

**Buckingham County
Board of Supervisors
Monthly Meeting
June 8, 2009**

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, June 8, 2009 at 7:00 p.m. in the Buckingham Agricultural Center Auditorium, the following members were present: I. Monroe Snoddy, Chairman; Joe N. Chambers, Jr., Vice-Chairman; E.A. "Bill" Talbert; F.D. "Danny" LeSueur; Dr. Brian D. Bates; and John D. Kitchen, Jr. Danny R. Allen was absent. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Assistant County Administrator; and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

Chairman Snoddy certified that there was a quorum-six members present and that the meeting could continue.

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

Chairman Snoddy called the meeting to order. Supervisor Talbert gave the invocation and the Pledge of Allegiance was said by all who were in attendance.

Re: Approval of Agenda

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the agenda with the following amendments: (Supervisor Allen was absent)

L-8 Consider approval of Resolutions to authorize County Administrator to apply for funding from the Virginia Tobacco Commission and sign all documents for the New Wastewater and Water Treatment Plants.

Re: Approval of Minutes

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the minutes as presented for the May 11, 2009 meeting. (Supervisor Allen was absent)

Re: Approval of Claims

Supervisor Chambers: On page 5, I have a question about Anderson Tire, \$1,069 for the disposal of two tires.

Supervisor Kitchen: We need to get more information about this. If Mr. Carter would check into this.

Mr. Carter: That is probably just the first item on the invoice. The computer doesn't allow enough space to list everything on the invoice. I will check into it.

Supervisor Chambers moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the claims as presented if the Anderson Tire invoice on Page 5 checks out. (Supervisor Allen was absent)

Re: Approval of First Quarter Appropriations

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the First Quarter Appropriation as follows: (Supervisor Allen was absent.)

Buckingham County
FY 2009/2010
First Quarter Appropriations

General Fund	\$ 1,543,651
Water Fund	280,855
Sewer Fund	572,764
Capital Improvements Fund	36,250
VPA Fund	681,053
***Courthouse Debt Service	585,916
Schools:	
Instruction	3,939,554
Adm/Attn/Health	243,833
Transportation	473,616
Operations	537,378
School Food Services	34,258
Capital Outlay	218
Cafeteria	306,333
Technology	204,206
Debt Service for School Renovation	175,500
**Debt Service High School	315,401
**Debt Service Middle School	985,320

**Actual Budget Numbers

Re: Announcements

Chairman Snoddy called for any announcements.

Supervisor Talbert: I would like to make a comment. Friday evening I had a problem with a Pit-bull over yonder. I had no idea that I would get it done that afternoon, but I called the dispatchers and they got a hold of our Animal Control Officers, which an emergency came up and I called there, but anyhow, I just thank them for what they did, they were Johnny on the spot and came right there. Danny wasn't available but he called the next morning and I just appreciate that.

Re: Public Comments

Chairman Snoddy called for public comments.

There were none.

Re: Road Matters-Alan Leatherwood-VDOT Resident Administrator

Alan Leatherwood: A couple things, I hope you have noticed they have started mowing on secondary's last week. We will start mowing primaries next Monday. Basically, what you see is what you get, that is exactly what you are going to get on primaries. 18 feet from the edge of the pavement or to the ditch whichever is less. So that's what you will see with the primaries starting Monday.

More good news, I got an email last week, looks like another reduction in construction funds. Where all we are going to have is the tele-fee portion of income which amounts to \$7,000 total versus the \$315 that we did have. So, all money is being pulled and it will be awarded and divided up at the construction meeting of the Department of Transportation board.

Supervisor LeSueur: So July 1 we should have money?

Alan Leatherwood: If you want to call it that.

Supervisor Bates: You can't pave a parking lot with that money.

Alan Leatherwood: Any questions, comments or complaints?

Supervisor Talbert: I started to stop the men from working down there on 636 right above Mrs. Harris there; there are a couple dead trees. I'd cut them but I'm scared to go down there without someone there to direct traffic or something like that because I'm scared it's going to fall on somebody. Sometime, if you have people up there, I'd appreciate it if you would look into that.

