

BOARD OF SUPERVISORS MEETING

March 20, 2006

The regular meeting of the Campbell County Board of Supervisors was held on the 20th day of March 2006 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Eddie Gunter, Jr., Chairman, Presiding	Concord Election District
Rick Boyer	Sunburst Election District
Calvin P. Carter	Altavista Election District
Charles W. Falwell	Timberlake Election District
Hugh T. Pendleton, Jr.	Rustburg Election District
J. D. Puckett	Brookneal Election District
Hugh W. Rosser	Seneca Election District

R. David Laurrell, County Administrator
Clifton M. Tweedy, Deputy County Administrator

The meeting was called to order at 1:00 p.m., and Supervisor Boyer gave the invocation.

// APPROVAL OF MINUTES

On motion of Supervisor Rosser, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the February 21, 2006 regular meeting as presented.

The vote was: Aye: Boyer, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None
Abstain: Carter

// VIRGINIA DEPARTMENT OF TRANSPORTATION MATTERS

Don Austin, Residency Administrator, Virginia Department of Transportation (VDOT), was present to discuss highway matters with the Board. Three resolutions were presented for approval.

Maple Lane – to accept the road into the secondary system

On motion of Supervisor Pendleton, the following resolution was adopted:

WHEREAS, the street described below was established January 3, 1978 and currently serves at least 3 families per mile, and

WHEREAS, the Virginia Department of Transportation is assisting the County to improve its current subdivision control ordinance so that it meets all necessary requirements to qualify the county to recommend additions to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia, and has granted the County a cooperative period in which to accomplish that goal, and

WHEREAS, after examining the ownership of all property abutting this street, this Board finds that speculative interest does not exist,

NOW, THEREFORE, BE IT RESOLVED, this Board requests the following street be added to the secondary system of state highways, pursuant to §33.1-72.1, Code of Virginia:

Name of		
Subdivision:	Country Haven Estates	
Name of Street:	Maple Lane	
From:	Route 726 (Mt. Athos Road)	
To:	0.20 mile north Route 726 to cul-de-sac	Length: 0.20 miles
Guaranteed Right-of-Way		

Width: 50 feet
Plat Recorded Date: 01/03/1978 Plat Book: 23 Page: 94

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

BE IT FURTHER RESOLVED, this Board requests the Virginia Department of Transportation to improve said street to the prescribed minimum standards, funding said improvements pursuant to §33.1-75.1, Code of Virginia, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution and a county check in the amount of \$30,000.00 representing the County's revenue sharing contribution to revenue sharing allocations in Fiscal Year 05-06 and fifty percent of the Department's cost estimate of \$60,000.00, be forwarded to the Residency Administrator of the Virginia Department of Transportation.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

Pin Oak Lane (1) to transfer funding from another revenue sharing project, and (2) to take the road into the secondary system

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors adopts the following resolution:

WHEREAS, in FY 2006 the County of Campbell elected to participate in the Virginia Department of Transportation Revenue Sharing Program totaling in the amount of \$362,366 (\$181,183 County and \$181,183 VDOT) for project 0747-015-294, M502 (UPC 72614), and

WHEREAS, this project is over funded, and

WHEREAS, the Campbell County Board of Supervisors would like to adopt the following project as a new revenue sharing project for a new addition:

Pin Oak Lane – Holiday Forest Subdivision – construction of a new road from Route 851 to a dead end, a distance of 0.16 mile.

WHEREAS, the County of Campbell would like to transfer funds totaling \$22,430 to the project as follows:

FY 2006 Funds - \$11,215 County and \$11,215 VDOT from UPC 72614

THEREFORE, BE IT RESOLVED, that the Campbell County Board of Supervisors requests that the revenue sharing funds in the amount of \$22,430 be transferred as described above to the new adopted revenue sharing project; and

APPROVES a supplemental appropriation in the General Fund, Highway Services, appropriating \$11,215 to Country Haven Estates, Pin Oak Lane; and raises estimated revenue, Country Haven Estates, Pin Oak Lane, by \$11,215.00.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

Other VDOT Matters

- VDOT has started clearing trees on the Dotson Road right of way.
- Mr. Austin presented the Board with a lapel pin commemorating VDOT's 100th anniversary.
- The work on the curve on Timberlake Road reported by Supervisor Falwell would be done this spring.
- McDaniel Lane rural addition – Supervisor Rosser has talked with property owners and they have agreed to have the road staked before deciding to give the right-of-way

necessary to bring the road into the state secondary system. Supervisor Rosser would like to be present when VDOT is staking the road.

- The property owners on Cheesecreek Drive in a private subdivision would like to have their road taken into the secondary system. Mr. Austin indicated we could add this road to the list for the Road Viewers this spring.

While Mr. Austin was present, Supervisor Pendleton asked if a bypass would be built in our area in his lifetime. Later at this meeting the Board would be considering a Route 29 Transportation Corridor Overlay ordinance, and this information would be pertinent to that discussion. Mr. Austin advised that currently there was no funding in the plan for a bypass. Administrator Laurell added the environmental assessments were at least 10 to 15 years out, possibly more. In addition, the Transportation Board was considering funding cuts. If this happens, we would lose \$200,000 or more. The General Assembly has yet to pass its transportation plan. If they adopt the House plan, the County's allocation would be less than four years ago. If they adopt the Senate plan, there would be an increase of approximately 35 percent.

// COMPREHENSIVE SERVICES ACT BUDGET

Michael Daly, Director of the Department of Youth, Adult and Community Services presented an appropriation in the amount of \$850,000 to offset the expected deficit by the end of the fiscal year in the CSA budget. Costs for the CSA budget have increased significantly due to an increase in the number of children requiring residential placements and receiving intensive prevention services. This would be a shared expense with the State responsible for 68.93% and the County responsible for 31.07%. In answer to a question by Supervisor Rosser, families that can afford to contribute are required to pay a part of the fees. Children do come from other localities, and Administrator Laurell advised that staff would be gathering more statistical data to guide the program usage.

Chairman Gunter pointed out this was a good example of State mandates that localities had no control over. Administrator Laurell added that for the first time the costs for mandated Social Services programs amount to more than 30 percent of the non-schools budget.

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors approves a supplemental appropriation in the General Fund, Comprehensive Services Act, Children at Risk Program, appropriating \$850,000 to CSA/CAR Pool; and increases Categorical Aid, Welfare Services Program, Children at Risk (CAR) Pool, General Fund, by \$585,905 for 68.93% of total funding needed, and balance of \$264,095 for local match of 31.07% to come from General Fund Balance.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

// UPDATE ON WARDS CROSSING WEST

J. Michael Davidson, Director of Economic Development, was pleased to report that progress on the Wards Crossing West development was moving along on schedule and in compliance with the agreement with the City of Lynchburg. The building permit for Kohl's was issued last week, and construction on the building should be starting soon. He verified the application to rezone the entrance off Leesville Road has been filed with the city.

The next step for the County is to hold a public hearing to consider a special taxing district at the April 3rd meeting.

In answer to a question by Supervisor Boyer, the City Engineer would be installing traffic calming devices on some of the side roads, but he did not know when that would occur. The funding for the devices was through Compson Development.

// TRANSPORTATION FORUM – LOCAL GOVERNMENT COUNCIL

The Local Government Council, with the support of Campbell County and other local jurisdictions, recently received a transportation planning grant from the Virginia Department of

Transportation. The grant is intended to enhance the relationship between transportation planning and land use planning throughout the region and to produce transportation plan elements for each locality that could be adopted as part of its comprehensive plans. The planning grant did not require a cash contribution; however each locality has pledged to support the effort with an in-kind match of staff resources. The Board of Supervisors passed a resolution of support on March 7, 2005.

The Local Government Council and the transportation consultant (Parsons) will host a regional forum for elected and appointed officials in May. The session will include presentations from nationally recognized experts in the fields of transportation and land use planning, as well as participation and input from those attending. It is expected to last approximately one-half day with lunch provided. All members of the Board of Supervisors, Planning Commission, Industrial Development Authority, and Economic Development Commission would be invited and were encouraged to attend.

// TRANSPORTATION CORRIDOR OVERLAY DISTRICT

Paul Harvey, Director of Community Development, reported the Planning Commission discussed the proposed ordinance again at their February 27th meeting and voted 7-0 to recommend adoption as advertised.

Supervisor Pendleton asked if this ordinance would affect existing businesses, for instance Phillips Equipment Company, or any future owners of that property from expanding. Mr. Harvey stated that Phillips Equipment already had three entrances, two from Wards Road and one from Patterson Road, and approximately 795 feet of frontage on Wards Road. The building was 60 feet from Wards Road so the business could come eight to ten feet closer to Wards Road with an addition, and there was plenty of room on either side and to the rear for the business to expand. There were at least three different ways the property could be subdivided under the proposed ordinance. One or both entrances off Wards Road could be relocated or left as is and share the second entrance with any subdivided parcels to the south. The ordinance does not apply to Patterson Road so with VDOT approval, Phillips Equipment could get as many additional entrances off Patterson Road as needed. They could also share the existing Patterson Road entrance. Looking at the proposed ordinance, Mr. Harvey did not believe the ordinance would affect Phillips Equipment Company at all.

Continuing, Supervisor Pendleton asked Mr. Harvey if the ordinance would affect other existing businesses on Route 29. Mr. Harvey said the only real restrictions were when you subdivided the property. You could relocate existing entrances as long as VDOT approves the sight distance.

Supervisor Carter was more concerned that when a property was sold, the ordinance would hamper the next owner. Mr. Harvey indicated that would only happen if the nature of the business was changed. Currently, if a business changes hands, VDOT looks at the commercial entrance again. Approval of a commercial entrance does not pass with the property.

Supervisor Rosser believed the ordinance would be a handicap for businesses trying to locate on Route 29. He could find no one that believed this ordinance was the way to help the traffic on Route 29. For residential properties, he did not think it was fair to force neighbors or relatives to share a driveway. Administrator Laurrell pointed out the ordinance would only come into play for newly subdivided lots with less than 800 feet of road frontage. Supervisor Rosser indicated he could not support the ordinance.

Supervisor Boyer suggested that if the 800 feet condition was a point of contention, maybe the Board could reduce the amount of road frontage to 650 or 700 feet.

Chairman Gunter reminded the Board the Madison Heights bypass was the reason the Board initiated discussions to implement an overlay district. Campbell County did not have an interstate, and Route 29 was as close as we were going to get. He asked if the Board wanted to generate growth in that area only to slow the traffic down and make the road unsafe by creating more turn lanes and crossovers. The whole idea of Route 29 was to be able to travel from North Carolina to Washington as quickly as possible. Fast, safe travel would encourage tourism. He

did not see where the ordinance would deter growth, but not having this ordinance could be a future handicap.

Supervisor Puckett indicated he attended the last Planning Commission meeting. After a long in-depth discussion pertaining to the ordinance, the Planning Commission had a better understanding of the ordinance and voted 7-0 to recommend approval. He travels Route 29 often and does not want to see what has happened on Wards Road to make its way down Route 29. He offered the following motion:

On motion of Supervisor Puckett, it was resolved the Board of Supervisors accepts the recommendation of the Planning Commission and adopts amendments to the Campbell County Zoning Ordinance, the effect of which would be to impose a Transportation Corridor Overlay District on properties fronting U. S. 29 from its intersection with State Secondary Route 699 northward to the Lynchburg City Limits, said zone to affect all properties fronting either side of U. S. Route 29 within the designated area to provide for orderly development along the highway frontages within Campbell County by requiring minimum 800 foot road frontage, to maintain long-term functionality of U. S. Route 29, to limit access and the number of conflict points, to promote vehicular circulation and to promote the prevention or reduction of traffic congestion and danger in public streets.

Before the vote was taken, several more comments were made. Supervisor Carter questioned if the Board was moving too fast with this ordinance. He travels Route 29 frequently and does not believe we have a problem now. He questioned whether growth would happen that fast on Route 29. He too would not be able to support the ordinance.

Supervisor Pendleton pointed out the Board only had to look at Timberlake Road to see the problems that could occur if something was not done now. He predicted there would be more commercial development on Route 29 than residential development due to the value of the land.

Supervisor Falwell talked with realtors and developers about the ordinance and it was their opinion the overlay district would maintain property values. No one could be sure if this ordinance would address all the problems, but he felt the Board should take the responsibility to look to the future and be proactive and not reactive. He could not see where the ordinance would hamper development in the County, but he could see the benefits of better traffic flow that would encourage development.

Supervisor Boyer commented the sign ordinance portion did not seem to fit the rest of the ordinance. The ordinance stipulates that a business could not have a sign larger than 32 square feet within 50 feet of the highway. As an example, he recently learned that John Deere was changing its logo and requiring the new sign at Phillips Equipment Company to be 96 square feet. Since Phillips Equipment was more than 50 feet from the highway, the ordinance would not affect them. Nonetheless, he believed the sign ordinance was more of an aesthetic issue than a safety issue.

Supervisor Pendleton called for the question.

The vote was: Aye: Falwell, Gunter, Pendleton, Puckett
Nay: Boyer, Carter, Rosser

// LANDFILL DUMP TRUCK

Clifton M. Tweedy, Deputy County Administrator, requested permission to purchase a surplus VDOT dump truck in an amount not to exceed \$15,000 with funds from the Landfill Equipment Contingency line item and Landfill Construction line item, if necessary. The current dump truck was purchased through VDOT surplus about ten years ago and now has a mechanical failure that was too expensive to repair. The Public Works Committee supported this purchase.

On motion of Supervisor Puckett, it was resolved the Board of Supervisors authorizes staff to purchase a surplus VDOT dump truck in an amount not to exceed \$15,000 with funds from the Landfill Equipment Contingency line item and Landfill Construction line item, if needed.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

// RUNAWAY BAY ROAD WORK

Mr. Tweedy requested the Board's direction on how to complete work on several roads within Runaway Bay, a lakefront community on Leesville Lake. As part of this development, a number of roads were to be added to the secondary system and maintained by VDOT when they were completed. Not all of the roads have been accepted; therefore, the homeowners association was still responsible for their maintenance. The developer has been unwilling to respond and complete the work.

The County was currently holding cash bonds in the amount of \$106,965.80 plus \$6,550.89 in interest for a total of \$113,515.69 available to complete the work. At the request of the homeowners association and as directed by the Board, the County Attorney notified the developer of the County's intent to claim the remaining funds if the work was not completed.

VDOT will work with the County to allow its contractor to do the guard rail installation so that this part of the work would not have to be bid. The preliminary estimate for the guard rail installation is \$70,000. The other work is believed to cost in the range of \$30,000. It would take several weeks of an engineer's time to prepare the remaining work for bidding, inspect the construction and coordinate with the different parties. This was estimated at \$20,000 bringing the total to \$120,000. The preliminary estimates would exceed the funds available by \$6,000. Two options were presented to complete the work: (1) the homeowners association could coordinate the work saving the engineering costs with the County paying the bills, or (2) the County could oversee the consulting engineer coordinating the work with the homeowners association agreeing to pay any difference.

Supervisor Carter asked the Board to hold over any decision for two to four weeks to allow the homeowners association more time to meet and find a professional engineer among its members.

Mr. Tweedy advised that VDOT would only do the work using their criteria for road acceptance. The County Attorney has indicated that because the County was holding the bonds, all bids would have to follow the County's procurement policy. The main question was whether the County coordinates the work or someone from the homeowners association. There could be a savings if the homeowners association coordinates the work. But nonetheless the homeowners association would be responsible for any costs above the amount the County was holding.

Supervisor Carter indicated the homeowners association was hopeful that some of the requirements of roads at this time might not apply since these roads were built sometime ago such as the placement of mailboxes, etc. Administrator Laurell pointed out it did not matter when the roads were actually built, they had to be up to the state's standards when they were taken into the system. This problem resulted from the developer not following through. However, he believed it was the consensus of the Board that the homeowners be responsible for any difference in the costs above the bond proceeds. If a decision was not made rather quickly, the work would not be finished this year and the homeowners would be faced with maintaining the roads through another winter. Rather than debating about the location of a mailbox or other issues, it may be more worthwhile to move ahead and comply with VDOT's guidelines.

Supervisor Carter would talk with the homeowners association and this matter would be placed on a future agenda.

// FY 2007 – FY 2011 CAPITAL IMPROVEMENT PLAN

The draft FY 2007 – 2011 Capital Improvement Plan (CIP) was presented to the Board at the March 6th meeting. Administrator Laurell was pleased that staff would present a balanced operating budget at the April 3rd meeting. The issues that needed to be addressed were additional funding for the CIP and the debt service that would be added in 2009 and 2010.

Administrator Laurrell indicated the Board has the option to remove projects from the CIP. Or, if the Board wanted to keep the projects in the plan, he was comfortable with waiting over the next 24 months to see if there were additional revenues at the end of the next two fiscal years. He believed the Board needed to be most concerned about the debt service resulting from two main projects, the renovations to Concord Elementary School and the Courthouse and County Complex Construction project. Mr. Tweedy has been working on the Courthouse project for about eight years and the Board on several occasions has adopted resolutions to move forward with the project. It is now the time to commit to the funding. The Board has three options: (1) eliminate projects, (2) reduce other operating expenses by the same amount that the debt service might increase, or (3) move forward with the projects and generate additional revenue for that debt service. If the Board chose option (3), the reassessment alone would probably generate enough revenue if the current rate was maintained. The Board could obligate the first \$1.4 million of the reassessment towards the debt service. Or, the Board could add two cents to the real estate tax rate this year, roll back the reassessment rate, and then add two cents to the real estate tax rate for the next two years.

Supervisor Pendleton indicated he had reviewed the plan very carefully and while he was not totally in favor with every single project, he realized that cutting any one project would hurt someone as far as capital improvements. This was an ongoing plan and each year the Board would have an opportunity to review it. He was in favor of the option to obligate the first \$1.4 million of the reassessment and not raise taxes three years in a row. He offered the following motion:

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors adopts the Fiscal Year 2007- 2011 Capital Improvement Plan as presented, and would prefer to commit \$1.4 million from the 2007 Reassessment rather than the other options presented to fund the debt service requirements.

Supervisor Rosser brought to the Board's attention to nearly \$1.4 million in the CIP under Reserve for Future Improvements that was not earmarked for any specific projects. He believed this could be used to offset debt service requirements instead of obligating revenue from the reassessment. Administrator Laurrell explained these monies were used like a checking account, and the Board adds to them each year and subtracts for expenditures. Looking at the spreadsheet, there was \$1,395,225 for FY 2007, then it drops to \$687,649 for FY 2008 and again drops to -\$509,401 for FY 2009. The money was already earmarked for projects in Fiscal Year 2008 – 2011. Alan Lane, Director of Management Services, explained the funds were not earmarked for one specific project, but for all of these projects. Administrator Laurrell added that if the \$1.4 million was used for debt service, then \$1.4 million in projects would have to be cut with a like amount over the next several years.

Supervisor Boyer indicated he looked at the CIP closely and had several questions about specific projects. He asked about the funding proposed in FY 2007, FY 2009 and FY 2011 for the Airport Development Area. Administrator Laurrell explained FY 2007 and FY 2009 were monies for the access road which the Board was already obligated. The expenditure in FY 2011 would be offset by the special taxing district that would be put in place for the Wards Crossing West project area. As to vehicle replacement, Supervisor Boyer asked if the Sheriff's Department might consider adopting a schedule similar to the Virginia State Police which is 125,000 miles. The Sheriff's Department has typically rotated cars out with mileage between 75,000 and 100,000. Mr. Tweedy added when the cars were rotated out had a lot to do with the maintenance required on the vehicles.

Chairman Gunter pointed out the estimated construction costs to renovate Concord Elementary School have increased. He asked if that project could be started one year earlier moving it from 2010 to 2009 in order to keep the debt service as currently proposed. Administrator Laurrell stated that if the Board adopts the motion as presented, then the funding mechanism would be in place to start that project one year earlier. Two limiting factors would be the permitting and construction of an onsite sewage disposal system and the Rustburg/Concord water line was not scheduled to be completed until 2010. Some alternatives would be looked at to provide water during the interim period.

Supervisor Falwell commented that because the projects included in the CIP were approved before he came on the Board, he was not in a position to suggest that any projects be

delayed or deleted. At this point he would support Supervisor Pendleton's motion and that would give him some time to learn more about the proposed projects.

Supervisor Carter and Supervisor Rosser both added the CIP was only a plan and all the projects were not in concrete. Supervisor Rosser was in favor of moving the Concord Elementary School project up by one year, but asked the Board to look at other construction projects that might be delayed to avoid additional costs in that year. Supervisor Rosser encouraged the Board to look at other alternatives to add the needed space for the Courthouse. Supervisor Boyer agreed the two main areas of the Courthouse that needed space were the Juvenile Court and the Clerk's Office. Both Judge Crumbley and Judge Johnston indicated they had sufficient space for the immediate future. He too would like to look at alternate plans to provide the needed space for the Juvenile Court and Clerk's Office. Administrator Laurrell indicated work on engineering plans was scheduled for this fall and staff could provide as many options as the Board would like. Previous discussions were based on the space studies done, and the renovation and construction project was broken down into four phases. The project was already reduced in scope before presentation to the Board. Administrator Laurrell added this project would be ongoing and most likely by the time buildings were constructed, they would already be over capacity.

Supervisor Falwell called for the question.

The vote was: Aye: Carter, Falwell, Gunter, Pendleton, Puckett
Nay: Boyer, Rosser

// RECOGNITION OF EMPLOYEES

At this time the Board recognized employees with 10, 15, and 20 years of service and those with 25 years or more that have retired. Following the presentation of certificates, refreshments were served. Certificates were presented to the following recipients:

Retirement with 25 years of service or more:

Anita Jordan	Commissioner of Revenue
Joan Milnor	Management Services
Harold Wayne Holt	Recreation Department
Emma Garrett	Social Services
Richard Williams	Sheriff's Department
Jacqueline DeJarnette	Social Services

20 years of service:

Carolyn Roakes	Purchasing Agent
Catherine Moore	Deputy Clerk, Administration
Robert Thompson	Sheriff's Department
Charlene Faulkner	Social Services
Connie Grant	Social Services
Lisa Linthicum	Social Services

15 Years:

April Clark	Social Services
Leslie Guthrie	Sheriff's Department
Vernon Wayne Bailey	Public Works, Maintenance
Susan St John	Commonwealth's Attorney's Office

10 Years:

Mary Eby	Library
Anne Blair	Information Systems Department
C. Darren Bolling	Sheriff's Department
Scott Helmtoller	Sheriff's Department
Deborah Reynolds	Social Services
R. David Laurrell	County Administrator
Elizabeth Tucker	Social Services
Sheila Bosiger	Circuit Court Clerk's Office

// RESOLUTION TO HONOR FRANK A. WRIGHT

The following resolution was adopted to honor Frank A. Wright for his service to the County on the Industrial Development Authority and the Economic Development Commission.

On motion of Supervisor Rosser, it was resolved the Board of Supervisors adopts the following resolution:

**RESOLUTION OF APPRECIATION
FRANK A. WRIGHT**

WHEREAS, Frank A. Wright has served Campbell County with distinction as a member of the Industrial Development Authority for 33 years since his first appointment on February 5, 1973; and

WHEREAS, Frank A. Wright has served Campbell County with distinction as a member of the Economic Development Commission since its inception in December 1997;

WHEREAS, the Board of Supervisors wishes to recognize the devotion to duty and responsibility he has demonstrated during his tenure; and

WHEREAS, Mr. Wright by his diligence, faithfulness, leadership and constancy attained the respect and esteem of the other members of the Industrial Development Authority and the citizens of Campbell County; and

WHEREAS, Mr. Wright by his commitment to duty did perform in an exceptional manner to the benefit of the citizens of Campbell County.

NOW, THEREFORE, BE IT RESOLVED, the Board of Supervisors does wish to express its appreciation and honor to Frank A. Wright for his service on the Campbell County Industrial Development Authority.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// RESOLUTION – BROOKVILLE TIMBERLAKE LIONS CLUB

The Brookville Timberlake Lions Club was chartered in 1956 to serve the community, and on April 8, 2006 will celebrate its 50th anniversary. A resolution was presented for adoption to honor the Lions Club for its support to many projects in its community including Jaws of Life, White Cane Drive to assist those with sight and hearing needs, at risk children, educational scholarships and youth athletics. Supervisor Falwell plans to present the resolution to the Lions Club at their celebratory dinner in April.

On motion of Supervisor Falwell, the following resolution was adopted:

WHEREAS, the Brookville Timberlake Lions Club was chartered in 1956 to serve the community; and

WHEREAS, this Club has worked tirelessly on behalf of the community to raise funds to support important projects such as the Jaws of Life; and

WHEREAS, this Club raises funds through its semi-annual White Cane Drive to help restore the sight and hearing of those so deprived, and contributes these funds for eye exams, eyeglasses, the Eye Bank for cornea transplants, Leader Dog School, and the Hearing Foundation; and

WHEREAS, this Club has supported at-risk children of poverty in Campbell County and provided them with winter clothing, Christmas presents, and an annual holiday party; and

WHEREAS, this Club has contributed to education through scholarships and supported youth athletics and more; and

WHEREAS, this club, along with the 1,310,800 other members of the Lions Clubs International, continues to work to exemplify and support the slogan “We Serve”.

NOW, THEREFORE BE IT RESOLVED the Campbell County Board of Supervisors hereby proclaims April 8, 2006 as “Brookville Timberlake Lions Club Day” in honor of its 50th Anniversary, and urges the community to help support its many charitable and praiseworthy services.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// REVISED SUMMER MEETING SCHEDULE

Several Board members and staff have inquired about the possibility of revising the summer meeting schedule due to July 4th falling on the day after a scheduled Board meeting and the change in the NACo Conference to the first week in August which conflicts with another scheduled Board Meeting. After speaking with the Chairman, staff developed a proposed summer meeting schedule for the Board’s review and comment.

There was a consensus by the Board to adopt the revised summer meeting schedule, and the following motion was offered.

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors adopts the following schedule for the months of July and August 2006:

- Monday, July 3, 2006 - Cancel
- Monday, July 17, 2006 - Regular Day Meeting 1:00 p.m.
- Monday, July 31, 2006 - Evening Meeting 7:00 p.m. (to replace August 7th meeting)
- Monday, August 7, 2006 - Cancel
- Monday, August 21, 2006 - Regular Day Meeting 1:00 p.m.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// VICTIMS RIGHTS WEEK

The week of April 23 – 29, 2006 has been named as National Crime Victims’ Rights Week to offer everyone the opportunity to promote strength in unity in helping victims and survivors of crime and recognizing their rights as victims. A resolution to designate that same week as Campbell County Crime Victims’ Rights Week was presented to the Board for adoption. The Board was invited to attend a ceremony on April 18, 2006 at 8:30 a.m. in the Campbell County Circuit Court in honor of Crime Victims Week.

On motion of Supervisor Puckett, it was resolved the Board of Supervisors adopts the following resolution:

RESOLUTION HONORING VICTIMS ’RIGHTS WEEK

Whereas, victims of crime across America *need* and *deserve* support and assistance to help them cope with the consequences of crime; and

Whereas, National Crime Victims’ Rights Week--April 23 to 29, 2006---offers us all the opportunity to promote *strength in unity* in helping victims and survivors of crime, and recognizing their rights as victims; and

Whereas, victims and survivors of crime can gain strength from the wide range of supportive services offered by over 10,000 community- and justice system-based programs, and more than 32,000 federal and state statues that define and protect their rights; and

Whereas, America has demonstrated its caring and compassion for victims of crime, from individuals who provide support to a victim in need, to community collaborations

that result in comprehensive services for victims of violence against men, women, and children, to our entire nation's response to the victims of the terrorist attacks on Oklahoma City and on September 11, 2001; and,

Whereas, by being united *against* crime and *for* victims' rights and services, we gain strength as individuals, as communities, and as a nation as a whole, and offer strength to victims who seek to recover in the aftermath of crime; and

Whereas, we must remain united in our commitment to ensure that all crime victims and survivors are treated with compassion and respect, recognized as key participants within our systems of justice, and afforded services that provide help and hope to them; and

Whereas, America has joined together annually each April since 1981 to recognize the needs and rights of crime victims and survivors during National Crime Victims' Rights Week; **therefore, be it**

Resolved, that Campbell County proclaims the week of April 23 to 29, 2006, to be Campbell County Crime Victims' Rights Week, and honors crime victims and those who serve them during this week and throughout the year; **and be it further**

Resolved, that we stand united in our commitment to victim justice as individuals, communities and a Nation; **and be it further**

Resolved, that a suitably prepared copy of this proclamation be presented to the Campbell County Victim-Witness Assistance Program.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// FINANCE AND BUDGET CONSENT AGENDA

On motion of Supervisor Puckett, it was resolved the Board of Supervisors approves the following under the Finance and Budget Consent Agenda:

a) Altavista Transfer Site will begin gated operations on April 1, 2006 from 6:30 a.m. to 9:00 p.m. every day. Signs would be placed at the site. Additional funding was needed for the transfer site attendant.

Approves additional funding in the amount of \$80.00 per month for the Altavista Transfer Site attendant (\$240 – FY06 and \$960 – FY07) for additional duties to open and close the Altavista Transfer Site each day from 6:30 a.m. to 9:00 p.m.; and approves a transfer of appropriation in the General Fund, Landfill, deleting \$240 from Landfill Office Supplies and appropriating the same to Transfer Sites, Contracted Site Attendants, additional funding needed for Fiscal Year 2006.

b) Approves the following appropriations:

(1) Capital Improvement Fund, Public Safety, deleting \$9,000 from Vehicles – Animal Control, and appropriating the same to the General Fund, Animal Control, Other Equipment, to purchase additional cages and other equipment to outfit a fourth animal control vehicle;

(2) General Fund, Animal Control, deleting \$1,800 from Maint/Repair Buildings and appropriating the same to Other Equipment, to purchase two 8 x 16 storage buildings to house donated cat and dog food;

(3) E-911 Fund, appropriating \$38,000 to Electronic Network Charges; and lowers the undesignated E-911 Fund Balance, 0-220-000300-0100, by \$38,000, to cover shortfall in line due to increase in electronic network charges by local carriers;

- (4) General Fund, Animal Control, appropriating \$5.00 to Animal Friendly License Plates; and raises estimated revenue, Animal Friendly License Plates, by \$5.00, actual funds received in Treasurer's Office from Department of Motor Vehicles was \$5.00 more than budgeted;
- (5) General Fund, Altavista Armory, appropriating \$6,000 to Heating Services; and lowers the Undesignated General Fund Balance by \$6,000, to cover the remaining heating expenses for the Altavista Armory for FY 2006;
- (6) General Fund, Economic Development, appropriating \$8,000 to Industrial Incentives – Quick Release Sports; and lowers the Undesignated General Fund Balance by \$8,000, incentives approved at the February 21, 2006 meeting;
- (7) General Fund, Commonwealth's Attorney, appropriating \$2,800 to EDP Equipment and \$900 to Office Supplies; and raises estimated revenue State/Shared Expenses Commonwealth Attorney, by \$2,639.58; and lowers Commonwealth's Attorney's Forfeited Asset Fund Balance by \$1,060.42, additional funds approved by Compensation Board for fax machine, shredder, VCIN package and calculator;
- (8) General Fund, Highway Services, appropriating \$21,061.89; and raises estimated revenue, Country Haven Estates, by \$21,061.89; and
- (9) Schools Miscellaneous Donations Fund, Miscellaneous Donations, appropriating \$1,000 to BMS; and raises estimated revenue, Gifts & Donations BMS, by \$1,000, award received by Brookville Middle School for 2006 Pacific Life Foundation 3T's of Education Grant to purchase software for teaching training program.

c) Determination for RFP for Banking Services -

The County's current bank services contract with Wachovia expires July 1, 2006. This contract provides for checking account services, direct deposit for County payrolls and other related banking services for the Treasurer and the Schools' Cafeteria Fund. The Board's approval was requested to procure those services by the competitive negotiation process. Sealed bidding of banking services would be neither practicable nor fiscally advantageous to the County. Factors to consider other than price are the offeror's experience with similar government accounts, experienced staff, responsive customer service and accessible deposit locations for the Treasurer and school cafeterias.

Determines that competitive sealed bidding is not practicable or fiscally advantageous for the procurement of banking services and authorizes Central Purchasing to use the competitive negotiation process for banking services.

- d) English Park (VLCF Grant) – staff was notified in December 2005 that the Recreation Department was awarded a \$75,000 VLCF grant for one-half of the purchase price of the park. A contract with the regulations required under the grant has been sent to the County Attorney for review and approval.

Authorizes the County Administrator to execute the contract for the VLCF Grant pending approval by the County Attorney.

e) Request for Quotation AO25-FY06, Paving/Falling River Transfer Site

Accepts the low bid by Lawhorne Brothers, Lynchburg, Virginia to pave an entrance and turn-around area at the Falling River Transfer Site in the total amount of \$11,200 from funding in Transfer Site Improvements.

- f) William Campbell Area Park Name – this park is the next to be named. The Park Committee has reviewed a number of suggestions for names and recommended "Community Park – Brookneal, Gladys, Naruna." The Recreation Advisory Council and the Human Services Committee were in agreement with the recommendation. A sign would be erected at the site.

Approves the name for the William Campbell Area Park as “Community Park – Brookneal, Gladys, Naruna” as recommended by the Park Committee.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// APPOINTMENTS

Road Viewers

On motion of Supervisor Puckett, it was resolved the Board of Services reappoints the following to the Board of Road Viewers for a one-year term until April 30, 2007, subject to their acceptance:

Franklin Greene II
Don R. Marsh
W. Earl Calohan, Jr.
Cecil Berkley
Edward S. Frazier

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

Social Services Board

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors reappoints Barbara Scott, 1872 Brownsmill Road, Rustburg, Virginia 24588, to a four-year term until June 30, 2010 on the Social Services Board from the Rustburg Election District.

The vote was: Aye: Boyer, Carter, Gunter, Falwell, Pendleton, Puckett, Rosser
Nay: None

// MATTERS FROM THE BOARD

Supervisor Carter referred to an item under the Finance and Budget Consent Agenda that the Altavista Transfer Site would be the first to try a gated site. He hoped that would work out and deter the dumping of items not allowed at transfer sites.

Chairman Gunter advised the Concord Transfer Site was running over that weekend.

// CLOSED MEETING

Chairman Gunter announced a closed meeting in accordance with Section 2.2-3711 A.3, A.7 and A.30 of the Code of Virginia to discuss matters related to the acquisition of real property, legal and contracts for public purposes.

On motion of Supervisor Puckett, it was resolved the Board of Supervisors enters into a closed meeting at 3:15 p.m. to discuss matters related to the acquisition of real property, legal and contracts for public purposes, in accordance with §2.2-3711 A.3, A.7 and A.30 of the Code of Virginia of 1950, as amended.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

// The Campbell County Board of Supervisors entered into a closed meeting on this 20th day of March, 2006 at 3:15 p.m. to discuss matters related to the acquisition of real property, legal and contracts for public purposes, in accordance with §2.2-3711 A.3, A.7 and A.30 of the Code of Virginia of 1950, as amended.

// On motion of Supervisor Boyer, it was resolved the meeting return to open session at 3:40 p.m.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

// On motion of Supervisor Carter, the following resolution was adopted:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 20th day of March, 2006 pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711 of the Code of Virginia requires a certification by the Campbell County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Campbell County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Campbell County Board of Supervisors.

The roll call vote was: Aye: Boyer
 Aye: Carter
 Aye: Falwell
 Aye: Gunter
 Aye: Pendleton
 Aye: Puckett
 Aye: Rosser
 Nay: None
Absent During Meeting: None
Absent During Vote: None

// On motion of Supervisor Falwell, the meeting was adjourned at 3:45 p.m.

The vote was: Aye: Boyer, Carter, Falwell, Gunter, Pendleton, Puckett, Rosser
Nay: None

EDDIE GUNTER, JR., CHAIRMAN

Approved:_____