

**Buckingham County
Board of Supervisors
Regular Monthly Meeting
March 9, 2009**

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, March 9, 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; Danny R. Allen; Brian D. Bates; E.A. "Bill" Talbert; and John D. Kitchen, Jr. F.D. "Danny" LeSueur was absent. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

Chairman Snoddy certified that there was quorum-six members were 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 Chambers seconded and was unanimously carried by the Board of approve the agenda with the following amendment. Supervisor LeSueur was absent.

1st addendum: Delete Peter Hunt, Southside Community College

2nd addendum: Add Rebecca Cobb, Zoning Administrator/Planner: Solid Waste Plan

3rd addendum: Add Rebecca S. Carter, County Administrator: Budget Schedule Change

Re: Approval of Minutes

Supervisor Kitchen moved, Supervisor Allen seconded and was unanimously carried by the Board to approve the minutes as amended: Supervisor Allen's name was omitted from the Joint Meeting minutes.

Re: Approval of Claims

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

Re: Approval of Fourth Quarter Appropriations

**Buckingham County
FY 2008-2009
Fourth Quarter Appropriations**

General Fund	\$1,677,711
Water Fund	\$ 279,150
Sewer Fund	\$ 764,068
Capital Improvement Fund	\$ 57,590
VPA Fund	\$ 647,699
** Courthouse Debt Service	\$ 565,046
Schools:	
Instruction	\$4,056,318
Adm/Attn/Health	\$ 242,612
Transportation	\$ 472,342
Operations	\$ 525,926
Capital Outlay	\$ 22,470
Cafeteria	\$ 310,510
Technology	\$ 197,921
School Capital Projects-A/E Start Up	\$ 111,665
**Debt Service-High School	\$ 321,400
**Debt Service-Middle School	\$1,010,017
**Actual Budget Numbers	

Re: Announcements

Chairman Snoddy called for any announcements from the Board members, and there were none.

Re: Public Comment

Sam Goin: I am Sam Goin, District 3 and I'm here to give you an update on the Farmer's Market. I've given you a handout with our By-Laws, Seasonal Use Applications, Daily Use Applications and Certification Registration. We will be operating our Farmers Market. On March 4th we had a training session with the Extension Service and we had about 30 people come in here from as far as Salem, Virginia. We had one guy that was from Canada that plans on moving down here. He wanted to see how this would go along with the vegetables and stuff that he wants to do. We have a great group of people. Also I want to invite you to the Farmers Market on April 3rd starting at 3:00 in the afternoon. It will be each Friday until the second Friday in November. We will have produce, meats and crafts.

It will run from 3:00 p.m. to 7:00 p.m.

Re: Alan Leatherwood, VDOT Resident Engineer: Road Matters

Alan Leatherwood: Thank you Mr. Chairman. I believe you received a letter last week from our District Administrator regarding a meeting that will be held this Wednesday at CVCC at 6:00 p.m. Our Commissioner will be there as well as executive staff and district staff. They are going to talk about and listen to your concerns with the VDOT consolidation and level of service changes and those types of things.

Mrs. Carter: Supervisor LeSueur plans to be there to speak. If any other Board member wants to, please let me know.

Mr. Leatherwood: The level of service is going to change. That's all I have. I just wanted to make sure you knew about that meeting.

Chairman Snoddy asked if any Board member had anything for Mr. Leatherwood.

Supervisor Bates: I know the levels of services are going to be changed. Could you characterize, the snow event last week, what will we expect to see with the new changes that are coming to us? As far as snow removal and things like that?

Mr. Leatherwood: We try to maintain our primary goal in Buckingham try to keep them to bare pavement during the event to the best extent possible. That will change. It will not be bare pavement. Secondaries that we start pushing when we get a couple inches of snow when the primaries are caught up, that won't happen. You might see secondary roads getting pushed when it stops. It's not just snow removal, its mowing and vegetation control is another area that is readily seen.

Mrs. Carter: It is rumored that possibly that Residency offices are being combined. Is that true?

Mr. Leatherwood: The residency office will stay in Dillwyn. There will be a proposed residency office staying in Dillwyn. The residency will pick up Nelson County. So there will be Buckingham, Nelson, Cumberland and Prince Edward. Four counties instead of three. That's what is proposed.

Supervisor Allen: I know that we don't have money for roads and all, but hopefully one day we will have money again. But 617, we've talked about it before is getting rough. There is a lot more traffic and logging trucks and when we do have money, I'd like to put that on top of the list. I understand that we have to make a motion to put it on the list.

Mr. Leatherwood: That is something we haven't gotten guidance yet on what to do with the secondary plans. There is still going to be federal money that has to go through. The Board has to set the priority on an annual basis. We will have to have a public hearing and work session and that would be the appropriate time to bring that up.

Re: Zoning Map Amendment, Duane Miller, Thrift/Retail Store

Rebecca Cobb: The first item is an application by Duane Miller. He is the property owner of Tax Map 123 Parcel 27 on 60 in the Maysville Magisterial District. He is requesting to rezone the property from A-1 to B-1 with plans to open a retail store, probably a thrift type store. The Planning Commission held a public hearing and they decided to recommend that the Village Center be extended. Right now it stops down at the cemetery, and would need to be extended on the north side to Rt. 631. I have provided you with a map.

Supervisor Kitchen: That's the little building on the left that used to be a service station?

Mrs. Cobb: Yes sir.

Supervisor Kitchen moved, Supervisor Allen seconded and was unanimously carried by the Board to set a public hearing on extending the Village District to Rt. 631 on April 13, 2009 at 7:15 p.m.

Re: Rebecca Cobb, Zoning Administrator/Planner: Solid Waste Plan

Mrs. Cobb: The second Item I have is the Solid Waste Plan. This is something that the Department of Environmental Quality has required the County develop. Then through years of revisions and working with DEQ, I think we are finally at a point where it is close to final. There are a few minor changes that I need to have changed but wouldn't need a public hearing. I do have a copy of this at the office for those who would like to review it. We do need to set a public hearing to adopt this plan.

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to set a public hearing for April 13, 2009 at 7:20 p.m. to hear public comments regarding the Solid Waste Plan.

Re: Public Hearing: Case #08-SMA-171, Clinton Shumaker applicant, Chicken Houses

Mrs. Cobb: Mr. Clinton "Shane" Shumaker requests approval to rezone his property from Agriculture (A-1) to Agriculture Comprehensive (A-C). The property is located at Tax Map 55 Parcel 22, on Rt. 717 in the Marshall Magisterial District containing approximately 40 acres. This property is currently zoned A-1. Mr. Shumaker requests that the property be rezoned for the purpose of building and operating poultry houses.

The conditions are:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to including submission and approval of a Development Plan and a Nutrient Management Plan prior to installation of an Intensive Agriculture Facility.
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 wished of the Planning Commission or Board of Supervisors.
6. That the applicant (s) understands the conditions and agrees to the conditions.

The Planning Commission held a public hearing on December 22, 2008. There were several public comments at that time. The citizens that spoke expressed concerns about odor, chemicals leaking into the ground, and dust. After the hearing the applicant offered to plan rows of evergreen trees as a buffer to block the odor and as a visual barrier. The applicant also offered to apply calcium chloride to Rt. 717 as well as to his drive as needed to keep the dust to a minimum. After doing more research and talking with the applicant, the Planning Commission made the decision during the January 26, 2009 meeting to recommend approval of rezoning the property.

Supervisor Bates: Are these, the offers that Mr. Shumaker made, I don't see them in the conditions, are they part of the conditions? How is that going to be handled?

Mrs. Cobb: You can make a motion to put them in as part of the conditions, he is aware of that is possible and he is okay with that.

Chairman Snoddy opened the public hearing for comment.

There were no comments made.

Chairman Snoddy closed the public hearing.

Supervisor Chambers moved, Supervisor Talbert seconded and was unanimously carried by the Board to accept the Planning Commission's recommendations to rezone Mr. Shumaker's property from A-1 to A-C.

Re: Crystal Martin, Relay for Life

Crystal Martin: Good evening, I would just like to take a few minutes of your time to talk about Relay for Life. As you know this year with the cooperation of Buckingham County School System, especially the high school, we are honored and privileged to be able to start our first ever Relay for Life. We are a premier event by the American Cancer Society to raise funds for programs and cancer research for all different types of cancer. I'm sure that all of you know someone that has had or is going through cancer right now. What Relay for Life does is celebrate survivors. Secondly it keeps cancer research online at all times and allows us to celebrate one night where we can come together as a community and hopefully put an end to this awful disease that has touched so many. I would like to ask you tonight, is for the Board of Supervisors adopt a recommendation of full support for this event. Starting this year and continuing on each year. I think it's a public health issue that has impacted us all and something that each of you have seen if not in your family but in your district in some of your constituents. I would like to ask for your support in our efforts to raise money for American Cancer Society. We would like to thank our Cumberland Relay for Life Coordinator, Debbie Guyer, who has been key in bringing this over

to our County. My second request would be to use the Industrial Park parking lot and may the inside of the building on April 18th fund raiser for the Relay for Life. We really want to have it in the parking lot; weather permitted, with access to electricity if it's okay with the Board, but if there is foul weather we could have it inside since that building is not being used at this time. This is something that I would really like for the Board to adopt tonight if at all possible. Do you have any questions?

Mrs. Carter: The County has an agreement that used with the Lions Club and anyone else that has used it, would carry liability.

Mrs. Martin: Yes, maam. The American Cancer Society does carry a \$1,000,000 liability policy for any of their events. We will be able to provide a Certificate of Insurance if that is necessary.

Supervisor Kitchen moved, Supervisors Chambers and Allen seconded and was unanimously carried by the Board to approve the use of the Industrial Park Building and Parking Lot to the Relay for Life on April 18, 2009.

Chairman Snoddy: I would like to commend you for your work.

Re: Helen Saxon, Anti-Litter Task Force-Tire Amnesty Day

The Buckingham County Anti-Litter Task Force would like to request the Board's support in the 2009 Tire Amnesty Day to be held on April 18th. We have had great success with this in the past and hope to be able to continue.

We would like to request an appropriation of \$3,000 to pay for the trailers, the hauling and for the people to work. Any funds that are not spent will be returned to the County.

In the past, this event has been held in the Food Lion parking lot, but due to an increase in interest from organizations in participating, we would like to request that we be able to use the Industrial Park parking lot for this event.

Also, currently we only accept 10 tires per citizen with a valid county sticker; we would like to request that that number be increased to 20 tires per citizen.

Helen Saxon: As you have in your packet, the Anti-Litter Task Force is requesting your support for another Tire Amnesty Day. We would like to have on April 18th in the Industrial Park parking lot. We had it at Food Lion parking lot.

Supervisor Kitchen: Can you change the date?

Mrs. Saxon: We can't change the date, we can probably change the location, we do it rain or shine. We may be able to go to Food Lion.

Supervisor Bates: If there is enough room in that parking lot, it might actually bring out people for the American Cancer Society.

Crystal Martin: We would be fine with them having it on the same day and at the same time. We would hope that it would bring the community together.

Supervisor Kitchen moved, Supervisor Bates seconded, and was unanimously carried by the Board to approve the request of the Anti-Litter Task Force to use the Industrial Park parking lot on April 18, 2009 for the 2009 Tire Amnesty Day and to take the \$3,000 from the Reserve for Contingency.

Re: Consider invitation to Bid for tractor for Recreation Department for Advertisement

Mrs. Carter: The present budget has an appropriation of \$20,000 for purchase of a tractor for the Recreation Department. This is Bid Document proposal that we would use to advertise if you authorize us to advertise to seek bids for the purchase of a tractor. Page 9 of 12 lays out the equipment.

Supervisor Talbert: What are they going to use it for Becky? It doesn't say what kind of mower. It doesn't have in there what size bucket, 4 ft, 5 ft?

Mrs. Carter: I didn't work on this. Karl and Mr. Wright and the Recreation director went over the documents.

Supervisor Talbert: I think you are getting to low horsepower. I think you should get a big tractor. If you have to take it outside of just moving some dirt around the ball field and you need to do some work with it. I'd like to see it re-spec'd with more horsepower and like a 5' bucket on it.

Supervisor Bates moved, Supervisor Talbert seconded and was unanimously carried by the Board to table this matter so the Board members can make comments to the Recreation Director.

Re: Consider Carryover request from Schools for VPSA funds

The Buckingham County School Board requests that the VPSA funds in the amount of \$234,399 be carried over to FY09.

Supervisor Chambers moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the carryover request of the VPSA funds by the Schools in the amount of \$234,399.

Re: Finance Committee Report

Supervisor Bates: Mrs. Carter just provided a copy for every one of the issues relating to school capital projects that were considered by the County Administrator, Asst. County Administrator and Finance Committee. Sorry it is late getting back to you but as you are aware, due to an illness in Mrs. Carter's family, we were unable to get a meeting together until the middle of last week. The Finance Committee looked at two separate issues.

The first is the School Bus Garage. The Finance Committee recommends that since it is most probable there is sufficient cash funds available to pay for this project that the School Board proceed with a design of a school bus garage that will accommodate the needs of the school maintenance staff to sufficiently maintain the school buses. The Committee further requests the plans to include an additional bay to accommodate the vehicle maintenance of other county vehicles. It is further recommended that this project be let for bid and when the bids are received the two boards will consider from what funds the money will be allocated. So basically, go ahead and design this project.

We met with Mr. Blair and Dr. Dummering on March 2nd and they seem to be in agreement with this recommendation.

Supervisor Bates moved, Supervisor Kitchen and Talbert seconded and was unanimously carried by the Board to go ahead with the school bus garage design as recommended by the Finance Committee.

Supervisor Bates: The second area that we looked at was the proposed school renovation and expansion project on Rt. 20. I'll summarize for you, there is no recommendation from the Finance Committee on this, we feel each Board member needs to make up their own mind on this and we felt that we would lay out the information and Mr. Carter and Mrs. Carter did a great job of getting this together for us. Due to the uncertainty of the full impact of the declining economy will have on Buckingham, we are not confident that the present real estate tax rate will be able to pay for a \$25,650,365 school renovation project. If the economy remains status quo and the state and local revenues remain status quo it is anticipated that the tax increase of \$.09 may be necessary no later than 2013. We want to make the Board aware that given the uncertainty of the economy, the tax increase may even necessitate sooner than that. For instance, if our local tax revenue falls because we are not collecting taxes, the second half could tell the tale, if the local tax revenue falls off as little as 3 or 4%, we will certainly need to accelerate that tax increase. It will have to come sooner and it will have to be more to offset the failing county revenue. It's a shot in the dark. At the present time it is anticipated that the County is financially able to pay a debt service for \$12,000,000. The debt service for a \$12,000,000 will average about \$700,000. We have built into the budget \$702,000. That would be able to satisfy a debt service of \$12,000,000 assuming the high school debt goes away in 2012. So the information that we looked is outlined in the report given. I'll summarize it for you. The present debt service for the schools is approximately \$1.3 million in round figures. The county presently has \$702,000 allocated for additional new school debt service. The project proposed by the School Board will require a debt service payment of \$2,834,658 in 2011. This is an additional \$831,839 beyond the \$702,000 we have in the budget. In 2012, the debt service payment will be \$2.787 million. In 2013, the debt service payment will be \$3.194 million; this will be the highest point. This represents an additional \$1,191,278 beyond what we have budgeted. The Finance Committee acknowledges if the County revenues remain stable and if the state categorical and non-categorical aid to the county remains stable that the General Fund could reduce by the additional funds to make the debt service payments in 2010 and 2011 as non-recurring. The Finance Committee advises that if the economy of Buckingham remains stable and in its present state of finance that in order to make the debt service payments in 2013 and forward a real estate tax increase of at least \$.09 to raise about \$1.260 million. We've looked at when the previous construction project had been offered by the Board of Supervisors to the School Board it was anticipated that another reassessment to provide funding to pay for that series of projects. It seems reasonable now given the decline of the economy and the fall of real estate values, our concern is

that in 2013, we'd see real estate levels let's say stable but they could very well be less. So the assumption that the Board has always gone on with a reassessment is that you will get that increase from real estate assessment, but in all actuality our revenue could stay stagnate or fall off and this tax increase will be required just to cover our obligations to this point. Finally, the possibility of additional revenue from the proposed power plant to pay for new school debt service was considered. It is the opinion of the committee that because the project has not received final approval from the State Corporation Commission, the county does not have confirmed knowledge of the assessed value of what may be taxable or has confirmed knowledge of the impact of the exemptions mandated through the passing of House Bill 2084 that would be fiscally responsible to obligate money from this project until they have broken ground.

We had a discussion with Mr. Blair and Dr. Dumminger on March 2nd to summarize, from what I understand the school board does not have a finance committee, or we would have discussed funding with them. So we asked to meet with the Chairman and Vice-Chairman to brief them on this before it came to the Board in public, they were not able to make a meeting before tonight.

No recommendation forthcoming tonight. To summarize, we can afford up to \$12,000,000 in our current tax base without a tax increase. But anything beyond, will require a tax increase.

Supervisor Kitchen: Chairman was telling me that Fluvanna got some great bids.

Supervisor Bates: At this point, when we spoke with Mr. Blair and Dr. Dumminger, we asked if the project on Rt. 20 was one that could be phased in. They were going to examine if it could be phased and if so, at this point, this Board is in a position to say if it wants to move forward and fund the project or see what other opportunities are out there.

I would like to ask the County Administrator; I know that it's getting to be an awful busy time with the budget, to see if there is a time before now and the regular board meeting to have this.

Supervisor Talbert: Don't change because of me. I'll be going to Indiana to see my son, I had changed the date because of the work session but now that we've changed the work session date, yall just go ahead with it. I'll be leaving on the 22nd through the 30th.

Supervisor Bates: The proposed date for the work session, I couldn't be there. I could be there that Monday or Tuesday, but after that I'll be out of town on business.

If we could have the budget work session on the 23rd, then we can meet with the school before that.

Supervisor Talbert: I'll be leaving on the 22nd. But anything you can do to get the school going, I'm for it.

Supervisor Bates: We want to keep the momentum going, but I think we need to have a discussion with the whole school board.

Supervisor Bates moved, Supervisor Chambers seconded and was unanimously carried by the Board to ask the County Administrator to see if the school board could meet with us on Monday, March 23rd at 5:00 p.m.

Re: Public Hearing-Application for Applying for Financial Assistance in the Development of the New Water Plant Facility

Mrs. Carter: This is a requirement of Rural Development for the Intent to apply for up to \$12,000,000 for a new Water Treatment Plant facility and enlarge the reservoir. Hopefully a portion of that will be grant money. However, we have made application for this project with the Stimulus Package. This is a hoop we have to jump through.

Chairman Snoddy declared the Public Hearing Open and called for public comment.

There were no comments.

Chairman Snoddy declared the Public Hearing closed.

Supervisor Kitchen moved, Supervisor Talbert seconded and was unanimously carried by the Board to approve the intent to apply for funding for a new water treatment plant facility and enlarge the reservoir with Rural Development.

Re: County Attorney's Report

E.M. Wright: Mr. Chairman, members of the Board, at the last meeting you tasked me with the responsibility of checking on bounties being donated by the Farm Bureau. In looking at that, the County is able to receive donations from the Farm Bureau. You can receive this donation and appropriate as you would like to. The Farm Bureau said they are not willing to make the donation in a lump sum. They want to wait and see what happens. I suppose you could front the money and hope that they contribute. There is no way contractually to enter into an arrangement with the Farm Bureau. You would have to do it somewhat on faith. You can limit the amount of money you appropriate. So the jest of it is, you can accept donations and you can't contract with Farm Bureau. You'd have to advance the money on faith or accept a lump sum and they did not want to do that. You will have to have in place an ordinance. The other thing is how you regulate who receives the bounty. That will be up to the Animal Control Officer or whoever you designate to make sure that you have verified that coyotes was actually killed in the County.

Supervisor Kitchen: Who sets the amount per animal that we pay?

E.M. Wright: The County will have to pay the money.

Supervisor Bates: You may not have looked this far into it but is there anything that prohibits the Farm Bureau itself advertising to pay the bounty and keep the County out of it?

Mr. Wright: The County has to have the authority to enact an ordinance to say that bounties will be paid. That is my reading of that.

Supervisor Bates: So it can't be an arrangement by a private entity.

My personal thoughts on it from what the Game and Inland Fisheries show is that the bounties don't stop the problem. To me, if a coyote is coming after my animal, I'm going to kill it whether somebody is going to pay me or not.

Supervisor Talbert: I think the bounty gives people the incentive to go out and kill them. I know my cousin right across the road, he trapped one last year and he said, "Do y'all have a bounty?" He would've been tickled to death to get a \$50 bounty from the Farm Bureau. I think it would get more young people involved in it. I'd be in favor of the ordinance so they could do it.

Supervisor Kitchen: The Animal Control Office determines if a coyote kills a calf, do we have to pay for that calf?

Mr. Wright: No. Just dogs. The statute that deals with that relates simply to dogs. That is all the authority the state gave you.

Supervisor Kitchen: The only problem with that, these coyotes are as big as dogs, they will have a hard time determining whether it's coyote or dog.

Supervisor Talbert: Why don't we try it on a trial basis, a year or something like that to see how it works?

Mr. Wright: We can proceed and draft a, revisit the ordinance that you had before you last year and set up an advertisement for public hearing.

Supervisor Talbert moved, Supervisor Kitchen seconded to proceed under the direction of the County Attorney. The motion passed with a five to one vote with Supervisor Bates voting against.

Mr. Wright: The second item I have, if you remember several months ago I appeared before you and asked for an appropriation of money to negotiate with the Smith's for property for an extension of raising the water in the water shed for the water plant. We have not been able to successfully negotiate a conclusion to that. In order for the project to proceed, it is going to be necessary at this point to proceed with eminent domain. So the Board understands, water already floods their property, they will raise the spillway a little bit on their property. It will take approximately .75 acre. There are two things that need to happen. First we need to hire a real estate appraiser to have that property appraised so we can make a proper offer. We have to find out what this property is worth. After that is done, we have to file for eminent domain proceedings in the Circuit Court. So tonight, I'm asking your permission to hire a certified real estate appraiser. I would like to suggest Lewis Johnson; we have used him in the past. I've talked with him and he has to appraise the property, then he has to do comparables. If everything goes through, he will have to testify and have depositions. He suggested that his fee should not exceed \$3,000. He doesn't think it will get that high, but I don't want to do by ambush. So I'm asking for a motion tonight to engage Mr. Johnson as real estate appraiser for this particular project.

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve for the County Attorney to hire Lewis Johnson as a real estate appraiser for the Smith project with an appropriation of up to \$3,000 for his fee.

Re: Public Hearing: Kevin Flippen, E-911 Coordinator/Deputy Emergency Services Coordinator regarding Emergency Operation Plan

Mrs. Carter: This public hearing is regarding the Emergency Operation Plan for Buckingham County. We are required by the State to update it. They have been working on it for over a year now and the state has approved everything that has been incorporated into the plan. So the public hearing is to give the public an opportunity to speak regarding this plan.

Chairman Snoddy declared the public hearing open for public comment.

There were no comments.

Chairman Snoddy declared the public hearing closed.

Supervisor Bates moved, Supervisor Kitchen seconded and was unanimously carried by the Board to approve the Emergency Operation Plan as developed.

Re: Consider resolution of support for Buckingham Branch Railroad

The Buckingham Branch Railroad leased 200 miles of track from CSX and commenced operations December 20, 2004. This operating lease was for tract from Clifton Forge, VA to Richmond Va including 9.9 miles known as the Orange Branch.

Buckingham Branch Railroad is requesting Buckingham County to adopt a resolution supporting their request for funds from the Virginia Department of Rail and Public Transportation Rail Preservation Fund. Buckingham Branch Railroad will provide the local matching funds if these grants are approved.

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to adopt the following resolution in support of Buckingham Branch Railroad seeking funds from the Virginia Department of Rail and Public Transportation

**RESOLUTION ENDORSING
RAIL PRESERVATION APPLICATION OF
BUCKINGHAM BRANCH RAILROAD COMPANY**

WHEREAS, the Buckingham Branch Railroad desires to file an application with the Virginia Department of Rail and Public Transportation for funding assistance for the projects; and

WHEREAS, Buckingham Branch Railroad has identified projects that are estimated to cost \$600,000; and

WHEREAS, the General Assembly, through enactment of the Rail Preservation Program, provides for funding for certain improvements and procurement of railways in the Commonwealth of Virginia; and

WHEREAS, the Buckingham Branch Railroad is an important element of the County of Buckingham transportation system; and

WHEREAS, the Buckingham Branch Railroad is instrumental in the economic development of the area, and provides relief to the highway system by transporting freight, and provides an alternate means of transportation of commodities; and

WHEREAS, the County of Buckingham supports the project and the retention of the rail service; and

WHEREAS, the Commonwealth Transportation Board has established procedures for all allocation and distribution of the funds provided.

NOW, THEREFORE, BE IT RESOLVED, that the County of Buckingham Board of Supervisors does hereby request the Virginia Department of Rail and Public Transportation to give priority consideration to the projects proposed by the Buckingham Branch Railroad.

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the March 9, 2009 meeting and sent to Buckingham Branch Railroad.

