring the advice of counsel.

**XVII. Adjourn****IN RE: BRIEFING ON REGIONAL WATER SUPPLY PLAN**

Mr. D. French of the Amherst County Service Authority met with the Board and briefed them on the Regional Water Supply Plan. After Board discussion, the Board requested that the County Attorney review the Resolution and Coordinate with Mr. D. Proffitt and come up with a timeline for presentation to the Board.

**IN RE: REGION 2000**

Mr. B. David, Region 2000, would not be in attendance until 2:00p.m. Per Ms. C. Tucker, the Board would proceed and would work Mr. B. David into the agenda upon his arrival.

**IN RE: AMHERST COUNTY CHAMBER OF COMMERCE – REQUEST FOR APPROPRIATION**

Mr. Ronnie Adams, Vice-President Amherst County Chamber of Commerce and Katie Meeks, President Amherst County Chamber of Commerce, addressed the Board regarding an annual 4<sup>th</sup> of July event in the Town of Amherst. They requested \$2,000.00 from the County to assist with their start up fund.

On motion of Ms. C. Tucker and with the following vote, the Board moved to approve the Amherst County Chamber of Commerce fund request of \$2,000.00.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: AMHERST COUNTY PUBLIC SCHOOL – Dr. Brian Ratliff**

School Superintendent Dr. Ratliff was not available.

**IN RE: APRIL BOARD OF SUPERVISORS MINUTES**

The minutes for April 5<sup>th</sup>, 15<sup>th</sup> and 19<sup>th</sup>, 2011, were deferred until next meeting so that the following corrections could be made.

1. April 5, 2011, Page 968, IN RE: CARE EXPRESS TRANSPORTATION, LLC, first paragraph, fifth line, change “part” to “party” and “t” to “to”.
2. April 5, 2011, Page 969, line 15, Change County Attorney to Commonwealth Attorney
3. April 5, 2011, Page 972, Change County Administrator to County Administrator’s Resignation
4. April 5, 2011, Page 973, Delete first paragraph and vote on page
5. April 5, 2011, Page 974, Panther Mountain Easement Issue – Delete first sentence
6. April 15, 2011, Page 977, Safety Deposit Boxes – change “new” to “knew”

7. April 15, 2011, Page 979, Vote to go to closed session – Change AYE: Mr. R. Curd, Mr. D. Kidd, and Ms. J. Roberson and NAY: Ms. C. Tucker and Mr. F. Campbell
8. April 15, 2011, Page 980, Certification vote – Change Tucker and Campbell to AYE
9. April 19, 2011, Page 981, Citizen Comments – Frank Campbell – change “wrote” to “written”
10. April 19, 2011, Page 988, Change sentence: Ms. E. Bowyer, County Attorney, presented Ordinance 2011-0003 with an amendment to correct a typographical error in Section 14-39(e).

**IN RE: TRANSPORTATION COMPANY OF VIRGINIA**

Transportation Company of Virginia is expanding business to the Lynchburg area. They have applied for authority to operate as a *Common Carrier over Irregular Routes*. If anyone wished to support or oppose was requested to do so.

No action was required.

**IN RE: TREASURER'S OFFICE**

Ms. E. Martin requested a transfer of \$20,000.00 from 012130-1006 Deputy Treasurers to 012130-1003 Extra Office Help.

On motion by Mr. R. Curd and seconded by Mr. F. Campbell and with the following vote, the Board moved to approve the transfer with the following vote:

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: CENTRAL ACCOUNTING**

Ms. B. Campbell requested that the Board approve the 2010 Audit Report.

On motion of Ms. C. Tucker and with the following vote, the Board moved to approve the 2010 Audit Report.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: SHERIFF'S OFFICE**

Sheriff was not present.

**IN RE: REGION 2000 CONTINUED**

Mr. Bryan David, Region 2000, arrived and was asked to speak briefly about Region 2000 and their Economic Development as a Region.

**IN RE: LEAVE OF ABSENCE REQUEST – DANIEL GOWEN**

Sheriff Ayers stated that payroll is complete and retirement cost would stop until Mr. Gowen returns to duty. The only cost is life insurance that is approximately \$15.00 per month. The County Attorney stated that it was a permissible extended leave of absence. See action later in meeting.

**IN RE: PARKS/LAKES MAINTENANCE**

Ms. T. Nuckols provided a PowerPoint on the condition of the restrooms at the parks/lake facilities demonstrating the need for repairs and maintenance. Ms. C. Tucker requested that Mr. D. Proffitt research and identify which department is responsible for maintenance of the Parks/Lakes restrooms. Ms. T. Nuckols also discussed the playgrounds and picnic tables and maintenance of them as well as the Monacan Park shoreline erosion problem. The Board asked Mr. D. Proffitt to assess the properties, identify the problems, get an idea of cost and report back to the Board.

**IN RE: SOLID WASTE MAJOR PERMIT AMENDMENT**

Ms. T. Nuckols spoke regarding the Solid Waste major permit amendment with notice of intent to file with DEQ. Ms. T. Nuckols requested that Mr. D. Proffitt be authorized to sign the notice of intent and file with DEQ with \$10,000.00 fee.

On motion of Mr. D. Kidd and with the following vote, the Board authorized Mr. D. Proffitt to sign notice of intent and submit with \$10,000.00 fee to DEQ.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: DCR GRANT APPLICATION**

Ms. T. Nuckols informed the Board of the DCR Grant. The deadline to apply is May 10, 2011. There is an application fee of \$250.00 and it pays 50% back of expenses if approved. The Board proceeded to discuss their options.

**Ms. C. Tucker temporarily left meeting.**

On motion of Mr. R. Curd and with the following vote, the Board authorized Ms. T. Nuckols to apply for two grants.

AYE: Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: Ms. C. Tucker

**Ms. C. Tucker returned to meeting.****IN RE: REGIONAL 2000 LANDFILL REPORT**

Mr. D. Proffitt asked if the Board would like to schedule Mr. Gary Christie to return with Regional 2000 Landfill Report. After Board discussion, Ms. C. Tucker stated she would get the report.

**IN RE: STUDENT RECOGNITION AWARDS**

Mr. D. Proffitt discussed the Student Recognition Awards at District Level. After Board discussion a decision was made to have the ceremony at the Amherst County High School on June 1, 2011 at 7:00 p.m.

**IN RE: RESOLUTION NO. 2011-0020-R – LEAVE OF ABSENCE**

Ms. E. Bowyer presented Resolution No.2011-0020-R Authorizing a leave of absence for Daniel Gowen. Ms. C. Tucker asked how the \$15.00 a month life insurance would be handled. Sheriff Ayers stated that the wife would pay this. Ms. C. Tucker then asked if this needed to be addressed in the Resolution. Ms. E. Bowyer stated that she would amend the resolution, changing the last line in Section I, she would remove "continued accrual of

credit towards Virginia State Retirement System benefit.” and add “continuation of life insurance benefits to the extent such benefits are paid by a representative of Lt. Gowen.”

**For consideration on May 3, 2011**

**A RESOLUTION, NO. 2011-0020-R**

Authorizing a leave of absence for Daniel Gowen.

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Approved as to form by the County Attorney  
\_\_\_\_\_

**BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF AMHERST:**

**I. That the Amherst County Board of Supervisors wishes to authorize an extended leave of absence for Lt. Daniel Gowen.**

**WHEREAS**, by letter dated March 2, 2011, the Amherst County Sheriff requested that the Board approve an extended leave of absence for Lt. Daniel Gowen, a Sheriff’s Office employee; and

**WHEREAS**, Lt. Gowen requested the leave of absence in order to accept a temporary position, which may last in excess of one year, working as a private contractor overseas assisting law enforcement and military personnel; and

**WHEREAS**, the Sheriff is willing to grant the leave and has requested the Board’s approval pursuant to the provisions of § 6.10, County Personnel Plan, which requires such approval for any leave of absence of more than one month; and

**WHEREAS**, the County personnel policy authorizes unpaid leaves of absence for, among other things, the same purposes for which employees may take annual and sick leave; and

**WHEREAS**, there are no provisions in the personnel plan that would prevent Lt. Gowen from using annual leave to perform this work, and the Sheriff’s Office already has allowed him to use annual leave to perform the work.

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

That the Amherst County Board of Supervisors approves the leave of absence requested by the Sheriff’s Office for Lt. Gowen, with the understanding that the Sheriff’s Office (i) will secure Lt. Gowen’s badge, gun, and uniform, (ii) will advise Lt. Gowen in writing, with a copy to his temporary employer, that at no time during such leave of absence is Lt. Gowen authorized to act as a County employee or to represent that he has any authority as a County employee, and (iii) advise Lt. Gowen in writing that during his leave of absence he is not eligible for any wages or benefits associated with County employment other than continuation of life insurance benefits to the extent such benefits are paid by a representative of Lt. Gowen.

**II. That this resolution shall be in force and effect upon passage.**

Adopted this 3<sup>rd</sup> day of May, 2011.

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Claudia D. Tucker, Chairman  
Amherst County Board of Supervisors

**ATTEST:**

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David R. Proffitt, Acting Clerk  
Amherst County Board of Supervisors

On motion of Ms. C. Tucker and with the following vote, the Board moved to adopt the amended Resolution No. 2011-0020-R.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

**IN RE: RESOLUTION NO. 2011-0021-R – SUPPORT OF TREASURER’S LAWFUL EFFORTS TO COLLECT DELINQUENT REAL ESTATE TAXES**

Ms. E. Bowyer presented Resolution No. 2011-0021-R Expressing the Board’s full support for the Treasurer’s lawful efforts to collect delinquent real estate taxes. After Board discussion, they requested that Tom Shrader, Esq. and Ms. Evelyn Martin attend the next meeting to answer the Board’s questions.

On motion of Ms. C. Tucker and with the following vote, the Board moved to postpone Resolution No. 2011-0021-R.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

**IN RE: REDISTRICTING COMMITTEE**

Ms. E. Bowyer addressed the Board regarding appointment of Citizen Member to the Redistricting Committee. The resolution establishing the redistricting committee provides that the Committee Chair is to appoint the citizen member; the Board must approve the appointment. The Committee Chair has appointed Mr. Marvin Tyree.

On motion of Ms. C. Tucker and seconded by Mr. R. Curd and with the following vote, the Board of Supervisors approved the appointment of Mr. Marvin Tyree to the Amherst County Redistricting Committee as a citizen representative.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

**IN RE: TRAIN DEPOT**

Ms. E. Bowyer presented the letter to Mark Peake regarding the Train Depot. After Board discussion the Board requested the following changes: Paragraph 1, last sentence, insert “original” between “the” and “May”. Paragraph 4, last sentence change “Board’s” to “Commonwealth Transportation Board’s”

May 3, 2011

Mark J. Peake, Esq.  
Caskie and Frost  
2306 Atherholt Road  
Lynchburg, Virginia 24501

Dear Mr. Peake:

The Amherst County Board of Supervisors is seeking to address the question of renovation of the Amherst Train Depot ("Depot"), and has authorized me to communicate with you in this regard. The Board seeks an extension of the original May 20, 2011, time limit for project completion, and remains interested in securing the \$347,000 grant awarded on June 18, 2009.

The Commonwealth Transportation Board has awarded the County a total of \$952,600 in Enhancement Program grant funds to renovate the Depot as a welcome center. Of the total amount awarded, the County has expended \$481,609, has remaining Enhancement funds of \$123,991, and has pending \$347,000 that it has not yet accepted. The updated estimate (August 24, 2009) of the cost to complete the Depot is \$1,240,242. The Board has tentatively concluded that it will not be economically feasible to complete the renovation in accordance with our original plans.

The Board therefore is preparing to develop cost estimates to determine if there are less costly renovation options that would nevertheless meet the standards established by the Virginia Department of Historic Resources ("DHR") for historic properties. Once we have identified some options, we will meet with DHR to explore their response. We are hopeful that we would know DHR's response at least by the end of June, and could at that time determine whether it will be economically feasible to move forward.

The Board, in short, remains interested in moving forward with completion of the Depot project. Before we can definitively commit to that progress, however, we must determine whether completion can be accomplished at a lower cost than originally estimated. We would greatly appreciate your recommending to the Commonwealth Transportation Board that the County be given until August 1, 2011, to determine (1) whether it can proceed with renovation of the Depot, and (2) whether it can accept the \$347,000 grant awarded in June 2009. If we decide to move forward, we would seek the Commonwealth Transportation Board's approval of an updated project completion schedule.

We realize that we are behind schedule with this project. We wish to resolve matters in a manner accountable to the Board and responsive to our citizens. We believe that this initial extension of time will allow us to craft a resolution that accommodates both concerns. Please do not hesitate to contact David R. Proffitt, Acting County Administrator, at (434) 946-9308 with any questions regarding this letter. Thank you.

