

BOARD OF SUPERVISORS MEETING

April 16, 2007

The regular meeting of the Campbell County Board of Supervisors was held on the 16th day of April 2007 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

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

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

The meeting was called to order at 1:00 p.m., and Supervisor Carter gave the invocation. A moment of silence was observed to remember the victims of the shooting at Virginia Tech that morning and the passing of Supervisor Rosser's sister, Frances Rosser Eades.

// APPROVAL OF MINUTES

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the March 19, 2007 regular meeting, March 29, 2007 VACo Regional Meeting, April 2, 2007 regular meeting and the April 5, 2007 budget work session as presented.

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

// INTRODUCTION OF NEW EMPLOYEES

Shameka Wright, Human Resources Manager, introduced the following new employees:

Karen Coates – Youth, Adult and Community Services
Lindsey Stansbury – Youth, Adult and Community Services
Lisa King – Circuit Court Clerk's Office
Anthony Adams – Recreation Department

// VIRGINIA DEPARTMENT OF TRANSPORTATION MATTERS

Don Austin, Residency Administrator, presented the resolution for approval of the Six Year Plan for Secondary Roads.

RESOLUTION

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

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2007/08 through 2012/13) as well as the Construction Priority List (2007/08) on January 16, 2007, after duly advertised so that all citizens

of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

WHEREAS, D.L. Austin, Residency Administrator, Virginia Department of Transportation, appeared before the board and recommended approval of the Six-Year Plan for Secondary Roads (2007/08 through 2012/13) and the Construction Priority List (2007/08) for Campbell County,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interests of the Secondary Road System in Campbell County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2007/08 through 2012/13) and Construction Priority List (2007/08) are hereby approved as presented at the public hearing.

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

Update on Rural Addition Projects

The Holiday Forest Property Owners Association indicated in a recent letter they were raising funds to have Holiday Lane added as a rural addition project. Mr. Austin indicated there would be very little funding in the rural addition budget once Smokey Hollow was completed. However, due to a right-of-way issue on Smokey Hollow, there is a question of whether or not that road would be constructed in the near future. Mr. Austin's best advice was for the Holiday Forest Property Owners Association to raise the 50% share for Holiday Lane and forward it to VDOT. Then the project would be placed on the list. There were two other 100% funded projects, McDaniel Lane and Hill Top Drive, but both required right-of-way to be given by the property owners. There was also a utility that needed to be moved on McDaniel Lane that would be at the expense of the property owners. If new money is added to the rural addition budget, Mr. Austin would let us know.

Route 43

Supervisor Carter requested that Assistant Residency Administrator, Robert Brown, stop by to look at a dangerous section of Route 43. A motor vehicle accident occurred recently at this location where one of the passengers was killed.

Stoplight – Grove and Timberlake Road

In answer to a question by Supervisor Falwell, the construction of a stoplight was still on the list waiting funding.

// ALTAVISTA ON TRACK

Stan Goldsmith was present to request funding for Altavista on Track for Fiscal Year 2008 and beyond to support the Town's effort to become a Virginia Main Street Community. AOT was requesting \$20,000 annually for five years to be added to the request to the Town for \$35,000. In order to receive the State's support, they have to show broad support from the community. Having funding from the County would show that support. The Board was invited to attend a hearing in Richmond on May 2nd on AOT's application.

In answer to a question by Supervisor Carter, Mr. Goldsmith agreed that having some funding in the budget from Campbell County was more important than the amount.

No action was taken at this time. The funding request would be discussed at a budget work session immediately following the regular meeting.

// LEESVILLE LAKE ASSOCIATION

Mr. Goldsmith requested additional funding for the Leesville Lake Association (LLA) for Fiscal Year 2008 and beyond. LLA was requesting an additional \$10,000 for the current fiscal year from Campbell County, which would be in addition to the already funded amount of \$5,000 for a total of \$15,000 for FY 2007. The Association was requesting similar funding from

Bedford and Pittsylvania Counties. Neither of those counties budgeted funds for FY 2007. LLA was also requesting an annual amount beginning in FY 2008 of \$25,000 from Bedford, Campbell and Pittsylvania Counties. These funds would be used to continue the debris removal, establish navigational aids and hazard markers and monitor water quality.

As Mr. Goldsmith explained, the LLA has made great progress cleaning the lake and had removed over 1,000 cubic yards of debris. They have also placed new mile markers on the shoreline and surveyed the lake for navigational aids and navigational hazards. LLA was also participating in the Appalachian Power Company (AEP) relicensing study groups and would begin a Citizen Water Quality Monitoring Project this year.