ADOPTED: March 9, 2009

Signed: _____
Rebecca S. Carter

Title: County Administrator

Re: Consider resolution of Congratulations for Sandra Moss

We are very fortunate to have a person in our County that has been awarded the Manheim's Fifth Annual Barbara Cox Anthony Automotive Woman of the Year Award and that is Sandra Moss.

Supervisor Bates moved, Supervisor Kitchen seconded and was unanimously carried by the Board to adopt the following resolution of congratulations for Sandra Moss:

**RESOLUTION
OF CONGRATULATIONS
TO SANDRA MOSS**

WHEREAS, Sandra Moss, along with her husband, Bill Lewis Moss and son, Billy, established Moss Motor Company in 1984;

WHEREAS, Sandra Moss serves as Chairwoman of the Board of the National Independent Dealers Association after serving as the second female president to the organization in 2007;

WHEREAS, Sandra Moss is a graduate of the first class of the NIADA Certified Master Dealer Program in 2001, a member of NIADA since 1984, NIADA Treasurer and NIADA Region 1 Vice President, President of the Virginia Independent Dealers Association in 1997, VIADA Vice President, and two time recipient of the VIADA Quality Dealer Award in 1996 and 2007;

WHEREAS, Sandra Moss was instrumental in developing the Buckingham Chamber of Commerce, and serves as Vice Chairwoman of the Fuqua School;

WHEREAS, Sandra Moss was awarded the Manheim's Fifth Annual "Barbara Cox Anthony Automotive Woman of the Year Award on January 26, 2009 in New Orleans, an annual award created to honor women who have been leaders in their profession and have contributed to improving the automotive industry;

NOW, THEREFORE, BE IT RESOLVED that the Buckingham County Board of Supervisors would on this 9th day of March, 2009, pay tribute and honor to Sandra Moss for her leadership, integrity and valued customer service in her career.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman

Re: Consider resolution honoring NAACP 100th Anniversary

Last month, Supervisor Chambers requested that a resolution be drafted in honor of the NAACP celebrating their 100th Anniversary.

Supervisor Chambers moved, Supervisor Bates seconded and was unanimously carried by the Board to adopt the following resolution honoring the NAACP 100th Anniversary:

**RESOLUTION
100TH ANNIVERSARY
NAACP**

WHEREAS, The NAACP was founded in 1909 by Ida Wells-Barnett, W.E. B. DuBois, Henry Moscowitz, Mary White Ovington, Oswald Garrison Villiard, William English Walling, in a little room of a New York apartment with Abraham Lincoln's birthday, February 12, being the chosen date to open its campaign;

WHEREAS, The NAACP is a non-profit organization and is the nation's oldest and largest civil rights organization;

WHEREAS, The NAACP's mission is to ensure the political, educational, social, and economic equality of rights of all persons and to eliminate racial hatred and racial discrimination;

WHEREAS, from corporate partnerships to tireless volunteer labor, the NAACP has evolved to meet the challenges of the day, while remaining true to its original mission;

NOW, THEREFORE, BE IT RESOLVED, that the Buckingham County Board of Supervisors does, on this 9th day of March, 2009, pay tribute to and acknowledge the 100th anniversary of the NAACP.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman

Re: Consider Business Appreciation Reception

For the past several years the County has hosted a business appreciation reception for the local businesses. Last year the total cost was \$2,043.72. This amount included formal invitations, postage, gift tokens and catering. I believe that if we advertise through the newspaper, radio and even the red alert system to invite the area business owners to the reception and eliminate the gift tokens, we could possibly provide the reception for around \$1,200.

Business Appreciation Week is May 10th through 16th. I request that if you choose to continue this small token of appreciation to our county businesses, please authorize me to request catering quotes.

Supervisor Bates moved, Supervisor Kitchen seconded and was unanimously carried by the Board to approve up to \$1,200 for the reception for Business Appreciation Week and authorize requesting catering quotes.

Re: Re-Consider parking designation of Solid Waste Trucks

During the February Board meeting, the Board voted to park county vehicles at the County properties on a six month probationary period to see if any savings is realized.

Since that time several board members that voted to park the vehicles have suggested that possibly the solid waste trucks should be reconsidered. I also recommend that you reconsider the solid waste trucks.

Chairman Snoddy stated that the motion said that we would try this for six months and then revisit it at that time. We should continue in that directions and look at it when the six months are up.

