

**Buckingham County
Board of Supervisors
Meeting**

January 12, 2009

At a regular meeting of the Buckingham County Board of Supervisors held on Monday, January 12, 2009 in the Buckingham County Agricultural Center Auditorium, the following members were present: E.A. "Bill" Talbert; I. Monroe Snoddy; Dr. Brian D. Bates; John D. Kitchen, Jr.; F.D. "Danny" LeSueur; Joe N. Chambers, Jr.; and Danny Allen. Also present were Rebecca S. Carter, County Administrator and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

County Administrator Rebecca S. Carter certified that there was a quorum-seven members were present and that the meeting could continue.

Re: Call to Order, Invocation, and Pledge of Allegiance

County Administrator Rebecca S. Carter called the meeting to order and Supervisor Bates gave the invocation. The Pledge of Allegiance was said by all who were in attendance.

Re: Election of Chairman

Mrs. Carter called for nominations for the position of Chairman of the Board for calendar year 2009.

Supervisor Kitchen nominated Monroe Snoddy.
Supervisor LeSueur nominated Brian Bates.

Mrs. Carter declared the nominations closed and called for a vote.

Supervisor Monroe Snoddy received five votes from Supervisor's Talbert, Kitchen, Chambers, Allen and himself.

Supervisor Brian Bates received two votes from Supervisor LeSueur and himself.

At this time, Mrs. Carter turned the gavel and meeting over to Chairman Snoddy.

Re: Election of Vice Chairman

Chairman Snoddy called for nominations for the position of Vice-Chairman of the Board for the Calendar year 2009.

Supervisor Talbert nominated Joe Chambers, Jr.
Supervisor LeSueur nominated Brian Bates.

Chairman Snoddy declared the nominations closed and called for a vote.

Supervisor Joe Chambers, Jr. received four votes from Supervisor's Talbert, Kitchen, Snoddy and himself.

Supervisor Brian Bates received three votes from Supervisor's Allen, Lesueur and himself.

Re: Approval of Agenda

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the agenda with the following addendum:

- M. Department/Agencies: Appointments, requests and presentations
 - 4. Appointment of Elaine Pettoni to the Regional Library

Re: Approval of Minutes

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the minutes of the December 8, 2008 meeting as presented.

Re: Approval of Claims

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the claims as presented.

Re: Approval of 2009 Meeting Schedule

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the 2009 meeting schedule as presented.

CY 2009
Board of Supervisor's Meeting Schedule

Monday, January 12, 2009
Monday, February 9, 2009
Monday, March 9, 2009
Monday, April 13, 2009
Monday, May 11, 2009
Monday, June 8, 2009
Monday, July 12, 2009
Monday, August 10, 2009
Monday, September 14, 2009
Tuesday, October 13, 2009
Tuesday, November 10, 2009
Monday, December 14, 2009

Re: By-Laws and Rules of Procedure

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried to approve the By-Laws and Rules of Procedure as presented.

Re: Announcements

Chairman Snoddy called for any announcements. There were none.

Re: Public Comment

Chairman Snoddy called for any comments from the public comments.

Sam Goin: I'm Sam Goin from District 3; I'm here to give you an update on the Buckingham County Farmer's Market and Crafts. I would like to thank the Buckingham County Chamber of Commerce and their assistance in helping to get it started. The Farm Bureau has also lent a hand by letting us use their meeting room at their office and their endorsement of the market also. Just to let you know what we have planned, on Wednesday January 28th at 1:00, we will be hearing from Bill Catlett, manager of Halifax Farmers Market to go over our Farmers Market plan and by-laws. They will be making sure we are not overlooking any important parts in our by-laws. Also we are planning a meeting with the Health Department and the USDA so all participants will know what is expected of them on market day. We are planning on Friday, April 3rd as the opening day for the market and we planning on each Friday thereafter from 3:00 p.m. to 7:00 p.m. We also want this to be a true farmers market, where farmers grow what they have to sell and also crafters make their products that they sell and not use kits. You are

cordially invited to attend any of the meetings and to be with us on opening day. Thank you very much and I'll get back with you with the Farmers Market plans and By-Laws.

