

BOOK 33**VIRGINIA:**

At a regular meeting of the Board of Supervisors of Amherst County held at the Administration Building thereof on Tuesday, the 17th day of August, 2010 at 7:00 p.m. at which the following members were present and absent:

BOARD OF SUPERVISORS:

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

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

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

IN RE: AMHERST COUNTY HIGH SCHOOL GIRLS' SOFTBALL AWARDS

The Board of Supervisors' meeting was opened with the recognition of the Amherst County High School 2010 Girls' Lancer varsity softball awards: 2010 Seminole District Champions/2010 Region III Runner-ups/2010 State quarter finalist

NAME	GRADE	POSITION
1. Heather Brown	11 th	IF/DH
2. Ashley Hill	12 th	2B
3. Renesha Chiles	12 th	CF
4. Allyson Davis	11 th	OF
5. Nakiera Ross	9 th	OF
6. Haleigh Young	11 th	1B
7. Nia Chiles	10 th	OF/IF/C
8. Sydney Lewis	12 th	P/DH/1B
9. Jo Jo Turner	11 th	OF
10. Nacori Ross	11 th	OF
11. Lori Bamberg	11 th	IF/C/DH
12. Sara Tolbert	10 th	P/3B
13. Mallory Wood	9 th	SS/IF
14. Taylor Carter	11 th	C/DH
15. Skyler Lewis	9 th	P/1B
16. Asley Wayne	10 th	OF

Head Coach – Larry Thomas
 Asst. Coach – Christy Mays
 Asst. Coach – Suzanne Crist
 Volunteer Coach – George Maddox

IN RE: CITIZEN COMMENTS

Chairman asked that citizens give name and address, direct comments to the Chairman and try to keep comments within 3 minutes.

Alan Wood, Piedmont Insurance – School Board procurement practice

Elizabeth Riggs – Rocky Hill Road – church sign

Janice Camden – Chairperson Old Town Community Action Group but not speaking for anyone else – complaining about Frank Campbell

Marshall Tyree – 172 Ridge Street, District 5 – personal friend of Mr. Frank Campbell – Do not need to hear anymore about this – move on

Larry Wolf – Ms. Tucker’s district – vision for county

Debbie Torrence – 135 Clark Street – personal friend of Mr. Campbell

Steve Stinson – 234 Clark Street – personal friend of Mr. Campbell

Lisa Uthup – wife of pastor of Northside Baptist Church

Leon Parrish – communication problem

IN RE: APPROVAL OF AGENDA

On motion of Mr. Campbell and with the following vote, the Board approved the agenda as presented:

AGENDA

**TUESDAY, AUGUST 17, 2010
ADMINISTRATION BUILDING – 153 WASHINGTON STREET
SCHOOL BOARD MEETING ROOM
7:00 P.M.**

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Presentation of Amherst County High School Girls’ Softball Awards**
 - a. 2010 Seminole District Champions
 - b. 2010 Region III Runner-ups
 - c. 2010 State Quarter Finalist
- IV. Citizen Comments**
- V. Approval of Agenda**
- VI. Zoning Public Hearings**
 - a. Zoning Case 2010-17 Public Hearing
- VII. Special Appearance and Presentations**
 - a. Virginia Cooperative Extension – Kevin Irvin and Dan Goerlich
- VIII. Consent Agenda**
 - a. Sorghum Festival – October 2 & 3, 2010

IX. Correspondence

- a. Monthly Activity Report – August 17, 2010
- b. Building Safety & Inspections Monthly Report - July
- c. Virginia Blue Ridge Railway Trail Foundation – Biosolids Monitor
- d. Amherst County General District Court – Budget
- e. Department of Environmental Quality – Old Dominion Job Corps Center
- f. Update on Appalachian's Most Recent Rate Applications – VML/VACo/APCo Steering Committee
- g. Virginia Electric and Power Company – Case No. PUE-2010-00084
- h. VDOT Traffic Alert – August 2-6, 2010 and 9-13, 2010

X. Department Reports**Accounting Department**

- a. CDBG Project – Stump Hill – Setting a budget for FY11
- b. Year End Transfers
- c. Emergency Services
- d. Reimbursement to the Commonwealth
- e. July's Monthly Expenditure Report

