

BOARD OF SUPERVISORS MEETING

March 6, 2006

The regular meeting of the Campbell County Board of Supervisors was held on the 6th 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 Laurell, County Administrator
Clifton M. Tweedy, Deputy County Administrator
David W. Shreve, County 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 Carter, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the February 6, 2006 regular meeting as presented.

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

// PUBLIC HEARING – REQUEST #06-00939 BY REGGIE RUSSELL

The public hearing was opened at 7:02 p.m. on:

06-00939 Request by Reggie Russell, Owner of one parcel and Contract Purchaser of a second parcel currently owned by Dolly Casadidio to rezone .94 ± acres from R-1, Residential to B-GC, Business-General Commercial with a concurrent request for a special use permit for 2.44 ± acres total to construct and operate a retail shopping center. The properties are located at 3714 Waterlick Road and 70 Smith Road, Forest, Virginia.

Paul Harvey, Director of Community Development, reviewed the zoning report explaining that Mr. Russell already owns one parcel on Waterlick Road and has a contract to purchase an adjacent parcel. In 1999 the Board approved a rezoning request by Mr. Russell to rezone his parcel from R-1 to B-1 for construction of a restaurant and convenience store. Since then, Mr. Russell has been working to finalize his plans and now desires to purchase the adjacent parcel to construct a retail shopping center in addition to the restaurant and convenience store.

The property in the area is a mixture of residential and business uses. The zoning in the vicinity is Business-General and Business-Limited Commercial (B-GC & B-LC) and Residential (R-1). Access to the property would be from Waterlick Road and Smith Road. All new commercial entrances would need to be approved by VDOT. Public water and a private septic system would serve the property. The property was located near a transition point between medium to high-density commercial growth near Timberlake Road and medium to high-density residential growth west on Waterlick Road supported by a major transportation corridor and access to public water.

The Planning Commission voted 5-0 to recommend approval citing good zoning practice and further recommended conditions on the special use permit to require a minimum double row

of evergreen trees as a buffer between commercial and residential properties and that the property be developed in substantial compliance with the site plan dated December 30, 2005.

Wayne Booth, 21547 Timberlake Road, was present on behalf of Reggie Russell. Looking at the site plan, he pointed out the particulars of the plan noting there would be green spaces and close to 200 parking spaces available for the development. Their intent was to make the development a welcoming site.

No one spoke in opposition to the proposed rezoning and special use permit request. The public hearing was closed at 7:08 p.m.

Supervisor Falwell spoke with Mr. Russell about the project who indicated he wanted to build an upscale restaurant with nice architectural features. Supervisor Falwell believed the proposal would enhance the property. He offered the following motion:

On motion of Supervisor Falwell, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice **APPROVES** Request #06-00939 by Reggie Russell, Owner of one parcel and Contract Purchaser of a second parcel currently owned by Dolly Casadidio to rezone .94 ± acres from R-1, Residential to B-GC, Business-General Commercial with a concurrent request for a special use permit for 2.44 ± acres total to construct and operate a retail shopping center on properties located at 3714 Waterlick Road and 70 Smith Road, Forest, Virginia, with the conditions on the special use permit to require a minimum double row of evergreen trees as a buffer between commercial and residential properties and that the property be developed in substantial compliance with the site plan dated December 30, 2005.

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

// PUBLIC HEARING – REQUEST #06-00943 BY ANDREW & ANDREA BRUCE

The second public hearing was opened at 7:10 p.m. on:

06-00943 Request by Russell E. Nixon with Nixon Land Surveying, LLC, Agent for Andrew A. & Andrea M. Bruce, Contract Purchasers of property currently owned by Nathan L. Helms to obtain a special use permit to hold outdoor weddings and receptions. Property is located on the east side of Campbell Highway (Route 501), approximately 2/10ths of a mile south of its intersection with Suburban Road (Route 680).