Ivan "Chip" Davis: Thank you, my name is Ivan Davis; I'm on the Board of Directors for the Buckingham County Farm Bureau. I came to you in October and gave a presentation at that time requesting that the Board of Supervisors again look at setting a date for a public hearing to adopt a land use ordinance in Buckingham County for agriculture only. At that time you asked that I wait until first of the year, so I'm back. We would like to get something going on that this year. Thank you very much.

Quinn Robinson: My name is Quinn Robinson, I live in Andersonville. I wanted to bring up something about the Superfund site. I wanted to do it in context with the Comprehensive Plan. I know that the Comprehensive Plan was a lot of work and it's a fine accomplishment. There are a few things about it, to me; it can't be all things to all people. One being the omission of acknowledgement of the Superfund Site is a problem. I consider the whole incident as history. It's been dealt with well, but apparently there are new issues. It has been tested and they have new concerns. We just have to accept and deal with it. The meeting with EPA was very challenging and their information is virtually impossible to access. It might as well be Chinese. The other thing is broadband access. I hope you have consideration for those projects. There is the aspect of digital. Every day it gets bigger. Most of the state jobs, you have to apply online. If anybody wants to look at the comprehensive plan or the EPA site, you have to have a computer. I hope that item is high on your list of considerations. The last thing is the assessments. I received my assessment; I don't mind the taxes, that counts to providing good services, no problem with that. But there is a beginning of a decline in the real estate industry and that should be reflected in the assessment. The other thing is that since I live within 2 ½ miles from the Superfund Site, I consider that to be a negative aspect or impact to the value of my property. I'm not planning on selling, and my son's have promised me that they would not sell, but the way the assessment goes is on market value, I suggest that anything within 5 miles from that dump, should be reconsidered with a 25% off the estimated value without response or explanation. People that represent the County think the dump is an asset, and we know that is not true. I know that the County's is quite anxious to cooperate with the EPA and try to get them to deliver useful information.

Re: Road Matter, Mark McKissick, VDOT

Alan couldn't be here tonight. He's in Richmond at a public hearing for the six year improvement plan which includes all the primary routes, urban routes, interstate and secondary. We keep going through the process but as you know the funds keep going down. So he's down there for this County. Also, I notice on your agenda something about the federal stimulus package that is being passed around. To let you know, that we are making some plans already, we already have some on the books. We are involved in this process. Alan told me that a package for a rural addition on the Bell Road.

Supervisor LeSueur: I've got that. I need to sit down and talk to you about that. I have some deeds and plats, if you are available some time tomorrow, I'd like to come talk to you.

Mark McKissick: Of course, the resolution needs to go before the Board next month. That's all that I have.

Supervisor Kitchen: Does the 20% match for state funds that you receive gone through?

Mark McKissick: No one knows at this point.

Supervisor Kitchen: That's what they are saying right now. Keep me posted.

Supervisor Talbert: I have a question and this is nothing negative to your office in any way, what can we as Board members do to get some of these roads paved that these school buses have to run on?

Mark McKissick: The General Assembly does that.

Supervisor Talbert: You've answered my question. I know some roads are in need. My point is that these school buses are hurting. They are driving on roads that, and Lord, Please don't it happen, but if a bus load of kids get hurt in a wreck, the state will do something.

Re: Zoning-Camryn Station-Request for a Zoning Amendment for Townhouse Style Apartments and a Coffee Shop

Rebecca Cobb: The case tonight is case 08-ZMA-169 request from Ted Lloyd of Camryn Station LLC to rezone property located at Tax Map 125 Parcel 5, Lots 4, 5 & 6 on Rt. 15 in the Curdsville Magisterial District containing approximately 4 acres. This Property is currently zoned Light Industrial District (M-1). Mr. Lloyd requests that the property be rezoned from Light Industrial (M-1) to Business (B-1).

