

**BOOK 33**

**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 5<sup>th</sup> day of May, 2009 at 1:00 p.m. at which the following members were present and absent:

**BOARD OF SUPERVISORS:**

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

Mr. L. Parrish called the meeting to order.

Mr. L. Parrish led in the invocation and pledge of allegiance.

**IN RE: AGENDA**

On motion of Mr. Adams and with the following vote, the Board of Supervisors approved the following agenda with amendments:

**AGENDA**

**TUESDAY, MAY 5, 2009  
ADMINISTRATION BUILDING – 153 WASHINGTON STREET  
BOARD of SUPERVISORS’ MEETING ROOM  
1:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Special Appearances and Presentations**
  - a. Lynchburg Regional Airport – Jones Stanley (CANCELLED)**
- V. Amherst County Public Schools – Dr. Brian Ratliff – (CANCELLED)**
- VI. Virginia Department of Transportation – Michael McCormack**
  - a. Secondary System Construction Program
  - b. Authorization to sign Revenue Sharing Agreement**
- VII. Citizen Comments**
- VIII. Consent Agenda**
  - a. Amherst County Board of Supervisors Minutes – April 7<sup>th</sup>, 13<sup>th</sup>, 20<sup>th</sup>, 21<sup>st</sup>, and 23<sup>rd</sup> (10:30 am) and 23<sup>rd</sup> (6:00 pm), 2009

- c. Calendar Items
- d. Office of the Sheriff – March 2009
- e. Robert E. Lee Soil & Water Conservation Dist. March 26, 2009
- f. Department of Health – Office of Drinking Water Letter of April 8, 2009
- g. Swine Flu Outbreak – Department of Health – April 28, 2009
- g. VDOT Traffic Alerts – April 20-24, and April 27 – May 1, May 4-8, 2009

**IX. Department Reports**

Central Accounting

- a. Budget verification data
- b. Quarterly Financial Report
- c. Update of Department Financial Reports  
(Presented at meeting)

Planning/Zoning Department

- a. 2009-12 Liquefied Petroleum Gas Containers

**X. County Administrator's Report**

- a. Potential Board of Supervisors Cost Savings on BRRJA Site Sewer line Extension
- b. School Board District 5 Public Hearing
- c. Monthly Activity Report

**XI County Attorney's Report**

**XII. Matters from Members of the Board of Supervisors**

**XIII. Appropriations/Transfers/Disbursements**

**XIV. Closed Meeting (§2.2-3711.A, Code of Virginia, as amended)**

§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. Social Services Board Interviews

**§2.2-3711.A.5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.**

**XV. Adjourn**

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

NAY: None

**IN RE: DEPARTMENT OF TRANSPORTATION – MICHAEL MCCORMACK**

Michael McCormack, Resident Engineer for the Virginia Department of Transportation – Amherst Branch, met with the Board and summarized actions of the March 3, 2009 meeting with the Board and items for discussion for the May 5, 2009 meeting.

- Authorization for Revenue Sharing
- Six Year Plan approval
  - Rural Rustic Project – Sugar Hill Tunnel Hollow
- 501 bridge repair status
- 349 Main Street – Ruby Dalton – Sidewalk repairs

Mr. Parrish brought to the attention of the Board and Mr. McCormack, situation of the porch across the sidewalk on Main Street in Madison Heights and also Rt. 210 problem.

Mr. Adams reported on the poplar trees on the side of Rt. 60 with the bare roots that need attention before they fall in the road.

**IN RE: RESOLUTION AUTHORIZING THE ACTING COUNTY ADMINISTRATOR TO SIGN THE VIRGINIA DEPARTMENT OF TRANSPORTATION'S REVENUE SHARING AGREEMENT**

**WHEREAS**, the County of Amherst applied for Revenue Sharing money through the Virginia Department of Transportation (VDOT) for sidewalk improvements, and;

**WHEREAS**, the County will be responsible for 50% of the cost and VDOT the other 50%, and;

**WHEREAS**, the total cost of the proposed project is an estimated \$100,000, and

**WHEREAS**, this project is designated as Project 0029-005-R31, PE101, RW201, N501, UPC91872, and

**WHEREAS**, VDOT requests a County resolution designating a person with authority to sign documentation on behalf of the County of Amherst,

**NOW THEREFORE, LET IT BE RESOLVED**, that the Acting County Administrator sign all needed documentation on behalf of the County of Amherst for this project.