While they have made significant progress, there was still much work to be done to maintain the quality of the lake. They estimated a budget of \$80,000 per year would be needed. If AEP provided funding at the same level, the amount requested from the counties could be reduced. Mr. Goldsmith stressed how important Leesville Lake was to all three counties and the entire region.

Mr. Goldsmith reminded the Board of a meeting of the Leesville Lake Association scheduled for May 8th at the Altavista Train Station. Funding as well as other issues would be discussed. Chairman Puckett felt that AEP should help with the cleanup of debris. Mr. Goldsmith indicated that AEP has loaned its skimmer, but that has not always worked well.

No action was taken at this time. The funding request would be discussed at a budget work session immediately following the regular meeting.

// WARDS CROSSING WEST PHASE II

On November 20, 2006 the Board approved by consensus (in closed session) incentives for Phase II of Wards Crossing West.

J. Michael Davidson, Director of Economic Development, explained that Campbell County and Wards Crossing West, LLC, the developer, were committed by separate legal agreements to construct a road from Phase I of Wards Crossing West out to Leesville Road. In October 2006 the construction cost of the road was estimated at \$1.3 million. The County provided incentives in the amount of \$1.4 million to the developer to construct the road and fund road improvements on Wards Ferry Road.

Construction bids for the road came in at \$1.835 million, considerably higher due to the price of petroleum and the cost to comply with state and federal regulations by avoiding a stream that runs through the property. The developer was willing to amend the original performance agreement to include an extra 100,000 square feet of retail space, award the construction contract for the road and manage the construction project in exchange for additional incentives in the amount of \$534,617.44 which represents the remaining funds needed to construct the road. Some of the funding set aside is included in the FY 2009 CIP which may present a timing issue. It may become necessary to adjust the CIP timeline in order to meet the payment requirements.

On motion of Supervisor Gunter, it was resolved the Board of Supervisors approves the economic development incentives of \$534,617.44 for Wards Crossing West, LLC to develop an additional 100,000 sq. ft. of retail space in Wards Crossing West Phase II and additional funding needed to construct a road (Simons Run) from Wards Crossing West to Leesville Road to comply with the Cooperative Agreement between the City of Lynchburg and Campbell County; and approves a supplemental appropriation in the CIP, Economic Development Projects, appropriating \$534,617.44 to Airport Development Area; and lowers the Undesignated General Fund Balance by \$534,617.44.

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

// REQUEST TO WAIVE PERMIT FEE – BAPTIST ASSOCIATION

The Appomattox Baptist Association asked the Board to waive the building permit fees for projects associated with its Impact Virginia project July 22 – 28, 2007. Impact Virginia is a

youth mission program sponsored and supported by the Virginia Baptist Mission Board. The program provides teenagers with an opportunity to serve others. Its main goal is to make the homes of low-income homeowners more safe, dry and warm. If approved, all fees would be waived, but the requirements for obtaining permits and inspections would remain in place.

Chairman Puckett was familiar with Impact Virginia and advised that teenagers from all over the State would come to this area to do projects such as building wheelchair ramps and painting.

Believing this to be a worthwhile project, Supervisor Gunter offered the following motion:

On motion of Supervisor Gunter, it was resolved the Board of Supervisors waives the building permit fees for projects associated with Impact Virginia July 22 – 28, 2007, and requests the Appomattox Baptist Association provide a list of addresses where the work would take place in order for staff to waive the appropriate fees.

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

// RETIREMENT COVERAGE FOR PUBLIC SAFETY STAFF

The Board at its February 5, 2007 meeting authorized staff to complete an actuarial study required by the Virginia Retirement System (VRS) to determine the costs of providing SPORS retirement benefits for Public Safety personnel, including: Director (paid firefighter), Deputy Director/Fire Marshal (paid firefighter), Deputy Director/EMS Program Manager (paid EMT), and Public Safety Technicians (paid EMTs). SPORS (State Police Officers Retirement System) allows designated public safety officers to retire with unreduced benefits earlier than other employees enrolled in the VRS. The enhanced retirement benefit would be a significant recruiting advantage and retention incentive for current and future personnel.

The actuarial study has been completed and VRS determined the annual cost to the County for these enhanced retirement benefits for the eight members of staff currently eligible is \$11,000 per year. Adoption of a resolution was required to approve the benefit. Franklin County and the City of Lynchburg were already participating. Amherst County and Bedford County were considering adding the benefit.

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

BE IT HEREBY RESOLVED that the County of Campbell, Virginia, a political subdivision currently participating in the Virginia Retirement System under Title 51.1, Chapter 1, Article 5 of the Code of Virginia, as amended, acting by and through its Board of Supervisors, does hereby elect to have such employees of the County who are employed in positions as full time, salaried, emergency medical technicians and full time, salaried, firefighters whose tenure is not restricted as to temporary or provisional appointment, to become eligible, effective July 1, 2007, to be provided benefits in the Virginia Retirement System equivalent to those provided for State police officers of the Department of State Police, as set out in Section 51.1-138 of the Code of Virginia, in lieu of the benefits that would otherwise be provided as such code has been or may be amended from time to time, and the County agrees to pay the employer cost for providing such employees such benefits.

BE IT FURTHER RESOLVED that R. David Laurrell, County Administrator, and Alan Lane, Director of Management Services, be and they are hereby authorized and directed in the name of the County to execute any required contract in order that the above described employees of the County may become entitled to retirement benefits equivalent to those provided for State police officers of the Department of State Police. In execution of any contract which may be required the seal of the County shall be affixed and attested by the Clerk and, said officers of the County are hereby authorized and directed to do any other thing, or things, incident and necessary in the lawful conclusion of this matter. The Treasurer of the County be and is hereby authorized and directed and pay over to the Treasurer of Virginia from time to time such sums as are to be paid by the County and its employees for this purpose.

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

// LIBRARY TRANSFER OF FUNDS FOR PLANNING STUDY

Linda Owen, Library Director, requested the Board's approval to transfer \$8,545.01 from EDP Equipment to Other Professional Services to pay the balance of the costs for the recent Philanthropic Planning Study.

The EDP funds were originally budgeted to purchase equipment needed to connect the Library branches to the County's network system. Due to an effort by the Library and Information Technology staff, the amount of equipment was reduced leaving a balance of more than \$8,000.

On motion of Supervisor Carter, it was resolved the Board of Supervisors approves a transfer of appropriation in the General Fund, Library, deleting \$8,545.01 from EDP Equipment and appropriating the same to Other Professional Services, to make final payment for the Philanthropic Planning Study.

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

// LEESVILLE ROAD ESTATES – PUMP AND HAUL PERMIT REQUEST

J and H Development (Ken Creasey and John Hodges), is the developer of Leesville Road Estates, a 224-unit residential subdivision on Leesville Road. Due to several difficulties including wetlands issues, easements, design changes and construction delays, the construction of the on-site sewer system and sewer force main project have been delayed. The developers have requested a pump and haul permit on a temporary basis to allow the County to issue certificates of occupancy for the completed homes. The Campbell County Utilities and Service Authority at its meeting on March 27, 2007 approved the request for a period not to exceed 90 days with stipulations that the contractor make satisfactory progress toward completing the sewer project. Steve Simpson of the Virginia Department of Health (VDH) has indicated the Authority's stipulations could be included in the permit issued by VDH.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors approves a pump and haul permit to J & H Development for the Leesville Road Estates residential subdivision for a period not to exceed ninety (90) days which permit shall include the stipulations of the Campbell County Utilities and Service Authority that the contractor make satisfactory progress toward completing the sewer project.

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

// DEVELOPMENT AT INTERSECTION OF CALOHAN AND LIVESTOCK ROADS

Clifton M. Tweedy, Deputy County Administrator, presented a contract for approval between Bill Rogers and Campbell County to construct a new section of Livestock Road to improve traffic in the area.

It came to the County's attention that there is interest in developing property on both sides of Livestock Road. Because traffic has been an increasing problem at the intersection of Calohan Road and Livestock Road for a number of years, this would be an ideal time to relocate the intersection southeasterly to improve the traffic flow before more development occurs. Bill Gillespie was retained to negotiate with the property owners on the County's behalf.

Mr. Gillespie presented a proposed agreement between Campbell County and Bill Rogers, the owner and developer, describing the responsibilities of each. The agreement clarified the County would pay for all road construction costs, and that it was the developer's and County's understanding that VDOT would accept maintenance of the required storm water management pond when the new Livestock Road was brought into the state highway system.

Mr. Rogers was providing a significant amount of property for the new road construction and a third lane along Calohan Road. There would be a trade of property within the area of development, and the County would acquire a small (.06 acre) parcel of adjacent property to allow the new road to line up with Greenhouse Road. The County would pay for the design costs estimated at \$28,826 and the construction costs estimated at \$325,000. These funds could be advanced from the Landfill CIP line for closure and post closure care and would be reimbursed during the settlement of the regional landfill authority.

Supervisor Rosser had concerns about the costs of this project to the taxpayers and welcomed a public hearing before a final decision of the Board is made. If the citizens agreed with the plan, he would support it.