The applicant plans to construct townhouse style apartments and a coffee shop or other permitted business.

The Planning Commission held a Public Hearing on November 24th and there were not public comments at that time. The Planning Commission recommends approval of their request.

The conditions are:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. That all documentation submitted by the applicant in support of this request becomes a part of the conditions.

3. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
4. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
5. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the rezoning approval, if it be the wishes of the Planning Commission or Board of Supervisors.
6. That the applicant(s) understands the conditions and agrees to the conditions.

Chairman Snoddy declared the public hearing open.

There were no comments from the public.

Chairman Snoddy declared the public hearing closed.

Supervisor Kitchen moved, Supervisor LeSueur seconded, and was unanimously carried by the Board to approve the Zoning Map Amendment as presented.

Re: Sheriff Billy Kidd, Request for Re-appropriation of Funds

Sheriff Kidd: Good Evening. Liberty University Police Department recently received a donation of eleven hundred (1100) M-26 Tasers from United Airlines. These Tasers are brand new and cost \$650.00 each. Liberty University Police Department, after outfitting their officers, offered the remaining Tasers to police and sheriff's offices throughout Central Virginia at no cost. Our office recently received twenty (20). We are requesting the transfer of funds from the Drug Account into our budget line for Police supplies in order that we may recover funds that have already been spent outfitting and training our deputies with these tasers.

- a. twenty taser holsters @ 99.95 each
- b. training of two deputies as taser instructors @ 275.00 each
- c. forty air cartridges @ 19.95 each
- d. taser M-26 USB data port download @ 149.95
- e. Dell laptop computer to be used by our Criminal Investigator and for in house training classes \$1,266.30

My second request is for a transfer of funds from the Drug Account into our budget line for uniforms in order to replace funds spent on Body armor. A grant from the Department of Justice has been billed for 50% of the cost, our part is \$1,632.00

This is a total of \$6,395 to be transferred.

Supervisor Kitchen moved, Supervisor Talbert seconded, and was unanimously carried by the Board to approve the transfer of funds in the amount of \$6,395 as listed above.

Re: Industrial Development Authority reappointment/appointment representing the Maysville District.

Mr. Sam Goin represented the Industrial Development Authority for the Maysville District. Mr. Goin's term expired December 31, 2008.

Supervisor Kitchen stated that he would like to appoint Lisa Reid for this position. At the same time, he requested that a letter be written to Mr. Goin thanking him for his service.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to appoint Lisa Reid to the Industrial Development Authority as the Maysville District representative.

Re: County Attorney Report

E.M. Wright, Jr.- Mr. Chairman, I only have two items for you. One is that the Circuit Court has appointed Mrs. Stephanie MidKiff as acting Commissioner of Revenue until a special election is held. The judge this past week declared the election for that position to be held on March 31, 2009. All the judges have signed.

Re: Fiscal Year 2009-10 Proposed Tentative Budget Calendar

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to adopt the following Tentative Budget Calendar.

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| January 30, 2009 (Friday) | Distribute Request Forms |
| February 13, 2009 (Friday) | Request due to the County Administrator |
| March 9, 2009 (Monday) | Departments/Agencies make budget request Presentations to the Board of Supervisors |
| March 16, 2009 (Monday) | County Administrator issues recommended budget to the Board of Supervisors |
| March 18, 2009 (Wed.) | Work session and possible adoption of proposed budget and tax levies for public hearing |
| March 19, 2009 (Thurs.) | Work session and possible adoption of proposed budget and tax levies for public hearing. (This will be held only if necessary) |
| March 27, 2009 (Friday) & April 3, 2009 (Friday) | Advertise Board of Supervisors Proposed budget and tax levies for public hearing |
| April 13, 2009 (Monday) | Public Hearing-Board of Supervisors proposed budget and tax levy |
| April 20, 2009 (Monday) | Consider final adoption of budget and tax rates. |

This is a tentative calendar and is subject to change in accordance with the progress of the budget sessions.