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

NAY: None

**IN RE: SIX YEAR PLAN**

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the Virginia Department of Transportation Six Year Plan.

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

NAY: None

**IN RE: SPECIAL APPEARANCE AND PRESENTATION**

The Honorable Delegate Shannon R. Valentine appeared at the Board of Supervisors meeting and asked to speak with the Board regarding stimulus funding and if at any time she could help the Board please let her know.

**IN RE: CITIZEN COMMENTS**

None

**IN RE: BOARD OF SUPERVISOR MINUTES FOR APRIL 2009**

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the April 7, 2009 minutes.

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

NAY: None

On motion of Mr. Parrish and with the following vote, the Board of Supervisors approved the April 13<sup>th</sup> and 20<sup>th</sup>, 2009 minutes.

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

NAY: None

ABSTAIN: Mr. V. Wood

On motion of Mr. Adams and with the following vote, the Board of Supervisors approved the April 21<sup>st</sup> and 23<sup>rd</sup> (10:30 am), 2009 minutes.

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

NAY: None

ABSTAIN: Mr. R. Vandall (April 23 - 10:30 am, 2009)

On motion of Mr. D. Kidd and with the following vote, the Board of Supervisors approved the April 23<sup>rd</sup> (6:00 pm), 2009 minutes

AYE: Mr. L. Parrish, Mr. D. Kidd, Mr. R. Vandall and Mr. V. Wood

NAY: None

ABSTAIN: Mr. C. Adams

**IN RE: BUDGET VERIFICATION DATA, QUARTERLY FINANCIAL REPORT AND UPDATE OF DEPARTMENT FINANCIAL REPORTS**

Ms. Brenda Campbell, Central Accounting Director, presented verification of the budget figures in balancing the budget (following), a quarterly report for March 31, 2009 (attached) and an update of department financial reports:



# Amherst County Budget Recap For the Year Ending June 30, 2010

Total Budget as Advertised                      \$72,477,292.00

## **Revenue Reductions:**

Delinquent Tax Recoveries	\$ 35,000.00
Building Permit Reduction	\$ 65,000.00
Lodging Tax Receipts Reduced	\$ 5,000.00
Interest on Bank Deposits	\$ 50,000.00
EMS Fees for Services	\$104,088.00
Wine Tax (State Revenues)	\$ 18,215.00
ABC Tax (State Revenues)	\$ 17,378.00
CAP Improvement Transfer	\$ 87,169.00

## **Expenditure Reductions:**

Tuition Cost – Paramedics	\$ 2,500.00
Compensation Implementation	\$ 85,304.00
Compensation Planner	\$ 36,546.00
Volunteer Service Contribution	\$ 37,500.00
Debt Service – Animal Shelter	\$100,000.00
General Liability Insurance	\$ 30,000.00
School Local Appropriation	\$200,000.00

## **Increase Expenditure:**

School Bus Purchase Program	\$110,000.00
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**Amherst County 2009-2010 Budget: \$72,095,442.00**

As approved by Board of Supervisors April 28, 2009

**IN RE: 2009-12 LIQUEFIED PETROLEUM GAS CONTAINERS**

2009-12 This is a zoning text amendment request by Robert Powers of P & W Architectural Stone to allow above ground liquefied petroleum gas containers to refill individual's propane tanks. The Planning Commission heard this request on February 19<sup>th</sup> and discussed it again on March 19<sup>th</sup>, asking staff to bring back a draft ordinance. The ordinance was drafted taking into consideration requirements from the Occupational Safety and Health Administration, the National Fire Protection Agency, the Virginia Statewide Building Code and Fossil Fuels; all of which are attached. The following attached ordinance allows such containers up to two-thousand (2,000) gallons in water capacity with a twenty-five (25) foot setback from roads, lot lines and structures, as well as three (3) feet between each container. The ordinance also defines liquefied petroleum gas containers with a definition combined from OSHA's container definition and the State Building Code's LP-gas definition. On April 16, 2009 the Planning Commission requested that the amendment proceed to the Board of Supervisors for consideration.

Jeremy Bryant, Planning Director, presented case 2009-12 to the Board of Supervisors asking the Board to direct advertising the case for public hearing to amend the zoning ordinance to allow use in B-2 Commercial District.

Mr. C. Adams move to amend zoning ordinance to allow as special exception in B-2 and Village but after further discussion, ask for motion to be rescinded.

After further discussion, the Board of Supervisors directed Mr. Bryant to check with Mr. Roakes as to public safety aspect of the zoning amendment and also with other areas as to how they handled the situation and report back to them at a later date.

**IN RE: POTENTIAL BOARD OF SUPERVISORS COST SAVINGS ON BRRJA SITE SEWER LINE EXTENSION**

Based on the availability of Amherst County Service Authority's annual construction contract, which provides a more attractive cost for the Alternate 1 sewer line extension, on motion of Mr. R. Vandall and with the following vote, the Board of Supervisors rescinds their prior resolution of April 7, 2009 and requests the Service Authority to proceed with construction of alternate 1 through their annual contract. The Board of Supervisors shall repay the Service Authority its resulting expenditures of \$76,135.43 if no rock is encountered or up to a maximum of \$81,135.43 if rock is encountered.

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

**IN RE: SCHOOL BOARD APPOINTMENT**

Mr. Proffitt notified the Board of Supervisors that there is an opening as of July 1, 2009 representing District 5 on the Amherst County School Board. Ms. Susan Cunningham is applying for reappointment with no other applicants at this time. Applications can be accepted up to the night of the public hearing which has been advertised for May 19, 2009 at 7:00 p.m., or as soon thereafter as may be heard in the Administration Building, School Board meeting room.

**IN RE: MONTHLY ACTIVITY REPORT**

Mr. Proffitt presented the following activity report for May, 2009:

**MONTHLY ACTIVITY REPORT  
May, 2009**

- (1) **American Tower – Internet Access for Pedlar and Animal Care and Control Facility:**

**Recent Activity:** Meeting with D. Hill, American Tower Site Supervisor, on 4/13/09; authorization for Amherst County Public Safety to begin repair/construction of facility for adaptation to Public Safety use given on 4/13/09; inspection of reconnection of meter and electrical work done by D. Tyree on 4/15/09

**Next Steps:** Wireless Data Systems has authorized to Public Safety proceed with the installation of the equipment. County maintenance currently performing renovation to structure that will house equipment.

**Last Updated:** 4/28/09

**(2) CVCC Lease:**

**Recent Activity:** Lease received from CVCC by County Attorney on 4/14/09; lease given to Director of EDA by County Attorney for execution by the EDA Chairman on 4/15/09; lease executed by EDA Chairman on 4/15/09 and 4/16/09; executed lease mailed to J. Poole of CVCC by County Attorney on 4/16/06; lease sent to J. Poole upon receipt

**Next Steps:** Awaiting approval from Attorney General's office.

**Last Updated:** 4/28/09

**(3) Amherst Train Station:**

**Recent Activity:** The money advanced by the County has been requested from VDOT from the proceeds of the most recent grant. An application for additional grant funds was submitted in 2008 and grant awards will be announced in June of 2009. The Friends of the Amherst Train Station has been meeting on a regular basis to plan fund raising for the local match portion of the work. The County submitted an application for Stimulus Funding for the Train Station.

**Next Steps:** Monitor repayment of funds advanced.

**Last Updated:** 4/7/09

**(4) Animal Care and Control Facility:**

**Recent Activity:** Letter of Notification response letter to be sent to S. Helsel (state vet) on 4/30/09 with attachments from B. Shaw and N. Davis regarding remedy of the three noncompliance issues.

**Next Steps:** Wait for response from S. Helsel and then have County Attorney draft a request to the Department of Agriculture to officially separate the two facilities.

**Last Updated:** 4/28/09

**(5) Learning Lane**

**Recent Activity:** The final plat has been signed by Amherst County and the Amherst County School Board; Sam E. Davis has been informed on status of project and wants to wait to sign it after all other parties have signed the plat; River James, Inc. has still yet to sign the plat; River James, Inc. sent reminder correspondence on 2/17/09 and 4/7/09; River James, Inc. sent County Attorney letter with questions on 4/15/09; County Attorney had teleconference with J. L. McCall of Hughes Realty on 4/15/09 to answer said question; J. L. McCall informed County Attorney that she would approval to sign the plat from owner of River James, Inc. and then sign the plat

**Next Steps:** Get plat signed by River James, Inc.; Record said plat; Upon recordation, authorize Hurt & Proffitt to proceed with the development of bid documents for the road upgrades that will be required to meet VDOT standards

**Last Updated:** 4/29/09

**(6) Rental Inspection Ordinance Implementation:**

**Recent Activity:** Letters were sent to all property owners in the area where the ordinance will be first implemented (the Old Madison Heights area between Route 29 Business and Route 163. The Building Official has received applications for five rental properties and has contacted the owners to schedule the inspections over the next few weeks. The County Attorney will present a report on liability issues at the April 7, 2009 meeting.

**Next Steps:** First inspections scheduled for week of May 4, 2009.

**Last Updated:** 4/29/09

**(7) Blighted Property Report:**

**Recent Activity:** The County Attorney presented a report on enforcement actions at the March 17, 2009 meeting. The Building Official will present the Board with information on the demolition to blighted properties on Horseford Road, Lynchburg Highway and Main Street in Madison Heights at the April 7, 2009 meeting.

**Next Steps:** Four house demolitions complete; 316 Main St., 148 Horseford Rd, Madison Heights, and 116 & 132 Lynchburg Ave, Monroe.

**Last Updated:** 4/29/09

**(8) Madison Heights CDBG Grant Application:**

**Recent Activity:** A public meeting was scheduled in Madison Heights by Region 2000 on Monday, April 6, 2009. The Board will consider a resolution authorizing the grant application at the April 7, 2009 meeting.

**Next Steps:** Submit application upon approval by Board

**Last Updated:** 4/7/09

**(9) Sidewalk Improvements in Madison Heights:**

**Recent Activity:** The County received a grant of \$50,000 to match County funds for sidewalk improvements in Madison Heights. Hurt and Proffitt conducted an assessment of the sidewalks in Madison Heights and has identified priority improvement areas for construction of curb cuts and installation of a limited amount of new sidewalks.

**Next Steps:** Submit improvement plan to VDOT for review

**Last Updated:** 4/7/09

**(10) Survey of Historic Properties:**

**Recent Activity:** The County received a grant from the Department of Historic Resources (DHR) to conduct a survey of historic properties in the County. DHR and the County have entered into a cooperative partnership with the Tusculum Institute at Sweet Briar College to conduct the survey. The grant and all contracts will be administered by DHR.

**Next Steps:** DHR will authorize work to proceed



**Last Updated:** 4/7/09

**(11) Space Needs Study:**

**Recent Activity:** The County has explored a number of options to address space needs with the County Administration building and problems with the HVAC system at the Goodwin Street Building. The County will consider the purchase of property related to the space needs study in closed session on April 7, 2009.

**Next Steps:** Board to consider options (Request direction from Board on how to proceed)

**Last Updated:** 4/29/09

**(12) Broadband Availability:**

**Recent Activity:** Email sent by County Attorney on 4/24/09 to B. David (Region 2000) and J. Gore (attorney, Hefty & Wiley) informing them of new contact person and requesting assistance/direction in scheduling all future Broadband Authority events

**Next Steps:** Wait for direction from B. David and J. Gore as to scheduling all necessary future Broadband Authority events

**Last Updated:** 4/28/09

**(13) Phelps Road School:**

**Recent Activity:** Transfer deed prepared by County Attorney; plat reviewed by T. Jorgensen on 4/15/09; comments sent to Hurt and Proffitt via mail by J. Jorgensen on 4/15/09; submittal of final plat by Hurt and Proffitt required for recordation; status update email sent by County Attorney to D. Gibbs on 4/23/09; teleconference with D. Gibbs and County Attorney on 4/23/09

**Next Steps:** Receive final plat by Hurt and Proffitt; upon receipt, County Attorney will record and notify D. Gibbs immediately