Supervisor LeSueur: Thank you for the good news.

Re: Consider request of Henry Wood for a twelve month extension on Campground on 743.

Mrs. Carter: The Planning Commission and Board of Supervisor approved a Special Use Permit for the Operation of a Campground on 743 in Marshall District. The applicant was Henry Wood. Mr. Wood is asking for an extension due to economic conditions. He is asking for a twelve month extension to start the project. The Planning Commission does recommend this extension be approved.

Supervisor Chambers moved, Supervisor Talbert seconded and was unanimously carried by the Board to grant a twelve month extension to Henry Wood in starting the Campground on Rt. 743. (Supervisor Allen was absent)

Re: Sandra Everson-Jones & Dr. Powell Anderson-Animal Rescue Foundation

Dr. Anderson: Good evening, Mr. Chairman, Board. I have a few words to say in support of Sandra Everson-Jones in a project that she is working on and I'm working on with her. To give you a little bit of an update here, I'm a veterinarian as you may know, my practice was in Tampa for 43 years and I came back here and put in the Andersonville Animal Clinic. I thought Buckingham County deserved one. The first day we opened for business was May 15, 2000. We had some routine animals for treatment. But there were some puppies that were dropped off that came from the area dumpsters. Some of them were real nice puppies, and me being the softy that I am, I went ahead and vaccinated them and gave them worming and checked them over and set them up for adoption. This went on for a while in fact. It kept increasing and finally we needed a little bit of help. Sandra Everson Jones came in and set up some travel facilities that seemed to be involving a humane society in Meherrin. But a lot of these puppies were being trucked to northeast to Massachusetts. It seemed to be a number of homes up there that were requesting them. Over a period of 3 to 3 ½ years we did about 1200 of these puppies that were taken out of Buckingham County. Sandra kept working on it and actually that figure is up another 1200, 2400 total. She is a very compassionate individual, she has a few acres on Buckingham and Cumberland County line, and her goal now is to rescuing dogs, not just for Buckingham County but for Central Virginia type thing. They will be trucked in there and checked over. Those that need to be spayed or neutered can be done there and taken out to homes that are available. This is what she is working on now. She is not asking Buckingham County for funding. Let me say that again. She is not asking Buckingham County for funding. She does request a letter of support for the concept that she is working on so that she can use the support of this county to approach other counties and she has ideas for funding sources that she can work on, being the type of person that she is. She brought some figures that she brought with her tonight about the numbers that have been rescued. This seems to be a better way to approach like this than to euthanize them. That is what she is working on and would like a letter of support from the County and she has other plans to get this done. Again, she is not asking for

money, she just wants some support so she can get this going. This could benefit Buckingham County and the entire Central Virginia Area. That's my presentation for now. If you have any questions, I will call Sandra up here to answer them.

Supervisor Kitchen: I don't see a problem with a letter of support.

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve a letter of support for Sandra Everson Jones-Animal Rescue Foundation-Central Virginia. (Supervisor Allen was absent)

Re: Public Hearing: Case 09-ZMA175-Trekas

Mrs. Carter: This is a public hearing regarding Case #09-ZMA175-Konstantmos (Gus) Trekas. The property is now zoned as A-1. It is the consensus of the Planning Commission that it would be proper to bring a grandfathered use into compliance with the proper zoning. Mr. Trekas is asking for the property to be rezoned as Business B-1. The Tax Map Section 122-25 containing 1.55 acres on the Corner of Route 60 and 56 in the Maysville District. It does now contain a convenience store named Duck's Corner. Mr. Trekas would like to allow Mrs. Leola Frentz to house her art business there. The Planning Commission has recommended approval of the rezoning.

Chairman Snoddy declared the public hearing open for public comment.

There were no comments from the public.

Chairman Snoddy declared the public hearing closed.