Re: Livestock Claim for R.E. Charlton

Supervisor LeSueur moved, Supervisor Kitchen seconded and was unanimously carried to approve the livestock claim for R.E. Charlton in the amount of \$175.00 for a calf killed by dogs.

Re: Variance Fee Refund

In April 2008, Southeast RCAP requested a setback variance and paid a fee of \$300.00. Since that time the property has been resurveyed and the building location of the house adjusted to adhere to the current setback requirements. Southeast RCAP has withdrawn the variance application and would like the Board to consider refunding the \$300.00.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the refund of the \$300.00 paid by Southeast RCAP for a variance fee.

Re: Offer of Commonwealth Regional Council's Administration

Buckingham County has been awarded a grant in the amount of \$5,500 to provide a state mandated Water Supply Plan.

The Commonwealth Regional Council has provided an offer to provide administration and coordination assistance to bring the County into compliance with this mandate. The cost provided by the CRC is \$5,500 which is the amount of the grant. There will be no local money involved with this contract.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the \$5,500 from the Grant to be paid to CRC for the Water Supply Plan.

Re: Tax Payment Abatement

Mr. Clarence Taylor was assessed with a 2000 International with an assessed value of \$428,000 for the tax year 2008. This was a data entry error and was adjusted accordingly in our records to reflect the \$48,200 value it should have been. Mr. Taylor is due a refund of \$15,600.60 for taxes paid in error.

Supervisor LeSueur moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the refund of \$15,600.60 to Mr. Clarence Taylor.

Re: Proposed Contract with Robinson, Farmer, Cox Associates to prepare County's Central Services Cost Allocation Plan

Robinson, Farmer, Cox Associates has presented a contract to do our Central Services Cost Allocation Plan for 2008, 2009 and 2010 in the amount of \$10,500.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve to enter into a contract with Robinson Farmer and Cox Associations for the Cost Allocation Plan for 2008, 2009, and 2010 in the amount of \$10,500.

Re: VACo Resolution regarding Governor's 2009-2010 Budget Shortfalls

Supervisor LeSueur moved, Supervisor Bates seconded and was unanimously carried by the Board to adopt the following resolution regarding Governor's 2009-2010 Budget Shortfalls:

**RESOLUTION
COMMONWEALTH'S FY 2009-2010 BUDGET SHORTFALL**

WHEREAS, Buckingham County is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

WHEREAS, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

WHEREAS, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching \$3 billion that may in fact continue to escalate in the near term; and

WHEREAS, Buckingham must resolve significant local revenue shortfalls for these periods as well; and

WHEREAS, the Commonwealth's General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state's General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

WHEREAS, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

WHEREAS, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and its local governments including Buckingham County; and

WHEREAS, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public educations, the Comprehensive Service Act, and public safety, and many local governments, including Buckingham County, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

WHEREAS, Buckingham County stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long term viability of our Commonwealth.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Buckingham County respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly including Buckingham County's Delegates and Senators:

- Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalanced; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and Buckingham County supports recapitalizing the Fund in better economic times.
- Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than \$1.8 billion in net biennial tax reductions and specific General Fund transfers.
- Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.
- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.
- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

FURTHERMORE, Buckingham County offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly including Buckingham County's Delegates and Senators.

Re: County Administrator's Report

Draft 2008 Financial Report: We thought we were going to have this report in for the meeting but we haven't gotten it back yet.

Governor Kaine's Budget Proposals: The second issue is the Overview of Governor Kaine's Proposed Budget to the General Assembly. This is just to give you an idea of what's coming down the pike as far as cuts to the Constitutional Officers and Law Enforcement, Regional Jail, Circuit Court, all the way across the Board including administration of state money. We are looking at 8-10% across the board is proposed. This is money that will be reviewed as to what comes to Buckingham County. From looking at this, we will need to stop on top of this. The resolution that you adopted, will help some. Mr. Carter and myself will be looking at this. We are going to be looking at this, at the end of December, we will have six months of revenues in, and we will look to see what we can reduce. We are asking other offices to look at what they can reduce, because bottom line, what is going on with constitutional officers, is when they make these reductions, it's about positions. So, all office expenses are paid by the County and have for a couple years now. Over the last couple years, the constitutional officers have been trying to cut their operational costs in order to keep their positions.

Supervisor Talbert: Mrs. Carter, can you keep up with VACO and see if there is any way possible, they want to cut, cut, cut but they put these mandates and it comes back to the County. If you cut the mandates, then you can maybe live with some of this stuff but if they are going to mandate x, y, and z and we can't do anything about it then, it puts us in jeopardy.

Disability Services Board Staff Support: Along that line, I have a report where the state has eliminated the funding for the Disability Services Board Staff Support, which was mandated and they have eliminated that mandate also. That money statewide is about \$519,362 will be relocated to the Department's Vocational Rehabilitation Program. We will no longer being have a disability board staff support.

Designation of Primary Natural Disaster Area: A little bit of good news, the Governor has designated Buckingham County as a Primary Natural Disaster Area. Hopefully this will help the farmers in the area.

Proposed Projects for President Obama's proposed stimulus package: I have provided you letters where we have already contacted representatives to support us with our wastewater plant project. It is a probability that our water plant upgrade may be ready in time for this. That would be very beneficial to Buckingham County.

Earmarked appropriations submitted by Congressman Goode: Some other good news, I received a letter from Congressman Goode, regarding some money that has been earmarked for the counties in our district. He has secured an earmark for a pictometry visual intelligence technology project coordinated by the Albermarle County Emergency Communications Department. This technology has very beneficial applications for law enforcement, first responders, and local government entities. The earmark has cleared the House and is being conference as part of the omnibus appropriations bill. After the measure has been signed by President Obama, in late 2009, each county and city will receive a high-resolution aerial photo-imaging library of their particular locality and accompanying software that manipulates these images. Pictometry technology enables public safety personnel to view and analyze any building, intersections, or feature in a county or city from their laptop, workstation, or mobile device within a few seconds. Law enforcement can utilize the tools to coordinate plan searches, raids, and seizures or analyze evacuation routes and traffic control.

Re: Appointment of Elaine Pettoni to Regional Library Board

Mrs. Carter: I have served on the Regional Library Board for two terms and am not able to serve on it again. Buckingham County Local Library Board has asked the Board of Supervisors to appoint Elaine Pettoni to serve in that vacancy on the Regional Library Board.

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to appoint Elaine Pettoni to the Regional Library Board.

Re: Other Board Matters

Supervisor Talbert: Sam Jones on the Planning Commission for my district would like to resign for reason that he doesn't feel like he can give 100% and felt that someone else would do a better job. I think Sam has done a good job and I think he feels it is more than he thought it would be and he just can't participate at night like he wants to.

I make a motion to accept his resignation and I will talk to somebody to take his place and bring it up next month and send him a letter thanking him for serving.

Supervisor Talbert moved, Supervisor LeSueur seconded and was unanimously carried by the Board to accept Sam Jones' resignation and send him a letter thanking him for his service to the Planning Commission.

Supervisor Kitchen: I would like to make a motion that all County vehicles except the County Administrator be parked at the County Administration parking lot. No more driving the vehicles home.

Supervisor Talbert: I second that Mr. Chairman.

Mrs. Carter: I'd like to have some discussion about that. How do you wish to handle those that are called out after hours, such as Animal Control and Emergency Services?

Supervisor Kitchen: If they are called out, then we can pay them mileage from their home to the County vehicle. I think we need to park these vehicles.

Supervisor LeSueur: How many vehicles are you talking about?

Supervisor Kitchen: All of them.

Supervisor LeSueur: Mr. Chairman, what I would like to see us do, I'd like to see that motion redirected to the finance committee to see what we can do. I don't know about everyone of them, but we may be able to look at some of them and eliminate some of them. I can't sit here tonight and tell you how much the Animal Control gets called out and....