Supervisor Pendleton believed improving the traffic flow at this intersection would increase the number of businesses there as well as across the road. He offered the following motion:

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors authorizes staff to execute the agreement between Campbell County and Bill Rogers to relocate a portion of Livestock Road (Route 674), the terms of which are listed below, and authorizes staff to advertise a public hearing to deed, sell or exchange property related to the relocation of Livestock Road:

AGREEMENT

This Agreement is made and entered into by and between **CAMPBELL COUNTY** (hereinafter "County") and **BILL ROGERS** (hereinafter "Rogers") for the purpose of relocating a portion of Livestock Road (S.R. 674) in Campbell County.

WHEREAS, Rogers owns a parcel of land at the intersection of Calohan Road, U.S. Highway 29, and Livestock Road in Campbell County and desires to develop the same;

WHEREAS, Campbell County, through its Board of Supervisors, is vested with the authority and desires to exchange property owned by the County for property owned by Rogers for the purpose of relocating the entrance of Livestock Road as well as a portion of it to be routed in future through the property owned by Mr. Rogers at the intersection of Calohan Road, U.S. Highway 29, and Livestock Road in order to encourage better traffic flow and real estate use;

WHEREAS, a drawing showing the future location of Livestock Road is attached hereto as Exhibit A and made a part of this Agreement;

NOW THEREFORE, Campbell County and Bill Rogers understand and agree to the roles and responsibilities expressed in this agreement.

I. Responsibilities

A. Bill Rogers

- Rogers will deed to the County or to VDOT at the County's request a 50 to 60 foot wide right of way as shown on the attached Exhibit A through his property to serve as the new Livestock Road to the County Landfill.
- Rogers will deed an additional portion of his property lying along Calohan Road to VDOT to the extent necessary to construct a third lane and related traffic improvements to Calohan Road.
- Rogers will alert the County should he need entrances and/or curb cuts off the new Livestock Road for purposes of serving his intended development before the project is advertised for bid to allow the construction of such entrances and/or curb cuts contemporaneously with the construction of the new Livestock Road.
- Rogers will obtain any necessary permits for service of his property by the Campbell County Utilities and Service Authority (CCUSA).
- Rogers will cooperate with the County and any agent of the County during bidding, design, and construction of the new Livestock Road and Calohan Road

turn lane. This will include notification of all construction related meetings and copies of all inspection reports.

- Rogers will construct a new Livestock Road through the Rogers Property.
- Rogers shall contract with a Professional Engineer licensed to design roads in Virginia and obtain approval from VDOT and any other applicable agency before advertising.
- Rogers shall be responsible for advertising the project in a newspaper of general circulation so as to ensure the lowest responsive, responsible bidder is awarded the project.
- Rogers shall be responsible for completion of construction and acceptance by VDOT of the road into the State system for maintenance.
- Rogers shall be responsible for including any occasional overflow from the CCUSA tank in the design of this project.
- Rogers shall ensure that the procedure for bidding, design, and construction complies with applicable laws.

B. Campbell County

- The County shall be responsible for any costs related to the design and construction administration of the new Livestock Road in an amount not to exceed \$28,826.00
- The County shall pay for all road construction costs, including any reasonably necessary storm water management structures, any necessary adjustment to the entrance to the CCUSA water tank, and any necessary entrances and/or curb cuts deemed necessary along the new Livestock Road, provided that the need for any entrances and/or curb cuts is reported to the County in a timely manner. The total amount of costs for this work to be paid by the County is estimated at \$325,000.00. It is the developer's and the County's understanding that VDOT will accept maintenance for the required storm water management pond when the new Livestock Road is brought into the state highway system.
- The County shall deed to Rogers at no cost a portion of the property currently leased to CCUSA that lies directly north and adjacent to Rogers' property. The exact dimensions of this portion will be determined by survey and agreed to by the County and Rogers. The County's ability to deed, sell or exchange property is subject to approval of the Board of Supervisors at a public hearing pursuant to Virginia Code section 15.2-1800.
- The County shall deed the southern one-half of whatever portion of the old Livestock Road is closed to traffic to Rogers at no cost from a survey plat provided by Rogers. The County's ability to deed, sell or exchange property is subject to approval of the Board of Supervisors at a public hearing pursuant to Virginia Code section 15.2-1800.
- The County will assist Rogers in any way possible in obtaining the required permits to obtain service for his property from CCUSA, subject to applicable laws.
- The County shall be responsible for obtaining any additional property necessary for construction of the new Livestock Road (estimated to be 0.06 acres).
- The County shall prepare and record a deed and attach a survey of the applicable area provided by Rogers that will clarify all of the enclosed terms.
- The County will not be responsible for any maintenance costs associated with the stormwater pond.
- The County shall be responsible for obtaining all necessary sewer easements to the property of the developer, allowing public sewer to be brought to the property line, at the developer's expense.