Sheriff's Department

- a. Office of the Sheriff letter dated August 9, 2010

XI. County Administrator's Reports

- a. Planning Commission – District 3 Appointment

XII. Appropriation/Transfers/Disbursements**XIII. Matters from Members of the Board of Supervisors****XIV. Adjourn**

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

NAY: None

IN RE: ZONING PUBLIC HEARING

2010-17 Request by Edward C. Thompson for a special exception in the B-2 General Commercial District. The purpose of the special exception is to allow a used automobile sales lot. The parcel is located at 5408 South Amherst Highway and further identified as tax map number 160A1-3-13, 14.

Jeremy Bryant presented case 2010-17 for the Board's attention.

The Planning Commission recommended approval of the special exception request with the following conditions:

- Maximum of ten (10) vehicles for sale at any one time
- Landscaping shall be planted along the front of the existing building and around the existing sign
- Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets

Ms. Tucker – on the landscaping recommends allowing one (1) year to do the landscaping

Mr. Vandall – this has been a business for ten (10) years and does not agree with the landscaping

Mr. Campbell – questioned the number of vehicles but Mr. Thomas was alright with the number ten (10).

Proponents: None

Opponents: None

On motion of Ms. C. Tucker and with the following vote, the Board approved the special exception request in the B-2 General Commercial District to allow a used automobile sales lot on parcel located at 5408 South Amherst Highway as recommended by the Planning Commission with the amended conditions as follows:

- Maximum of ten (10) vehicles for sale at any one time
- Landscaping shall be planted along the front of the existing building and around the existing sign and has one (1) year to have this done
- Lighting facilities shall be so arranged that light is reflected away from adjacent properties and streets

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

NAY: Mr. R. Vandall (No because he did not agree on the landscaping since the business had been there for ten (10) years.

IN RE: PRESENTATION – KEVIN IRVIN AND DAN GOERLICH

Mr. Irvin and Mr. Goerlich representing Virginia Cooperative Extension were before the Board requesting the use of the remaining County funds budgeted for FY10/11 to be used for a part time agricultural position.

Ms. Tucker supports use of funds for part time position – asked how the job description was prioritized.

Mr. Vandall – Farm Bureau should be included in hiring process

The Board by consensus appointed Mr. Curd to serve on the hiring committee.

On motion of Ms. Tucker and with the following vote, the Board approved the use of the remaining funds for the hiring of a part time person.

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

NAY: None

IN RE: SORGHUM FESTIVAL

On motion of Mr. Vandall and with the following vote, the Board of Supervisors approved the application from the Clifford Ruritan Club for the Sorghum Festival planned for October 2 & 3, 2010.

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

NAY: None

IN RE: CORRESPONDENCE

- a. Monthly Activity Report – August 17, 2010
- b. Building Safety & Inspections Monthly Report - July
- c. Virginia Blue Ridge Railway Trail Foundation – Biosolids Monitor
- d. Amherst County General District Court – Budget
- e. Department of Environmental Quality – Old Dominion Job Corps Center

- f. Update on Appalachian's Most Recent Rate Applications – VML/VACo/APCo Steering Committee
- g. Virginia Electric and Power Company – Case No. PUE-2010-00084
- h. VDOT Traffic Alert – August 2-6, 2010 and 9-13, 2010

Regarding 'c': On motion of Mr. Vandall and with the following vote, the Board approved the cancelling of public hearing on biosolids for September 7, 2010.

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

On motion of Mr. Vandall and with the following vote, the Board directed the county attorney to revise the bio solid ordinance and advertise for public hearing on September 22, 2010 at 7:00 p.m.

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

Other Information Only

IN RE: ACCOUNTING

a. CDBG Project – Stump Hill

On motion of Mr. F. Campbell and with the following vote, the Board approved the CDBG budget as follows and the approved the project:

APPROPRIATION – FY11
FUND # 083

3-083-24040	550	Stump Hill Project	\$724,000.00
4-083-83875	3013-100	Contract Services – Project Administration	\$23,850.00
4-083-83875	3007-100	Advertising	\$1,300.00
4-083-83875	5501-100	Travel	\$400.00
4-083-83875	3020-100	Legal Services	\$1,500.00
4-083-83875	3002-100-200	Inspection – Demolition & Clearance	\$600.00
4-083-83875	3002-100-200-100	Construction-Demolition & Clearance	\$8,000.00
4-083-83875	3002-200	Inspection – Housing Rehab	\$18,000.00
4-083-83875	5804-200	Misc – Temporary relocation	\$1,000.00
4-083-83875	7010-200-100	Rehab – owner occupied	\$140,548.00
4-083-83875	7010-200-200	Rehab – renter occupied	\$25,000.00
4-083-83875	5804-200	HMEP	\$750.00
4-083-83875	3013-300-100	Contract SVCS – Architect/Engineer (water)	\$22,331.00
4-083-83875	7010-300-100	Water Line – Construction/Improvements	\$210,672.00
4-083-83875	7010-300-200	Sewer Line – Construction/improvements	\$244,388.00
4-083-83875	3013-300-200	Contract SVCS – Architect/Engineer (sewer)	\$25,661.00
		TOTAL	\$724,000.00

To establish budget for Phase I of the Stump Hill CDBG Project

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

IN RE: YEAR END TRANSFERS

On motion of Mr. R. Vandall and with the following vote, the Board approved the Accounting Director to make transfers as needs to close out the FY10 budget.

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

NAY: None

IN RE: EMERGENCY SERVICES

On motion of Mr. R. Vandall and with the following vote, the Board approved the following transfers as requested in the emergency services FY10 budget:

Transfer from:

32070	1007	Comp-Para-Medic	\$692.00
32070	2002	Retirement	\$3,606.08
32070	2006	Group Life	\$1,299.56
32070	2010	Workman's Comp	\$5,755.79
32070	3005	Maintenance Service Contract	\$1,618.00
32070	3006	Printing	\$500.00
32070	3010	Contract Services	\$752.00
32070	5401	Office Supplies	\$141.41
32070	5404	Medical and Laboratory Supplies	\$2,971.98
32070	5203	Telecommunications	\$1,451.89
32070	5410	Uniforms	\$2,344.49
32070	5501	Travel	\$136.00
32070	7001	Equipment/Medical Communication	\$2,399.00
32070	5801	Dues & Membership	\$182.63
32070	5806	Pre-employment screening	\$880.00
		TOTAL	\$24,720.83

TRANSFER TO:

32070	1004	Administrative Assistance	\$0.08
32070	2001	FICA	\$5,307.90
32070	2014	Employee Assistance	\$56.00
32070	1002	Overtime	\$19,356.85
		TOTAL	\$24,720.83

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

NAY: None

IN RE: REIMBURSEMENT TO THE COMMONWEALTH

On motion of Ms. C. Tucker and with the following vote, the Board of Supervisors approved Option 2 (you may make a reimbursement payment directly to the Commonwealth for all of your locality's reductions).

AYE: Mr. D. Kidd, Ms. C. Tucker and Mr. R. Curd

NAY: Mr. R. Vandall and Mr. F. Campbell

IN RE: JULY'S MONTHLY EXPENDITURE REPORT

Ms. Campbell's letter of August 11, 2010 explained that the books are still open for the FY10 and she is in the process of closing the 2010 year however until all deficits are cleared she will need to keep the 2010 books open. It is anticipated transactions will be completed by the Board's second meeting in

September. In order to provide a report for July 2010, a report of transactions for July was produced, and as a result the following represents the activity for July:

Revenue: July 1-31, 2010 receipts totaled:	\$1,335,195.50
Expenditures: July 1 – 31, 2010 totaled:	\$2,076,355.39

It is anticipated a full report will be ready by the first meeting of October.

On motion of Ms. C. Tucker and with the following vote, the Board accepted Ms. Campbell's report.

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

IN RE: SHERIFF – PERSONNEL SALARIES

The Sheriff is requesting to be able to use the savings of the retirement of three senior deputies and the hiring of three deputies who will replace them at starting pay to bring several employees whose years of service was never credited when the Sheriff's Office became part of the county Personnel Pay Plan.

On motion of Ms. C. Tucker and with the following vote, the Board approved the redirection of funds to bring some of the Sheriff's deputies in compliance.

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

IN RE: PLANNING COMMISSION

On motion of Mr. R. Vandall and with the following vote, the Board directed staff to advertise for a District 4 representative.

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

On motion of Mr. R. Vandall and with the following vote, the Board directed the County Attorney, Ms. E. Bowyer to look at the Planning Commission Charter for any changes that needs to be made.

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

IN RE: APPROPRIATIONS/TRANSFERS

On motion of Mr. R. Vandall and with the following vote, the Board approved the following appropriations/transfers as requested:

a. **APPROPRIATIONS**

Unemployment	Fund #001	FY2011	
35980	2009	Unemployment Claim	\$203.22
22020	2009	Unemployment Claim	\$756.00

(Unappropriated General Fund Balance)

743

Maintenance		FY2011	TOTAL	\$959.22
43020	3015	Dam Inspections & Repairs	\$1,855.70	
(Unappropriated General Fund Balance)				
43020	7005	Auto	\$14,825.00	
(Insurance Claim for total los of vehicle)				
TOTAL			\$16,680.70	

Sheriff's Department		FY2010		
31020	1002	O.T.	\$2,112.63	
31020	1007	Forest Patrol	\$600.00	
8-31300	7001	Grant	\$14,085.00	
8-31250	1008	DMV	\$10,895.25	
(Pass throught revenue deposited with Treasurer's Office)				
3102	1008	Traffic Enforcement P.T.	\$3,127.00	
3102	5804-100	C.H. Beautify/Inmate Work	\$772.00	
(Fine Revenue Fund)				
TOTAL			\$31,591.88	

b. TRANSFERS

Commissioner of the Revenue **FY2010**

Transfer from:

1209	2001	FICA	\$0.04
1209	5401	Office Supplies	\$139.07
1209	7001	Equipment	\$0.80
TOTAL			\$139.91

Transfer to:

1209	1006	Comp - Deputy Commissioners	\$0.04
1209	5203	Telecommunications	\$139.07
1209	8003	Lease Purchase	\$0.80
(To balance end of year FY2010)			
TOTAL			\$139.91

Circuit Court Judge **FY2010**

Transfer from:

21010	7002	Furniture & Fixtures	\$21.81
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Transfer to:

21010	5401	Office Supplies	\$21.81
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(To balance end of year FY2010)

Public Safety **FY2010**

Transfer from:

35050	3010	Radio Maintenance	\$357.00
35060	5410	Uniform & Badges	\$239.58
32070	5203	Telecommunications	\$655.97
32070	5404	Medical & Laboratory Supplies	\$3,520.00

TOTAL			\$4,772.55
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Transfer to:

35050	3005	Maintenance SVC Contracts	\$357.00
35060	5101	Electric	\$239.58
32070	3002	Professional Services	\$460.69
32070	5201	Postal Services	\$179.69
32070	5804	Miscellaneous	\$15.59
32070	1003	Part Time Compensation	\$3,520.00

TOTAL			\$4,772.55
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(To balance end of year FY2010)

Public Works **FY2010**

Transfer from:

42100	3007	Advertising	\$661.25
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Transfer to:

42100	3002	Engineering	\$661.25
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(To balance end of year FY2010)

Recreation Department **FY2010**

Transfer from:

71010	1006	Comp. Office Assistant	\$0.04
71010	1013	Comp Senior Citizens	\$570.00
71010	3006	Outside Printing	\$240.00
71010	3006	Outside Printing	\$1,520.00
71010	5201	Postal Services	\$20.00
71010	5201	Postal Services	\$45.00
71010	5506	Travel - Board Members	\$110.00
71010	5401	Office Supplies	\$500.00
71010	5413	Recreation Supplies	\$4,410.00
71010	5412	Cultural Supplies	\$490.00
TOTAL			\$7,905.04

Transfer to:

