

BOARD OF SUPERVISORS MEETING

November 3, 2008

The regular meeting of the Campbell County Board of Supervisors was held on the 3rd day of November 2008 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Hugh T. Pendleton, Jr., Chairman, Presiding	Rustburg Election District
Charles W. Falwell	Timberlake Election District
Stanley I. Goldsmith	Altavista Election District
Eddie Gunter, Jr.	Concord Election District
J. D. Puckett	Brookneal Election District
Hugh W. Rosser	Seneca Election District
Steven M. Shockley	Sunburst Election District

R. David Laurell, County Administrator
Clifton M. Tweedy, Deputy County Administrator
David W. Shreve, County Attorney
Kristin B. Wright, Staff Attorney

The meeting was called to order at 7:00 p.m., and Supervisor Rosser gave the invocation.

// APPROVAL OF MINUTES

On motion of Supervisor Falwell, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the October 20, 2008 regular meeting as presented.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

// PUBLIC HEARING – AMERICAN ELECTRIC POWER EASEMENT

One public hearing was advertised for this meeting. The public hearing was opened at 7:03 p.m.

Kristin B. Wright, Staff Attorney, advised that American Electric Power has requested an easement to cross an unnamed right-of-way near its intersection with Bumgarner Drive in the Timberlake Election District. This request was in addition to an easement already granted by the Board in October 2007 within the same right-of-way. This easement would be 10 feet by 250 feet within the existing right-of-way which is 40 feet in width. The right-of-way contains a privately maintained road that serves a residence and connects with Pershing Drive. Paul Harvey, Director of Community Development, indicated in his report that he was not aware of any plans Campbell County had for the area that would potentially conflict with the proposed easement and the Campbell County Utilities and Service Authority had no lines in the area. Virginia Code Section 15.2-1800 requires a public hearing whenever the County grants a utility easement to serve a private residence.

No one spoke in favor of or in opposition to the proposed easement. The public hearing was closed at 7:05 p.m.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors authorizes the County Administrator to execute documents granting American Electric Power a 10 foot by 250 foot easement crossing a 40 foot wide unnamed right-of-way, near the intersection of the right-of-way with Bumgarner Drive north of Pershing Drive in the Timberlake Election District.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

// FY 2010 BUDGET TIME TABLE

Alan Lane, Director of Management Services, presented the FY 2010 Budget Time Table for approval. There were several comments from the Board that this budget year may be challenging in light of the current economy.

On motion of Supervisor Gunter, it was resolved the Board of Supervisors approves the FY 2010 Budget Time Table as presented.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

// CONSENT AGENDA

Several appropriations and an invoice for County Attorney fees were considered by the Board. Supervisor Rosser expressed concern about an appropriation to move funding for a position in Management Services from Administrative Aide to Administrative Assistant. He thought the County was under a hiring freeze, and regardless the County should not be hiring new employees. Administrator Laurell advised this position was already in the FY 2009 budget effective July 1 but mislabeled as an Aide's position. Because of the hiring freeze, the position was not advertised until October 1st. Someone has been hired to fill the position.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors approves the following under the Consent Agenda:

a) Appropriations –

1. School Construction Fund, Concord Elementary School, deleting \$108,990 from Other Contractual Services and appropriating the same to A & E Fees Concord Elem, to cover landscaping design, soil borings, asbestos testing, abatement, asbestos monitoring, special inspections plus regular plans and specifications invoiced by the architects;
2. General Fund, Management Services, deleting \$26,595 from COMP – Administrative Aide and appropriating the same to COMP – Administrative Assistant, to transfer monies to correct line item for position approved in FY 2009 budget;
3. General Fund, Black Top Busted Grant, appropriating \$2,726 to Comp – Overtime, \$209 to Employer Cost – FICA and \$65 to Workers Comp; and raises estimated revenue, Black Top Busted Grant, by \$3,000, to appropriate a federal pass through DMV grant awarded the Sheriff's Department;
4. General Fund, Regional Grant, appropriating \$2,479.65 to COMP – Overtime, \$210.40 to Employee Cost – FICA and \$59.95 to Workers Compensation; and raises estimated revenue, Regional Grant, by \$2,750, additional federal pass through grant funds awarded to Sheriff's Department from the Department of Motor Vehicles for DUI checkpoints;
5. General Fund, Economic Development, appropriating \$34,979.91 to Tobacco/Beef Initiative; and raises estimated revenue, Tobacco/Beef Initiative by \$34,979.81, for partial reimbursement of a \$350,000 Tobacco Indemnification and Community Revitalization Commission Grant for Value-Added Beef Initiative Expansion Project; and

b) County Attorney invoices -

Approves payment to the County Attorney in the amount of \$4,905.42 for legal services rendered.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Shockley
Nay: Rosser
Absent: None

// RESOLUTION BY GENERAL ASSEMBLY PRESENTED TO SUPERVISOR

ROSSER

Senator Robert Hurt and Delegate Kathy Byron presented the following resolution to Supervisor Hugh W. Rosser as the longest-serving County Supervisor in Virginia history.

COMMONWEALTH OF VIRGINIA
GENERAL ASSEMBLY

HOUSE JOINT RESOLUTION NO. 351

Commending Hugh Rosser.

Agreed to by the House of Delegates, February 8, 2008

Agreed to by the Senate, February 14, 2008

WHEREAS, Hugh Rosser is praised for his outstanding public service to Campbell County and is commended as the longest-serving county supervisor in Virginia history; and

WHEREAS, again elected by the citizens of the Seneca District of Campbell County in November 2007, Hugh Rosser, beginning his 13th term on January 2, 2008, surpassed the long-held record of Berry Gray, a former Richmond County supervisor who served 48 years; and

WHEREAS, Hugh Rosser was born and grew up in Gladys, Virginia, on his family's tobacco farm, and served his country in the United States Army in the 1940s; and

WHEREAS, after a two-year tour of duty with the military, Hugh Rosser returned home to Campbell County and became involved in civic affairs and politics as a member of the Campbell County's Young Democrats, and neighbors and relatives enticed him to run for a seat on the board of supervisors; and

WHEREAS, when Hugh Rosser was elected to the Campbell County Board of Supervisors in 1959, there were only five members on the board and the clerk of court was responsible for county administrative duties, and at 32 years old, he became a spirited member of one of the "youngest boards in the state of Virginia"; and

WHEREAS, Hugh Rosser's leadership helped transform Campbell County by implementing a county zoning code in 1985 and hiring a county administrator, which changed the county to an administrator type of government; and

WHEREAS, over the years, Hugh Rosser has witnessed tremendous change in Campbell County, and he has consistently supported local government policies that have promoted growth and prosperity; and

WHEREAS, throughout his distinguished tenure, Hugh Rosser has been instrumental in developing public policies that have molded a local government that serves the best interests of all of the citizens of Campbell County; now, therefore, be it

RESOLVED by the House of Delegates, the Senate concurring, that the General Assembly commend and congratulate Hugh Rosser for his outstanding public service and for being the longest-serving county supervisor in Virginia history; and, be it

RESOLVED FURTHER, that the Clerk of the House of Delegates prepare a copy of this resolution for presentation to Hugh Rosser as an expression of the General Assembly's gratitude for his commitment to the citizens of Campbell County and the Commonwealth.

House Patron: Byron
Senate Patrons: Hurt and Newman

Supervisor Rosser thanked Delegate Byron and Senator Hurt for the resolution. He introduced his wife, Patsy, and his children and was proud they were there to witness the presentation. He was appreciative of his family's support through the years and especially his wife, Patsy, who worked tirelessly as his "secretary" until her brain tumor diagnosis in 1996. All

he had to do was tell her what he wanted to say, and she could write an excellent letter. Supervisor Rosser went on to say he had enjoyed the years on the Board and seen a lot of changes over that time. He was 33 years old when he first joined the Board, and it had been amazing to see how much Campbell County had grown. He was proud of all the Supervisors he had served with and appreciated the citizens putting up with him. The years had been good to him, and he thanked the Lord for providing him with good health and bringing him through many trials.

Delegate Byron thanked Supervisor Rosser on behalf of the citizens of the 22nd District especially the citizens of Campbell County for his service and his sacrifice for so many years. She also thanked his family for their sacrifice so that Supervisor Rosser might give back to the community. Everyone was honored and proud that he was the longest serving Board of Supervisors member in Virginia. He was on the Board when tobacco was the main commodity and had helped guide Campbell County through the changes in the proper direction.

Senator Hurt also congratulated Supervisor Rosser and thanked him for his service. No matter what happened in the election on Tuesday, it was his opinion that the best example of democracy was what they saw right there. It was hard for him to fathom the type of service and commitment of an individual since 1959 when Supervisor Rosser was first elected. To come up from the soil of a tobacco farm in Campbell County and to serve more than 48 years in local government was an amazing accomplishment. Because of his vision, wisdom and experience, Campbell County was a fine place to live.

Through the years Supervisor Rosser contemplated running for a higher office, but he and his family were committed to their automobile/truck dealership. He had enjoyed his time on the Board and while the automobile business was having a tough time economically, he had faith they would come through it. He thanked Delegate Byron and Senator Hurt for their service and was appreciative of the good leadership Campbell County had always enjoyed.

Chairman Pendleton thanked Delegate Byron and Senator Hurt for recognizing Supervisor Rosser. He also thanked Delegate Byron for the effort she makes to recognize citizens within her District and supporting local events. It was very much appreciated and important. He also recalled voting for Supervisor Rosser when he was just a college student. Supervisor Rosser remembered he won that election by only 54 votes by going door to door and not giving up.

// MATTERS FROM THE BOARD

a) Appointment to Recreation Advisory Council

On motion of Supervisor Gunter, it was resolved the Board of Supervisors reappoints Clyde A. Dixon, Jr., 450 Pilot View Road, Concord, Virginia 24538, to a three year term until December 31, 2011 on the Recreation Advisory Council for the Concord Election District.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

b) Supervisor Shockley's Son Graduates from U. S. Marine Corps Basic School

Supervisor Shockley thanked the Board for allowing him to miss the October 10, 2008 Planning Session. He attended his son's graduation from the U. S. Marine Corps Basic School at Quantico, Virginia. Supervisor Shockley was proud that Evan graduated with honors ranking first among the 275 officers in the graduating class. As the Honor Graduate, Evan received the Semper Fidelis Award. He was also the recipient of the Colonel William B. Lemly Academic Award for academic achievement.

c) Tour of Concord Elementary School

The Board has been invited to tour the Concord Elementary School to see the renovations and additions completed to date. The tour was scheduled following the November 17, 2008 meeting. Another tour would be scheduled when the renovations were completed.

d) Letter to Jet Broadband

Included in the Board Book was a letter to JetBroadband dated October 21, 2008 concerning JetBroadband's request to lower or eliminate the County's bond requirements. A public hearing was scheduled for December 1st to consider a reduction of the bond. The letter also addressed some continuing problems with JetBroadband to extend service in accordance with the agreement especially to new subdivisions, and poor customer service on the weekends.

// CLOSED MEETING

On motion of Supervisor Puckett, it was resolved the Board of Supervisors enters into a closed meeting at 7:26 p.m. to discuss incentives for a company considering locating or expanding in Campbell County, in accordance with the prospective business exemption §2.2-3711 (A)(5) of the Code of Virginia, as amended; and to discuss probable litigation relating to the Campbell County Landfill, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

// The Campbell County Board of Supervisors entered into a closed meeting on this 3rd day of November, 2008 at 7:26 p.m. to discuss incentives for a company considering locating or expanding in Campbell County, in accordance with the prospective business exemption §2.2-3711 (A)(5) of the Code of Virginia, as amended; and to discuss probable litigation relating to the Campbell County Landfill, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended.

// On motion of Supervisor Gunter, it was resolved the meeting return to open session at 7:26 p.m.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

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

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 3rd day of November, 2008 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: Falwell
Aye: Goldsmith
Aye: Gunter
Aye: Pendleton
Aye: Puckett
Aye: Rosser
Aye: Shockley
Nay: None

Absent During Meeting: None

Absent During Vote: None

// ADJOURNMENT

On motion of Supervisor Rosser, the meeting was adjourned at 7:54 p.m.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley

Nay: None

Absent: None

HUGH T. PENDLETON, JR., CHAIRMAN

Approved: _____