Re: Update regarding Bear Hunting Season Proposal

Mrs. Carter: I only have one item for you tonight. That is regarding the proposed hunting season for bear. It appears that they put together a package that went to their board and it did not include the request of the Board of Supervisors. They said that we are grouped with other counties south of us and it would really throw a wrench in things to change one county.

They had a meeting in Richmond on February 27th in Richmond but there will be one at Prince Edward High School on March 24th. We will have to get a time for you.

Re: Schedule Change for the Budget Work Session

Mrs. Carter: In January you adopted a proposed budget schedule. In that schedule, the County Administrator is to issue to you a recommended budget on March 16th with budget work sessions scheduled on the 18th and 19th. We are starting to get together information from the state regarding the constitutional officers. There is stimulus money out there for the schools. The do not know yet what category or how they can use that money. So it is very difficult for us to get this information in and get it together for you by the 16th. Therefore, I am requesting a change in that schedule to change to where the work session would be on the 25th and on the 26th if necessary. We can get it to you on the 23rd. There seems to be a conflict on the 25th, and the Planning Commission meets on the 23rd.

Supervisor Bates: Well, we've met before during the same time as Planning Commission. Budget year this year is terrible. Do you think you could get the budget to us by the Friday before the 23rd?

Supervisor Kitchen: I remember meeting the same time as the Planning Commission when I was on the Planning Commission.

Mrs. Carter: Yes, we will find a way.

Supervisor Bates: I make a motion that we have a work session on the 23rd at 7:00.

Supervisor Kitchen: I second.

Supervisor Allen: If we can make it around 5:00, then I can go to both meetings.

Supervisor Bates: I'm out of town the 25th, 26th, and 27th of March. I can't do it. Bill will be out of town all that week.

Supervisor Bates: How about the 24th at 6:00 p.m.

Mrs. Carter: Do you want the School Board to meet that day also.

Supervisor Bates: If they could meet on that day, that will be better. We can meet at 7:00 p.m.

Supervisor Bates moved, Supervisor Kitchen seconded was unanimously carried by the Board to change the budget work session to March 24th at 7:00 p.m.

Supervisor Bates moved, Supervisor Kitchen and Chambers seconded and was unanimously carried by the Board to rescind the previous motion to ask the County Administrator to ask the school board to meet on the 24th instead of the 23rd at 5:00 p.m.

Re: Board matters

Supervisor Allen: We were talking about people driving and leaving their vehicles at home. Todd Shumaker just started his season with soccer and his work at Gene Dixon Park. I'm not saying to take it home all the time, but what I want to do which will make it work, he keep his vehicle all day and bring it back up here at night when he finishes up.

Supervisor Kitchen: Yeah, bring it back at night when he finishes up.

Supervisor Allen: One more thing, we've got trash cans on Rt. 617. I've gotten several complaints about it being unsafe pulling out and that it is muddy. If we are going to do anything about it, we will have to acquire property right there because Buckingham County does not own that property. If you want me to do it or appoint somebody to check into who owns it and to acquire the property. I'd like to get an acre and a half or two acres.

Supervisor Talbert: It's your district isn't it? Then go for it.

Supervisor Bates: Mr. Chairman, just so Danny is aware. I will be opposed to the County spending any money on another solid waste site until I get one in my district. I've got about 200 square miles in my district and not a single solid waste site. That is one thing I get more phone calls about than even VDOT issues. And that is saying something.

Supervisor Allen: We already have this site but we don't own the property. It's unsafe. I don't want another site; I just want to make this one safe.

Supervisor Bates: I guarantee before it's all said and done, from past experience, Bill, we have about \$100,000 in that site in your district.

Supervisor Allen: I don't mind doing it; I just want you to give me the authority.

Mrs. Carter: You can't just buy property; you have to have a public hearing.

Supervisor Kitchen: They might now want to sell it but you can find out who owns it.

Supervisor Allen: So you want me to find out who owns it and see if they will sell it?

Supervisor Kitchen: Yeah.

Re: Executive Session

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

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

Re: Certification of Business Discussed

Supervisor Bates moved, Supervisor Allen 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: Action taken as a result of Executive Session

Supervisor Bates moved, Supervisor Kitchen seconded and was unanimously carried by the Board to accept the personnel committee's recommendation.

There being no further action to be taken, Chairman Snoddy recessed the meeting to reconvene on March 24, 2009 at 5:00 p.m.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman