

**Buckingham County
Board of Supervisors
Monthly Meeting
October 13, 2009**

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Tuesday, October 13, 2009 at 7:00 p.m. in the Buckingham County 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; Danny R. Allen; and John D. Kitchen, Jr. Also present were Rebecca S. Carter, County Administrator and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

Chairman Snoddy 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

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

K-7 Consider putting items in the school auction*

Q. Executive Session

Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Re: Approval of Minutes

Supervisor Kitchen moved, Supervisor Bates seconded and was unanimously carried by the Board to approve the minutes with the following correction:

On page 513 of the September 14, 2009 minutes, Supervisor Bates had voted against the motion to fix the Snapper mower at a price of \$1,370.46 at Scottsville Power Equipment. Therefore the motion passed with a 6-1 vote.

Re: Approval of Claims

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

Re: Announcements

There were no Board announcements.

Re: Public Comment

Janet Miller: Good evening. I'm here tonight for 2 comments. The first comment is to announce the new Buckingham County map, in my capacity as a member of the Buckingham Chamber of Commerce. We would like to say that we appreciate your support in this endeavor and we would also like to present it to anyone interested who had not already received it. This is the second map. The first map came out in 2006. This new map has roads that have been added since that time. We would like to express our praise and appreciation for the two people who were most instrumental in making this map a reality. Those are the map maker, Bill Roland and our artist, Martha Louis. So if you have any more questions or need anymore maps, I have a whole stack of them.

My second comment is an entirely different matter. This is as a member of the Maysville District. This has to do with the newsletter that was put out by the Environmental Protection Agency for October 2009 about the Buckingham Superfund Site update. The information included in this newsletter is to say the least somewhat contradictory. On the one hand they say that our goal was to determine that the background water quality of the area is ok and then it says the EPA is concerned that the current remedy for this site is not protective and that contamination is migrating past the line of the compliance wells that are located on the landfill property. This contradiction of course is something that we can discuss at the information evening, but again when they sent out information, bless their hearts, they don't seem to be able to get it quite right because it says that the meeting is planned for Wednesday evening, October 21st at Buckingham High School but there is no time given. I contacted Mr. Mata, who is the person who is our remedial project manager at the EPA and he sends me a message that the meeting will be at 7:00 p.m. So I did want to make that public. I don't know how many people

received this newsletter but it certainly needs to be broadcast more widely than the EPA is capable of doing apparently.

Mrs. Carter: We received this at the end of last week and Jennifer contacted them, and they said what?

Jennifer: I saw it in the newspaper. They never got back to me.

Mrs. Carter: There is going to be an informational meeting at 6:00.

Tana Knott: The way that the ad in the newspaper reads is that 6-7 is for one on one with any citizen that wants individual time and the public meeting will be 7-8:30.

Mrs. Miller: Bless Their Hearts.

Re: Road Matters, Alan Leatherwood, VDOT Resident Engineer and Resolution regarding changes in the secondary system of state highways.

Mark McKissick: Alan couldn't be here tonight. He had to attend the Cumberland Board meeting. I really don't have anything else to report unless you have additions to highway funds.

Talbert: Chairman, I have one statement to make. I sure appreciate what you all are doing over there on 600. You are doing a good job and all employees. I tell you I can't speak highly enough of them. One is here tonight. It's hard work you are doing. I appreciate what you and your staff, employees are doing. It is dangerous with them limbs hanging over and now it looks like a super highway through there.

McKissick: Don't say super highway. Just a good road.

Talbert: It's a super highway compared to those dirt roads.

McKissick: It is a good road.

Kitchen: You asked us to approve a resolution. I rode through there and they are some nice roads.

McKissick: Yes sir.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the following resolution:

The Board of Supervisors of Buckingham County, in regular meeting on the 13th day of October, 2009, adopted the following:

RESOLUTION

WHEREAS, the street(s) described on the attached Additions Form SR-5(A), fully incorporated therein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Buckingham County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add Ridge Lane (State Route 1040); Bolling Place (State Route 1041); Forest Pass (State Route 1042); Beaver Lane (State Route 1043) and Beaver Place (State Route 1044), the street(s) described on the attached Additions Form SR-5(A) to the secondary system of state highways, pursuant to §33.1-229, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Recorded Vote

A Copy Teste:

Moved by: John Kitchen, Jr.

Seconded by: F.D. "Danny" LeSueur

Rebecca S. Carter
County Administrator

Yeas: 7

Nays: 0

LeSueur: It's hard to talk about something that you don't have the money to talk about.

