

BOOK 34

AMHERST COUNTY BOARD OF SUPERVISORS

AGENDA

October 7, 2014

ADMINISTRATION BUILDING - 153 WASHINGTON STREET - SCHOOL BOARD ROOM
1:00 P.M.

- I. Call to Order**
- II. Invocation and Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Citizen Comments** Citizens shall speak once to an issue and confine their remarks to the question before the Board. Citizens should avoid repetition insofar as possible and limit their comments to three (3) minutes.
- V. Special Presentations**
Introduction of Samuel A. Bryant, IV, Deputy Director of Amherst County Public Safety
- VI. Consent Agenda**
 - A. Minutes – September 2, 2014, September 16, 2014.
 - B. Appropriations
 - Sheriff's Department
 - 1. FY2015 Appropriation request - Fine revenue
 - 2. FY2015 Appropriation request - Pass through revenue
 - 3. FY2015 Appropriation request - Animal Shelter
 - 4. FY2015 Appropriation request - DMV
 - Accounting
 - 1. FY2015 Appropriation Request - VACoRP
 - 2. FY2015 Appropriation Request - VJCCA
- VII. County Administrator Report**
- VIII. Planning and Zoning**
 - A. **First Reading** - Ordinance No. 2014-0013: Amending the Official Zoning District Map for Amherst County, Virginia, to provide for the rezoning of a certain parcel located at 186 Dillard Road, Madison Heights, Virginia, Map Number 147-A-212A, from designation as M-1 Industrial District to designation as B-2 General Commercial District.
 - B. Request by Teresa Dudley to dispose of County Property.
 - C. Request by RECH Properties, LLC to purchase County Property.
- IX. New Business**
 - A. Appointment: Designation of VACO Proxy

- B. Resolution 2014-0030-R: Develop Alternatives for Closure of CVTC
- C. Resolution 2014-0029-R: A resolution, designating BB&T as a depository institution for Amherst County, and making the associated necessary signature authorizations.
- D. Delegation of Authority: Unexpended Salary Funds of Constitutional Offices
- E. Annual Report: Robert E. Lee Soil & Water Conservation District
- F. Information: Presentation to Board scheduled for next meeting for the Strategic Plan for the Agricultural and Forestry Economy in Virginia's Region 2000 (from Region 2000)

X. Old Business

- A. Staff Recommendation: Completing Learning Lane to VDOT Standards – Improvements necessary for Learning Lane to be taken into the secondary system of state highways and Resolution 2014-0031-R.

XI. Departmental Reports

- A. Treasurer's Report – Monthly Reports, August 2014
- B. Report: Progress of Human Resources Consultant

XII. Citizen Comments

XIII. Matters from Members of the Board of Supervisors

XIV. Closed Session

- A. Virginia Code § 2.2-3711 (A)(3): Discuss the disposition of publicly-held real property, specifically a parcel of land acquired for development of the Buffalo River Reservoir and the former Amherst Baptist Church building.
- B. Virginia Code § 2.2-3711 (A)(1): Discuss the performance of the County Attorney.

XV. Adjourn

MINUTES

At a regular meeting of the Board of Supervisors of Amherst County and held at the Administration building thereof on Tuesday, the 7th day of October, 2014, at 1:00 p.m. at which the following members were present:

BOARD OF SUPERVISORS:

PRESENT: Mr. Donald Kidd
Mr. David Pugh
Mrs. Claudia Tucker
Mr. Robert Curd
Mr. John Marks, Jr.

STAFF PRESENT: Dean Rodgers, County Administrator, David Proffitt, Deputy County Administrator/Purchasing Agent, Ellen Bowyer, County Attorney, and Regina Rice, Executive Administrative Assistant

Mr. Kidd called the meeting to order.

Mr. Marks led in the invocation and pledge of allegiance.

I. APPROVAL OF AGENDA

Mr. Kidd stated that XIV.A Closed Session, to discuss the disposition of publicly-held real property, specifically a parcel of land acquired for the development of the Buffalo River Reservoir was discussed at the Amherst County Service Authority Board meeting held today at 11:00 a.m. It would, therefore, be removed from this agenda.