Supervisor Kitchen: We have two animal control officers; the one that is on duty can take theirs and the other park it.

Supervisor LeSueur: I'd like to look at that.

Supervisor Kitchen: Alright, I'll change my motion to go to the finance committee and come back with the information that we need.

Supervisor Bates: I have a question on all County Vehicles, where do we draw the line at all county vehicles?

Supervisor Kitchen: I guess any vehicles that the County owns.

Supervisor Bates: Technically, all Sheriff's Department cars and School Board cars are County owned. Are we talking to park them or just the ones that belong to the Board of Supervisors?

Supervisor Kitchen: I'm talking all of them.

Supervisor Talbert: I think the Sheriff's vehicles are titled to Sheriff.

Mrs. Carter: They are titled to the Sheriff's Department.

Supervisor Bates: But the Sheriff cannot dispose of them without Board approval, that's why I ask?

Supervisor Talbert: I worked many years for the federal government; I've been called out many a night at 1:00 or 2:00, I drove my vehicle down to the State and Federal Government Vehicle and I got paid for mileage. I can be done and we can save a heck of a lot of money, if the finance committee can work this thing out.

Supervisor Kitchen: If anybody has to come from their home to the office, I don't have a problem with paying them mileage.

Supervisor Kitchen moved, Supervisor Talbert seconded and the motion passed with a 6-1 vote to forward to the Finance Committee to gather information regarding the parking of County Vehicles. Supervisor Bates opposing.

Supervisor Kitchen: I have another motion I'd like to make, I'd like to ask the Board to appoint Bobby Jones as an at-large member of the Planning Commission.

Supervisor Talbert: I'd just like to say that I think Bobby Jones would be an asset to the Planning Commission because he did serve on their before. He wouldn't have a vote, but he could add input in it.

Supervisor Bates: At large members don't have a vote on the Planning Commission?

Supervisor Talbert: No

Supervisor Kitchen: I thought they did.

Supervisor Talbert: I don't think so.

Supervisor Bates: We need to be clear before we vote on that.

E.M. Wright: I haven't looked at the creating documents for the Planning Commission in quite some time however if the Planning Commission is fixed in number, you may have to go back and amend the creating documents to the Planning Commission to add someone to it. When I did look at them, if you are a member of the Planning Commission, you are a voting member. If you put him on the Planning Commission as an at large member, you need to understand that there are no definite members. We have historically may have formed by district, but all members of the Planning Commission are at large. We do not appoint those to the Planning Commission by district.

The question you need an answer to is, is that number fixed? I don't know the answer to that. Nobody has asked me to take a look at that. Secondly, if you do change that, and put another member on the Planning Commission, you will need to change the ordinance.

Supervisor Kitchen: Would it be better to wait until we know?

Mrs. Carter: I believe it says up to fifteen, but we need to make sure.

Supervisor Kitchen: I withdraw my motion at this time and ask that you come back with that information.

Re: Executive Session

Supervisor Bates moved, Supervisor Talbert seconded and was unanimously carried by the Board to go into executive session under the following code:

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 (Code of Virginia, as amended, Section 2.2.3711.A.1)

Re: Return to Regular Session

Supervisor Talbert moved, Supervisor LeSueur seconded and was unanimously carried by the Board to return to regular session.

Re: Certification of Business Discussed

Supervisor LeSueur moved, Supervisor Bates seconded and was unanimously carried by the Board that to the best of each Board member's knowledge only business matters related to the code of which the executive closed meeting was convened was discussed or considered in the executive session.

Re: Resolution in Memoriam of Judge Sam Kerr

Supervisor Bates: Before we adjourn, I have one thing that I would like to ask the Board to consider. Judge Sam Kerr past away recently and I'd like to asked that a resolution be drawn up and presented at the next meeting.

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to authorize draft a resolution in memoriam of Judge Sam Kerr for the next meeting.

There being no further action to be taken, Chairman Snoddy adjourned the meeting.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman