

BOOK 33**VIRGINIA:**

At a continued meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 28th day of April 28, 2009 at 10:00 a.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

PRESENT:	Mr. L. Parrish Mr. C. Adams Mr. D. Kidd Mr. R. Vandall	ABSENT: Mr. V. Wood
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Mr. Parrish called the meeting to order.

IN RE: AGENDA

On motion of Mr. C. Adams and with the following vote, the Board of Supervisors approved the agenda with the amendment of discussion of setting a joint Planning Commission/Board of Supervisors work session.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: BUDGET WORKSHOP

Central Accounting, Director Brenda Campbell reviewed budget preparations to date and provided suggestions for establishing a balanced budget.

There were questions and discussions by Board members.

The attached reports were provided.

AMHERST COUNTY PUBLIC SAFETY

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Gary M. Roakes

Director/

TO: Mr. Chris Adams, Board of Supervisors

FROM: Gary M. Roakes
Director of Public Safety

CC: Mr. David Proffitt, Assistant County Administrator
Chief Trent Richie, Amherst Fire Department
Captain Glenda Hash, Amherst Life Saving Crew
Chief Rick Hunter, Monelison Fire Department
Captain Vickie Padgett, Monelison Rescue Squad
Chief Danny Tucker, Pedlar Fire Department
Captain, Kellie Maberry, Pedlar Rescue Squad

Mr. Bill Camm, Chairman Emergency Services Council
 Mr. Charlie Singleton, Vice Chairman Emergency Services Council

DATE: April 27, 2009

RE: Volunteer Fire and Rescue Services Funding from Amherst County Board of Supervisors

On April 27, 2009, we had a special called meeting at your request of the Chiefs and Captains regarding funding for volunteer fire and rescue services and the current status of the FY 2009-2010 budget of the Amherst County Board of Supervisors. After a good discussion about possibilities, the following recommendation for budget cuts were made by this group regarding the above mentioned funding:

Decrease Fire and Rescue Capital Funding by 5%: (In and out of County agencies)	\$12,500.00
Cut Personal Protective Equipment Fire and Rescue:	\$20,000.00
Decrease Fire Training:	\$ 5,000.00
TOTAL	\$37,500.00

In addition, this group also agreed to investigate future capital expenditure funding distribution and revising how the money is dispersed. This would include developing a long range plan for replacing apparatus.

Thank you and the Board of Supervisors for considering this recommendation. This group understands the economic situation and is in hope that in future years these funds will be restored as situations improve.

Listed below are those who were in attendance:

Chief Trent Richie, Amherst Fire Department
 Captain Glenda Hash, Amherst Life Saving Crew
 Chief Rick Hunter, Monelison Fire Department
 Captain Vickie Padgett, Monelison Rescue Squad
 Chief Danny Tucker, Pedlar Fire Department
 Mr. Bill Camm, Chairman Emergency Services Council
 Mr. Charlie Singleton, Vice Chairman Emergency Services Council
 John Boon, Deputy Director Amherst County Public Safety
 Courtney Davis, Amherst Life Saving Crew
 Blake Robertson, Assistant Chief, Amherst Fire Department
 Tim Pigg, Assistant Chief, Amherst Fire Department
 Ricky Coffey, Assistant Chief Monelison Fire Department
 Cheryl Tomlin, Pedlar Rescue Squad
 Lisa Tomlin, Pedlar Rescue Squad
 Randy Fauber, Pedlar Fire Department
 Chris Adams, Board of Supervisors

Gary M. Roakes

Budget Changes
 April 20, 2009
 Board of Supervisors Workshop

	Account	Current	Changes	Revised	
Delinquent Taxes		\$ 35,000.00	\$ (35,000.00)	\$ -	
Building Permits	013030-0008	\$ 240,000.00	\$ (65,000.00)	\$ 175,000.00	
Lodging Tax	012100-0001	\$ 75,000.00	\$ (5,000.00)	\$ 70,000.00	
Interest on Bank Deposits	015010-0001	\$ 250,000.00	\$ (50,000.00)	\$ 200,000.00	
EMS Fees for Services	016000-1303	\$1,004,088.00	\$ (104,088.00)	\$ 900,000.00	
ABC Profits	022010-0101	\$ 17,378.00	\$ (17,378.00)	\$ -	
Wine Taxes	022010-0102	\$ 18,215.00	\$ (18,215.00)	\$ -	
Sub-Total – Revenue			\$ (294,681.00)		
BOS – Tuition Cost	011010-2014	\$ (2,500.00)	\$ 2,500.00	\$ -	
IT – Computer Replacement	012200-7003	\$ (25,000.00)	\$ 25,000.00	\$ (50,000.00)	
School Buses	091050-9935	\$ (280,000.00)	\$ (110,000.00)	\$ (390,000.00)	Tentative
Compensation Study		\$ (85,304.00)	\$ 85,304.00	\$ -	
Sub Total – Expenditures		\$ (392,804.00)	\$ (47,196.00)	\$ (440,000.00)	
Total Revisions			\$ (341,877.00)		

There was a discussion of formalizing a process of quarterly reporting of County revenue receipts.

There was a further discussion of lump sum school appropriations rather than quarterly line-by-line.

Ms. Campbell provided a video demonstration of expenditures and revenues to be viewed and discussed by Board members.

County Attorney Hunt joined the meeting to address a legal question that was raised concerning the required dates for budget adoption and tax rate adoption.

Mr. Hunt stated he would review immediately and report back to them.

Planning Director Bryant addressed the Board regarding proposed expenses within the Planning budget.

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved to reduce \$30,000 from 81010-1007 Com Planner line in the Planning Department budget.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

The County Attorney reported to the Board on the legal question regarding adoption of the county budget.

Attorney Hunt stated that it is legal to adopt a tax rate without budget adoption. The overall County budget must be set by the first day of the new fiscal year and that the School budget must be adopted by May 1, 2009.

The Board briefly recessed.

Ms. Campbell reported to the Board on impact to the currently proposed budget.

IN RE: SETTING TAX RATES FOR 2009-10 BUDGET

On motion of Mr. R. Vandall and with the following vote, the Board of Supervisors moved adoption of the real estate tax rate of \$.52 per \$100 assessed value and all other taxes are as follows:

Consumer Utility

Electric		
Residential	20% times the minimum monthly charge + \$.015508 per kWh consumed not to exceed \$3.00 monthly	
Commercial	20% times the minimum monthly charge + \$.014214 per kWh consumed not to exceed \$20.00 monthly	
Natural Gas		
Residential	20% times the minimum monthly charge + \$.01867 per CCF consumed not to exceed \$3.00 monthly	
Commercial	20% times the minimum monthly charge + \$.015566 per CCF consumed not to exceed \$20.00 monthly	
Personal Property Taxes	\$3.25 per \$100 assessed value	
Machinery & Tools	\$2.00 per \$100 assessed value	
Merchants Capital	\$3.95 per \$100 assessed value	
Meal Tax	4%	
Lodging tax	5%	
Motor Vehicle License Fee:		
Auto	\$25.00	
Motorcycle	\$11.00	
Trailers	\$ 8.00	
Cable TV Franchise Fee:	5%	
Consumer Communication Tax:	5% of monthly charge	

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: SCHOOL BUDGET

On motion of Mr. C. Adams and with the following vote, the Board of Supervisors moved to cut proposed appropriation to School Board by \$200,000.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: SCHOOL BUS PURCHASE

On motion of Mr. R. Vandall and with the following vote, the Board of Supervisors moved to restore \$110,000 to school bus purchase and reduce transfer from capital improvement funds to balance 2009/10 budget.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: NONE

ABSENT: Mr. V. Wood

IN RE: PUBLIC SAFETY

On motion of Mr. C. Adams and with the following vote, the Board of Supervisors moved to reduce the County's proposed contribution to public safety by \$37,500.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: COMPENSATION

On motion of Mr. Vandall and with the following vote, the Board of Supervisors moved to reduce the compensation implementation by \$85,304.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: COMPUTER REPLACEMENT

There was a Board discussion and consensus to leave Info Tech computer replacement at \$25,000 level.

IN RE: PLANNER FRINGE LINES

On motion of Mr. C. Adams, and with the following vote, the Board of Supervisors moved approval to reduce compensation planner line by fringe amount of \$6,536.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: ADOPTION OF THE 2009-10 BUDGET

Mr. R. Vandall moved to approve the 2009-10 County budget with expenditures in the amount of \$ 72,095,442.00 with \$49,850,169.00 of that as the School budget of which \$46,655,985.00 is the regular operating budget, \$500,000.00 is school construction, \$2,694,184.00 is federal programs and with a local contribution of \$14,125,249.00.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: APPROPRIATION OF THE 2009-10 BUDGET

Mr. C. Adams moved to appropriate the 2009-10 budget as of July 1, 2009 on a quarterly basis and by line for all departments except for the School Board and Social Services. The School Board budget shall be on a lump sum basis and the Social Services budget shall be on a lump sum basis by category.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: ADOPTION OF FUND 85 SOLID WASTE 2009-10 BUDGET

Mr. D. Kidd moved to adopt the 2009-10 Amherst Solid Waste budget in the amount of \$1,456,193.00 and to appropriate the 2009-10 Solid Waste budget as of July 1, 2009 on a quarterly by line basis.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall
 NAY: None
 ABSENT: Mr. V. Wood

IN RE: JOINT WORK SESSION WITH PLANNING COMMISSION

There was a Board discussion of establishing a joint Board of Supervisors/Planning Commission work session with Planning Director Bryant.

There was a Board consensus to set a work session for 4:00 p.m., May 19, 2009 in the County Administration Building, School Board meeting room.

IN RE: CLOSED SESSION

Mr. R. Vandall moved to go to closed session to discuss (1) personnel matter and (3) discussion relating to the acquisition or disposition of real property pursuant to § 2.2-3711.A.1, and 3 of the Virginia Code Section, involving:

§2.2-3711.A.1 – Discussion or consideration of the assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees, or employees of any public body.

§2.2-3711.A.3 – Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

This was seconded by Mr. C. Adams and approved with the following vote:

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, and Mr. R. Vandall
 NAY: None
 ABSENT: Mr. V. Wood

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

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd, and Mr. R. Vandall
 NAY: None
 ABSENT: Mr. V. Wood

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

Mr. L. Parrish	AYE
Mr. C. Adams	AYE
Mr. D. Kidd	AYE
Mr. R. Vandall	AYE
Mr. V. Wood	ABSENT

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 record.)

IN RE: DIRECTION TO ADVERTISE COUNTY ADMINISTRATOR POSITION

On motion of Mr. D. Kidd and with the following vote, the Board of Supervisors moved to direct county staff to proceed with adverting for County Administrator position.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

IN RE: ADJOURN

On motion of Mr. C. Adams, seconded by Mr. D. Kidd and with the following vote, the Board of Supervisors adjourned.

AYE: Mr. L. Parrish, Mr. C. Adams, Mr. D. Kidd and Mr. R. Vandall

NAY: None

ABSENT: Mr. V. Wood

Leon J. Parrish, Chairman
Amherst County Board of Supervisors

David Proffitt, Acting County Administrator