

**Buckingham County
Board of Supervisors
Monthly Meeting
Town of Dillwyn Joint Public Hearing
September 12, 2011**

At a regular monthly meeting of the Buckingham County Board of Supervisors held on Monday, September 12, 2011 at 7:00 p.m. in the Buckingham County Agricultural Center, the following members were present: E.A. "Bill" Talbert, Chairman; I. Monroe Snoddy; Joe N. Chambers, Jr.; Dr. Brian D. Bates; and John D. Kitchen, Jr. Those absent were F.D. "Danny" LeSueur, Vice-Chairman and Danny R. Allen. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney.

Re: Quorum Present

Chairman Talbert certified there was a quorum-five members present. The meeting could continue.

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

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

Re: Approval of Agenda

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

Re: Approval of Minutes

Supervisor Kitchen moved, Supervisor Snoddy and Chambers seconded and was unanimously carried by the Board to approve the minutes of the August 8, 2011 meeting as presented.

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 Second Quarter Appropriations

Supervisor Kitchen moved, Supervisor Snoddy seconded and was unanimously carried by the Board to approve the Second Quarter Appropriations as follows:

General Fund	\$ 1,601,937
Water Fund	\$ 307,312
Sewer Fund	\$ 68,920
Capital Improvements Fund	\$ 38,820
VPA Fund	\$ 663,010
Schools:	
Instruction	\$ 3,754,168
Adm/Attn/Health	\$ 219,441
Transportation	\$ 371,684
Operations	\$ 448,614
Capital Outlay	\$ 218
Cafeteria	\$ 294,564
Technology	\$ 267,618

Re: Announcements

Chairman Talbert announced that the October and November board meetings will be on Tuesday, October 11 and Tuesday November 15, 2011 due to Columbus Day holiday and VACo conference.

Re: Public Comment

Bob Reck: My name is Bob Reck and I'm in District 1. A couple months ago, actually three months ago this room was jam packed with teachers and people from the Board of Education. They were all complaining about not getting enough money in their budget. We listened to a few of them and listened to them a lot more. The following Monday there was another meeting to take place here. I left my house a lot earlier because I thought I'd better because I won't get a seat if I didn't get here early. To my surprise the place was practically empty. There had been a finance committee meeting that Friday and stated that they wanted to do an audit on the Board of Education. That was announced by that group I guess to the teachers and such so that Monday the place was empty. You approved to pay \$6,000 for the first years audit. Now, I keep up with the papers and I come to the meetings but I have not heard anything about that audit and I know the audit has been completed. We haven't heard the results from that audit.

Mrs. Carter: The audit has been completed. A rough draft has been reviewed by the Board of Supervisors and tonight we hope to set a meeting date to meet with the Board of Supervisors and the School Board. At the present time this is being treated as a personnel issue until both boards have had an opportunity to look at the report and to listen and act to the auditors recommendations. Then I suppose it will be released to the public.

Bates: It will be a public document then.

Re: VDOT: Road Matters

BUCKINGHAM COUNTY

Board of Supervisors Meeting – September 12, 2011

MAINTENANCE

Upcoming Activities:

- Crews will repair surfaces, cut brush, and apply dust control on various routes and respond to customer concerns.

CONSTRUCTION

- Route 646: The north and south lanes of Union Church Road are closed for the reconstruction of the bridge over Frisby Creek. Construction is expected to be complete by 9/23/11, depending on the weather.

TRAFFIC STUDIES/SPECIAL REQUESTS

- A request was received for a SCHOOL BUS STOP AHEAD sign to be placed on Howardsville Turnpike. FREQUENT SCHOOL BUS STOPS NEXT 1.0 MILE signs were installed on August 12.
- In response to a request to evaluate the intersection of Hancock Hill Road (Route 747) and Constitution Route (Route 20), we determined that the Route Marker and Advance Route Marker for the northern intersection of Route 747 were missing in the northbound direction on Route 20. A SIDE ROAD Warning Sign was also recommended. The passing zone and line markings were completed on August 2, 2011. Sign installation is still pending.
- A Traffic Engineering Review was conducted on Route 669 (Thomas Road) from Route 15 to Route 668, to examine the feasibility of installing Farm Equipment Warning Signs and Speed Limit Signs. After a review of the traffic volume and crash data, it is recommended that the current 55 MPH speed limit remain. However, FARM EQUIPMENT Warning Signs were placed approximately 0.45 miles east of Route 15 and approximately 0.45 miles east of Route 732m on August 24, 2011.
- A Traffic Engineering Review was conducted on Route 665 (Fanny White Road) to examine the feasibility of installing Curve Warning Signs from Route 631 to just south of 1198 Fanny White Road. On August 18, a Winding Road Sign with a 30 MPH Advisory Speed Plate was installed at the following locations: on Route 665 approximately 0.70 miles north of Route 799; on Route 665 approximately 1.15 miles north of Route 799; on Route 665 approximately 0.80 miles north of Route 631 and on Route 665 approximately 0.30 miles south of Route 631.
- A Traffic Engineering Review was conducted along Route 60 (East James Anderson Highway) to determine if SCHOOL BUS STOP AHEAD Signs are warranted. During the field review, it was noted that there is an existing SCHOOL BUS STOP AHEAD 800 FEET Sign approximately warning eastbound traffic of the school bus stop. We recommend changing the existing sign to a new sign that reads FREQUENT SCHOOL BUS STOPS NEXT 0.25 MI. Changing to the new sign will include both school bus stops that are out of view of approaching eastbound traffic, the stop for which the existing sign is in place and for the new stop at 24885 East James Anderson Highway. Sign installation is pending.

PROJECT STATUS

- No updates this month.

Re: Joint Public Hearing with Board of Supervisors and Dillwyn Town Council regarding Water Supply Plan

Chairman Talbert asked Mayor Toney to introduce the Council Members present.

Those present were Karen Sue Moss, Linda V. Paige, Diane Holman James, Sandra F. Moss, and Bill Lewis Moss.

Mayor Toney: First of all as Council certainly thank the Board of Supervisor and the County Administrator, Becky, for allowing us to meet together with you. I guess this could be called a historical event because this is the first time in the 37 years or so that I've been with the Town that we have ever done this.

Mayor Toney called the meeting for the Town Council to order and certified that there was a quorum.

Mrs. Carter: This Water Supply Plan and Ordinance is mandated by the state. It was prepared with grant money from Department of Environmental Quality. The Town and the County did work together very closely with representatives from DEQ on this plan. It is the adoption of a Regional Water Supply Plan which includes existing water source information, existing water use information, existing resource information, water demand management or current conservation practices, drought response and contingency plans, projected water demand information and a statement of need based on adequacy of existing water sources to meet current and projected water demand of the planning period which is a minimum of 30 years to a maximum of 50 years. I might add that the reserved water that we have down at the power plant certainly helped Buckingham County come into compliance with this Water Supply Plan. That pretty much covers the overview, Mr. Chairman.

Chairman Talbert declared the public hearing open for public comment for the Board of Supervisors.

Mayor Toney declared the public hearing open for public comment for the Dillwyn Town Council.

There were no comments from the public.

Chairman Talbert declared the public hearing closed.

Mayor Toney declared the public hearing closed for the Dillwyn Town Council.

Mayor Toney wanted to thank the committee for the hard work on the Regional Water Supply Plan. They did an excellent job.

Council member Sandra Moss moved, Council member Karen Moss seconded and was unanimously carried by the Council to approve the Regional Water Supply Plan as presented.

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the Regional Water Supply Plan as presented.

Mayor Toney declared the Dillwyn Town Council meeting adjourned.

Re: Public Hearing: Zoning Case #11-ZMA203: Special Use Permit to Operate a Bakery

This case is a Zoning amendment and special use permit #203. You have been provided with an application from Leonilde Pinheiro to rezone property from A-1 to VC-1 and grant a special use permit for a cupcake shop/bakery. This is located at 14744 W. James Anderson Hwy. and known as Tax Map Section 124, Parcels 87-88, containing an approximate 0.9 acres, off of Rt. 60 (W. James Anderson Hwy.) in the Maysville Magisterial District.

The Planning Commission held a public hearing on July 25, 2011. During the public hearing no one spoke in favor or against the case. The office has received a couple calls of concerns and those citizens have been encouraged to attend the hearings and/or write a letter. The Planning Commission is recommending approval of the Rezoning and the Special Use Permit.

Please consider the request with the following conditions:

1. That all federal, state, and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking
3. That the applicant pursues a commercial solid waste container and follow the county Solid Waste Ordinance.
4. If the business does not commence within 2 years of obtaining the permit then the Special Use Permit shall be null and void.
5. 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.
6. 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.
7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property at any time to check for compliance with the provisions of this permit. Upon entering the property the inspectors shall attempt to notify the landowner of their presence on the property.
8. That the applicant (s) understands the conditions and agrees to the conditions.

Chairman Talbert declared the public hearing open for public comment.

There were no comments.

Chairman Talbert declared the public hearing closed.

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously carried by the Board to accept the Planning Commissions recommendation to approve 11-ZMASUP203 for a Cupcake Factory/Bakery.

Re: Public Hearing: Zoning Case 11-ZMA-204: Request to rezone to A-C for construction and operation of Four Chicken Houses

This next case is Zoning Amendment #204. You have been provided with an application from Curtis Eddie Wood to rezone property from A-1 to AC-1 for the purpose of constructing four chicken houses. This is located at Tax Map 83-77 & 75A and 84-3 & 4 containing a total of approximately 160 acres off of Rt. 15 (N. James Madison Hwy) in the Marshall Magisterial District.

The Planning Commission held a public hearing on July 25, 2011. During the public hearing one person spoke against the case. The Planning Commission is recommending approval of the rezoning,

Please consider the request with the following conditions:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to including obtaining a Nutrient management Plan prior to installation of any new Intensive Agriculture Facility.
2. The landowner shall record, in the office of the Buckingham County Clerk, the plat surveyed by C. Steve Garrett and dated July 21, 2011 which combines parcels 83-77, 7A, and 84-3 & 4 and creates a parcel of approximately 135 acres, prior to applying and constructing any Intensive Agriculture Facility.
3. That all documentation submitted by the applicant in support of this request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
4. Nothing in the 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.
5. 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
6. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the rezoning approval, if it be the wishes of the Planning Commission or Board of Supervisors.
7. The County Zoning Administrator and one other county staff member, as appointed by the County Administrator, shall be allowed to enter the property at any time to check for compliance with the provisions of this permit. Upon entering the property, the inspectors shall attempt to notify the landowner of their presence on the property.
8. That the applicant (s) understands the conditions and agrees to the conditions.

Chairman Talbert declared the public hearing open for public comment.

There were no comments.

Chairman Talbert declared the public hearing closed.

Supervisor Chambers moved, Supervisor Snoddy seconded and was unanimously carried by the Board to accept the Planning Commissions recommendation to approve 11-ZMA-204 for Curtis Eddie Wood for the construction and operation of four chicken houses.

Re: Davenport, Inc.: Ratification of VPSA Application for School Financing

Ted Cole: Good evening Mr. Chairman. Ted Cole with Davenport and Company. I'm here tonight to give you an update on Virginia Public School Authority financing for the school projects here in the county. There is a resolution for you to consider this evening just to get final approval in place. Actually, I think final approval is technically already in place with the Bond attorney for the County, McGuire Woods felt like it would be good to have this approval again since a little bit of time has passed since the last action. Just by way of background if you all recall, we did a series of financings to put the overall funding in place for the school. We put financing in place about a year ago on a short term nature for a couple years duration. We put that funding in place so the schools in the county will have the funds they need to help the project get started. We were going to work towards getting qualified school construction bonds which were a stimulus bond program and in other terms of long term financing. If yall recall back in late spring or early summer the county went forward and issued \$10million of these qualified school construction bonds, that's the stimulus program that I mentioned. You went through the process to get allocated for those allocated school construction bonds. You got \$10million of allocation and you have put those in place so what we are here for this evening is to put the final piece of long term financing in place through the Virginia Public School Authority. You've utilized that tool in the past; it's a state agency that issues debt on behalf of local governments for school projects. There is a resolution that will allow this to move forward. Wednesday evening, the school board is meeting to adopt a similar resolution and as soon as those are adopted the VPSA will sell their bonds in October and essentially the county will be left with two pieces of financing for these school projects. These qualified school construction bonds that we issued this summer and these VPSA bonds that will be issued in October, that short term financing that we put into place a year ago will go away. We will pay that off with the funds from this VPSA. That provided a bridge loan to get the project started and will essentially be paid off in full in October when the VPSA sells their bonds. What you've got before you is a resolution that allows for up to a \$15.1 million VPSA bond issue. We've been working closely with county staff, to size this bond issue, as we call it, just to set the final amount. That is a function of how much of the debt is still outstanding on the interim loan, and just be mindful of the project budget that has been established. We would expect to be well below that \$15.1 million with a little bit of cushion. Right now our estimate is that the actual bond issue will be about \$14.5 million. Again that will be the final phase of financing and we will provide all the long term funding needed to complete the projects under budget or under

contract I should say. You will have those rates fixed for the term of the financing which is twenty years.

Mrs. Carter: I might add that in working with Davenport and looking at the payment schedules, what you would be approving tonight falls within what is anticipated and budgeted for payments.

Kitchen: What you are asking now is approval...

Mrs. Carter: To ratify...

Kitchen: to ratify the resolution.

Bates: Mrs. Carter, when the project came to bid or the bids came back, the project bid out to a total project cost of about \$22 million, is that correct? We had a \$17.2 million bid...

Mrs. Carter: Correct. We had anticipated the total project being \$25.2 or \$25.1, but they had lowered that to \$24 million and now it's at \$24.1. Because we asked them to lower it accordingly. Now this still gives them a million dollar reserve for contingency.

Supervisor Kitchen moved, Supervisor Snoddy seconded and was unanimously carried by the Board to approve the resolution as follows:

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE
COUNTY OF BUCKINGHAM, VIRGINIA RATIFYING THE ISSUANCE AND SALE OF GENERAL OBLIGATION
SCHOOL BONDS TO BE SOLD TO THE VIRGINIA PUBLIC SCHOOL AUTHORITY**

WHEREAS, on October 12, 2010, the Board of Supervisors (the "Board") of the County of Buckingham, Virginia (the "County") adopted a resolution (the "Original Resolution") by unanimous consent, which resolved to authorize (i) the issuance and sale of its general obligation school bonds in an aggregate principal amount not to exceed \$25,100,000 (the "Local School Bonds"), for the purpose of financing capital projects for public school purposes for various school buildings within the County (the "Projects"), and/or refinancing certain interim financing incurred for the purposes of providing short-term financings for the Projects and (ii) the sale of the Local School Bonds to the Virginia Public School Authority ("VPSA");

WHEREAS, on October 12, 2010, the Board adopted a resolution (the "Interim Resolution") by unanimous consent, which resolved to authorize short-term financing for the Projects through the issuance of a revenue note by the Industrial Development Authority of Buckingham County, Virginia (the "Authority");

WHEREAS, on November 4, 2010, pursuant to the Interim Resolution, the Authority issued its \$20,000,000 Revenue Note (School Projects), Series 2010 (Taxable – Building America Bond) Lease Revenue Bonds (the "Note") to provide short-term financing for the Projects;

WHEREAS, pursuant to, and in furtherance of the purposes set forth in, the Original Resolution, the County issued on June 28, 2011 its \$10,000,000 General Obligation School Bond, Series 2011 (the

"Series 2011 Bond"), which was sold to VPSA to provide the first portion of permanent financing for the Projects;

WHEREAS, the County has \$15,100,000 in unused authorized long-term financing capacity remaining under the Original Resolution to provide the balance of the long-term financing required for the Projects;

WHEREAS, the County and the School Board have determined that it is necessary and expedient to pay off the outstanding balance of the Note by issuing additional Local School Bonds in an aggregate principal amount, including all outstanding obligations issued under the Original Resolution, not to exceed the amount authorized under the Original Resolution;

WHEREAS, the Board desires to ratify the Original Resolution in connection with the issuance of the additional Local School Bonds for purposes of paying off the outstanding balance of the Note;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF BUCKINGHAM, VIRGINIA:

1. The Original Resolution is hereby ratified and affirmed.
2. This Resolution shall take effect immediately upon its adoption.

The undersigned Clerk of the Board of Supervisors of the County of Buckingham, Virginia, certifies that the foregoing constitutes a true, complete and correct copy of the Resolution adopted at a regular meeting of the Board of Supervisors of the County of Buckingham, Virginia, held on _____, 2011.

Clerk, Board of Supervisors, County of
Buckingham, Virginia

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Re: Consider Budget Revisions from School Board

At the August meeting, it was the recommendation that we table the School's FY12 budget changes until we could review them.

Mr. Carter has reviewed the entire FY12 Adjusted budget with concentration on the local funding. The only changes are reflected in state and federal funding. All local amounts are the same as the county's FY12 adopted budget.

Mr. Carter recommends approval of the changes submitted.

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously approved by the board to approve the changes to the FY12 budget for the schools in state and federal funding. No local changes.

Re: Consider bid for Animal Control Vehicle

One bid was received for a new vehicle for Animal Control. This was the second time that we advertised for the vehicle. The only bid was from Gilliam Motors in the amount of \$20,456.

Supervisor Kitchen moved, Supervisor Snoddy seconded and was unanimously carried by the Board to award the bid for the Animal Control vehicle to Gilliam Motors in the amount of \$20,456.

Re: Consider transfer of ownership of a sheriff's vehicle

Sheriff Kidd requests that the Board of Supervisors consider his request to transfer ownership of the Sheriff's vehicle (VIN 2FAHP71Wo4X163691) 2004 Crown Victoria, to the Buckingham County Board of Supervisors for County Administration use.

Supervisor Bates moved, Supervisor Snoddy seconded and was unanimously carried by the Board to transfer the ownership of the 2004 Crown Victoria from the Sheriff's Department to the Board of Supervisors for use by the County Administration.

Re: Consider appropriation of \$1,000 in the Recreation Department Budget for a United States Tennis Association Grant and Appreciation to Asst. Recreation Director Kristen Queen for Acquiring this Grant

Supervisor Bates moved, Supervisor Snoddy seconded and was unanimously carried by the Board to appropriate \$1,000 received from United State Tennis Association grant.

Mrs. Carter: I'd like to make a comment if I could, Mr. Chairman, of appreciation to the Recreation Department and Kristen Queen for going after this grant and it's good to see that that department now has the time and resources to go after these grant applications.

Talbert: Kristen, we appreciate the work you are doing in the recreation department.

Re: Consider Joint Executive Closed Session with the School Board for October 12, 2011

The school superintendent provided the dated of October 12th or October 19th to meet in closed session with the auditors. The auditors advised that October 19th is not available for them and they can meet on October 12th. This closed executive session will include the members of the Boards, the school superintendent and the County Administrator, Karl Carter, Asst. County

Administrator, and finance consultant that the school board may have contracted with and Attorney representation from each board if the school board deems necessary.

The auditors will be in the county performing their final FY2011 audit the following week and I believe it to be most beneficial to have the joint meeting with the school board no later than October 12th.

Bates: Mrs. Carter, is this the regular meeting date?

Mrs. Carter: No, this is the Wednesday. We got a reply back from the auditors late this evening and it was too late to contact the school when I asked them for some earlier dates, they have given us the 27th or 29th of September or October 3 or 7th. But we don't know if these will work with the school board. WE would like to have this resolved and their recommendations in place before the final audit so that we may get a better report. But October 12th will work if you all can do it on the 12th.

Supervisor Bates moved, Supervisor Snoddy seconded and was unanimously carried by the Board to meet with the auditors and the school board in executive closed session on October 12, 2011 at 6:00 p.m. in the County Administration conference room.

Re: Karl Carter, Transportation Enhancement Update

I just wanted to come tonight and refresh your memory; we've been working on this VDOT Streetscape Enhancement project for many years now. A lot has gone on to make this project come back. As you recall we were approved for a grant to enhance the sidewalks from the courthouse to the county administration building. We've attended to several meetings where our match requirement was confirmed and there are no taxpayer funds to fund this project. The courthouse work on the sidewalks could be used on this project as a match. We hired an architect to make plans; we had kickoff meetings with the citizens between here and the courthouse. We were moving forward with the project. The first requisition we sent in to be reimbursed was denied. The reason it was denied we were told is because the match that we used, the courthouse, could not be used because the courthouse project was done before this grant. So instead of losing this grant, we tried to do what we could do to keep this grant going to give the citizens new sidewalks. Luckily for us the new county administration building was coming under construction, so we figured we would try to use that money for the match requirement. We talked with VDOT and they approved that with no problems. We came to some deadlines and we had to work backwards to try to get all this stuff done that should have been done years ago. I'm happy to say that as of today we have met our match requirement. We got it in before the deadline and we got the notice in writing this time that the match has been approved.

In your packet, I put a picture or drawing of what the sidewalks could look like. What I ask of you tonight is to look at that drawing, it's like a brick edged sidewalk. What you are looking at is a picture from the courthouse looking east. You can see the existing sidewalk in the far background and what it could look like with the stance and stuff. The problem we ran into with

the design is there is a forced sewer line that runs right on the edge of the existing sidewalk. In talking to VDOT any new sidewalks have to be expanded from 3 feet to 5 feet so the sidewalk will become wider. That sewer line will be covered up about a foot or so by this new sidewalk. What I need to know from you tonight is do you want to cover that line up? I mean that line could go bad tomorrow or it may never go bad. I talked to your utilities director and they have never had any problem but as soon as you cover it up it would have to be dug up. Once it's dug up, it may never look the same as it did before.

Kitchen: Most of it, Karl, is going to be under the grass part here, right?

Mr. Carter: I should be close to the grass area. A little bit of it will be covered up by the sidewalk.

Bates: You can't extend the grass far enough so it will be totally under the grass?

Mr. Carter: The sidewalk has to be 5 ft.

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

Re: Gwynn Tyler: Department of Forestry Update

Mr. Chairman, Board members, Mrs. Carter, and fellow citizens. It is a pleasure to come before you again tonight to give you an update of forestry activities in Buckingham County and some of the things the Virginia Department of Forestry has been doing. I also want to give you a little perspective on the state of the forest.

The Department of Forestry's goals and objectives for the next year are basically the same as those I shared with you last year. I will highlight them for you and make a few comments about them as we go along.

Protection of the forest from wildfire remains the number 1 goal.

As part of this goal, we provide financial resources to rural fire departments to help with the acquisition of small equipment and personal protective equipment. This year, two of our departments, Arvonnia and Glenmore received assistance.

Because of the increase in the construction of woodland homes and new subdivisions across the State we have been emphasizing the development of Community Wildfire Protection Plans. These are basically action plans for wildfire mitigation in woodland home subdivisions.

Protection water quality of forested land remains our number 2 goal.

We continue to inspect each logging job for water quality issues and take appropriate action where necessary if we find any concerns. Overall we have found that the loggers are doing a very good job of following the best management practices that pertain to water quality.

Conserving the Forest land Base also remains near the top of the list of goals for the department.

Our agency is one of several that provide technical assistance and information for the establishment of conservation easements. The statewide goal this year is for 3500 acres to be protected from conversion to other land uses. Currently, in Buckingham County there are 11 easements on a little over 3000 acres.

The promotion of diversified markets for landowners including ecosystem service markets is a fairly new goal for our agency.

This goal coincides with the agency's mission to protect and develop healthy, sustainable forest resources. By developing alternative markets for ecosystem services, such as water quality, air quality, and carbon sequestration, we can enhance financial opportunities for forest landowners. We have seen an increase in interest in the use of woody biomass for energy use. We now have several logging companies with wood chippers. They are able to better utilize non merchantable logging debris for fuel chips. This reduces the need for site preparation work for tree planning and makes the logging job more aesthetically pleasing. It also reduces the potential fire hazard.

I also wanted to update you a little about changes within the Agency. Many of you knew Billy Hall who was the Forest Technician here in the county. Billy retired at the end of July. At this time, I don't know who will be replacing him or exactly when we will have someone in place.

For the last 6 months I have been taking care of the forester responsibilities in Cumberland as well as Buckingham. Someone has been hired to fill the Cumberland Forester position so I will now be concentrating my time back in Buckingham.

We have some other position vacancies in counties not far from here so there may be a little sharing of responsibilities from personnel in adjoining counties to back fill those vacancies. This could affect us here in Buckingham if we were to get into a bad fire season this fall or next spring. For now, we still receive some assistance from Appomattox County with fire suppression work and water quality inspections. We also still have a part time bulldozer operator to assist as well.

So far this year we have responded to 20 wildfires. These fires burned approximately 65 acres of woodland and about 3 acres of open land. A total of 6 homes were protected from these fires. The fires started from debris burning, equipment use, arson, children playing with matches, and lightning. The largest fire occurred back in June as a result of a lightning strike. It burned 33 acres of woodland.

Buckingham was fortunate last February when so many other localities had large fires and lost several homes. I think this can be attributed to several factors, our citizens being careful and

aware of the fire danger, as well as quick response from the fire departments and our agency personnel.

Be aware that fall fire season is just around the corner. It officially begins on October 15th and extends through November 30th. We would like to remind everyone that fire conditions can change quickly this time of year, especially when the leaves begin to fall.

There has been some minor activity from pine bark beetles this year and we have not received any reports relating to Gypsy Moths. Hopefully that trend will continue for the near future.

Perhaps the things that have generated the most questions this year are the purple inspect tracts you see hanging alongside the roadways. The Animal and Plant Health Inspection Service (APHIS) is trying to monitor the spread of an insect called the Emerald Ash Borer. This is an insect that attacks ash trees. It has been a pretty devastating insect for ash trees across the upper Midwest and parts of New England. So far, in Virginia, it has only been found in the northern part of the state.

This year there were 40 pine planting projects for about 1800 acres on private land. This is a slight increase over last year. There have been a number of pine and hardwood thinning. This work covered approximately 2400 acres. These are timber harvests where a logger removes the less desirable trees to make room for the better quality trees to grow. We have completed timber stand improvement work through the use of hardwood brush control on 25 tracts of approximately 1700 acres. A lot more acres have been planted and managed on forest industry land.

The number of acres where timber was harvested is down about 25% from last year. For the fiscal year July 1, 2010 to June 30, 2011 we had 161 logging jobs for about 8551 acres. This year we ranked number 7 in the state for acres where harvesting took place.

A bit of interesting news that I found is from the latest published information relating to stumpage values for timber. This is the commercial value of standing timber that is sold. The July 2009 to June 2010 report shows that Buckingham ranked number 1 in the state. The stumpage value for Buckingham was approximately \$13.4 million. These numbers reinforce the fact that the timber industry is very important for the economy of Buckingham.

While the number of acres harvested decreased, our latest forest survey data indicates that for Buckingham and the surrounding counties we are still slightly over cutting our volume of pine timber. However the data shows that we are still growing more volume of hardwood timber than we are cutting. I think there are several reasons for the over cutting of the pine resource. These include but are not limited to market situations, changes in land ownership, changes in land use, and the economy in general, where landowners need to sell their timber to pay their bills.

While this is not a major concern at this time, it is something to be aware of. The continuation of this trend will depend on land use and ownership patterns in the future. The development of alternative markets may also play a role in the demand for timber.

Other than changes in land use policies and conservation easements, perhaps the best ways to address the timber harvesting situation are for landowners to have clear goals and objectives for managing their forest land and for loggers to continue to maximize the utilization of the timber that is harvested. Our state nursery is also producing more genetically improved seedlings that should increase timber volumes on areas where they are planted. Hopefully this will help to meet the increase in demand for timber products in the future. As new markets such as ecosystem services are developed, landowners may have alternative products to sell instead of harvesting their timber.

Keep in mind that timber is a renewable resource, and that with good management techniques and the landowner's desire to keep his land for timber production, we will continue to enjoy our forest resource for years to come. Good management of our forest land is vital to our local economy as well as our environment.

Thank you for your time. If we can be of any assistance to you please let me know.

Talbert: Gwynn, we thank you so much. We thank you for the good job you do.

Re: Continued updating of the zoning ordinance to coincide with the Comprehensive Plan

The Planning Commission has held a public hearing for this round of changes to the Zoning Ordinance. These changes included updates to Articles 3-8 and the Definitions of the Zoning Ordinance.

Mrs. Cobb has provided you with all of those changes. In reviewing them today, I see that some of the changes are not exactly what you would call in the Comprehensive Plan so I want to address those. Some of the changes that the Planning Commission is recommending is that the Board of Supervisors SHALL hold a public hearing for ALL cases. This is proposed to stop some of the accusations that preference treatment is given and possible would keep the county from any possible law suits. The way it is right now, the Planning Commission has to have a public hearing on all special use permits. The Board of Supervisors can decide if they want to have a public hearing. Sometimes the County gets accused of their preferences. Also we run a fine line, I think, with the Code of Virginia of whether we should hold a public hearing for a special use permit so the Planning Commission is recommending that in these changes the Board of Supervisors will hold a public hearing for all special use permits. Also in discussing this with Becca today, possible encouraging that some joint hearings could be held between the commission and board to save time and money for the applicant. But they are also proposing with this change that the fee for the special use permit go from \$100 to \$200. That's to cover in event that you have two special use permit public hearings. To cover the extra advertisement costs. I believe sometimes it does go over \$100. I know it goes over \$100 when the Board has a hearing so the County isn't always getting their money back on the advertisements.

Another proposed change is the fees for violating this zoning ordinance is up to \$500. It is determined by the Judge. We have actually ran into some cases where violations have occurred

and we pretty much have been told that they make more money than what the fine was. So they are proposing that the fine go from \$500 to up to \$2500. And again the fine will be determined by the judge. We hope that this will help and that citizens will stop and think about the costs versus going ahead with something that is not in compliance.

Supervisor Kitchen moved, Supervisor Snoddy seconded and was unanimously carried by the Board to hold a public hearing on the proposed zoning ordinance changes on October 11, 2011 at 7:10 p.m.

Re: Consider Commonwealth Regional Council Charter Agreement Amendment

Mrs. Carter: As you are aware, the Board did propose to the CRC to change their By-Laws that we could have a representative, which has been chosen as the County Administrator or my staff to be the alternate. Danny LeSueur being the member. I have been attending those meetings and if I can't attend, I can send Karl. He would not have a have a vote but that has been taken care of. The CRC in order to encourage membership and to make it easier for some of the entities to be members, they are proposing to Board of Supervisors and each council that's involved some charter amendments. Right now and still what's being proposed that towns with a population of over 3500 can participate however, the fees, they feel like inhibits them. Such as Hampden Sydney, Longwood...right now, in the region, Longwood, Hampden Sydney, and Southside Virginia Community College are eligible to be members, and they say that there are many entities that could benefit by overall collaboration, but they feel that the current membership composition is only for local counties and higher educational institutions. So CRC has provided a resolution and outline the changes that they are asking each county to adopt and pretty much what it is doing is initially it says that "each locality that is a party to the Charter Agreement shall appoint in writing one member and one alternate" and it deleted that each alternate member shall be elected officials and this is on your request. Their term of office should be concise with their elected term of office or shorter appointment has been deleted out. Longwood University, Hampden Sydney College and Southside Community College each of which is a higher education entity shall each appoint in writing one member and one alternate. The have deleted one member and alternate shall be the president of the institution or a cabinet level representative and his or her term of office shall be determined by the appointing institution and added other entities of significance that are party to the Charter Agreement shall appoint in writing one member and one alternate member. The council shall determine at or before the first meeting each calendar year the annual dues. They have deleted "to be paid by the member localities and institutions. In no event except otherwise provided shall any locality or institution be required to pay annual dues in an amount greater than any other member locality or institution." They have deleted that "any member locality that transfers or caused to be transferred, its pro rata shares of the assets of the former Piedmont Planning District Commission to the Council shall commence paying annual dues in July of 2006. The member institutions of higher education shall commence paying annual dues in July of 2005." I think the most significant thing they are saying here as far as the dues, if you go down to Resolution, the entities that have lesser membership, the dues will be set by the council. Where now is pretty much per, we all pay the same set fee. But what they are saying is that if the entity has lesser people, the council will set the dues in order to help keep membership in the CRC.

Kitchen: What they are trying to do is get more people in it. Are they all going to be voting members?

Carter: Yes, those appointed will.

Kitchen: At one time that is what they were trying to get away from.

Carter: At the present time there is not a representative from Longwood, Hampden Sydney or Southside and I think they are trying to get them back in and pay a lesser rate than what the counties pay. Which is still less than when we were...when we were members of the Heartland and PPDC, we paid two fees. Now we only pay one which is less than the two together.

Kitchen: This is the resolution you want adopted?

Carter: Yes. Supervisor Bates was very much involved in the initial...I haven't been involved real close except when you appointed me as alternate. I've only been to one meeting that I've been a voting member.

Kitchen: Do we need to appoint someone else since Danny is not going to run for reelection?

Carter: In January. It says that the fee paid will be based on a formula where before it was the governing body and its members in good standing pro rata based on the determined annual dues by the council.

Kitchen: I thought Longwood and Hampden Sydney were in it?

Carter: They are not participating now.

Kitchen: But they were to start with.

Carter: I think that this...Cumberland has come back in so membership is started to get built back up again.

Bates: Farmville is not in on it. Farmville backed out.

Kitchen: They are coming back now.

Carter: They are asking that you adopt this resolution so they can negotiate less fees for those who have less people and the institutions. That is what they are asking, that they will not pay the same fee as the localities. My question was if the council can determine the fee without Supervisor input, does that mean they can raise the localities fee. We all pretty much agree that we don't think that's going to fly. Being on the council with a vote if Supervisor LeSueur is not there, I'll be there to look after your best interest. But really there is no plan to raise the local government's fee. The plan is to try to get more involvement and more membership.

Talbert: What is your recommendation?

Carter: I recommend that you approve it and then we will watch closely to make sure the locality fees do not go up.

Supervisor Kitchen moved, Supervisor Chambers seconded to approve the resolution.

Bates: I'm not going to rehash old history I'm going to vote against this for one reason. I think that opening up the membership to other, as they use, entities of reasonable significance without finding out who those entities are and giving equal vote to members who don't have equal skin in the game is going to put us right back where we were before we got to this point. That was the problem we had before. We had a variety of members before that were paying a fraction of the dues to the Piedmont Planning Commission and they were calling all the shots yet the counties, like Buckingham, were paying large sums where basically having to follow...it was sort of the tail wagging the dog. I think that maybe right now we may not be there but five years down the road you will find yourself in the same boat.

Kitchen: I think you are 100% correct. That is what Becky recommended and I don't have a problem with it because you will watch it.

Carter: You could recommend some amendments to this.

Bates: Seems to me that we asked the CRC to amend the language so that it didn't have to be a board member that it could be County Administrator or other designee or a citizen.

Carter: Yeah, well they didn't agree to the citizen. They agreed to the county administrator or staff member. They did in their discussions at this point, I'm really not a voting member until you all approve this, or every county approves this, their discussions were how to create more membership and have more participation and have more opportunity.

Kitchen: Does this have to be done tonight?

Carter: You all can table it but if you do I would like to have your specific concerns so that I can take it back to them.

Kitchen: I would like to table it to the next meeting that way you can come up with some ideas for them.

Bates: You say you would like some specifics...

Supervisor Kitchen withdrew his previous motion.

Carter: Until Danny LeSueur goes, I still do not have a vote until we do.

Bates: I'll email you my concern.

Re: Consider request form CVCS to use the County's Soccer field for after school activities

Central Virginia Christian School requests permission to use one of the County's soccer fields for their students after school. Mr. Shumaker said that this would not be a problem since their usage times would not conflict with any of the County's recreational activities. CVCS's insurance would cover the students.

Supervisor Bates moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve the request of CVCS for the use of the soccer fields for their students.

Re: Voting Credentials for the Annual Business Meeting at the VACo Conference

Supervisor Chambers moved, Supervisor Kitchen seconded and was unanimously carried by the Board to appoint Supervisor Bates to have voting credentials for the Annual Business Meeting at VACo Conference.

Re: County Administrator's Report

Update Department of Game and Inland Fisheries, New Canton Boat Landing: I received an email from the Game and Inland Fisheries probably 2 ½ months ago advising me that we need to start doing the maintenance at the New Canton Boat Landing, mowing, weed eating, bush hogging, everything. So come to find out that after a lot of research that 20-24 years ago, when Lewis Teeple was County Administrator there was a contract signed with Game and Inland Fisheries that the County would do all that work. We've never done it. I expressed to them that we have a very small maintenance staff and so we did have a meeting scheduled for last week to work out something for me to bring back to you all, because the way the agreement was the contract was only good for 20 years, so we could get out of the contract but I didn't want to get out of the contract if that meant the boat landing being closed, so that is the discussions that we need to have. It appears that whoever was there before kept doing it and didn't put the responsibility on the county. It is a great deal of responsibility. To be responsible for the solid waste, law enforcement control, the curfew and everything down there. The guy from Game and Inland Fisheries called and said he couldn't make it to the meeting so it has to be rescheduled. When I got the phone call and they said come down here I need to show you where to bush hog, I was quite surprised. But I'll keep you updated on that.

PPTRA Credit: The Commissioner of Revenue has provided you with the new Personal Property Tax Relief Act credit of 44.16% to keep it in line with the state funding. That means the percentage of tax relief on personal property of someone's bill will be 44.16%. That is a little better than last year which was 43.8%. Stephanie Midkiff is making you aware of that.

Letter of Appreciation from the Buckingham Active Seniors: Next is a letter of appreciation from Kristen Queen for the Buckingham Active Seniors for the appropriation. This made some people very happy in appropriating money for their program.

VDOT Comprehensive Financial Management System to be launched: This is for your information to see where they are going so perhaps when they get additional information, they will share that with you.

VDOT Regional Public Hearings on the Fiscal Year 2012-17 Six Year Improvement Program including highway, rail, and public transportation initiatives: They will conduct regional public hearings to give citizens the opportunity to review and provide comments on projects and programs to be included in the Fiscal Year 2012-17 Six year improvement program including highway, rail and public transportation initiatives.

For information, I have provided you with the August 2011 building permit report, note of appreciation from the families of Dee Adcock and Edith Dunkum. I have provided you with the votes for the Senate primary. I must say that Supervisor Bates, we are very proud of the showing for Buckingham. I was very glad to see this many people come out to vote when this was the only thing on the ballot.

I have nothing further, Mr. Chairman.

Re: Board Matters

Kitchen: I have one thing Mr. Chairman. I have this water bill for Edward Johns. Back when they built the Food Lion down there the power company came across there and messed it all up. This gentleman doesn't live there and he had no idea.

Carter: We've already given him the leak formula.

Kitchen: yeah, but since he wasn't there, what I'd like to do is not do away with the whole bill but cut it in half.

Bates: How much money are we talking about?

Kitchen: It's \$143.61 so half of that.

Supervisor Kitchen moved, Supervisor Chambers seconded and was unanimously carried by the Board to approve reducing the water bill for Edward Johns from \$143.61 to \$71.81.

Talbert: I'd like to say the meeting I went to in Farmville, for Crossroads was so impressive that it almost brought tears to my eyes. The patients that are down there, once a year, they go different places but they went to James River over here at the forest this year and also our last meeting was over here at the 4-H Holiday Lake. I guess there is about 35 patients there of various handicaps, but you know those people just impressed me so. It just makes you sit down and want to cry. Here we are good and healthy and they have needs. Those people at Crossroads, Will Rogers provide for those needs and do an excellent job. Another thing that impressed me, they did karaoke, well they let their patients have their karaoke and everyone of

them just about went up there and sang songs, you know what they sang about, everyone of the sang a song about Christ as their Savior. I couldn't have gotten on any better board to serve on than this one.

Snoddy: They do a good job.

There being no further business, Chairman Talbert declared the meeting adjourned.

ATTEST:

Rebecca S. Carter
County Administrator

Ernest A. "Bill" Talbert
Chairman