Mr. Rodgers addressed the Board and stated there were several sheets that were not included in the Board's Agenda packet and provided these sheets to the Board as a supplement to the agenda as well as providing copies to the public on the table located in the front foyer of the building.

Mrs. Tucker stated she will be leaving early today due to a business meeting and requested this be noted in the public record.

On motion by Mr. Kidd, and with the following vote, the Board approved the Agenda as amended.

AYE: Mr. Kidd, Mr. Pugh, Mrs. Tucker, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: None

IV. CITIZEN COMMENTS

Mr. Kidd asked if anyone wished to speak to please come forward.

Mr. Frank Campbell of Madison Heights, Virginia, complimented the Board and Staff regarding proactive measures on derelict structures. Mr. Campbell also spoke to the Board regarding Learning Lane and expressed support for the Board moving forward with this project.

Ms. Juanita Roberson of Madison Heights, Virginia, addressed the Board regarding Resolution 2014-0030-R and with the EDA's involvement with CVTC. Ms. Roberson recalled there was a group put together last year to address what the County should be doing and questioned whether this group is still active and if the group has been involved with the EDA.

Mr. Kidd thanked Ms. Roberson for her comments.

Mr. Kidd asked if anyone else wished to speak. There were no other speakers and Mr. Kidd closed the Citizen Comment section.

V. SPECIAL PRESENTATION

Mr. Gary Roakes, Director of Amherst County Public Safety, introduced Samuel A. Bryant, IV, Deputy Director of Amherst County Public Safety. Mr. Roakes provided the Board a brief biographical background on Mr. Bryant.

VI. CONSENT AGENDA

A. Minutes – September 2, 2014, September 16, 2014.

B. Appropriations

Sheriff's Department

1. FY2015 Appropriation request - Fine revenue
2. FY2015 Appropriation request - Pass through revenue
3. FY2015 Appropriation request - Animal Shelter
4. FY2015 Appropriation request - DMV

Accounting

1. FY2015 Appropriation Request - VACoRP
2. FY2015 Appropriation Request - VJCCA

Mr. Kidd asked the Board to consider voting on the Consent Agenda as a whole instead of voting on each separate item.

On motion by Mr. Kidd, and with the following vote, the Board approved the Consent Agenda.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker
 ABSTAIN: Mr. Kidd

Mr. Kidd abstained from voting on the September 16, 2014 Minutes due to his absence.

VII. COUNTY ADMINISTRATOR REPORT

Mr. Dean Rodgers addressed the Board regarding the AMERESCO briefings and asked the Board to provide him with each member's availability date to have a question & answer session with AMERESCO representatives. Mr. Rodgers provided the Board with three available dates, October 28th, 30th and 31st. Mr. Rodgers asked the Board to provide him a date and time so he can arrange to schedule these folks who are coming from South Carolina.

VIII. PLANNING AND ZONING

A. First Reading - Ordinance No. 2014-0013: Amending the Official Zoning District Map for Amherst County, Virginia, to provide for the rezoning of a certain parcel located at 186 Dillard Road, Madison Heights, Virginia, Map Number 147-A-212A, from designation as M-1 Industrial District to designation as B-2 General Commercial District.

Mr. Jeremy Bryant addressed the Board regarding the 2014-10 request by W.S.R., Inc. (Caterpillar Clubhouse) – Sam Hunt, for a conditional zoning from M-1 Industrial District to the B-2 General Commercial District to allow a facility that will offer childcare, family entertainment centers, warehouse storage, office space and light manufacturing.

Mr. Bryant advised the Board of the Planning Commission's recommendation and approval at their June 19, 2014 meeting. Mr. Bryant stated the Planning Commission recommended one voluntary proffer requiring a fenced in playground for children with a four (4) foot high chain linked fence.

Mr. Bryant stated to the Board the purpose of this first reading is to authorize Ordinance No. 2014-0013 to proceed to the October 21, 2014 Board meeting for a Public Hearing.

On motion by Mr. Pugh, and with the following vote, the Board authorized Ordinance 2014-0013 to proceed to the October 21, 2014 Board meeting for a Public Hearing.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker

B. Request by Teresa Dudley to dispose of County Property.

Mr. Bryant addressed the Board regarding a request by Teresa Brooks-Dudley to purchase an abandoned right-of-way owned by the County, identified east of tax map number 155B-1-15. Mr. Bryant stated the Ms. Brooks-Dudley owns tax map parcel number 155B-1-15 which borders this right-of-way.