Mr. Harvey reviewed the zoning report indicating the property consisted of approximately 28.57 acres and was currently vacant and partially wooded. The request was for a special use permit to hold outdoor weddings and receptions on property zoned A-1, Agricultural. The zoning in the vicinity is Agricultural (A-1) and Residential (R-2), and there was a small portion of the front of this property located in the 100-year floodplain.

Access to the property would be from Campbell Highway (Route 501), and the request was expected to have minimal impact on the daily traffic flow except during large events. VDOT would need to approve the entrance for the use proposed. Mr. Harvey shared a letter from VDOT indicating the sight distance was adequate, but the request has not yet been reviewed by their traffic engineering section. This property was right at the transition point between the four-lane part and the two-lane part of Route 501. To make a left-hand turn into the property you would have to cross the transition part of Route 501; therefore, some new pavement markings would be needed. VDOT has not determined if any turn lanes would be required. The property owners have indicated they would work with VDOT on the entrance improvements.

The Planning Commission voted 4-0 with one abstention to recommend approval of the request citing good zoning practice with the condition that VDOT approval of the entrance be obtained before any events were held on site, and that the site be developed in substantial compliance with the site plan dated December 10, 2005.

Russ Nixon, owner of Nixon Land Surveying, LLC, was representing Andrew A. & Andrea M. Bruce, contract purchasers of the property. Mr. and Mrs. Bruce were interested in obtaining a piece of property that would provide a scenic view for outdoor weddings. Mr. and Mrs. Bruce were currently students at Liberty University and Mr. Bruce was also employed by the college. Mr. and Mrs. Bruce would like to build their home at the back of the property with space at the front of the property for weddings and an indoor reception hall. Their goal is to have as many as three weddings per week.

In answer to a question by Supervisor Falwell, no date for construction has been set as the purchase of the property was contingent upon receiving a special use permit. In addition, Mr. Nixon recommended that Mr. and Mrs. Bruce not spend the money to design the road until the special use permit was approved. But as mentioned by Mr. Harvey, the sight distance was adequate, but some paint striping may need to be changed for the turn lane.

No one spoke in opposition to the request for a special use permit. The public hearing was closed at 7:17 p.m.

Supervisor Pendleton commented this was in the Rustburg District and while he was not overly optimistic that this business venture would be successful, he offered the following motion to approve with several conditions.

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice **APPROVES** Request #06-00943 by Russell E. Nixon with Nixon Land Surveying, LLC, Agent for Andrew A. & Andrea M. Bruce, Contract Purchasers of property currently owned by Nathan L. Helms to obtain a special use permit to hold outdoor weddings and receptions on property located on the east side of Campbell Highway (Route 501), approximately 2/10ths of a mile south of its intersection with Suburban Road (Route 680) with the conditions on the special use permit to require the installation of a VDOT approved commercial entrance, that no music with the use of amplifiers be allowed outdoors and that the property be developed in substantial compliance with the site plan dated December 10, 2005.

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

// PUBLIC HEARING – ADOPTION OF PPTRA ORDINANCE

The last public hearing was opened at 7:18 p.m.

Administrator Laurrell explained that during the 2005 session, the General Assembly made a substantial amendment to the Personal Property Tax Relief Act of 1998 (PPTRA) by changing the manner in which the Commonwealth will provide to localities the money for personal property tax relief under the PPTRA. Prior to year 2006, the Commonwealth paid to a locality the tax relief amount relating to each vehicle in the locality's qualified fleet of vehicles. The PPTRA required the tax relief to be a specific percentage of the tax on the qualified vehicle subject to certain statutory limitations. The percentage of relief for year 2005 was established by the General Assembly at 70 percent. The number of vehicles has increased over the years, and accordingly so has the Commonwealth's financial liability. Wanting to limit this ever-increasing liability, the General Assembly modified the PPTRA to provide that its liability to all localities would be capped at a fixed sum to be distributed to each locality in accordance with the percentage of a locality's year 2005 tax relief submission request.

Under the guidelines of the PPTRA, there were three ways the County could distribute the tax relief to its citizens. Staff was recommending a method that was the most straightforward and less convoluted using a percentage based reimbursement. This would mean taking the pool of money from the State reimbursement (approximately \$3.4 million for Campbell County) and proportioning that among all the qualifying vehicles in the County to determine a flat percentage reimbursement based on assessed value to go back to the taxpayer. To implement that option, a public hearing was required and an ordinance must be adopted. Another resolution would need to be adopted with the budget resolution, and notice would be mailed to the taxpayers.

No one spoke in favor of or in opposition to the proposed ordinance. The public hearing was closed at 7:25 p.m.

On motion of Supervisor Carter, it was resolved the Board of Supervisors adopts an uncodified ordinance to the Campbell County Code of 1988, the effect of which will be to provide a procedure for implementing changes to the Personal Property Tax Relief Act (PPTRA) effected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia, and set forth as follows:

An Ordinance to Provide for the Implementation of the 2004-2005 Changes to the Personal Property Tax Relief Act of 1998

WHEREAS the Personal Property Tax Relief Act of 1998, VA. CODE ANN. §§58.1-3523 *et seq.* (“PPTRA”), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act, hereinafter cited as the “2005 Appropriations Act”); and

WHEREAS these legislative enactments require Campbell County to take affirmative steps to implement these changes, and to provide for the computation and allocation of relief provided pursuant to the PPTRA as revised; and

WHEREAS these legislative enactments provide for the appropriation to Campbell County, commencing in 2006, of a fixed sum to be used exclusively for the provision of tax relief to owners of qualifying personal use vehicles that are subject to the personal property tax (“PPT”) on such vehicles, and provide the opportunity for Campbell County to fashion a program of tax relief that serves the best interests of its citizenry;

NOW THEREFORE BE IT ORDAINED by the Campbell County Board of Supervisors as follows:

§1. Purpose; Definitions; Relation to other Ordinances.

(a) The purpose of this Ordinance is to provide for the implementation of the changes to PPTRA effected by legislation adopted during the 2004 Special Session I and the 2005 Regular Session of the General Assembly of Virginia.

(b) Terms used in this Ordinance that have defined meanings set forth in PPTRA shall have the same meanings as set forth in VA. CODE ANN.§58.1-3523, as amended.

(c) To the extent that the provisions of this Ordinance conflict with any prior Ordinance or provision of the Campbell County Code of 1988, as amended, this Ordinance shall control.

§2. Method of Computing and Reflecting Tax Relief.

(a) For tax years commencing in 2006, Campbell County adopts the provisions of Item 503.E. of the 2005 Appropriations Act, providing for the computation of tax relief as a specific dollar amount to be offset against the total taxes that would otherwise be due but for PPTRA and the reporting of such specific dollar relief on the tax bill.

(b) The Campbell County Board of Supervisors shall, as part of the annual budget adopted pursuant to Chapter 25 of Title 15.2 of the Code of Virginia and uncodified ordinances of the Campbell County Code of 1988, as amended, set the rate of tax relief at such a level that it is anticipated fully to exhaust PPTRA relief funds provided to the County by the Commonwealth.

(c) Any amount of PPTRA relief not used within the County’s fiscal year shall be carried forward and used to increase the funds available for personal property tax relief in the following fiscal year.

(d) Personal property tax bills shall set forth on their face the specific dollar amount of relief credited with respect to each qualifying vehicle, together with an explanation of the general manner in which relief is allocated.

§3. Allocation of Relief among Taxpayers.

(a) Allocation of PPTRA relief shall be provided in accordance with the general provisions of this section, as implemented by the specific provisions of Campbell County's annual budget relating to PPTRA relief.

(b) Relief shall be allocated in such a manner as to eliminate personal property taxation of each qualifying vehicle with an assessed value of \$500 or less.

(c) Relief with respect to qualifying vehicles with assessed values of more than \$500 shall be provided at a rate, annually fixed in the Campbell County budget and applied to the first \$10,000 in assessed value of each such qualifying vehicle, that is estimated fully to use all available state PPTRA relief. The rate shall be established annually as a part of the adopted budget for Campbell County.

§4. Transitional Provisions.

(a) Pursuant to authority conferred in Item 503.D. of the 2005 Appropriations Act, the Treasurer of Campbell County is authorized to issue a supplemental personal property tax bill, in the amount of 100 percent of tax due without regard to any former entitlement to state PPTRA relief, plus applicable penalties and interest, to any taxpayer whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid on September 1, 2006, or such date as state funds for reimbursement of the state share of such bill have become unavailable, whichever earlier occurs.

(b) Penalty and interest with respect to bills issued pursuant to subsection (a) of this section shall be computed on the entire amount of tax owed. Penalty and interest shall be computed at the rates provided in Chapter 9 "Finance and Taxation" of the Campbell County Code of 1988, or in applicable uncodified County ordinance(s), from the original due date of the tax.

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

// **REGIONAL AIR SERVICE REQUEST**

Rex Hammond, President of the Lynchburg Regional Chamber of Commerce, was present to request a one-time payment of \$12,956, the County's pro-rata share, that would be included in the FY 2007 annual budget for incentives for regional air service needs related to Colgan Air. He also requested ongoing support of air service activities with a like amount starting with the FY 2008 budget. The Chamber and the Partnership (the group of businesses working with the Regional Airport to improve airline quality and lower fares) also emphasized their resolve to support an independent regional airport authority.

The Lynchburg Chamber of Commerce was negotiating with Colgan Air, a partner of United and U S Airways, to establish air service to Washington Dulles Airport. As a part of the negotiations, the Lynchburg Chamber needs to provide \$80,000 in incentive funding to cover start-up costs and to market the new service. The Lynchburg Industrial Development Authority has pledged \$20,000 of the total amount needed. When the connection to Dulles was lost after September 11th, Lynchburg lost its northeast connection. The quality and competitiveness of air service in our region remains a top concern for our local industries. Having this service would allow Lynchburg to become much more competitive for business travel, but the fares for leisure travel would probably not be competitive.

Administrator Laurrell indicated that Lynchburg City Council appears to be more interested in creating a regional airport authority and just recently instructed staff to begin the process by talking with the adjoining localities. The Campbell County Board of Supervisors has

already voiced its support of a regional authority and believed the airport to be a valuable asset to Campbell County and the region. The following motion was offered:

On motion of Supervisor Carter, it was resolved the Board of Supervisors approves a one-time payment of \$12,956 to be included in the Fiscal Year 2007 annual budget for incentives for regional air service needs related to Colgan Air; and supports ongoing support of regional air service activities through funding beginning with the Fiscal Year 2008 budget.

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

// ALTAVISTA/BROOKNEAL BLUEWAY MASTER PLAN

Ron Reynolds, Director of Recreation, indicated the last park has been purchased for the County in Altavista and staff has been looking ahead to the development of a blueway master plan since this property provides access to the Staunton River to tie in to the Park Master Plan.

The Local Government Council would assist with the development of a Blueway Master Plan at a cost not to exceed \$4,000. Sufficient funding was available from funds that would be left over from the Park Master Plan. There were also grants available for planning and the construction of riverside walking trails that staff was pursuing. Kelly Hitchcock from Local Government Council was available at the meeting for any questions.

Administrator Laurrell commented that because of the grant the Recreation Department was already successful in obtaining and this upcoming grant, an Altavista Park Committee needed to be selected rather quickly to start the planning process. The Town has already provided several names and Supervisor Carter was asked to submit his recommendations.

In answer to a question by Supervisor Rosser, the adoption of this resolution would meet the intent of the restrictive language contained in the agreement to transfer English Park to the County that the County begin work on English Park. Supervisor Carter asked if this action would affect any of the industries next to the river. Administrator Laurrell advised this would not impact the scenic river designation nor place any restrictions on industries or the withdrawal of water from the river. The following motion was offered:

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

**RESOLUTION OF SUPPORT
FOR THE ALTAVISTA-BROOKNEAL BLUEWAY MASTER PLAN**

WHEREAS, Campbell County has acquired an additional 146 acres along Staunton River to develop English Park as a recreational park for increasing the quality of life, exercise opportunities, and pedestrian access to the Staunton River for residents within Campbell County and the Region; and

WHEREAS, Campbell County has been awarded a Virginia Land Conservation Fund Grant towards the purchase of land to develop English Park; and

WHEREAS, Campbell County is committed to opening access to the scenic Staunton River, increasing pedestrian access to trails, and developing parks to increase recreational opportunities, as noted goals within the County's Comprehensive Plan, the *Region 2000 Greenways and Blueways Plan*, and the *Virginia's Outdoor Plan*; and

WHEREAS, the *Region 2000 Greenways and Blueways Plan* is a long-range plan to protect natural resources, promote alternate transportation, increase connections to cultural, historical, and natural amenities, and increase quality of life for the Region 2000 area; and

WHEREAS the Altavista - Brookneal Blueway Master Plan will serve as a Phase 1 activity from the *Region 2000 Greenways and Blueways Plan* and will serve as an alternate transportation corridor and will provide safe pedestrian access to the Staunton River; and

WHEREAS the Virginia's Region 2000 Partnership-Local Government Council will apply on behalf of Campbell County for a Rural Transportation Planning Grant to develop the Altavista-Brookneal Blueway Master Plan.

THEREFORE, BE IT RESOLVED that Campbell County does hereby contribute an amount not to exceed \$4,000 to be used as a match for a Rural Transportation Planning Grant to develop the Altavista – Brookneal Blueway Master Plan.

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

// RECREATION ORGANIZATIONAL CHART

Due to several personnel changes within the Recreation Department, a new organizational chart was created for the department. In January the Assistant Director retired and Ron Reynolds, Director, plans to retire upon the completion of the park master planning.

The new organizational chart consists of a Director of Operations and a Director of Programming to co-manage the department, similar to the model the County was currently using in the Information Technology Department. New future positions include a Consulting Recreation Contractor, an Event/Trip Coordinator (July 2007 – FY 2008), and a Park Program Manager (July 2009 – FY 2010). No new positions were planned for FY 2007. Both the Recreation Advisory Council and the Human Services Committee approved the organizational chart. There have been some discussions that the Event/Trip Coordinator may be funded through additional fees added to the costs of events or trips.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors approves the revised Recreation Organizational Chart effective July 2006.

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

// PRESENTATION OF 2007-2011 CAPITAL IMPROVEMENT PLAN

The draft FY 2007 – FY 2011 Capital Improvement Plan was distributed to the Board. Three documents were provided: The Department Requested CIP, the Administrator's Recommended CIP and a draft debt service schedule.

The Administrator Recommended CIP contained 46.9 million in project expenditures over the next five years, including \$15.6 million for school renovations at Concord Elementary School in 2010 and \$10 million for Courthouse and County complex improvements in 2009. The recommended draft was \$5.6 million less than the requests by individual departments. The current CIP was under funded by \$2.5 million over the five year period after expenditure adjustments have been made and after an increase in the transfer from the General Fund of \$100,000 is accounted for, going from a transfer of \$2.9 million in FY 2007 to \$3.3 million in FY 2011. This transfer increase could most likely occur from normal revenue growth in the General Fund.

The increase in the CIP funding deficit was mainly attributable to three projects: (1) remaining unfunded portion of Phase 1 of the U S 29 sewer extension from Spring Hill to Yellow Branch (\$1,250,000 to be recovered in aid to construction costs over the next 10 to 15 years), (2) increased funding for the Rustburg to Concord waterline project as a result of increases in constructions costs (\$1,200,000 or less if Appomattox participates in project), and (3) final funding for estimated Landfill Post Closure costs (\$1,000,000).

Items deleted from the CIP from the departments included \$200,000 for the Airport Development Area project in FY 2010, \$200,000 from the Seneca Commerce Park project in FY 2011, \$1,250,000 from the Library for construction of the Timbrook Library Branch project, \$2,100,000 to delay landfill expansion by one year, reduced \$530,000 from Landfill Testing and Post Closure due to revised estimates, \$300,000 in park funding due to the Board's action during FY 2006 and \$714,000 from Social Services for a building expansion.

In terms of debt service, the Board previously approved the long term debt projection for school funding that required an additional contribution of \$500,000 through the period from FY 2011 through FY 2013 above the previously approved debt ceiling of \$3.6 million annually, for a total of \$4.1 million annually. Changes in construction costs over the past year would raise the debt service for school projects by an additional \$100,000 to approximately \$4.2 million.

The debt service requirement for improvements to the Courthouse and County complex were expected to be approximately \$800,000 per year and would be included in the Operating Budget beginning in FY 2009 as a new expense item. This would bring the total debt service maximum for facilities to approximately \$5.0 million in FY 2011. This results in an increase in debt service payments over the current cap by \$1.4 million, representing an increase of approximately six (6) cents in the real estate tax rate.

Not included in the debt service schedule, but included in the operating budget as payments to the Campbell County Utilities and Services Authority, are \$178,278 for the U. S. 29 waterline debt service payment, \$138,000 for the U. S. 460 waterline subsidy and \$103,763 for the Leesville Road waterline debt service.

The Board had several options that could be considered to address the estimated five year shortfall of \$2.5 million:

- (1) Examine the year end revenue balances annually and transfer any overages to the CIP to offset the shortfall over the next five years;
- (2) Reduce costs through deletion of the proposed discretionary projects;
- (3) Borrow funds to pay off the remaining balance of the U. S. 29 sewer extension project;
- (4) Borrow funds to pay the proposed Concord to Rustburg water line project and/or consider implementing an aid-to-construction fee; and
- (5) Raise revenue above normal growth revenue already built into the CIP by raising tax rates.

If it was the Board's intention to move forward with the projects noted, staff would recommend raising real estate tax rates to meet the additional obligations. Staff recommended a laddered increase in real estate rates would be preferable to a one time increase and suggests the Board consider increasing effective real estate tax rates by two (2) cents annually for fiscal years 2007, 2008 and 2009 to cover debt service requirements in addition to any other increases the Board might consider during the budget process.

In light of the rapid increase in construction costs, Chairman Gunter asked if there was any way to move the Concord Elementary School project up by one year. Administrator Laurrell felt the most the project could be moved up was one year as it would be at least 24 months until the water and sewer lines were built. Supervisor Pendleton concurred the savings in constructions costs would offset any increased costs to the County. Supervisor Rosser was willing to consider that option if the Board would look at delaying other projects. He believed the school project and the associated water and sewer lines should come ahead of some other projects.

Supervisor Boyer was in favor of looking at any of the options provided to offset the shortfall before considering a six-cent increase in real estate tax rates. The County had been successful at keeping that rate level, and the upcoming reassessment would be painful for many citizens. Administrator Laurrell indicated he was not suggesting a tax increase in addition to an increase through reassessment; however, he believed the Board will have to seriously consider raising taxes to meet the debt service commitments.

Supervisor Rosser was concerned that the population was not growing as fast as the County was spending money. He did not understand why we were considering building an office complex when the population had not increased. He thought the funds from this project could be used for other projects. Supervisor Rosser believed the Board should not consider a tax increase in light of the flat population growth.

Supervisor Falwell commented he did not like taxes any more than anyone else, but he believed we underestimated the costs in the five-year plan. There was a shortfall, and the money would have to be made up somewhere in order to complete those projects already committed.

Supervisor Boyer was in favor of option 2 – to reduce costs through deletion of proposed discretionary projects. The Board had committed to an enormous amount of projects, and he was committed to the Concord Elementary School project, but he saw no reason the CIP could not change. He encouraged the Board to look closely at the list of projects to see if there were projects that could either be delayed or deleted.

Supervisor Pendleton recalled that the new Courthouse was built 16 years ago at a cost of \$2.1 million and was built to meet then current needs. Now the space was no longer adequate, and it was going to cost \$10 million to renovate and expand. It may have been wise to spend a few more dollars 16 years ago to save today. He believed it was the duty of this Board to plan for the needs ten to fifteen years from now.

Additional discussion and adoption of the CIP would be on the Board's agenda for March 20th.

// PERMISSION TO ADVERTISE – COYOTE BOUNTY ORDINANCE

At the Board's direction a draft coyote bounty ordinance was developed. After researching several other localities, the model ordinance used was one from Augusta County. The provisions of the ordinance would allow for a fund of up to \$5,000 to be set aside annually to pay a \$50 bounty on coyote carcasses presented for certification at the Campbell County Animal Shelter. According to County Attorney Shreve, the ordinance would be effective immediately upon adoption.

On motion of Supervisor Rosser, it was resolved the Board of Supervisors authorizes staff to advertise the coyote bounty ordinance for a public hearing with the regular spring code update.

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

// FINANCE AND BUDGET CONSENT AGENDA

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

a) Appropriations -

1. Capital Improvement Fund, Future Improvements, deleting \$30,394 from Reserve for Future Improvements, and appropriating to Public Safety, \$29,167 to Fire Program Funds and \$1,227 to 4 for Life Funds, to be distributed to the fire and rescue squads;
2. General Fund, Volunteer Ambulance/Rescue Squads, deleting \$800 from Tires, Tubes, Parts and appropriating the same to Heating Service, to cover cost increase for heating at Evington 1st responder buildings;
3. General Fund, Sheriff's Department, deleting \$3,900 from M/R EDP Equipment, and appropriating the same to M/R Buildings, to install a new generator (\$1,800) and enclose storage space under basement steps for new evidence storage area (\$2,100);
4. General Fund, Real Estate, deleting \$13,000 from Comp – Appraisers, and appropriating the same to Management Consulting Services, to have Pearson's Appraisal review sales using monies from vacant Appraiser's position;
5. Capital Improvement Fund, Public Safety, appropriating \$13,633 to Fire Program Funds and \$16,754.10 to 4 for Life Funds; and raises estimated revenue, Distribution of Fire Program Funds, by \$13,633; and raises estimated revenue, 4 for Life Program Funds, by \$16,754.10, additional revenue received from Office of Fire Programs and 4 for Life;

6. General Fund, Animal Control, appropriating \$1,747.23 to Medical Services; and raises estimated revenue, Miscellaneous Restitution Payments, by \$1,747.23, restitution paid from citizen charged with cruelty to animals;
7. General Fund, CCUSA, appropriating \$58,651.10 to Debt Service – Leesville Water; and raises estimated revenue, Leesville Road Waterline Revenue, by \$58,651.10, revenue received on December 21, 2005 for Leesville Road waterline project to be carried over to FY07 for debt service payments on this project;
8. Sheriff's Forfeited Assets Fund, appropriating \$5,000 to Special Investigations; and lowers Undesignated Fund Balance, Sheriff Forfeited Assets, by \$5,000, to be used to purchase narcotics and for informant fees;
9. Schools Miscellaneous Donations Fund, appropriating \$600 to Altavista High School; and raises estimated revenue, Gifts and Donations Altavista High School, by \$600, donation from Finch and Finch Funeral Directors for AHS baseball team program; and
10. School Operation Fund, Lookin' Out Grant, appropriating \$2,000 to Materials & Supplies AHS, \$2,000 to Materials & Supplies BHS, \$2,000 to Materials & Supplies FEC, \$2,000 to Materials & Supplies RHS and \$2,000 to Materials & Supplies WCHS; and raises estimated revenue Lookin' Out Grant by \$10,000, grant applied for by Sgt. Mike Lawhorn, Resource Officer at Rustburg High School, from the Erie Indemnity Company to be used to teach safety by buckle up seat belts.

b) County Attorney Invoices -

Approves payment to the County Attorney in the amount of \$7,734.75 for legal services rendered;

c) On Call A & E Contract -

Approves Dewberry & Davis as the top ranked firm to provide on-call engineering services, and authorizes staff to negotiate and execute a contract for on-call general engineering services for one year with the option to renew for two additional years, subject to approval by the County Attorney; and

d) School Bus Purchases

Authorizes issuance of a purchase order for seven school buses to be purchased from the State Contract from the FY 2006/2007 budget at the estimated cost of \$453,600 subject to final budget appropriation from the Board of Supervisors in a sum sufficient to purchase.

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

// MATTERS FROM THE BOARD

- Supervisor Pendleton has noticed an ongoing problem with dumpsters overflowing on Mondays. He asked Mr. Tweedy to look into whether or not the current hauler could meet the demand.
- Chairman Gunter let the Board know about an accident involving a tractor trailer that occurred that past weekend at the top of Oxford Furnace Hill in Concord adjacent to the Military Surplus property. There were a number of trucks being stored on the Military Surplus property. The County Attorney indicated he would revisit that property to determine if a public nuisance exists.
- Supervisor Rosser asked staff to draft a resolution to honor Frank Wright for his years of service on the Industrial Development Authority.
- At the February 6th meeting a work session was scheduled with the Planning Commission for the March 20th meeting to discuss the proposed ordinance for the Route 29 Transportation Corridor Overlay District. The Planning Commission discussed the matter further at their February 27th meeting and voted 7-0 to recommend approval of the overlay district by the Board with the understanding they would like to review the effectiveness of the overlay district in the next one to three years to see if additional

components should be considered. It was the consensus of the Board to cancel the work session and place the matter on the agenda for the March 20th meeting. Supervisor Rosser commented he still has strong reservations about adopting an ordinance until the Board was sure it was the best option to manage growth on Route 29.

// CLOSED MEETING

Chairman Gunter announced a closed meeting in accordance with Section 2.2-3711 A.7, legal.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors enters into a closed meeting at 8:30 p.m. for discussion of several public nuisances and for an update on the pending litigation concerning the landfill, in accordance with §2.2-3711 A.7 of the Code of Virginia, 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 6th day of March, 2006 at 8:30 p.m. for discussion of several public nuisances and for an update on the pending litigation concerning the landfill, in accordance with §2.2-3711 A.7 of the Code of Virginia, as amended.

// On motion of Supervisor Rosser, it was resolved the meeting return to open session at 8:49 p.m.

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

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

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 6th 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

// MOTION FOLLOWING CLOSED MEETING

On motion of Supervisor Carter, it was resolved the Board of Supervisors authorizes the County Attorney to institute legal proceedings to abate the following public nuisances:

Ronald Daniel	Suburban Road
Jacquelyn Hussamy	School Road
Tyrone Burton	Chellis Ford Road
Ryland Lee	Chellis Ford Road
William Faulkner	Chellis Ford Road

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

// ADJOURNMENT

On motion of Supervisor Carter, the meeting was adjourned at 8:56 p.m.

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

EDDIE GUNTER, JR., CHAIRMAN

Approved: _____