Yours truly,

Claudia D. Tucker, Chair  
Amherst County Board of Supervisors

cc: David R. Proffitt, Acting County Administrator  
Ellen Bowyer, County Attorney

On motion of Mr. R. Curd and with the following vote, the Board of Supervisors authorized the Chair to sign the May 3, 2011, letter to Mark J. Peake, as amended by the Board, requesting an extension of time for completion of the Amherst train depot project, and expressing continuing interest in the award of \$347,000 in Enhancement grant funds.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None



On motion of Mr. R. Curd and with the following vote, the Board moved to authorize Mr. D. Proffitt to contact the original architect for the Train Depot to get cost options.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: RETREAT, CORE SERVICES AND FUNDING VOLUNTEER FIRE AND RESCUE**

Ms. E. Bowyer addressed the Board regarding the draft report of the retreat. The Board expressed interest in a work session to address that report, core services, and options for funding County volunteer fire and rescue organizations.

On consensus, the Board scheduled a work session for May 16, 2011, from 3:00p.m. to 6:15p.m., to discuss the draft retreat report, identification of core services, and options for funding County volunteer fire and rescue organizations.

**IN RE: PAYMENT OF TROUTMAN SANDERS LLP**

Ms. E. Bowyer recommended that the Board approve payment of a final charge of legal fees from Troutman Sanders LLP, totaling \$950.00.

On motion of Ms. C. Tucker and with the following vote, the Board of Supervisors approved payment of the invoice dated April 14, 2011, from Troutman Sanders LLP for legal services, in the amount of \$950.00, and instructed that payment be made immediately from line 011010-3020, Legal Services, in the budget for the Amherst County Board of Supervisors.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: CDBG GRANT CONTRACT**

Ms. E. Bowyer requested the Board to authorize Mr. D. Proffitt to sign the CDBG Grant Contract.

On motion of Mr. F. Campbell and with the following vote, the Board authorized the Acting County Administrator to sign the contract for Community Improvement Grant #09-10, Old Madison Heights Community Improvement Project, once the contract has been approved as to form by the County Administrator, Mr. D. Proffitt, to sign the CDBG Grant Contract.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: COUNTY FISCAL ANALYSIS**

Ms. E. Bowyer recommended that the Board undertake a fiscal analysis as per the following memorandum:

**MEMORANDUM**

**TO:** Members, Amherst County Board of Supervisors

**FROM:** David R. Proffitt, Acting County Administrator  
Ellen Bowyer, County Attorney

**DATE:** May 3, 2011

**RE:** Budget Analysis: 2012-2017

The County budget for fiscal year 2012 is balanced between projected revenues and expenditures. The speed with which the budget was developed, however, did not allow sufficient time for consideration of the impact that certain upcoming expenses and possible upcoming decreases in revenues will have on FY2013 and beyond. Upcoming expenses and decreases in revenues will establish the parameters of the funding choices the County will face over the next few fiscal years. Detailed knowledge of those parameters will in turn support better informed decisions regarding core services, mechanisms to enhance revenues, and discretionary expenditures.

We recommend the Board of Supervisors obtain a detailed analysis of the County's financial status over the next three to five fiscal years that will (i) identify anticipated expenditures for FY2012 through FY 2017, including operating and capital expenditures and significant independent expenditures such as the costs of undertaking a real estate reassessment; (ii) identify potential revenues based on projections employing both historical data and data reflecting current economic circumstances; (iii) identify other funding sources available to support expenditures; (iv) identify any surplus or deficits resulting from the difference between anticipated expenditures and anticipated revenues and other funding sources; and (v) detail options for using surplus monies or addressing a financing deficit, within the context of sound, accountable government financing (including establishing the level for the unobligated general fund). We anticipate that the analysis could be completed as early as October, 2011, and would provide an excellent starting point for budget discussions for 2013.

County staff can compile items (i), (iv), and may be able to develop estimates as to (ii). We believe a consulting accounting firm can best address (ii), (iii), and (v), and can provide valuable oversight and review of the analysis. We therefore recommend that the Board vote to authorize us to approach a consulting firm regarding conducting the analysis. We have tentatively identified one such firm, and believe we would be best served by a firm that has not previously worked for the County, so as to obtain a fresh perspective on County finances. Once we have developed a specific proposal and obtained the consultant's proposed fees, we would bring those back to the Board for consideration and authorization to move forward with the analysis. We hope to discuss this with the Board at the May 3, 2011, meeting. Thank you.

On motion of Mr. D. Kidd and with the following vote, the Amherst County Board of Supervisors authorized the Acting County Administrator and the County Attorney to proceed with obtaining a proposal and fees for development of a prospective analysis of County finances, in accordance with the memorandum presented to the Board on May 3, 2011. the Board moved to authorize the Acting County Administrator, Mr. D. Proffitt, and the County Attorney to obtain fees and cost from potential firms with local government expertise.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: APPROPRIATION AND TRANSFERS**

On motion of Mr. R. Curd and with the following vote, the Board approved the following appropriations and transfers.

**Appropriations:**

Building Safety

34010-5810 State levy building permits qtr ended 03-31-11 \$318.64  
(Funds collected and deposited with Treasurer)

Victim Witness

22030-5501	Travel	\$320.00
22030-5203	Telecommunications	\$41.00
22030-5401	Office Supplies	\$331.00
22030-5201	Postage	\$748.00
22030-2006	Group Life	\$47.00

(Funds awarded through a federal grant for the Victim Witness Program. Request an adjustment to bring budget in line with grant award)

**Transfers:**

Purchasing

**FROM:**

12170-5401	Office Supplies	\$203.00
12170-3007	Advertising	\$100.00
12170-5801	Dues & Membership	\$100.00

**TO:**

12170-7002	Furniture & Fixtures	\$503.00
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(To purchase a hutch for desk in Admin. Assistants Office. Office is small and only way to expand is up. Cabinet space is needed to get materials stored that are currently in notebooks on the floor.)

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd

NAY: None

ABSENT: None

**IN RE: CITIZENS COMMENTS**

Mr. Leon Parrish had questions regarding redistricting as to members of the board and what changes had been made. Ms. C. Tucker informed him that she was Chair of the Board and who the other members were and that no changes had been made. Ms. C. Tucker answered all of Mr. L. Parrish's questions.

**MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS**

Mr. D. Kidd: Questioned whether the Public Hearing should be held in the School Board Room. The School Board room is reserved for use if needed.

Ms. J. Roberson: Questioned process for interviewing the Interim County Administrator (To be placed on next agenda)

Mr. F. Campbell: 1. The Park Ordinance pertaining to knives and fishing. Ms. E. Bowyer will review and make revisions to the ordinance. 2. In Southern Living Magazine it shows Lynchburg ad with people on floats and wading in water on the James River. Swim, bathe or wade not allowed. Why water restrictions? After Board discussion it appears that it is a matter of wording. 3. Litter Ordinance: Littering and no enforcement. The Board requested Ms. T. Nuckols get with Sheriff Ayers and return in June with a proposal.

Ms. C. Tucker: 1. Virginia Access Project ([www.vpap.org](http://www.vpap.org)) The redistricting for Amherst was not listed but it will be. 2. Southern Living article was done by Regional Tourism at no cost to Amherst. 3. Ms. Tucker would like a summary report similar to the Train Depot on Riveredge Park. 4. Dedicate a portion of the 20% from the Sheriff's Department proceeds to restrooms. 5. Mill Creek Lake - Landfill: active with community and they need something.

**CLOSED SESSION**

Ms. J. Roberson 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 the County Attorney regarding litigation over the Childrey zoning violations, and regarding specific legal matters pertaining to the status of Phelps Road School, which matters require the provision of legal advice by legal counsel.

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

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

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

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

**CERTIFICATION OF CLOSED MEETING**

Ms. J. Roberson moved that the Amherst County Board of Supervisors certify by a recorded vote that, to the best of each Board member's knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Ms. C. Tucker	AYE
Mr. F. Campbell	AYE
Mr. D. Kidd	AYE
Ms. J. Roberson	AYE
Mr. R. Curd	AYE

**IN RE: ADJOURNMENT**

On motion of Mr. D. Kidd seconded by Ms. J. Roberson and with the following vote, the Board moved to adjourn.

AYE: Ms. C. Tucker, Mr. F. Campbell, Mr. D. Kidd, Ms. J. Roberson, Mr. R. Curd  
NAY: None  
ABSENT: None

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Claudia D. Tucker, Chair  
Amherst County Board of Supervisor

\_\_\_\_\_  
David Proffitt, Acting County Administrator