Mr. Bryant advised this matter will return to Board for review of conditions of sale and a public hearing.

Mr. Kidd made a motion, and with the following vote, the Board authorized staff to proceed with the property disposition.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker

C. Request by RECH Properties, LLC to purchase County Property.

Mr. Bryant addressed the Board regarding a request by RECH Properties, LLC to purchase property owned by the County. The parcel is identified as Tax Map 148-A-82 and located at the intersection of Amelon Road and the Route 130 Expressway. RECH Properties expressed interest in purchasing the portion of the property that is south of Route 130 and to the east of Amelon Road.

Mr. Kidd asked Mr. Bryant if this parcel was tied to the Amelon Commerce Center. Mr. Bryant advised this parcel was split by the relocation of Amelon Road and the construction of the Amelon Expressway and is approximately two acres.

Mr. Rodgers advised the Board this parcel is located across from the Amelon Commerce Center.

Mr. Pugh asked Mr. Bryant what the zoning is on this property and Mr. Bryant advised it is zoned as P-1 Public Lands.

Mr. Kidd made a motion, and with the following vote, the Board authorized staff to proceed with the property disposition.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker

VIII. NEW BUSINESS

A. Appointment: Designation of VACO Proxy

Mr. Rodgers advised the Board he received notice from VACO asking the Board to nominate their representative. Mr. Rodgers stated he and Mrs. Tucker will be attending the VACO conference in November and presumes Mrs. Tucker will be the nominee as she is an elected official. Mr. Rodgers advised he will complete the proxy form once the Board decides who will hold the proxy. This is for the Board's information only and no action is required at this time.

B. Resolution 2014-0030-R: Develop Alternatives for Closure of CVTC

Mr. Rodgers stated to the Board that he has met with several groups and Region 2000. Mr. Rodgers advised Region 2000 cannot engage in this process without the Board's permission.

Resolution 2014-0030-R will direct the EDA to contact Region 2000 to search for ideas and explore opportunities for alternative uses for CVTC.

Mr. Pugh referred to what Ms. Juanita Robeson brought up in her previous comment regarding a group to look at the closure of CVTC. There was discussion and Mr. Marks suggested the Board take time to explore this before Resolution 2014-0030-R comes back to the Board at the October 21, 2014 meeting.

C. Resolution 2014-0029-R: A resolution, designating BB&T as a depository institution for Amherst County, and making the associated necessary signature authorizations.

Mr. Rodgers advised the Board he has signed signature cards at BB&T; however, the bank wants a resolution.

On motion by Mr. Curd, and with the following vote, the Board adopted Resolution 2014-0029-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker

D. Delegation of Authority: Unexpended Salary Funds of Constitutional Offices

Mr. Rodgers addressed the Board regarding a past practice of the Board adopting funds made available to the Constitutionals through the State Compensation Board and to reassign it to other individuals to bring individuals on their staff up in conformance with the County's established compensation scales and to delegate authority to the Constitutionals to make adjustments to match the salary scale as it already exists.

Mr. Marks pointed out that in 2012 the Board did not take any action on this.

Ms. Bowyer explained to the Board that the memo only sought a one-time basis for the action.

Mr. Rodgers advised that the resolution allows the Constitutionals to act until financial policies are re-written.

On motion by Mr. Pugh, and with the following vote, the Board approved a delegation of authority to Constitutional Offices to allow them to re-allocate unused Compensation of Board funds to make salary adjustments among their staff that will comport with County salary scales.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
 NAY: None
 ABSENT: Mrs. Tucker

E. Annual Report: Robert E. Lee Soil & Water Conservation District (RELSWCD)

Mr. Rodgers provided information to the Board from the RELSWCD that included the Amherst Watershed Coordinator October 2014 Quarterly Report. This is for information only.

F. Information: Presentation to Board scheduled for next meeting for the Strategic Plan for the Agricultural and Forestry Economy in Virginia's Region 2000 (from Region 2000).

Mr. Rodgers provided copies of the report to each Board member.

Mr. Marks asked what action the Board should be prepared to take. Mr. Rodgers explained the Board will be asked to adopt the plan. Mr. Rodgers advised he has sent the plan to the Agriculture Committee to review the plan and bring any recommendations they may have.

X. OLD BUSINESS

A. Staff Recommendation: Completing Learning Lane to VDOT Standards – Improvements necessary for Learning Lane to be taken into the secondary system of state highways and Resolution 2014-0031-R.

Mr. Rodgers presented information to the Board and recommended adoption of Resolution 2014-0031-R at the October 21, 2014 Board meeting. Resolution 2014-0031-R directs final work on Learning Lane with an expected cost of less than \$236,000. The funds will be expended from the General Fund.

Ms. Bowyer advised the Board the resolution is dated for the next Board meeting; however, the Board may adopt the resolution today.

Mr. Marks suggested the Board should adopt Resolution 2014-0031-R at this meeting.

On motion by Mr. Marks, and with the following vote, the Board adopted Resolution 2014-0031-R.

AYE: Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd

NAY: None

ABSENT: Mrs. Tucker

XI. DEPARTMENTAL REPORTS

A. Treasurer's Report – Monthly Reports, August 2014

Mr. Rodgers advised the Board the Treasurer is required to provide this report to the Board on a monthly basis. There were no questions by the Board.

B. Report: Progress of Human Resources Consultant

Mr. Rodgers provided information to the Board that the County Attorney is working on a draft of the personnel policy and the Human Resources Consultant is working on a draft of the compensation policy. There is a Compensation Policy committee to begin working on this next week. There is no action required by the Board.

XII. CITIZEN COMMENTS

Mr. Kidd asked if any one wished to come forward to speak.

Ms. Juanita Roberson, Madison Heights, Virginia addressed the Board regarding who was on the compensation policy committee. Mr. Rodgers advised the committee is comprised of Steve Preston, Director Amherst County Public Library, David Proffitt, Deputy County Administrator, Jane Irby, Commissioner of the Revenue, Brenda Campbell, Director Central Accounting. Campbell, Teresa Nuckols, Director of Public Works and Dan French, Director of the Amherst County Service Authority.

Ms. Roberson expressed her concern that other people may not have the opportunity for input into the compensation policy.

Mr. Rodgers explained the committee is at a manageable level and the draft policy will be provided to all the agencies to provide input.

Ms. Roberson expressed another concern regarding office space for the Department of Social Services and that the study is taking a different path than DSS and the Board agreed previously.

Mr. Kidd thanked Ms. Roberson for her comments and asked if anyone else wished to speak at the Citizen Comment section.

Mr. Frank Campbell, Madison Heights, Virginia spoke to the Board concerning Resolution 2014-0029-R and the impact it may have on the safety deposit boxes of the County and the link to the County's checking account and changing everything over to BB&T.

There were no other speakers.

Mr. Kidd closed the Citizen Comment section of the meeting.

XIII. MATTERS FROM MEMBERS OF THE BOARD OF SUPERVISORS

Mr. Kidd asked the Board if there were any matters that needed to be addressed.

Each member stated there were no additional matters that needed to be addressed.

XIV. CLOSED SESSION

Mr. Marks moved that the Amherst County Board of Supervisors convene in closed session pursuant to § 2.2-3711 (A)(1) of the Code of Virginia to discuss the performance of the County Attorney.

AYE:	Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
NAY:	None
ABSENT:	Mrs. Tucker

Mr. Curd's motion to come out of closed session was approved with the following vote:

AYE:	Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
NAY:	None
ABSENT:	Mrs. Tucker

CERTIFICATION OF CLOSED MEETING

Mr. Curd 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.

Mr. Kidd	AYE
Mr. Pugh	AYE
Mrs. Tucker	ABSENT
Mr. Marks	AYE
Mr. Curd	AYE

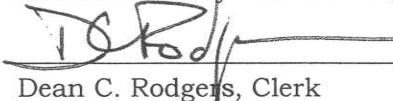
XV. ADJOURN

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

AYE:	Mr. Kidd, Mr. Pugh, Mr. Marks, and Mr. Curd
NAY:	None
ABSENT:	Mrs. Tucker



Donald W. Kidd, Chairman
Amherst County Board of Supervisors



Dean C. Rodgers, Clerk