**Last Updated:** 4/28/09

**(14) QAD:**

**Recent Activity:** Transfer deed prepared by County Attorney; plat reviewed by T. Jorgensen on 4/15/09; comments sent to Hurt and Proffitt via mail by J. Jorgensen on 4/15/09; submittal of final plat by Hurt and Proffitt required for recordation

**Next Steps:** Receive final plat by Hurt and Proffitt; upon receipt, County Attorney will record and notify QAD immediately

**Last Updated:** 4/28/09

**(15) Transfer of Amelon Commerce Center property to EDA:**

**Recent Activity:** The County is working with a company that is expected to locate in the Amelon Commerce Center. The transfer of property to that company will be considered at a public hearing to be scheduled in the next few months. Hurt and Proffitt has recommended that the County wait until after that transfer is complete to update the master plan which will be necessary for transfer to the EDA.

**Next Steps:** Update of master plan necessary for transfer of property in process.

**Last Updated:** 4/29/09

**(16) Release of Industrial Access Funds:**

**Recent Activity:** The EDA Director submitted additional information as requested by VDOT in early April.

**Next Steps:** Awaiting final approval by VDOT to release the funds

**Last Updated:** 4/7/09

**(17) Monacan Park: Wake Boarding Boat Issue:**

**Recent Activity:** Recommendation given by Parks and Recreation Board to County Attorney on 4/20/09; Parks and Recreation Board asked County Attorney to get several answers from DGIF; County Attorney presented said recommendation to the BOS at 4/21/09 meeting; County Attorney emailed questions to T. Fischer (DGIF) on 4/21/09 regarding collection of fines; Fischer responded to email on 4/21/09; Follow-up email sent to T. Fischer (DGIF) on 4/29/09 regarding regulation of wake-enhancing devices (“WEDs”)

**Next Steps:** Await response from T. Fischer regarding regulation of WEDs; present findings to Parks and Recreation Board its next meeting

**Last Updated:** 4/29/09

**(18) Noise Ordinance Revision:**

**Recent Activity:** County Attorney advised BOS at 4/21/09 meeting regarding *Tanner* decision and effect on likely making Amherst County’s Noise Ordinance unconstitutionally void for vagueness; County Attorney working with fellow Local Government Attorneys to draft constitutional Noise Ordinance with LGA, VML, and/or VACO’s assistance; Roundtable Discussion meeting on incessantly barking dogs in May cancelled due to new *Tanner* developments and lack of interest/attendance

**Next Steps:** County to draft constitutional Noise Ordinance following recommendation from LGA, VACO, and/or VML

Last Updates: 4/29/09

**(19) Zoning Ordinance Alignment with Comprehensive Plan:**

**Recent Activity:** The Planning Commission has formed sub-committees to review the three top priorities established by the Board to bring the Zoning Ordinance into alignment with the Comprehensive Plan.

**Next Steps:** Sub-committees to research issues and make presentations to the Planning Commission

**Last Updated:** 4/29/09

**(20) Directional Signs for Motels on Bypass:**

**Recent Activity:** Virginia Logos has processed the applications and is ordering the construction of the signs. Expected installation date is before the end of May.

**Next Steps:** Waiting for installation of signs by Virginia Logos.

**Last Updated:** 4/29/09

**(21) Water/Sewer to Route 210 Interchange:**

**Recent Activity:** County has obtained all easements along Riverview Road with the exception of two (2); County Attorney is commencing quick-take condemnation acquire said missing easements; Bid documents have been released; Bid award pending; Construction of the water and sewer lines will be done in the first phase of the construction of the Lynchburg Adult Detention Center in upcoming months; Status update meeting on this subject occurred with County Attorney, D. Proffitt, and D. French held on 4/29/09

**Next Steps:** Obtain final two (2) easements, award bids; begin Phase 1 construction

**Last Updated:** 4/29/09

**(22) Riveredge Park:**

**Recent Activity:** The plans for the park are currently being reviewed by the Bureau of Capital Outlay Management (BCOM) in the Virginia Department of General Services. Following an initial review the A&E firm for the County submitted comments and revised plans.

**Next Steps:** Awaiting completion of review by BCOM

**Last Updated:** 4/7/09

**(23) Blue Ridge Railway Trail:**

**Recent Activity:** An application for grant funding to complete the next section of the trail, including the final portion of the trail in Amherst County, was submitted to VDOT in November. Grant awards will be announced in June.

**Next Steps:** Awaiting announcement of grant awards by the Commonwealth Transportation Board

**Last Updated:** 4/7/09

**(24) Convenience Center Development:**

**Recent Activity:** The Board authorized the preparation of plans and bid documents for the expansion of the Coolwell Convenience Center and closure of the open container site at the landfill. Attempts to locate land for the construction of a convenience center near the open container site on Route 60 West are ongoing. The Solid Waste Director and County Administrator will visit potential sites on April 9.

**Next Steps:** Plans for expansion of the Coolwell Convenience Center are in development stages. Attempts to locate a site for the Route 60 West site will continue.

**Last Updated:** 4/29/09

**(25) GIS:**

**Recent Activity:** Timmons Group is finalizing the GIS system with an early summer launch anticipated. Data sets are currently being reviewed by the Commission of the Revenue's office for accuracy. The new site will include real estate tax parcels data and mapping.

**Next Steps:** Launch of site

**Last Updated:** 4/7/09

**(26) Panther Mountain Tower Access:**

**Recent Activity:** Negotiations continue regarding access to the County tower on Panther Mountain.

**Next Steps:** Meet with M. Saunders; Report meeting information to BOS at upcoming meeting

**Last Updated:** 4/29/09

**(27) Human Resources Position and Personnel Plan:**

**Recent Activity:** The Personnel Plan Committee presented the Board with a draft of the revised Personnel Plan at the March 3, 2009 meeting; the County Administrator and Deputy County Administrator presented the Board with a draft RFP for Human Resources services at the March 17, 2009 meeting; Request sent via teleconference and email by County Attorney to S. Preston (Amherst County Library Director) regarding including an administrative leave with pay section to Personnel Plan on 4/23/09; Status email received by County Attorney from S. Preston on 4/27/09 informing that said new section has been sent to Personnel Plan Review Committee from comment

**Next Steps:** Wait for review of new administrative leave section comment by Personnel Plan Review Committee; Upon receipt of said review comments; bring to BOS for comment/review at upcoming meeting

**Last Updated:** 4/29/09

**(28) CVTC Renovations:**

**Recent Activity:** The County continues to meet with CVTC and closely monitor plans for the renovation of facilities and the future use of buildings and land which will no longer be needed by CVTC. Recent meetings included review of conceptual drawings for new facilities on the CVTC campus.

**Next Steps:** Continued meetings with CVTC and monitor plans for renovations or new facilities.

**Last Updated:** 4/7/09

**(29) Connie Rose v. Bill Cash:**

**Recent Activity:** B. Cash dismissed from lawsuit by letter opinion from Judge Gamble on 4/14/09; County Attorney informed B. Cash of his dismissal on 4/16/09 via email; Fully executed Final Order evidencing B. Cash's dismissal received by County Attorney on 4/27/09; Final Order delivered to B. Cash and D. Proffitt for their files by County Attorney on 4/27/09

**Next Steps:** Case closed; No further action required

**Last Updated:** 4/29/09

Mr. Adams brought up the space needs section of the report requesting what action was going to be taken.

Mr. Wood stated that with the economy the way it is now, he doesn't see what can be done.

By consensus, the Board of Supervisors directed that this be discussed again at the next regular meeting of the Board of Supervisors.

Mr. Adams also brought up the Boardband and where that was headed now. Mr. Proffitt stated that he had spoke with Mr. David this week and he would like to appear before the Board in the next couple of months to discuss the next steps.

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

Mr. L. Parrish – Briar Foster former County Administrator at King George is willing to help if needed.

Mr. V. Wood – Ned Brown Lane junk cars, also another just past Ned Brown Lane. Both were to be sent to Jeremy and Darian.

Mr. D. Kidd – illegal junk cars on Kings Road

Mr. C. Adams – county vehicles need to be cleaned and kept clean

Mr. L. Parrish – street lights in Old Madison Heights

**IN RE: APPROPRIATIONS AND TRANSFERS**

On motion of Mr. Vandall and with the following vote, the attached appropriations and transfers were approved:

**a. APPROPRIATIONS**

**Sheriff's Dept.**

31020	1008	Traffic Enforcement (FT)	\$	9,414.00
31020	1008	Traffic Enforcement (PT)		10,000.00
31020	1009	Clerical Compensation		4,877.30
31020	2001	FICA		1,795.76
31020	2002	VRS		1,877.87
31020	2005	Health Insurance		1,020.00
31020	2006	Life Insurance		117.19
31020	2017	Health Credit		30.02
31020	7001	Equipment		9,506.10
31020	7009	Misc Equipment		3,915.00
3102	5804-100	Court House Beautify		976.18
		(Fine Revenue)		

**Public Library**

73010	5411	Books & Subscriptions	\$	100.00
73010	5504	Travel Education		20.00
73010	5806	Coffee Shop deposits		210.00
		(Book donations and refund for workshop and coffee shop deposits)		

**b. TRANSFERS**

**Board of Equalization**

**Transfer from:**

12110	1001	Comp Board of Equalization	\$	4,525.00
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**Transfer to:**

12110	1006	Comp Office Assistant	\$	4,525.00
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**Circuit Court Judge's Office**

**Transfer from:**

21010 5804 Miscellaneous \$ 400.00

**Transfer to:**

21010 5203 Telecommunications \$ 400.00

**Building Safety and Inspections**

**Transfer from:**

34010 5408 Gas, Oil, Grease \$ 245.00

**Transfer to:**

34010 3010 Repairs – Automobile \$ 245.00

**Sheriff – Jail**

**Transfer from:**

31020 3002 Prof. SVC \$ 1,000.00  
 31020 5410 Uniform 1,000.00  
 31020 5504 Travel 1,000.00  
 31020 7003 Comm Equip 570.00

**Transfer to:**

31020 3016 Radio Repair \$ 300.00  
 31020 5203 Telephone 1,620.00  
 31020 5401 Office Supplies 400.00  
 31020 5449 Tires 700.00  
 33010 5409 Police Supplies 500.00  
 33010 5416 Phy Exams 40.00  
 33010 5806 Extradition 10.00

**Public Library**

**Transfer from:**

73010 5201 Postal Service \$ 1,000.00  
 73010 5401 Office Supplies 2,000.00  
 73010 5801 Memberships/Dues 145.00  
 73010 7002 Furniture & Fixtures 400.00

**Transfer to:**

73010 3005 Maintenance Services \$ 500.00  
 73010 5203 Telecommunications 1,424.00  
 73010 5413 Computer Supplies & Software 23.25  
 73010 5804 Miscellaneous 100.00  
 73010 5806 Special Programming Supplies 1,497.75

**Planning & Zoning**

**Transfer from:**

81020	3007	Advertising	\$	340.00
81020	5504	Travel (PC)		450.00
81040	5504	Travel (BSA)		800.00
81010	5504	Travel Edc.		1,330.00
81010	5501	Travel		350.00

**Transfer to:**

81010	5801	Dues	\$	340.00
81010	5401	Office		800.00
81010	5408	Gas		800.00
81010	3006	Printing		1,330.00

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

**IN RE: CLOSED SESSION**

Mr. R. Vandall moved to go to closed session to discuss a (1) personnel matter and (5) matter relating to prospective business or industry or the expansion of an existing business or industry pursuant to § 2.2-3711.A.1, and 5 the Virginia Code 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.5 - Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business or industry's interest in locating or expanding its facilities in the community.

This was seconded by Mr. V. Wood and approved with the following vote:

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

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

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

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	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: APPOINTMENT TO SOCIAL SERVICES BOARD**

On motion of Mr. R. Vandall and with the following vote, the Board of Supervisors approved Ms. Juanita Roberson to the Social Services Board for a term to expire June 30, 2013.

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

**IN RE: ADJOURN**

On motion of Mr. V. Wood, seconded by Mr. D. Kidd and with the following vote, the Board of Supervisors moved to adjourn until 4:00 p.m., May 19, 2009 in the Administration Building, Amherst County School Board room.

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

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Leon J. Parrish, Chairman  
Amherst County Board of Supervisors

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David Proffitt, Acting County Administrator