**Re: Zoning Matters: Recommendation of the Planning Commission
regarding Case 09-SUP179 Mud Bog Events**

Rebecca Cobb: The first item I have for you tonight is a Special Use Permit for a Mud Bog. The applicant is Allen "Troy" Herndon. The Tax Map is 16 Parcel 38 on Rt. 652 in the Slate River

Magisterial District. The property is currently zoned A1. Mr. Herndon is requesting that you approve a Special Use Permit for him to hold Mug Bog Events. The applicant has been informed that he needed to apply and he had already scheduled one event. I will let you know that there is currently some charges against him for violating the Zoning Ordinance for this. He has put in an application and it has gone through the Planning Commission. The Planning Commission held a public hearing on September 28, 2009. The vote was 6-2 to recommend approval. Two voted against. One was Mr. Hank Hagenau and he expressed concerns with Erosion and Sediment Control. The applicant had not provided an Erosion and Sediment Control Plan and there is a creek on the property. He also expressed concerns that the applicant had not contacted the Health Department. Since that time, he has contacted them and is working to be in compliance. From what the health department told me, he will be required to have a state certified mobile unit at each of these events. Those are units where people are certified, they have a unit, he needs to contact them and have them agree to come to his event and he inform the health department and they ok it. He did inform me tonight that he plans to maybe do something a little different. I'll let him elaborate on that with you. The Planning Commission has overall recommended approval and there are conditions for your consideration.

These conditions are:

1. That all federal, state, and local regulations, ordinances and laws be strictly adhered to.
2. The applicant/owner/operator shall notify the Sheriff's Office two weeks prior to any event.
3. That commencement of the business shall begin within one year of the approval by the Board of Supervisors or this special use permit shall be null and void.
4. The events shall not occur more frequently than once per month.
5. That the applicant pursues a commercial solid waste container and follow the County solid Waste Ordinance.
6. There shall be no erosion or stream pollution related to these events and the property owner shall be responsible for any correction measures in the event of erosion or pollution problems.
7. That all documentation submitted by the applicant in support of this special use permit requests becomes a part of the conditions.
8. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operative any facility or to grant any permits or approvals except as may be directly related hereto.
9. Right of ways and roadway shoulders shall not be used for parking.
10. That the property be kept neat and orderly.
11. The owner shall hire private rescue if the County becomes burdened with rescue calls from the facility and/or if the insurance company requires rescue be onsite during operations.
12. The permit shall be valid for a period of three (3) years. If the applicant/owner wishes to seek an extension the request shall be brought before the Board of Supervisors.
13. 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

14. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Planning Commission or Board of Supervisors.
15. That the applicant (s) understands the conditions and agrees to the conditions.

Kitchen: What is the status of the violation?

Cobb: He has had the first court date and he asked for postponement to seek counsel. We are to continue that case October 30th.

Kitchen: Joe, this is your district, have you heard any problem?

Chambers: Well, people I've talked to do not have a problem.

Kitchen: We can approve this or have a public hearing right?

Cobb: The Board has the option to set a 2nd public hearing. There were quite a few people at the first public hearing. Most of those that spoke, spoke in favor of it as well as Mr. Herndon asked the general public that was sitting there if they had any problems and those that lived close to his residence said they didn't have a problem. But you can decide whether to hold a second public hearing or go ahead and make a decision based on the Planning Commission's recommendation.

LeSueur: I would add too, with Joe, I've talked to several people that have participated in and gone to, and they say it's as nice as or nicer than the one in Cartersville. I am for this.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the special use permit to Allen "Troy" Herndon for holding Mud Bogs.

Mrs. Carter: Mr. Chairman, what regulations are you requesting regarding the health department so we will be clear as what needs to be done?

LeSueur: I'd like him to speak regarding what he plans on doing to start with.

Bates: Mrs. Carter, if I may, the health department regulations seem to fall under condition 1 of the special use permit which says: "That all federal, state and local regulations, ordinances and laws be strictly adhered to."

Mrs. Carter: That's true but Mrs. Cobb just said he possibly has something else he wants to do and I think the way that reads must mean health department.

Mr. Herndon: Good evening Board. Thank yall for looking over the situation. The health permit field, I don't know if you know where Ali's place, I'm sure yall do. They are going to

take care of any events that I have in the future, whether it will be in the next couple weeks or whenever it may be, they are going to do the cooking at Ali's itself and bring it down there. I haven't talked to Mr. O'Bryant about it, but that's the way I'm going to try to approach it until I can get my certification and trailer set up so I can cook. I've cooked at Mud Bog events in Woodbridge which is in Albermarle County, 15 miles over the bridge for 3 years. Hadn't had any trouble, we've been doing that for a hunting club. Now I have to do something that is state certified for Mr. O'Bryant. I would like to address this man, (referring to Mr. Hagenau). I did fill the paperwork out, Mr. O'Bryant was supposed to get in touch with people, but they gave me the wrong paperwork. As far as the pond is concerned, I told the Planning Commission that when I do these things, no sediment is going into my big pond. I have 2 ponds there and a catch pond. I've had Mr. Hall there, which is the County Forester, he's looked at everything and I'm in compliance with everything. I have an erosion and sediment control permit myself, being a general contractor; I took all measurements to keep it out of the ponds and out of the streams. I don't want it in the streams either. So that's where I stand on the two issues. I did get in touch with the health department.

Kitchen: According to the map, you are about 600 feet off the highway, is that correct?

Mr. Herndon: Well over 600 ft, yes sir. Can I make a comment for the 1-15 to yall so yall can change anything or no? I just want to, when I come back in three years, I'd like to entertain, I've gone through a lot of expense. I spend over \$1700 the other day for asphalt the other day and I've got VDOT coming out tomorrow morning to inspect the thing coming off the road. This thing here says I can hold 1 event per month and I would like to ask for 2 events a month, if I can't do it tonight, in three years I'm going to ask for it then.
Thank yall a lot.

Re: Request for feedback from the Cell Tower Master Plan Presentation

Mrs. Cobb: The next item I have is about the cell tower master plan. If you remember, Susan Rabold from Cityscapes Consultants had presented you all with the master plan information for the cell towers. She has asked for any feedback from you all that you might have. If you could get me your comments by October 19th, then I can pass them on to her. This is a draft at this point and they want to get all their information in there that you may have concerns about so if you could get me any comments by October 19th, I could pass that along to her.

Re: Dominion Power/Bear Garden

Mrs. Cobb: I have one additional item, if I may, tonight that I would like to make you aware of. Stuart Mitchell with Dominion Power, he's working at the Bear Garden center that's being constructed right now, he has come across a problem there. They are starting to order the lights. One of the special use permit conditions say that it should be shoebox style lighting and specifies candle powering and so forth. They can get the shoebox style lighting for all the lights on the parking and the roadways but their concern is that they have not been able to find shoebox lighting to go on the boilers and equipment itself. They have provided me with a letter from the

manufacturer saying that they don't actually make shoebox style lighting to be mounted on the boilers and so forth but he's provided me with other lighting they plan or hope to use. He had informed me that it is the same candle power and all that is the same, just the style and shape of it is different. I don't really see a problem with my research with approving this different light. It seems that they are stuck. I just wanted to make you aware of that. I've got the document with me tonight if you would like to look at them and see what the style difference is.

Bates: Becca, is the light they propose to use achieve the intent of the permit requires?

Mrs. Cobb: Yes.

LeSueur: I don't have a problem with that. Supervisor Allen will probably know more about that.

Allen: It's the same. Do we need a motion?

LeSueur: I think we can just go ahead and reflect that.

Bates: We are changing a special use that's been issued. But if we can get a written opinion from you saying that it complied with the intent of the conditions, then there wouldn't be no changes required.

Becca: I can get that to you. Thank you.

Re: Resolution in Memoriam to Charlie Walker Mosley

Supervisor Chambers moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve the following resolution in memoriam of Charlie Walker Mosley:

RESOLUTION IN MEMORIAM TO CHARLIE WALKER MOSLEY

WHEREAS, Charlie Walker Mosley departed this life on September 9, 2009 at the age of 99.

WHEREAS, Charlie Walker Mosley was born on May 6, 1910 in Buckingham County to the late Frank and Nannie Mosley.

WHEREAS, Charlie Walker Mosley was preceded in death by his loving wife, Maria L. Mosley. He is survived by 5 daughters, Doris M. Banks; Shirley M. Smith; Pauline M. Ayers and her husband, David; Florence M. Perkins; and Carol M. Thomas and her husband, Ernest; and a son, Charles W. Mosley and his wife, Theresa of Richmond; a daughter at heart, Ruth M.

Banks of Fork Union; 23 grandchildren; 44 great grandchildren; 8 great-great grandchildren; and many nieces, nephews, cousins and friends.

WHEREAS, Charlie Walker Mosley was a member of Ridgeway Baptist Church in Scottsville, a World War II Veteran and a member of the Keystone #188 Masonic Lodge. He was a retired employee of the Virginia Department of Transportation.

WHEREAS, Charlie Walker Mosley was loved and respected by many and will be greatly missed by all who knew him.

NOW, THEREFORE, BE IT RESOLVED, that the Buckingham County Board of Supervisors does, in memoriam on this 13th day of October, 2009, pay tribute to and express its highest esteem for Charlie Walker Mosley and extends its deepest sympathy to his loved ones.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman

Mrs. Carter read the resolution to the public. Chairman Snoddy presented the resolution to Ms. Pauline Ayers and Florence Perkins, daughters of Mr. Mosley.

**Re: Jamie Shumaker, IT Manager; Proposed Buckingham County
Technology Use Policy and Proposed Technology Manager Use Policy**

Jamie Shumaker: I have two items for your approval tonight. First being the County Technology Use Policy. Second item being the Technology Manager Use Policy. Both of these policies have been reviewed by the County Attorney also.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve both policies as presented.

Guidelines for IT Managers and Network Administrators

IT Managers and network administrators (ITM), by the nature of their work, have privileges and responsibilities that other users of technology generally do not have. Without system privileges, ITM would not be able to do their jobs. The use of these privileges must be wise and thoughtful. These guidelines were developed to articulate responsibilities ITM has in addition to those outlined in the Buckingham County Acceptable Use Policy.

1. ITM are bound by the Computer Systems Acceptable Use Policy.
2. All ITM have an additional responsibility to assure the operation, security and integrity of Buckingham County's computers, networks, and data.
3. Consistent with the other obligations imposed on them under the Buckingham County Acceptable Use Policy and the law, ITM shall treat as confidential any private and/or confidential information obtained during system administration.
4. ITM shall not disclose privileged and confidential information about Buckingham County's systems or any other information that could prove detrimental to operations or compromise system security. "Confidential Information" means information (in whatever format and medium and whether written or oral) directly or indirectly concerning matters to which persons feel that the information is private. This information may reside in an email, stored electronic documents, written or spoken.
5. It is against Buckingham County Policy for an ITM to read a user's files. However, ITM, in the course of routine system administration, may need to archive user files or messages. In order to do this, ITM must first make aware a clear policy to the users describing how and when delete or archive actions will be taken.
6. When reacting to or preventing actions by users that may violate the Buckingham County Acceptable Use Policy or other actions by users that may have significantly detrimental effects on system or network operation, ITM may need to read, modify or delete user files or messages. This shall only take place with permission from the Buckingham County Administrator.

BUCKINGHAM COUNTY TECHNOLOGY USE POLICY

Policy Statement

The County Of Buckingham expects all technology users to use County resources in a responsible and ethical manner as outlined in the policies herein. County technology refers to County owned computers, computer network, Internet and telephone network, as well as mobile devices (cell phones and hand-held radios). These policies apply to all employees who are granted access to the County's computers, computer network; including Internet and E-mail and the County's telephone network. Access to these systems is provided at the County's discretion. The use of the County's technology systems by an employee or other user constitutes acceptance of and consent to the provisions of this policy. Any violations of these policies shall be reported to the County Administrator or designee and may be subject to disciplinary action up to and including dismissal.

Prohibited Technology Activities/Uses

- Accessing, downloading, printing, storing, sending or knowingly receiving information with sexually explicit content.
- Downloading or transmitting fraudulent, threatening, obscene, intimidating, defamatory, harassing, discriminatory, or otherwise unlawful messages or images;
- Installing or downloading computer software, programs, or executable files contrary to policy;
- Uploading or downloading copyrighted materials, or proprietary County information;
- Sending E-mail using another's identity, an assumed name, or anonymously;
- Any other activities designated as prohibited by the County.

I. Computer/Network Use

Employees are given access to County computers/network to facilitate the efficient performance of County business.

A. Security

Employees are required to protect their individual identities on County computers with confidential passwords in order to maintain the integrity of the user's identity and the County's network. Users will be held responsible for all activities on their user IDs or, where applicable, that originates from their assigned computer. The County reserves the right to require disclosure of users' passwords when deemed necessary.

Users are expected to lock or sign-off of their assigned computers when away from their work stations for extended periods of time. Users should not post or leave their passwords in an easily accessible place. Users should only access those County programs for which they are authorized.

Any unauthorized access is strictly prohibited and may be subject to disciplinary action.

B. Downloading

Employees are expected to use virus checking software before downloading files or programs from the Internet, newsgroups, bulletin boards, other online services or opening files attached to e-mails from unknown sources. Viruses may cause damage to County computers or the County's network. If you suspect that a virus has been introduced into the County's network, notify the IT Manager or designee immediately.

C. Software

Users of County computers are expected to use only legal versions of copyrighted software in compliance with the vendor license requirements. Only computer software programs and hardware (including accessories) supplied by the County are to be installed in County computers, unless otherwise authorized by the County Administrator or designee.

This includes, but is not limited to, software used to access outside Internet Service Providers, (ISPs) such as AOL, without permission. Computer data files are not to be removed from County premises except as specifically authorized and computer software programs are not to be copied.

D. Computer Purchases

Purchases of computers for County use shall be coordinated with the County Administrator or designee. This is to ensure that the County utilizes any Government contract pricing that is available and that computer specifications and software packages are compatible with the County's computer network.

E. Technical Difficulties

Any computer malfunction must be reported to the IT Manager or designee immediately. Employees must not try to solve computer problems unless they are of a routine nature. If you suspect that a virus has been introduced into the County's network, notify the IT Manager or designee immediately.

F. Employee Rights

Employees should have no expectation of privacy in anything they create, store, send or receive using the County's computer equipment or network and expressly waive any rights to privacy. The County has the right to monitor and log any and all aspects of its computer system including, but not limited to, monitoring Internet sites visited by users, monitoring chat and newsgroups, file downloads, and all communications sent and received by users. Any and all programs and files stored on a County owned computer is deemed property of the County.

II. Internet Use

Employees are given access to the Internet to facilitate the efficient performance of County business. Personal use of the internet shall be kept to a minimum. The term "Internet" refers to the World Wide Web, list-servers, USENET news groups, Internet chat rooms, and other Internet resources and services.

A. Inappropriate Websites

Given the global nature of the Internet, users may encounter material that is inappropriate, offensive and in some cases illegal. Users are responsible for ensuring that any websites visited and any material reviewed or downloaded from the Internet is in accordance with this policy. Any inadvertent inappropriate site visits or encounters of inappropriate material by users should be reported to their supervisor.

B. Employee Rights

Employees should have no expectation of privacy in anything they create, store, send or receive using the County's Internet access and expressly waive any rights to privacy. The County has the right to monitor and log any and all aspects of its computer system including, but not limited to, monitoring Internet sites visited by Users, monitoring chat and newsgroups, file downloads, and all communications sent and received by users across the World Wide Web. The County reserves the right to utilize software that makes it possible to identify and block access to Internet sites containing sexually explicit or other material deemed inappropriate in the workplace.

III. Electronic Mail (E-mail) Use

Employees are given access to County E-mail to facilitate the efficient performance of County business. However, users employing the County's E-mail system for personal use must present their communications in such a way as to be clear that the communication is personal and is not a communication of the County. Keep in mind that E-mail containing the County's domain address __@buckinghamcounty.virginia.gov may be perceived as reflecting on the character and professionalism of the County organization.

A. Expectations

All County employees that have been identified as a user on the County's computer network have been given an E-mail account. It is expected that all users will access their account at least daily to ensure receipt of E-mail messages that may be vital in the performance of their duties.

B. Security

Employees are expected to protect their individual identities on the County E-mail system with confidential passwords, in order to maintain the integrity of the user's identity. Users will be held responsible for all E-mail activities on their user IDs or, where applicable, that originates from

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their assigned computer. The County reserves the right to require disclosure of E-mail passwords when deemed necessary.

C. E-mail Attachments

Users must exercise caution when opening E-mail that contains file attachments. Never open any E-mails or attachments from unknown sources.

D. E-mail Etiquette

Identify yourself clearly and accurately in all electronic communications. Concealing or misrepresenting your name or affiliation to dissociate yourself from your communication is never appropriate. Respect and maintain the integrity of the original author. Alteration of the source of electronic mail, message, or posting is unethical and possibly illegal. Use care that your use of E-mail does not damage or place excessive load on E-mail or other County resources. Refrain from sending chain mail (which is illegal) and junk mail (mass mailing unrelated to County business and unlikely to be wanted by the majority of recipients). The use of broadcast mail (sending the same note to groups of employees) places stress on the E-mail system. It should be used selectively for compelling mission-related reasons only.

Users are encouraged to utilize the “Out of Office” reply function when out of the office for extended periods of time; that indicates who to contact if immediate assistance is needed and your expected return date. This will ensure that business needs will be met in your absence. Users should use the same care in drafting E-mail and other electronic documents as they would for other written communications. Electronic records may be subject to Freedom of Information Act (FOIA) and, therefore available for public distribution.

E. E-Mail Management/Retention

Use of E-mail archiving is strongly encouraged in order to maintain optimal functionality of the County’s E-mail server. E-Mail messages older than 1 year may be automatically purged from the system. Deletion schedules will be determined by the County Administrator or designee and communicated before automatic purging occurs

F. Monitoring of E-mail

The County reserves the right to monitor all aspects of the County’s E-mail system. It is a violation, however for any user to use the E-mail and computer systems for purposes of satisfying idle curiosity about the affairs of others, and/or with no substantial business purposes for obtaining access to the files or communications of others.

The contents of electronic mail properly obtained by monitoring, for legitimate business purposes, may be disclosed within the County organization without the permission of the user. However, any internal

disclosure without the consent of the employee who sent the message should be limited to those who have need for access to the information.

IV. Phone and Mobile Device Network/System Use

Employees are given access to the County phone network to facilitate the efficient performance of County business. Personal phone calls shall be kept to a minimum.

A. Expectations

All County employees that have been identified as a user on the County's phone network have been given a station/User ID with a corresponding voice mail box. It is expected that all users will access their voice mailbox as needed and in a timely manner, to ensure receipt of voice mail messages that may be vital in the performance of their duties.

B. System Etiquette

Users are encouraged to record or activate an "Out of Office" voice mail greeting when out of the office for extended periods of time; that indicates who to contact if immediate assistance is needed and your expected return date. This will ensure that business needs will be met in your absence.

C. Transferring Calls

Most users are grouped individually under a main department number. When transferring outside calls, transfer them to the group's main department number and not to an individual's extension. This will avoid inadvertently giving the public a person's direct line number, when it is not desirable and will provide for effective call handling according to each Department's needs.

D. Employee Rights

Employees should have no expectation of privacy in anything they create, store, send or receive using the County's phone system and expressly waive any rights to privacy. The County has the right to monitor and log any and all aspects of its phone system including, but not limited to, all messages created with, sent and received by users of the system and/ or stored within the hardware and software systems administered by the County. Users do not have a personal privacy right in using the County's phone system.

E. Technical Difficulties

Any telephone malfunction must be reported to the County Administrator or designee immediately. Employees must not try to solve telephone problems unless they are of a routine nature.

**BUCKINGHAM COUNTY TECHNOLOGY USE POLICY
ACCEPTANCE**

I have been given a copy of the Buckingham County Technology Use Policy and I understand that it is my responsibility to read and abide by this policy. If I have any questions about this policy, I understand that I should ask my supervisor or the County Administrator or designee for clarification.

If I do not sign this acceptance, my supervisor will be asked to initial this form indicating that a copy has been given to me and that this statement has been read to me. Failure to sign this acceptance, however does not exempt me from the policies outlined herein. I acknowledge that use of County technology constitutes acceptance of these policies.

EMPLOYEE'S NAME: _____

SIGNATURE: _____

DATE: _____

Bates: Do these then become part of our Personnel Policy, Becky?

Mrs. Carter: I need to clarify that. I don't believe these become part of the Personnel Policy. This policy will cover any County employee that uses a County computer or county paid internet service. Not all county employees are under the County Personnel Policy. Not all constitutional officers are under our personnel policy.

Bates: So it's anyone who has access our technology.

LeSueur: Will that be just the first one or both?

Mrs. Carter: The second one applies only to the manager.

LeSueur: So that will probably be in the policy.

Mrs. Carter: That could be incorporated in the policy but to change the personnel policy or amend it; you have to have a public hearing.

Bates: I wasn't sure if they needed to reside there or not. General technology one applies to anyone who has access to county technology whether they work for the Board of Supervisors or not.

Re: Consider appointment to the Old Dominion Resource Conservation and Development Council

Bates: I've talked to several people and they did not have time to get back to me. I don't have anyone right now.

LeSueur: I don't have anyone at this time.

Bates: Becky, do we need to reappoint you as alternate?

Mrs. Carter: Yes, it will probably be a good idea.

Supervisor Bates moved, Supervisor Chambers seconded and was unanimously carried by the Board to reappoint Rebecca Carter as the alternate for the Old Dominion Resource Conservation and Development Council.

Bates: Could you please send Cassandra a letter thanking her?

Mrs. Carter: Yes

Re: Consider recommendation of the Water/Sewer Committee to appropriate \$400,000 of Water System Funding to Capital Improvements

It is the recommendation of the Water/Sewer Committee that the Board appropriate up to \$400,000 of the Water Sewer Fund to be restricted for expenditures for Water Plant Capital Improvements. This money must be “restricted” to Capital Improvements for the Water Plant in order to be compliant with the Rural Development Loan and Grant Application. Expenditures of these funds will be brought back to the Board of Supervisors for final approval.

Supervisor LeSueur moved, Supervisor Chambers seconded and was unanimously carried by the Board to appropriate up to \$400,000 from the Water Sewer Fund to be restricted for expenditures for Water Plant Capital Improvements.

Re: Consider request for the Expenditure of Sewer Project Rural Development Grand Proceeds in the amount of \$55,000 and the transfer of the remainder of the Rural Development Grant Proceeds to the New Sewer Project Design Fund.

The I & I Project in Dillwyn is almost completed. There is grant money left over in this project that the County needs to obligate. I would like to request that the Board appropriate \$55,000 to purchase equipment for the Wastewater System

Below is a list of this equipment:

Backup pumps for the middle school, high school and Industrial Park Pump Stations.
Backup pump for the influent flow at the wastewater plant.
Replacement transfer pump
Dissolved oxygen meter
Influent flow meter
Chlorine scales, injectors and regulator
Weed eater and push mower
Backup blower and motor
All of the above equipment is needed for backup or replacement of existing equipment.

The \$55,000 appropriation would also include the following purchases:

Camera for filming the sewer lines to identify problems
Pole Saw for cleaning and cutting back existing right of ways

The remaining funds from this project will be appropriated to help pay engineering fees for the design of the new Wastewater Plant.

The deadline for withdrawing this money is November 9, 2009. The County will not spend any of these funds until we meet the County's procurement procedures.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to appropriate \$55,000 to purchase equipment for the Wastewater System from the Dillwyn I & I grant.

Re: Consider authorization to seek negotiations with the users of the Social Services/Health Department/County Administration complex for rental agreement and to seek funding for this project

I seek your authorization to begin rental negotiations with the users of the Administration Complex based on the square footage proposed for each department. I also seek authorization to begin the process to seek funding for the remainder of the project. All information will be brought back to the Board for your consideration.

Supervisor Bates moved, Supervisor LeSueur seconded and was unanimously carried by the Board to authorize the County Administrator to begin rental negotiations with the users of the Administration Complex and to begin the process to seek funding for the remainder of the project.

Re: Consider letter of support for the Buckingham County Rescue Squad creating a grant for acquiring new "Tough Books"

The Board of Directors of the Buckingham Rescue Squad in accordance with the wishes of the membership, ask that the Board would write a Resolution in support of our creating a grant for acquiring new "Tough Books" to be placed in each of the response vehicles of the squad. The use of these books will greatly facilitate the recording of all the statistical information we must collect. They will save time as well as insure that all required information will satisfy legal standards.

Supervisor Chambers moved, Supervisor LeSueur seconded and was unanimously carried by the Board to write a Letter of Support for the Buckingham County Rescue Squad to create a grant for "Tough Books".

Re: Consider putting surplus items in the school auction

The Buckingham County School Board is holding an auction on November 7th. With such short notice, these were the items that immediately came to mind. Please consider allowing us to place these items in the upcoming auction. We will provide a more detailed description of each item by the time of the auction:

1. 1992 Ford XLT Ranger 4wd pickup. Gauges do not work.
2. 1990 Ford F150 pickup. Transmission is bad.

3. Yanmar 24 HP, 19PTO HP Tractor. Idol gear in transmission housing is broke.
4. 60” RM 550 Woods finishing mower. Fits 3 point hitch tractor.

Supervisor Kitchen moved, Supervisor LeSueur seconded and was unanimously carried by the Board to approve to put the above items in the school auction.