Supervisor Bates moved, Supervisors LeSueur and Chambers seconded and was unanimously carried by the Board to approve the rezoning of Konstantmos "Gus" Trekas property from A-1 to B-1. (Supervisor Allen was absent)

Re: Dr. Friedman: Piedmont Virginia Community College Annual Community College Presentation

Dr. Friedman: First I would like to introduce your representative to our board, Ms. Vera Cook Merritt. She is a great representative. Thank you so much for appointing her.

Supervisor Bates: She was a great 6th grade teacher to

Dr. Friedman: I don't doubt that. As an update, enrollment keeps going up. Every fall we set a record for the most students in the fall, same for spring and summer. This past year we jumped about 9% which is a real big jump in one year. But enrollment keeps going up. A lot of this is driven by the economy. People are out of work or worried about being out of work, they start

thinking about going back and getting set for something new. We've seen a big influx of students that fit that description. We are seeing a big influx of students coming out of high school. As you know the cost of higher education keeps going up and the gap between the community college costs and the university costs, that gap keeps getting bigger so we get a lot of students that come to us for a year or two and then transfer to Va Tech or JMU or Longwood or somewhere and they save their family a lot of money for the first two years. With all the guaranteed admission programs we have, they know they can transfer successfully. So those two factors have a lot to do with our enrollment increase.

Just quick thinking about the County, as you know we share Buckingham County with Southside Virginia and Piedmont share. So the numbers I have are fairly small but you have to add them in with Southside numbers. This past fall, 75 students from Buckingham were enrolled in Piedmont. Last year, seven of your high school graduates from June came to us in the fall. We had been averaging about a dozen of those so that dropped a little bit. What that means is that Buckingham is a small part of our enrollment; you are about 2% of our enrollment at Piedmont.

Some quick updates, even though enrollment is up, we are like most localities and state institutions, basically enrollment is up 9%, state budget is down 9% for next year. Just like you and everyone else, we are trying to do more with less. Because we know the students are coming but we just don't have the resources from the state to serve them the way we like. One of the things we need with more students is more space. If you have been up to the campus recently you see our science building under construction. It is 35,000 sq ft., science labs, classrooms, nursing labs, and that should be completed next March if they stay on schedule. Secondly, the old Monticello Visitors center, which is at the base of the hill as you come up to Piedmont, everything is taking place that needs to be taking place for that to be donated to Piedmont by Albemarle County and the City of Charlottesville. We are the joint owners. They have signed off on it and the state is doing its due diligence. We anticipate any day to get the word that it is ours and picking up the keys and starting our work in that building to turn it into a workforce development center. This is exactly what we are going to do with it. As you know in these times at the community college, we need to focus on programs that will get people back to work. That is what this will be focused on. Programs that we offer anywhere from six weeks up to a year, shorter term training that leads into jobs that are available in our region. Most of those now are in some sort of health care, home health delivery, those kinds of programs. That is what we are going to put in that building. We just need more space in order to do that. I'm going to give you some packets that have information on it. There is a long list of programs that we offer that are not designed for transfer for bachelor's degrees but to get people back to work. I know you are dealing with people that are dealing with that need. I want you to have this information so that you can pass it on to them, that we have programs that are as short as 4 weeks or so that earn a certificate and get them ready to get a job. There are fields for jobs like this. It doesn't make sense to train someone for jobs that don't exist right now. A lot of this is in health care, we've got some construction specialties, where that is the case, but as we all know, construction has tailed off in the last couple of years. I'll just give this to you to pass along. One specific thing I'd like to mention, I've talked to you about this before, we have been trying to get the funds together to start a licensed practical nursing program. We have the Associates Degree for registered nurses, but we did not have a LPN program. We have raised the money and that will

begin in January. So we will be taking our first class of 20 students, they will have to go through an admission process this fall to start in January. That is a twelve month program, straight through January to December. You come out a Licensed Practical Nurse. Throughout the region, those folks are in demand. I'll conclude there. I'd like to see if you have any questions or comments.

