**BOOK 33**

**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration Building thereof on Tuesday, the 6th day of December 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. D. Kidd

 Ms. J. Roberson

Mr. R. Curd

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

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

**IN RE: CITIZEN COMMENTS**

The Chair asked for citizen comments. There were none.

**IN RE: APPROVAL OF AGENDA**

Mr. S. Crosby requested under XI. Department Reports, item c. Treasurer’s Office Report, be removed from the agenda.

Mr. F. Campbell moved approval of agenda with amendment.

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

NAY: None

ABSENT: None

**AGENDA**

**TUESDAY, DECEMBER 6, 2011, 1:00 P.M.**

**ADMINISTRATION BUILDING – 153 WASHINGTON STREET**

**SCHOOL BOARD ROOM**

1. **Call to Order**
2. **Invocation and Pledge of Allegiance**
3. **Citizen Comments**
4. **Approval of Agenda**
5. **Consent Agenda**
6. Minutes for November 1st, 9th, 10th, 15th, 17th, 2011
7. Emergency Services Council (1 Vacancy) - William G. Camm requesting to be reappointed
8. Board of Zoning Appeals-District 2 (1 Vacancy) - Harry B. Stinnett requesting to be appointed
9. **Board Appointments**
10. Amherst County Parks, Recreation and Cultural Development Board-District 2 (1 Vacancy)
11. Veronica Tuggle requesting to be reappointed
12. John E. Neblett, Jr. requesting to be appointed
13. Department of Social Services (1 Vacancy)
14. Jack Hamilton requesting to be reappointed
15. Dennis T. Shearin requesting to be appointed
16. **Special Appearances and Presentations**
17. Introduction of Billy Hughes, Agriculture and Natural Resources Extension Agent, VPI Extension
18. Resolution 2011-0045-R – Henry Q. Thompson
19. Resolution 2011-0046-R - James Blair Bibby
20. Resolution 2011-0047-R - Jan Baker
21. **County Administrator**
22. Central Virginia Community Services Board
23. Budget Calendar
24. **County Attorney’s Reports**
25. Ordinance 2011-0002, County Parks
26. Ordinance 2011-0007, Pawnbrokers and other permitted uses
27. Ordinance 2011-0008, Urban Development Areas
28. Ordinance 2011-0010, Employee Bonus
29. Update on wireless communications ordinance
30. Update on Radio Board Agreement
31. **Appropriations/Transfers/Disbursements**
32. **Department Reports**
33. Sheriff’s Office – October 2011
34. Accounting – Budget Report – October 31, 2011
35. ~~Treasurer’s Office Report~~
36. **Citizen Comments**
37. **Matters from Members of the Board of Supervisors**
38. **Closed Session: under § 2.2-3711 (A)(3) relating to the acquisition of property and the disposition of public property, and under the personnel exemption at § 2.2-3711 (A)(1) of the Code of Virginia relating to hiring a County Administrator**
39. **Adjourn**

**Facilities/CIP Work Session**

**IN RE: CONSENT AGENDA**

Mr. F. Campbell requested that the minutes of November 17, 2011, be amended to reflect him as not being late.

Mr. R. Curd moved approval of the consent agenda with amendment to November 17, 2011.

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

NAY: None

ABSENT: None

**IN RE: BOARD APPOINTMENTS FOR AMHERST COUNTY PARKS, RECREATION AND CULTURAL DEVELOPMENT BOARD APPOINTMENT – DISTRICT 2 AND DEPARTMENT OF SOCIAL SERVICES BOARD APPOINTMENT**

After Board discussion, it was a consensus to interview all four candidates on December 20th at 6:00p.m.

**IN RE: SPECIAL APPEARANCES AND PRESENTATIONS**

Mr. Kevin Irvin introduced Billy Hughes, the new Agriculture and Natural Resources Extension Agent, VPI, to the Board.

Ms. C. Tucker presented Resolution 2011-0045-R to Mr. Henry Q. Thompson.

Mr. H. Thompson thanked the Board and the community and stated that he had been blessed.

Ms. C. Tucker presented Resolution 2011-0046-R to Ms. Jacqueline Bibby.

Ms. J. Bibby spoke of her husband and his life and thanked the Board.

Ms. C. Tucker presented Resolution 2011-0047-R to Ms. Jan Baker.

Ms. Baker spoke of appreciation and thanked the Board.

**IN RE: CENTRAL VIRGINIA COMMUNITY SERVICES BOARD**

Mr. S. Crosby presented information to the Board. Ms. Nancy Cottingham, Chief Executive Officer, answered Board members questions.

Mr. F. Campbell moved to adopt Resolution 2011-0044-R.

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

NAY: None

ABSENT: None

**For consideration on December 6, 2011**

**A RESOLUTION, NO. 2011-0044-R**

Authorizing the Central Virginia Community Services Board to borrow additional monies not to exceed total indebtedness of $7 million (seven million dollars).

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Approved as to form by the County Attorney

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

 **I. That the Amherst County Board of Supervisors authorizes the Central Virginia Community Services Board to borrow additional monies, not to exceed total indebtedness of $ 7,000,000 (seven million dollars), as follows:**

 **WHEREAS,** theCentral Virginia Community Services Board (“CVCSB”) is a governmental entity of the Commonwealth of Virginia created under the authority of Chapter 5 of Title 37.2 of the Code of Virginia (1950), as amended (“Virginia Code”) pursuant to a joint agreement between the Counties of Amherst, Appomattox, Bedford and Campbell, and the Cities of Bedford and Lynchburg, for the purposes of providing those jurisdictions with mental health, intellectual disability, and substance abuse services; and

 **WHEREAS,** subdivision A.11 of Virginia Code § 37.2-504 permits a community services board to apply for and accept loans as authorized by the governing body of each county or city that established the community services board;

 **WHEREAS**, State law does not require that the loans be authorized for specific purchases, but merely provides that a community services board may “[A]pply for and accept loans as authorized by the governing body of each city or county that established it”; and

**WHEREAS**, the CVCSB has determined that from time to time, it will need to apply for loans within a timeframe that may make it difficult to obtain the approval of such governing bodies prior to timely submission of the loan application; and

**WHEREAS**, it is necessary and prudent to adopt a general borrowing resolution to ensure that the operating expenses and capital needs of Central Virginia Community Services are met in a timely fashion.

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

That, pursuant to its authority under subdivision A.11 of Virginia Code § 37.2-504, the Board of Supervisors hereby authorizes the CVCSB to borrow money in amounts determined by the CVCSB, and to incur debt obligations from time to time with lending institutions or lenders on such terms on such terms and conditions as the CVCSB shall from time to time determine; provided, however, that at no time shall the total borrowings and incurred debt by the CVCSB exceed collectively the principal sum of **$7,000,000** (seven million dollars).

**BE IT FURTHER RESOLVED:**

 That, notwithstanding this grant of borrowing authority, the CVCSB shall submit to the Amherst County Administrator written documentation of its intention to enter into specific loans, including the purposes for which the money is being borrowed, no later than 90 days prior to execution of loan documents.

**BE IT FURTHER RESOLVED:**

 That as this is an authorizing resolution only in accordance with the provisions of Virginia Code § 37.2-504.11, the CVCSB’s borrowing of money or its execution of any loan documents shall not directly, indirectly or contingently obligate Amherst County to pledge its faith and credit for, or to levy any taxes or otherwise commit County funds to, the payment of the principal or premium or interest on any loans obtained by the CVCSB.

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

Adopted this 6th day of December, 2011.

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Claudia D. Tucker, Chair

Amherst County Board of Supervisors

**ATTEST**:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Steve Crosby, Clerk

Amherst County Board of Supervisors

**Ayes \_\_\_\_ No’s\_\_\_\_\_ Abstentions \_\_\_\_**

**IN RE: BUDGET CALENDAR**

Mr. S. Crosby presented a proposed budget calendar and answered Board members questions.

Mr. D. Kidd moved to adopted the budget calendar.

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

NAY: None

ABSENT: None

**IN RE: ORDINANCE 2011-0002: COUNTY PARKS**

Ms. E. Bowyer presented the ordinance to the Board as a first reading. There was a Board discussion, and it was the consensus that it was not ready for a public hearing.

**IN RE: ORDINANCE 2011-0007, PAWNBROKERS AND OTHER PERMITTED USES**

Ms. E. Bowyer presented the ordinance to the Board as a first reading and stated that Public Hearing was scheduled for December 20, 2011.

**IN RE: ORDINANCE 2011-0008, URBAN DEVELOPMENT AREAS**

Ms. E. Bowyer presented the ordinance to the Board as a first reading with the Public Hearing scheduled for December 20, 2011.

Mr. J. Bryant answered Board questions.

**IN RE: ORDINANCE 2011-0010, EMPLOYEE BONUS**

Ms. E. Bowyer presented the ordinance to the Board as a first reading with the Public Hearing scheduled for December 20, 2011.

**IN RE: WIRELESS COMMUNICATIONS ORDINANCE**

Ms. E. Bowyer informed the Board that changes were made and that it needs to be approved by the Planning Commission and the Board. She stated that it would be ready for a first reading in January.

**IN RE: RADIO BOARD AGREEMENT**

Ms. E. Bowyer presented agreement to the Board and stated that there would be a resolution prepared for the December 20, 2011 Board meeting approving the agreement.

**IN RE: APPROPRIATIONS/TRANSFERS/DISBURSEMENTS**

Mr. F. Campbell moved to approve all appropriations, transfers and disbursements.

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

NAY: None

ABSENT: None

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| **COUNTY OF AMHERST** |
| **APPROPRIATION/TRANSFER REQUESTS** |
| **December 6, 2011** |
|  |  |  |  |  |  |
| The following requests for appropriations, transfers or disbursements have been received: |
|  |  |  |  |  |  |
| **Appropriations:** |  |  |  |  |
|  |  |  |  |  |  |
| **Department** | **Dept Number** | **Line #** | **Description** | **Amount** |  |
| Library | 73010 | 5411 | Books & Subscriptions | $461.78 |  |
|   | 73010 | 5806 | Special Programming Supplies | $615.20 |  |
|   | 73010 | 7001 | Equipment | $4,027.85 |  |
|   | 73010 | 7002 | Furniture & Fixtures | $1,500.00 |  |
| Library Donation $2,576.98, E-Rate Reimbursements $4,027.85 | **TOTAL** | **$6,604.83** |
|  |  |  |  |  |  |
| **Department** | **Dept Number** | **Line #** | **Description** | **Amount** |  |
| Sheriff | 3102 | 7001 | Equipment | $509.00  |  |
| From Drug Asset Forfeiture | **TOTAL** | **$509.00** |
|  |  |  |
| **Department** | **Dept Number** | **Line #** | **Description** | **Amount** |  |
| Sheriff | 3102 | 5409 | Police Supply | $277.50  |  |
|   | 3102 | 5410-400 | Narcotic | $480.00 |  |
| Pass-through Revenue deposited with Treasurer | **TOTAL** | **$757.50** |
|  |  |  |  |  |  |
| **Transfers:** |  |  |  |  |  |
|  |  |  |  |  |  |
| **Department** | **Dept Number** | **Line #** | **Description** | **From Amt** | **To Amount** |
| County | 12010 | 5504 | Travel-Education | $527.89 |   |
| Administration | 12010 | 3005 | Maintenance Service Contracts |   | $85.70 |
|   | 12010 | 7003 | Equipment-PC |   | $442.19 |
| Maint Svc Contracts is for Shredding and Typewriter Maintenance Contract and Equipment-PC is for color printer for County Administration Office | **$527.89** | **$527.89** |
|  |  |  |  |  |  |
| **Department** | **Dept Number** | **Line #** | **Description** | **From Amt** | **To Amount** |
| Commissioner | 1209 | 5503 | Travel-Out of Town | $200.00 |   |
| of Revenue | 1209 | 3007 | Advertising |   | $200.00 |
| Advertise deadlines for filing personal property returns, state incomes and age credits | **$200.00** | **$200.00** |

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

NAY: None

ABSENT: None

**IN RE: DEPARMENT REPORTS**

The Board reviewed the Department Reports.

Mr. S. Crosby answered Board questions.

**IN RE: CITIZEN COMMENTS**

The Chair asked for citizen comments. There were none.

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

Mr. F. Campbell requested updates on Blue Ridge Trail, Train Depot, Janitorial Contract and Panther Mountain. Mr. S. Crosby, Mr. D. Proffitt and Ms. E. Bowyer answered Board questions.

**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)(1) of the Code of Virginia, to discuss employment of County Administrator, and (ii) §2.2-3711 (A)(3) of the Code of Virginia, to discuss the acquisition of property and the disposition of public property relating to the Amherst Fire Department.

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

NAY: None

ABSENT: None

Ms. J. Roberson moved to come out of closed session, seconded by Mr. R. Curd 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. R. Curd AYE

 Mr. D. Kidd AYE

 Ms. J. Roberson AYE

Mr. R. Curd moved to amend the agenda by moving the work session above adjournment.

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

NAY: None

ABSENT: None

**IN RE: FACILITIES / CIP WORK SESSION**

Phil Banton-Wiley Wilson Architects: Provided presentation regarding renovating the Jail. He recommended renovation opposed to building new.

Dr. B. Ratliff-School Repairs and Renovations: Listed priorities as lights, HVAC, high school, roof replacements and repaving/sealing parking lots.

Larry Hasson-Dewberry Architects: Provided information regarding renovation of church. He stated that it was not feasible and recommended tearing down and building new.

Gary Roakes-Southern Public Safety Station: Provided a presentation on the Monelison Public Safety Station and the need for a new facility.

David Proffitt and Steve Preston-Madison Heights Library: Provided presentation on the need to replace the roof, insulate the roof, replace the HVAC unit and provide some upgrade to the buildings appearance.

Teresa Nuckols-Landfill Expansion and Solid Waste Convenience Sites: Provided presentation regarding the landfill and updated the Board on the 60 W convenience site.

Steve Crosby-Social Services: Provided information to the Board on the Social Services Department space needs.

Mr. S. Crosby recommended the Board to set priorities and schedule another work session at a later date.

It was a Board consensus for David Proffitt to proceed with bids for the Library with assistance from a selected consultant.

Mr. R. Curd left the meeting.

**IN RE: ADJOURNMENT**

On motion of Mr. D. Kidd and with the following vote, the Board moved to adjourn.

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

NAY: None

ABSENT: Mr. R. Curd

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 Claudia Tucker, Chair

 Amherst County Board of Supervisor

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 Steve Crosby, Interim County Administrator