71010	1001	Comp Recreation Director	\$0.04
71010	1007	Comp. Assistants	\$570.00
71010	3005	Maintenance Service Contract	\$240.00
71010	5101	Electrical Services	\$1,520.00
71010	5103	Water & Sewer	\$20.00
71010	5203	Telecommunications	\$45.00
71010	5507	Travel Senior Citizens	\$110.00
71010	5805	Special Services	\$500.00
71010	5805	Special Services	\$4,410.00
71010	5806	Senior Citizens	\$490.00
TOTAL			\$7,905.04

(To balance end of year FY2010)

County Attorney **FY2010**

Transfer from:

22020	5504	Training & Education	\$1,027.86
22020	5501	Travel	\$660.14
22020	5801	Dues & Memberships	\$24.00

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TOTAL **\$1,712.00**

Transfer to:

22020	5411	Books & Subscriptions	\$1,027.86
22020	5411	Books & Subscriptions	\$660.14
22020	5415	Warrants	\$24.00

TOTAL **\$1,712.00**

(To balance end of year FY2010)

Treasurer **FY2010**

Transfer from:

12130	5501	Travel	\$113.22
12130	5501	Travel	\$125.00

TOTAL **\$238.22**

Transfer to:

12130	5203	Telecommunications	\$113.22
12130	3005	Maintenance	\$125.00

TOTAL **\$238.22**

(To balance end of year FY2010)

Sheriff's Department **FY2010**

Transfer from:

8-3125	7001	DMV	\$2,621.17
31020	7001	Equip	\$33.00
33010	5410	Uniform	\$28.00

TOTAL **\$2,682.17**

Transfer to:

8-3125	1008	DMV	\$2,621.17
31020	3016	Radio Repair	\$33.00
33010	3001	Medical	\$25.00

747

33010 5409 Police Supply \$3.00

TOTAL \$2,682.17

(To balance end of year FY2010)

Information Technology FY2011

Transfer from:

12200 3005 Maintenance Service Contracts \$4,000.00

12200 3005 Maintenance Service Contracts \$1,200.00

TOTAL \$5,200.00

Transfer to:

12200 7001 Equipment \$4,000.00

12200 3002 Professional Services \$1,200.00

TOTAL \$5,200.00

Utilities FY2010

Transfer from:

43040 51020 Heating Oil Or Natural Gas \$1,785.46

TOTAL \$1,785.46

Transfer to:

43040 5109 Water Usage-School/Soc Svcs \$16.40

43040 5103 Water & Sewer Services \$326.24

43040 5101 Electrical Services \$1,442.82

TOTAL \$1,785.46

(To balance end of year FY2010)

Accounting FY2010

Transfer from:

4-1-11010 2001 FICA \$8.92

4-1-81600	2001	FICA	\$0.24
TOTAL			\$9.16

Transfer to:

4-1-22030	2001	FICA	\$8.60
4-1-22030	2017	Health Care Credit	\$0.32
4-1-81600	2002	Retirement VRS	\$0.24
TOTAL			\$9.16

(To balance end of year FY2010)

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

IN RE: MATTERS FROM THE BOARD OF SUPERVISORS

Mr. R. Vandall – Inspections that were brought to the Board to add to the rental inspections – what was happening with them. Mr. Lintecum informed Mr. Vandall that Mr. Campbell had been out inspecting the places and he had involved the Health Dept. on one of the cases.

Mr. R. Curd – None

Mr. F. Campbell – None

Mr. D. Kidd – barking dogs – invited the Sheriff up to talk about the barking dog problem and the noise ordinance in general – The sheriff was sending someone out to talk to the owner of the dogs to see if something could be done and definitely barking dogs needs to be included in the noise ordinance. Mr. Kidd also stressed again that the Board would take the citizens comments under advisement.

Ms. C. Tucker – County resources and an acting Economic Development Director – she thinks we need one and several of the EDA members would be interest in serving in that capacity at no cost to the County.

IN RE: ADJOURNMENT

On motion of Ms. Tucker, seconded by Mr. Vandall and with the following vote, the Board adjourned.

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

Donald W. Kidd, Chairman
 Amherst County Board of Supervisors

C. Lee Lintecum, County Administrator