II. Duration of the Agreement

This agreement shall remain in place until otherwise agreed to by the parties. The agreement may be terminated at any time, given 30 days advance written notice from either party.

III. Agreed to, by the undersigned, this _____ day of April, 2007.

Before the vote was taken, David Shreve, County Attorney, indicated he had made a preliminary review of the agreement and would make another review before the public hearing. In answer to a question by Supervisor Boyer, VDOT would review the need for a traffic signal once development has taken place at the intersection.

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

// REGIONAL WATER STUDY PHASE II GRANT

All localities in Virginia have been mandated to prepare a water source study as a planning tool for water demand for the next 50 years. Phase 1, a preliminary study, was completed last fall, and the Board budgeted funding for Phase II of the study in the amount of \$71,346.

Gary Christie, Executive Director of Virginia's Region 2000 Local Government Council, presented a resolution for the Board's consideration to apply for grant funds through the Virginia Department of Environmental Quality (DEQ) to offset some of the costs related to the development of the water plans.

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

A Resolution authorizing the participation in a regional grant application for Water Supply Planning Funds from the Virginia Department of Environmental Quality

WHEREAS, the Virginia General Assembly has mandated the development of source water supply plans throughout the Commonwealth and the State Water Control Board has developed regulations to implement this planning process, and

WHEREAS, based upon these regulations, Campbell County is required to complete a water supply plan that fulfills these regulations by November 2, 2008, and

WHEREAS, all local or regional water supply program must include a variety of elements including:

- An assessment of projected water demand in accordance with the requirements of 9 VAC 25-780-100
- A description of water management actions in accordance with the requirements of 9 VAC 25-800-110 and 9 VAC 780-120, and

WHEREAS, the Virginia Department of Environmental Quality has announced the availability of grant funds to assist localities offset some of the costs related to the development of these plans and are encouraging localities to submit applications for grant funds using regional water supply plans, and

WHEREAS, Campbell County has recently participated in regional water supply planning with Region 2000 and neighboring jurisdictions and service authorities, and

WHEREAS, the region, through the Virginia's Region 2000 Local Government Council, desires to secure DEQ grant funds to help offset a portion of the cost of the plan's development and the Virginia's Region 2000 Local Government Council has offered to coordinate the grant process.

NOW THEREFORE BE IT RESOLVED that the Virginia's Region 2000 Local Government Council is authorized to develop an application for source water planning grant funds` to offset to the extent feasible the cost of developing said regional water supply plan, and

BE IT FURTHER RESOLVED that the Virginia's Region 2000 Local Government Council Executive Director is authorized to sign the DEQ grant contract and other appropriate documents related to the regional source water planning grant, and

BE IT FINALLY RESOLVED that Campbell County intends to provide up to \$3,645 in matching funds for the project for work performed to meet the requirements of the regional water supply planning grant effort.

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

// PERMISSION TO ADVERTISE – COUNTY CODE AMENDMENTS – CHAPTERS 21 & 22

The public hearing for the Spring code updates has been scheduled for the May 21, 2007 Planning Commission meeting (moved due to the Memorial Day Holiday) and the July 2, 2007 Board of Supervisors meeting. A summary of the proposed amendments to Chapters 21 and 22 were presented to the Board at this meeting, and the remaining amendments would be presented later in May.

The proposed amendments to Chapters 21 and 22 were primarily clarifying in nature, with the exception of the change in the definition of Family as previously discussed by the Board. The proposed amendment would allow two (2) unrelated persons in addition to the family to occupy a single family dwelling unit in a residential zoning district. For dwelling unit occupancy in all other zoning districts, the term shall include not more than four (4) unrelated persons in addition to the family.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors authorizes staff to advertise amendments to Chapters 21 and 22 of the Campbell County Code for the May 21, 2007 Planning Commission meeting and the July 2, 2007 Board of Supervisors meeting.