Re: Consider Scheduling a Public Hearing to amend the Buckingham County Firearms Ordinance to come into compliance with the new Bear hunting regulations

E.M. Wright: Mr. Chairman and members of the Board, in your package you will find some amendments to the Buckingham County Firearms Ordinance. The Department of Game and Inland Fisheries have changed the regulations in hunting now in Buckingham County. The changes are reflected in conjunction to the ordinance. I ask you to set a public hearing sometime in February or March. If you adopt it now it will only be confusing because this will not go into effect until next year because you have to notify the Department by May 15th of the year proceeding the year it goes in effect. So, the Warden in this area approached us and said we need to get into place and then he came back and said we don't need it until May 15th. So you can set a hearing sometimes in March, April, or February and you can set the changes. Any questions on the changes proposed. So there will be a bear season next year.

The State has allowed a bear season for Buckingham County. Also, there have been some minor adjustments to State regulations that impact the County's Ordinance. To keep the status quo and allow bear hunting in Buckingham County, in accordance with the State, the Ordinance need to be amended.

The amendments needed are as follows:

Amendments to Buckingham Firearm Ordinance:

Paragraph 1:

Delete the current first sentence and add the following:

It shall be unlawful to hunt with a rifle larger than .22 caliber rim fire, except any center-fire rifle of a larger caliber may be used to hunt from a stand elevated at least 10 feet from the ground.

Paragraph 3

Delete the paragraph and add the following:

Muzzle loading guns shall have the same meaning in this ordinance as define by the laws of the Commonwealth of Virginia and regulations of the Virginia Department of Game and Inland Fisheries or its successors as may from time to time be set forth.

Add a Paragraph 5, which states:

Any person who violates the provisions of this ordinance shall be guilty of a Class 3 misdemeanor as defined in the laws of the Commonwealth of Virginia.

Kitchen: I'm a little confused here on Paragraph 1. You say "It shall be unlawful to hunt with a rifle larger than .22 caliber rim fire, except any center-fire rifle of a larger caliber may be used to hunt from a stand elevated at least 10 feet from the ground." Can you explain to me exactly what this means?

Wright: You can hunt from a stand with a larger than .22 caliber, center-fire rifle.

Kitchen: I understand that, but what is .22 doing in there? You can't hunt deer with a .22.

LeSueur and Wright: It says larger than.

LeSueur: It's larger than, John. See if you put in the context the .23 caliber, it takes the .23 caliber out. So if you put .22 it includes the .23 caliber.

Wright: It's got to be larger than the .22.

Bates: Can we just table this until the County Administrator brings this back in February or March?

Wright: Yes, sir. Thank you.

Re: Consider 2009 Fire/Rescue Appreciation Reception

Mrs. Carter: I have provided you all with a letter that we sent to the fire departments and rescue squads. I have received one response back from Arvonnia Fire Department. They would like to request that they be given the \$800 instead of the dinner. How I arrived at that was take what the dinner has costs and divide it between the fire departments and rescue squad. I understand that Toga did not meet yet but are considering the matters tonight.

Bates: The Chief called me right before the meeting and he said the he is going to take these things to the fire department tonight and his recommendation on this appreciation dinner was to mirror basically what Arvonnia has said.

Kitchen: How did you come up with this figure?

Mrs. Carter: We take the average cost of the appreciation dinner and divide it between the fire departments and rescue squad and it comes to about \$800 each.

Kitchen: So the fire departments will get \$400

Mrs. Carter: No, the rescue squad will get \$800 and each fire department will get \$800.

LeSueur: Becky, have you heard from the rescue squad. I will tell you that in our last meeting, county wide meeting, that we did vote to take the money rather than have the...

Kitchen: I think we should take the money and divide it between them. I think that would be the proper thing to do.

LeSueur: What the rescue squads plan is...

Kitchen: I make a motion that we do that.

Supervisor Kitchen moved, Supervisor Chambers seconded and unanimously carried by the Board to give each fire department and the rescue squad the \$800 in lieu of the reception.

LeSueur: May add one thing. The rescue squad, what they are going to do is have a Christmas dinner and invite the Board of Supervisors to that.

Mrs. Carter: The other thing is that I sent the Fire Departments a letter and asked them to advise the Board who their appointment would be. I have heard back from Arvonnia and they have chosen their fire chief, Dwight Christian and the second would be Brian Tapscott. They are the only one I've heard back from. I'm sure that when the rest have their meetings, I will update you when I get that information.

Talbert: I'd like to say one thing; Mr. Abbitt was supposed to present me with a resolution for 50 years service with the Fire Department. I'm going to ask that he comes to the Board meeting and present it to me. He was going to do it at the appreciation dinner. I'm proud to say that the House of Delegates voted on and he will be presenting it to me.

Re: Consider appointment of Board member as designated voting delegate for the Virginia Association of Counties Annual Business Meeting.

Supervisor Chambers moved, Supervisor LeSueur seconded and was unanimously carried by the Board to appoint Brian Bates as the designated voting delegate for the Virginia Association of Counties Annual Business Meeting.

Kitchen: Who all is going?

Snoddy: Yeah, I'm going.

Bates: I will simply say that if I'm a voting delegate, I'll go. If not I won't go. Either way suits me just as good as the other.

Re: Consider polled vote for holding a joint meeting with the School Board on October 19, 2009 at 5:30 pm

On September 23rd Chairman Snoddy, Karl Carter and Rebecca Carter met with the Chairman and Vice Chairman of the School Board along with Superintendent Blair and Dr. Dumminger. This meeting was to discuss School Capital Projects. As a result of that meeting it was decided that it would be appropriate to hold a joint meeting with the two boards to discuss these issues.

The School Board and Board of Supervisors were polled regarding this meeting in order for the School Board to know to adjourn or recess their next School Board meeting. The School Board poll reflected that all of the members agreed to this meeting date and time. The Board of Supervisors poll reflected six members agreed to the meeting date and time with Supervisor Allen requesting a later time.

The agenda will be regarding the feasibility of proceeding of both of the school renovation projects at the same time. It was the consensus that proceeding with both projects at the front would save in A&E cost and possibly in construction cost. The School Administration will provide financial information regarding the possible savings and anticipated debt service options during the October 19th meeting. This group also discussed the bids for the School Bus Garage. Superintendent Blair will have more information on that issue at that time also.

Please consider an official vote to support the polled vote.

Supervisor Kitchen moved, Supervisor Talbert seconded and was unanimously carried by the Board to make the polled vote to hold a joint meeting between the Board of Supervisors and the School Board on October 19, 2009 at 5:30 in the conference room of the County Administration Building.

Re: County Administrator's Report

Update on Fire Training Facility and Scheduled Ribbon Cutting Ceremony

I have provided you a letter from the Virginia Department of Fire Programs congratulating the County of the Burn Building project. Also notifying us that the a total of \$130,000 will be electronically transferred to our account so that will make a total of \$430,000 grant and also the ribbon cutting ceremony is scheduled for October 30th at 2:00 p.m. at the site. We would like to get the word out to all Fire Departments and auxiliary so that they can join in.

Federal Stimulus Funding for School Capital Projects

I have also provided you some information provided to me from Ted Cole from Davenport and Company with some heads up on some Federal Stimulus money for school capital projects. According to Mr. Cole there is about \$200 million for Virginia for 2010. This is 0% money to

qualified school construction bonds. I have forwarded this information to the school superintendent and Dr. Dumminger. They are away of this money and attended a meeting this past week regarding this money. We have to see if Buckingham County will qualify for some of this school construction money.

Auditor of Public Accounts letter of compliance for the Treasurer, Commissioner of Revenue and the Sheriff's Office

I have provided you with a letter from Auditor of Public Accounts letter of compliance on the Treasurer, Commissioner of Revenue and Sheriff's office. This is a letter to advise you that all their collections and remittances complies with all the state laws and regulations.

Report of upcoming IDA and Planning Commission position expirations

I have also provided you a report of all IDA and Planning Commission position expirations in advance because, particularly the Planning Commission, they are quite busy these days, so we'd like to have the appointee made by the deadline. So for the Planning Commission, Maysville District, Mr. Dabney Crews, his term will expire December 31, 2009. For the IDA, James River District, Annie Parr, expiration date December 31, 2009 and also for the Marshall District, William Yancey also expires December 31, 2009. This will give you time to talk to these people or to consider new appointments.

Update on State Funding Reductions

I don't have any new updates on the State funding reductions. Other than it is not looking good. We don't have anything final on that. I have talked to most all the constitutional officers and they are looking to try to set up a meeting with their legislators to talk to them about the reductions being proposed through the State.

Open House for the relocation of Melissa Louis "The Spa"

Also Melissa Louis has asked to let you know about the relocation of "The Spa". They are relocating from the Courthouse Village to Dillwyn. She will have an Open House on October 17th from 2 to 5.

Superfund Site Update-Notice of meeting

I would like to talk to you about what Mrs. Miller has already stressed to you about; the Superfund Site Update to let you know that what information that is in there is all that we have received. From what I understand the actual public meeting will be at 7:00.

That is all I have at this time.

Re: Board Matters

Chairman Snoddy called for any Board matters.

Talbert: Mr. Chairman, this is not Board matters in a sense, but I would like for the County Administrator and County Attorney to keep up with what is going on in Washington with our health insurance. We have a good policy, we have good employees, and I'd hate to see them get hurt by this thing. If you can call the Senators, I hope that they do because the County has a good insurance policy. I'm facing it with federal. I have federal insurance and I have no idea which way it's going to turn. I just ask them that anything that might hurt this County with our insurance, please call the Board to let us know what we can do. Thank you Mr. Chairman.

Re: Executive Session

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

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)

Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body (Code of Virginia, as amended, Section 2.2.3711.A.3)

Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community. (Code of Virginia, as amended, Section 2.2.3711.A.5) (This was not listed on the agenda)

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 Talbert 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

There was no action taken as a result of executive session.

There being no further business, Chairman Snoddy recessed the meeting to reconvene on Monday, October 19, 2009 at 5:30 p.m. in the conference room of the County Administration Building.

ATTEST:

Rebecca S. Carter
County Administrator/Clerk

I. Monroe Snoddy
Chairman