Supervisor Talbert: I'd like to make one comment. I thank you so much for letting us use the university over there for our conference for Grand Marshall. I hope this will be an on going thing because we used to have to travel so far. Thank you so much.

Dr. Friedman: No problem. One of the things we want to do is be a "community" college is serve the community. So whenever we can share our facilities with you, we'd love to do so.

Thank you so much.

Re: Consider Appointment of a Francisco District Representative to the Board of Zoning Appeals

Supervisor Talbert: I'd like to nominate Joe Gemski over here on 721. He is pretty well known in the County. I think he will do a good job on it.

Supervisor Talbert moved, Supervisor Kitchen seconded and was unanimously carried by the Board to appoint Joseph "Joe" Gemski III to the Board of Zoning Appeals. (Supervisor Allen was absent)

Re: Consider request of the Buckingham Local Library Board to appoint Mrs. Winnie Adams to the Regional Library Board

Supervisor Bates moved, Supervisor Chambers seconded and was unanimously carried by the Board to appoint Mrs. Winnie Adams to the Regional Library Board. (Supervisor Allen was absent)

Re: Consider request from Christian Outreach Program and Pregnancy Center for Financial Support.

Supervisor Kitchen: During our budget process, we agreed that we would not be taking on any new programs. It is something we would like to do but at this time, we can't do it.

Chairman Snoddy: I'd like to add that we all know that this is a good program to Buckingham County. We all wish we could do something.

Supervisor LeSueur: I'd like to add something too. I think this is an excellent program. I think this is something that we need to look at and see if we can find something in the budget.

I understand where you are coming from John but I wanted to make that comment.

Supervisor Kitchen moved, Supervisor Bates seconded and the motion passed with a 5-1 vote to deny the request at this time. Supervisor LeSueur opposing. (Supervisor Allen was absent)

Re: Consider Recommendations regarding requests for Carry Over's

(Memo from Mr. Karl Carter to the Board)

We have changed the procedure in how we handle carryover funds from departments. In the past we have brought to you the request after our annual audit has been completed. This year, because of the state cuts, we have held on to the carryover request in an effort to determine if the request needs to be granted. The reason behind the idea was to wait until almost the end of the fiscal year and see how much money was left in each department and see if the carryover request is necessary. With the amount of state cuts each department is facing, it is possible that a department will be coming back to The Board to request additional funding. As you will see, all the departments have done a great job of spending only what is needed and should be commended for that.

Commissioner of Revenue. The previous Commissioner requested the funds for the purpose of helping offset part-time employment costs and state reductions. At the end of May, The Commissioner of Revenue has \$43,295 left with only the month of June remaining. For the first eleven months of the fiscal year, that department had an average of \$17,685 per month. Based on those figures, that department should not have a shortfall but another surplus at the end of the fiscal year. I do not recommend the carryover request.

The Electoral Board. The electoral board requested to carryover \$9,736.15 from the 2007-2008 fiscal year to the current fiscal year. Based on the same calculations as before, it seems the electoral board will have a short fall with only \$3,448 left and an average of \$3,859 expense per month. The average expense per month is inflated because of the large amount spent in November for the presidential election. Although that number is inflated, I still recommend granting the \$9,736.15 carryover request because of the expenses that will be incurred in June with the democratic primary election.

Registrar. The registrar has a carryover request of \$813.89. The registrar's office as of May 31st has a remaining balance of \$9,893 for the month of June. That office only spends about \$3,500 a month so I do not think the carryover is necessary for this year.

Circuit Court. The circuit court has requested a carryover amount of \$21,285. The reason for this request was for technology upgrades. The clerk's office has a balance of \$43,509 as of May 31st. Based upon the averages, they should have approximately \$17,000 left at the end of the 2008-2009 fiscal year. Based on that approximate ending year balance, I do not recommend the carryover.

Planning / Zoning. The planning department has \$21,004 left to spend in the month of June. The department only spends about \$6,700 a month. Since the department may have about \$14,200 left at the end of this fiscal year, I do not recommend the carryover.

Supervisor Bates moved, Supervisor Talbert seconded and was unanimously carried by the Board to approve Karl Carter's recommendation. (Supervisor Allen was absent)

Re: Consider appointment/reappointment to Social Services Board

Braxton Apperson, Director of Social Services, informed the County Administrator's office that Betty Toney's term on the Social Services Board is due to expire on June 30, 2009. He stated that she was interested and eligible to serve another term.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to reappoint Mrs. Betty Toney to the Social Services Board. (Supervisor Allen was absent)

Re: Consider approval of Resolutions to authorize the County Administrator to apply for funding from the Virginia Tobacco Commission and sign all documents for the New Water Treatment Plant and the New Wastewater Treatment Plant

Mrs. Carter: We have provided you copies of resolutions that are required to apply for funding with the Virginia Tobacco Commission for the two plants. It also grants me authorization to sign off on all documents.

**Resolution
Authorizing County Administrator to
Make Application in the Name of Buckingham County
And Execute All Grant Related Documents**

Upon a unanimous vote of the Buckingham County Board of Supervisors held on Monday, June 8, 2009, the following resolution was adopted:

WHEREAS, Buckingham County has hired the engineering firm of Royer Malcolm Pirnie to design and construct a New Wastewater Treatment Plant;

WHEREAS, Buckingham County has authorized Rebecca S. Carter, County Administrator, to apply for funding for the New Wastewater Treatment Plant;

WHEREAS, Buckingham County has authorized Rebecca S. Carter, County Administrator, to sign all documents regarding the New Wastewater Treatment Plant;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buckingham County, Virginia on this 8th day of June 2009 that they are hereby supporting this project and numerating their financial commitment to the completion of this project.

ATTEST:

Rebecca S. Carter, County Administrator

I. Monroe Snoddy, Chairman

**Resolution
Authorizing County Administrator to
Make Application in the Name of Buckingham County
And Execute All Grant Related Documents**

Upon a unanimous vote of the Buckingham County Board of Supervisors held on Monday, June 8, 2009, the following resolution was adopted:

WHEREAS, Buckingham County has hired the engineering firm of Royer Malcolm Pirnie to design and construct a New Water Treatment Facility;

WHEREAS, Buckingham County has authorized Rebecca S. Carter, County Administrator, to apply for funding for the New Water Treatment Facility;

WHEREAS, Buckingham County has authorized Rebecca S. Carter, County Administrator, to sign all documents regarding the New Water Treatment Facility;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Buckingham County, Virginia on this 8th day of June 2009, that they are hereby supporting this project and numerating their financial commitment to the completion of this project.

ATTEST:

Rebecca S. Carter, County Administrator

I. Monroe Snoddy, Chairman

Supervisor Kitchen moved, Supervisor Talbert seconded and was unanimously carried by the Board to approve the above resolutions and authorize Rebecca Carter to sign off on all documents. (Supervisor Allen was absent)

Re: County Attorney Matters

Mr. Wright stated that he had nothing.

Re: Public Hearing-Proposed Amendments to the Building Permit Ordinance and Fee schedule

Mr. Karl Carter: Tonight's public hearing is for the proposed amendments to the building permit ordinance. I'm not going to read the whole ordinance to you because I think you have a copy of the current ordinance. The changes start of page 5, Sec. 5-201 Fees for Building permits. The ordinance reads:

- A. *Residential structures.* The fee for each new structure (one- and two-family dwellings) other than a garage, deck or porch, or for an addition to an existing residential structure in either such use group, shall be \$0.12 per square foot, calculated on gross finished square footage. The minimum fee shall be \$125.00.

That \$0.12 will change to \$0.23

- B. *Accessory residential structures.* The fee for each residential attached garage, detached garage, shed, or deck or porch fifty square feet or larger, shall be \$0.06 per square foot, calculated on gross finished square footage. The minimum fee shall be \$25.00.

That \$.06 will change to \$.11

C. *Residential or Commercial swimming pools, hot tubs and spas.* The fee for each residential swimming pool, hot tub or spa shall be \$0.12 per square foot but not less than \$50.00.

That \$0.12 will change to \$0.23

D. *Mobile homes and prefabricated homes.* The fee for each mobile home or prefabricated home shall be \$0.12 per square foot but not less than \$50.00.

That \$0.12 will change to \$0.23

E. *New commercial structures.* The fee for each new structure or an addition to an existing commercial structure in any such use group, shall be \$0.06 per square foot, calculated on gross square footage, but not less than \$50.00.

That \$0.06 will change to \$0.11

F. *Mobile offices and pre-manufactured units.* The fee for each mobile office or premanufactured unit shall be \$0.12 per square foot but not less than \$50.00.

That \$0.12 will change to \$0.23

G. *Alterations and repairs of structures in all use groups.* The fee for an alteration or repair of a structure in any use group shall be \$ 0.12 per square foot of floor area affected, provided that there is no increase in gross square footage. The minimum fee shall be \$50.00.

State law reference--Va. Code § 36-105.

That \$0.12 will change to \$0.23

Sec. 5-202 Fees for electrical permits.

The fee for an electrical permit only shall be \$0.01 per square foot but not less than \$25.00.

State law reference--Va. Code § 36-105.

That \$0.01 will change to \$0.02.

Sec. 5-203 Fees for plumbing permits.

The fee for a plumbing permit only shall be \$0.01 per square foot but not less than \$25.00.

State law reference--Va. Code § 36-105.

That \$0.01 will change to \$0.02.

Sec. 5-204 Fees for mechanical permits.

The fee for a mechanical permit only shall be \$0.01 per square foot but not less than \$25.00.

That \$0.01 will change to \$0.02

Sec. 5-207 State Fee.

A 1.75 percent mandatory state fee shall be added to all building permits.

The 1.75% will change to 2%.

State law reference--Va. Code § 36-105.

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 above stated changes to the Building Permit Ordinance and Fee Schedule. (Supervisor Allen was absent)

Re: Consider a public hearing for mandated changes to the Emergency Operations Plan

There is a required change that needs to be made to the county's Emergency Operation Plan. This amendment will become effective July 1, 2009. It is recommended that this be placed in the Emergency Support Function 6 of the EOP which covers law enforcement. The sheriff's office will be in contact with these victims from the onset of the event and they have daily contact with DCJS.

"This is to advise you that Code of Virginia §23-9.2:9 and §44-146.18 were amended and will require state institutions of higher education and local governments to include a provision in their

emergency operations plans that the Virginia Department of Criminal Justice Services (VDCJS) and the Virginia Criminal Injuries Compensation Fund (VCICF) shall be contacted immediately to deploy assistance in the event of an emergency as defined in the emergency response plan when there are victims as defined in §19.2-11.01, as well as current contact information for both. Local Planning Assistance (LPA) revised the Concept of Operations Section of the Basic Plan Template and the ESF5 Annex of the College and University EOP template and Local EOP template to reflect these amendments. This amendment will become effective July 1, 2009.

As a reminder, VDEM policy directs an institution to channel requests for state resources through the local government's EOC. Therefore, to be consistent with the aforementioned code references and policy:

1. Both the institutions and local government should include notification of VCICF and VDCJS in their plans.
2. Actual notification should be conducted on behalf of the institution when events involve higher education entities by the locality, and
3. The institution involved should have a process in place to verify the action was taken.

Recommended addition to ESF6:

- In instances when there are criminal victims as defined by Code of Virginia §19.2-11.01, the local government must contact the Department of Criminal Justice Services and the Virginia Criminal Injury Compensation Fund immediately to deploy assistance in the event of an emergency.”

Supervisor Bates moved, Supervisor Kitchen seconded and was unanimously carried by the Board to schedule a public hearing for the changes needed to be made to the Emergency Operations Plan for July 13, 2009 at 7:15 p.m. in the Agricultural Center. (Supervisor Allen was absent)

Re: Consider scheduling of public hearing to increase Courthouse Maintenance Fee and Law Library Fee.

The Code of Virginia §17-1-281 and §42.1-70 allows for the assessment of a Courthouse Maintenance Fee and a Law Library Fee.

Virginia Code §17.1-281: Any County or city, through its governing body, may assess a sum not in excess of two dollars as parts of the cost in (1) each civil action filed in the district or circuit courts located within its boundaries and (2) each criminal or traffic case in its district or circuit court in which the defendant is charged with a violation of any statute or ordinance. The total assessments authorized by the county or city in a civil action pursuant to this section and §42.1-70 shall not exceed four dollars.

Virginia Code §42.1-70: Any county, city or town may through its governing body, assess, as part of the costs incident to each civil action filed in the courts located within its boundaries, as sum not in excess of four dollars.

The County now assesses a \$2.00 Courthouse Maintenance Fee and a \$2.00 Law Library Fee.

House Bill 2311 was signed by the Governor on April 9, 2009 that allows for a new fee of up to \$3.00 for construction, reconstructions, renovation, or adaptive re-use of a courthouse, on all civil cases (\$501.00 or more), all criminal and all traffic cases. House Bill 2311 also amends the Code of Virginia to remove the limit of \$4.00 and the courts will be able to assess a total of \$6.00 (\$2.00 for Courthouse Maintenance and \$4.00 for Law Library Fee) for civil cases. This amendment will be effective July 1, 2009.

Mrs. Carter recommends that the Board of Supervisors consider scheduling a public hearing to amend the County Ordinance to increase the Law Library Fee from \$2.00 to \$4.00 and also to implement the new fee of \$3.00 on all civil cases \$501.00 or more, all criminal and all traffic cases. The new \$3.00 fee must be for the construction, reconstruction, renovation, or adaptive re-use of a courthouse. During the Courthouse Renovation Project the County did not do all of desired restorative work to the old Court Room. It would be Mrs. Carter's recommendation that this \$3.00 fee be implemented to be reserved for the restoration of the old court room. This project should qualify as that room is used for various court services.

The adoption of these amendments into the County ordinance will assess the following fees:

1. Courthouse Maintenance Fee: \$2.00 on each civil action filed in the district or circuit courts and each criminal or traffic case in its district or circuit court in which the defendant is charged with a violation of any statute or ordinance (no change)
2. Law Library Fee: \$4.00 as part of the costs incident to each civil action filed in the courts. (change from \$2.00 to \$4.00)
3. New Fee for construction, reconstruction, renovation or adaptive re-use of a courthouse to be assessed in civil matters where the amount in controversy is in excess of \$500.00 and each criminal or traffic case in district or circuit court in which the defendant is charged with a violation of any statute or ordinance: \$3.00.

Supervisor Bates: Can we start advertising these public hearing immediately following the previous proceedings?

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to schedule a public hearing on July 13, 2009 following the public hearing on the Emergency Operation Plan. (Supervisor Allen was absent)

Re: Consider a meeting with architects for the County Administration/Social Services/Health Department Complex Renovation Project Status and Update

Previously, the Board of Supervisors tasked the Finance Committee to work with the renovation/expansion of the work space needs project for the County Administration, Social Services and Health Department. BCWH's Architect and Project Manager, Jeanne Leavel has had several meeting with the agencies and departments to update the needs assessment and to provide an updated project. During the past several years the Finance Committee has had meetings, conference calls and discussions with the representatives from BCWH regarding this project. It is the consensus of the Finance Committee that the County should move forward with this project and that the project is now at a point where the full board should be updated on the project in work session atmosphere in order to assure a full understanding of the total proposed project, anticipated cost estimates and what the county will receive for those cost estimates. Chuck Wray and Jeanne Leavel have provided the possible meeting dates of June 22nd or 23rd to meet with you to provide you with an updated plan scheme and projected cost estimates of this project. Mrs. Carter feels that it is very important for this meeting to take place at a time when this project will be the main topic of discussion.

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to schedule a meeting with the architects on June 22, 2009 at 5:30 p.m. in the conference room of the County Administration Building. (Supervisor Allen was absent)

County Administrator's Report

Re: Update on Limited Access Anderson Property at intersection of Rt. 15 & 60

Mrs. Carter: I'd like to report that you had requested that I write a letter to VDOT to request the release of the limited access on the Anderson Property. I have provided you a copy of this letter along with a copy of the letter from Mr. Leatherwood saying that they had received your letter and it had been forwarded to the Lynchburg District Administrator, Mr. R.H. Cary for review.

So we are waiting to hear from them.

Re: Paul Louis-design of subsurface septic system and water well for Animal Control Facility

Mrs. Carter: I want to make you all aware that Mr. Paul Louis did a design for the subsurface septic system and the water well for the County Animal Control Facility where we are putting the doublewide. I want you to know that he is doing this for no charge. I would like to express appreciation for Mr. Louis for doing this for us.

Supervisor LeSueur: I would like to recommend that in that we send him a letter of appreciation for his services.

Supervisor Bates: That's the second time he has done that.

Supervisor LeSueur: That I know of anyway.

Re: Legislation extending validity of wireless facility site applications

Mrs. Carter: The County has granted several special use permits to Verizon Wireless and in those permits they were approved for a year. I have information that the General Assembly passed through legislation that special use permits be valid from 2009-20014. So the state has granted them a 5 year permit.

Re: Information from VDOT advising that Rt. 763 does not qualify to be included in the Ordinance regarding the operation of golf carts or utility vehicles.

Mrs. Carter: You had made a request to look into Rt. 763 to see if it qualified to be included in our ordinance regarding Operation of Golf Carts or Utility Vehicles. We have gotten a response and it does not qualify.

Re: Hay Removal Bids

Mrs. Carter: Tommy Ranson is soliciting for bids for the hay at the industrial park. Due to the time frame, I ask you all to give me the authority to grant that bid when it comes in because it will be under the \$10,000.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to give Mrs. Carter the authority to grant the bid for the hay removal at the Industrial Park. (Supervisor Allen was absent)

That concludes the County Administrator's report.

Re: Other Board Matters

Supervisor Talbert: This letter I got for the Cooperative Extension for interviewing the part time. Are you going to appoint someone to that on June 18th? I will volunteer if you want me to.

Mrs. Carter: I sent that to you because you were appointed when they hired a full time position to sit in on the interviews.

Supervisor LeSueur moved, Supervisor Bates seconded and was unanimously carried by the Board for Supervisor Talbert to sit in on the interviews for the Part Time Extension Agent. (Supervisor Allen was absent)

Re: Executive Session

Supervisor Bates moved, Supervisors LeSueur seconded and was unanimously carried by the Board to enter into executive session under the following code: (Supervisor Allen was absent)

Executive Closed Session: 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 Bates moved, Supervisors LeSueur and Talbert seconded and was unanimously carried by the Board to return to regular session. (Supervisor Allen was absent)

Re: Certification of Business Discussed

Supervisor Bates moved, Supervisor LeSueur 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. (Supervisor Allen was absent)

Re: Action taken as a result of Executive Session

Supervisor LeSueur moved, Supervisor Kitchen seconded and was unanimously carried by the Board to approve an extension to the leave of absence without pay to Deputy Anthony Taylor due to a family medical emergency through the second week of July, which will be July 15th at which time if there are any other problems, he can come back to this Board and we will look at it at that time. (Supervisor Allen was absent)

There being no further business to discuss, Chairman Snoddy recessed the meeting to reconvene on Monday, June 22, 2009 at 5:30 p.m. in the Conference Room of the County Administration Building to meet with the architects regarding the County Administration/Social Services/Health Department Complex.

Attest:

Rebecca S. Carter, County Administrator

I. Monroe Snoddy, Chairman