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

// CONSENT AGENDA

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

a. Determination for RFP – Aerial Platform Fire Apparatus

Authorizes Central Purchasing to use the competitive negotiation process rather than sealed bidding for the procurement of an aerial platform firefighting vehicle as the purchase of the vehicle based on price alone would not be in the best interest of the County.

b. Appropriations –

1. Capital Improvement Fund, Future Improvements, deleting \$99,460 from Reserve for Future Improvements and appropriating the same to Parks & Recreation, Timbrook Park, to appropriate funds for the Library capital campaign and consultant fees as approved on April 2, 2007;
2. General Fund, Management Services, deleting \$10,616 from COMP – Senior Accountant and \$12,000 from COMP – Finance/Accounting Specialist and in Information Technology, deleting \$16,035 from COMP – Director, and appropriating \$2,007 to Board of Supervisors, COMP – Board Members, \$50 to Board of Supervisors, Employer Cost – FICA, \$40 to Locally Funded Treasurer Office, Employer Cost – FICA, \$14,098 to Management Services, COMP – Finance/Budget Analyst, \$8,445 to Information Technology, COMP – Administrative Assistant, \$8,479 to Sheriff's Department, COMP – Deputies, \$2,562 to Sheriff's Department, COMP – Administrative Aide, \$450 to Sheriff's Department, Employer Cost – VRS, \$41 to Building Inspections, Employer Cost – VRS, \$90 to Animal Control, COMP – Deputy Animal Wardens, \$1,696 to Landfill, COMP – Equipment Operators, \$177 to Landfill, Employer Cost – VRS, \$462 to Altavista Armory, COMP – Custodians P/T and \$54 to Altavista Armory, Employer Cost – VRS Group Life Insurance, to transfer

budget for various compensation line items to cover probationary period increases, higher starting salaries or line item corrections;

3. General Fund, Legal Services, deleting \$34,676 from Legal Services – Other, and appropriating \$26,732 to COMP – Staff Attorney, \$1,841 to Employer Cost – FICA, \$2,821 to Employer Cost – VRS, \$2,903 to Employer Cost – Health Insurance, \$336 to Employer Cost – VRS Group Life Insurance and \$43 to Workers Compensation, to transfer budget for new staff attorney from savings in the legal services line;
4. General Fund, Non-Departmental, deleting \$5,050 from Employer Cost – Health Insurance, Sheriff’s Department, deleting \$8,000 from Retiree Health Insurance and EMS Services, deleting \$4,239 from Employer Cost – Health Insurance, and appropriating \$2,046 to Board of Supervisors, Employer Cost – Health Insurance, \$2,560 to Commissioner of Revenue, Retiree Health Insurance, \$2,321 to School Funded Resource Officer, Employer Cost – Health Insurance, \$331 to Animal Control, Employer Cost – Health Insurance, \$2,672 to Maintenance of Buildings and Grounds, Employer Cost – Health Insurance, \$2,913 to Social Services Administration, Retiree Health Insurance, \$3,285 to Housing Assistance Services, Employer Cost – Health Insurance, and \$1,161 to Altavista Armory, Employer Cost – Health Insurance, to cover additional enrollees in various departments;
5. School Construction Fund, Yellow Branch Elementary, deleting \$5,149.70 from Used Oil Tank Removal, \$227,175.40 from A & E Fees YBES, \$20,000 from Special Inspections, \$7,500 from Geotechnical Test Inspections, \$1,854 from Electric Service, \$8,343 from Propane Service, \$73,648 from Construction Contingency and \$9,439.90 from Furniture & Fixtures, and appropriating the entire amount of \$353,110 to Concord Elementary, A & E Fees CES, to transfer all available funds remaining from the YBES project to the CES project;
6. Forfeited Assets Fund, appropriating \$8,000 to Expenditures, Police Equipment and Supplies; and lowers Undesignated Fund Balance, Sheriff Forfeited Assets, by \$8,000 to purchase digital cameras and audio recorders;
7. General Fund, Economic Development, appropriating \$250 to 501 Coalition Market Plan; and raises estimated revenue, 501 Coalition Market Plan, by \$250, to pay FY 2007 501 Coalition dues;
8. General Fund, Volunteer Fire Departments, appropriating \$800 to Department of Fire Programs; and raises estimated revenue, Miscellaneous Fees and Charges, by \$800.00, to accommodate students attending the EMT-Enhanced class from other localities – collected funds are applied towards CVCC costs and invoiced to Public Safety;
9. General Fund, Commonwealth’s Attorney, appropriating \$25,199 to COMP – Paralegal Assistant, \$2,636 to Employer Cost – VRS and \$121 to Employer Cost – VRS Group Life Insurance; and raises estimated revenue, Commonwealth’s Attorney Shared Expenses, by \$27,956, to cover additional paralegal position approved by State Compensation Board;
10. General Fund, Public Assistance Services, appropriating \$200,000 to ADCFC; and raises estimated federal revenue by \$100,000, and raises estimated state revenue, by \$100,000, to match federal and state funding allocations;
11. General Fund, Public Assistance Services, deleting \$11,100 from General Relief, \$14,000 from Day Care 100% and \$18,000 from View Services, and appropriating \$6,100 to Auxiliary Grant, \$5,000 to Other Purchased Services, \$14,000 to Special Needs Adoption and \$18,000 to APS; and lowers estimated federal revenue, by \$10,401, raises estimated state revenue, by \$8,743 and lowers the Undesignated General Fund Balance, by \$1,658, to match federal and state funding allocations; and
12. School Operating Fund, Title II, Part D Ed Tech Program, deleting \$1,311.36 from Employer Cost FICA and \$2,675 from In-Service, and appropriating \$2,814.56 to

Purchased Services, \$550 to Internal Services and \$1,218.23 to Materials; and raises estimated revenue, Title II Part D Ed Tech Program by \$596.43, to match federal program allocation.

c. Bid Award – Mobile Radios/Fire & EMS

Accepts the low bid of Continental Wireless, Garland, Texas, for the purchase of 28 mobile radios and related accessories for the Fire and Rescue Departments for a total cost of \$21,803.97.

d. System Migration - Library

Approves the purchase of system migration services to provide network and Internet access to the Main Library and its branches to Sycom Technologies, Richmond, Virginia, for a total cost of \$42,500;

e. System Migration - Library

Approves the purchase of six (6) Cisco Switches from the State Contract vendor, DISYS, as part of the System Migration project for the Library, for a total cost of \$10,917;

f. Carpet Installation/Social Services Building

Approves the purchase of carpeting for the Social Services Building from the Virginia State Contract vendor, The Floor Show, Lynchburg, Virginia, for a total cost of \$34,620;

g. CCADM 013-FY04, Telecommunications Engineering Services for Zoning/Subdivision Departments

Based on the recommendation of the Evaluation Committee, approves CityScape Consultants as the top ranked firm to provide a technical review of all applications for placement of new telecommunications towers within the County, and authorizes staff to negotiate and execute a final contract for telecommunications consulting services.

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

// CLOSED MEETING

On motion of Supervisor Boyer, it was resolved the Board of Supervisors enters into a closed meeting at 2:20 p.m. to discuss legal matters related to current litigation with the Campbell County landfill and litigation related to the Campbell County Code, 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 16th day of April, 2007 at 2:20 p.m. to discuss legal matters related to current litigation with the Campbell County landfill and litigation related to the Campbell County Code, in accordance with §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 3:40 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 16th day of April, 2007 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

// Chairman Puckett called for a ten minute recess before the budget work session.

BUDGET WORK SESSION

// The Board at its budget work session on April 5, 2007, asked staff to bring back a list of potential reductions that would allow for a tax rate of 42 or 43 cents. Administrator Laurrell reviewed several options from the Capital Improvement Plan and the operating budget. In addition, Supervisor Pendleton requested how a one to four cent increase in the real estate tax rate would affect the average taxpayer. The average assessed value for a parcel (land + buildings) was \$104,000, and the impact to the taxpayer would be \$10 for one cent, \$20 for two cents, etc. The average median selling price for a lot with a house is \$124,000, and the impact would be an additional \$12 for each penny increase.

Supervisor Pendleton confirmed that if a taxpayer's assessment did not go up at least 26%, at a tax rate of 42 cents, the taxpayer would actually pay less. Supervisor Pendleton recalled the Board had a similar discussion last year (03/06/2006), and staff had recommended the Board increase real estate tax rates by two (2) cents annually for fiscal years 2007, 2008 and 2009 to cover debt service requirements. At that time he made a motion (03/20/2006) that instead of raising taxes, the Board would commit funds from the 2007 Reassessment. That passed 5-2. The Board made a commitment to fund the debt service, and that could easily be done at 46 cents or possibly at 44 cents.

Supervisor Rosser supported keeping the tax rate at 42 cents. He believed at least fifty (50) percent of the people south of Route 24 had reassessments above 26 percent. He personally owns 20 parcels that averaged increases of 53 percent. Supervisor Rosser indicated the budget could easily be reduced to a tax rate of 42 cents without hurting anyone. He added there were a lot of retired persons and senior citizens that would be affected by a \$10 increase in taxes. Looking at the budget, there was a tremendous increase in revenue, a substantial decrease in the landfill budget and the County was carrying a \$9 million General Fund surplus. In his 47 years of experience, the County has never experienced an emergency that would warrant carrying more than \$5 million in surplus. Supervisor Rosser also expressed concern at the number of new employees the County has hired, especially in the Information Technology Department. A department that once had a budget of \$400,000 was now at \$700,000+ and still growing. He suggested the Board consider cutting \$106,000 for the salary study adjustments, \$50,000 for the tennis courts, \$89,000 for firing range/impound lot improvements, \$300,000 for the Rustburg to Concord water line, \$63,850 for Network Engineer position, \$45,018 for Economic Development Project Manager position, and \$25,000 for part-time Fire Marshal position.

Supervisor Rosser stated the \$600,000 to be set aside for next year's debt service could also be eliminated as it was not good business practice.

Supervisor Boyer reviewed the list of proposed reductions. He said reductions could be made in areas that would not affect the core services of the County, such as cutting \$89,000 for the firing range/impound lot improvements, \$100,000 for Phase II park improvements and \$50,000 for tennis courts. He was not in favor of adding more to the debt service or using surplus funds. Supervisor Boyer would also like to see the health insurance increase shared between employer and employee. He said the Board could also consider reductions to private institutions such as the Patrick Henry Memorial and Avoca.

Supervisor Pendleton reminded the Board the auditors have always recommended at least 10 percent of the total budget be kept in surplus. He also commented that when he first came on the Board he learned that funds had been set aside for the new Courthouse and when the Courthouse was built, \$2.1 million was paid in cash. The Board also used to set aside funds annually for school construction, and it has only been in recent years that funds were borrowed for construction projects.

Supervisor Carter asked how a reduction in the budget would affect the Schools. Administrator Laurrell responded that if the Board adopts a budget at 42 cents, \$630,000 would need to be removed from the existing budget, some of which might come from the Schools. But he clarified this was a policy decision to be made by the Board, not a management function. Staff prepared a budget with a tax rate of 44 cents based on what they believed the Board wanted to accomplish, and the Board now had to make a policy decision.

Supervisor Pendleton believed the most prudent thing to do was advertise the budget as recommended by staff. The Budget Committee spent a lot of time reviewing the budget requests and making decisions to reduce funding in some areas that was not popular with every department. He offered the following motion:

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors authorizes staff to advertise the proposed Fiscal Year 2008 Budget as recommended by the Budget Committee with a real estate tax rate of 44 cents per \$100 of assessed value for a public hearing on May 7, 2007.

Supervisor Rosser offered a substitute motion pointing out the budget contained too large of a surplus, many items could be cut and not be missed and the citizens did not care about all the frills in the budget.

On substitute motion of Supervisor Rosser, it was resolved the Board of Supervisors authorizes staff to advertise the proposed Fiscal Year 2008 Budget with a real estate tax rate of 42 cents per \$100 of assessed value for a public hearing on May 7, 2007.

Chairman Puckett indicated he could not live with 42 cents, but he felt 44 cents was too high. He favored 43 cents. Supervisor Falwell was still in favor of 45 cents, but would consider coming down to 44 cents. He would like to see some extra put into the CIP each year to keep the long-term debt costs down. Supervisor Carter was in favor of 42 cents, but did not believe that would be adopted. He concurred with many of the reductions pointed out by Supervisor Boyer and believed \$300,000 in reductions could be found easily. He supported a compromise rate of 43 cents.

The vote on the substitute motion was:

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

Because the substitute motion failed, a vote was taken on the original motion.

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

The original motion passed to advertise the FY 2008 budget at a real estate tax rate of 44 cents per \$100 of assessed value.

// OTHER BUDGET ADJUSTMENTS

Staff requested the Board's action on several other budget adjustments.

On motion of Supervisor Carter, it was resolved the Board of Supervisors requests staff to maintain the same level of funding and not to include any new funding for ARC of Central Virginia, Virginia Legal Aide Society, Altavista Sheltered Workshop, Social Services Christmas Basket Program and Court Appointed Special Advocacy.

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

On motion of Supervisor Gunter, it was resolved the Board of Supervisors authorizes staff to include \$150,000 for the U. S. Route 29 Sewer Study and up to \$71,346 in Source Water Planning Study funding in the FY 2008 Capital Improvement Plan.

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

On motion of Supervisor Carter, it was resolved the Board of Supervisors authorizes staff to include \$5,000 in new funding for Altavista on Track to support its application to become a Main Street Community.

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

On motion of Supervisor Carter, it was resolved the Board of Supervisors authorizes staff to include \$5,000 in new funding for the Leesville Lake Association to support its efforts to continue the debris removal, establish navigational aids and hazard markers and monitor water quality on Leesville Lake

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

// ADJOURNMENT

On motion of Supervisor Gunter, the meeting was adjourned at 4:35 p.m. until 7:00 p.m. on Tuesday, April 17, 2007 at Rustburg High School Auditorium, for public hearings on three biosolids ordinances.

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

J. D. PUCKETT, CHAIRMAN

Approved:_____