

January 10, 2012

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 10th day of January 2012; at 7:00 p.m., there were present:

Howard M. Campbell

Pattie Cooper-Jones

William G. Fore, Jr.

Don C. Gantt, Jr.

Robert M. Jones

Charles W. McKay

Howard F. Simpson

Jim R. Wilck

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Sharon Carney, Economic Development Director; James Ennis, County Attorney; Magi Van Eps, Tourism and Visitor Center Coordinator; and Sheriff Wesley Reed.

Mr. Wade Bartlett, County Administrator, called the meeting to order. Supervisor McKay led the pledge of allegiance and offered the invocation.

In Re: Election of Chairman

This being the first meeting of the Board of Supervisors in the year 2012, the County Administrator opened the floor for nominations for Chairman.

Mr. William G. Fore, Jr. was nominated by Supervisor Jones. There being no other nominations, Supervisor Simpson moved that the nominations be closed. The motion carried:

Aye:	Howard M. Campbell	Nay: None
	Pattie Cooper-Jones	
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

There being no further nominations, Supervisor Fore will serve as Chairman of the Prince Edward County Board of Supervisors for calendar years 2012-2013.

In Re: Election of Vice-Chairman

Chairman Fore called for nominations for the office of Vice-Chairman.

Supervisor McKay nominated Mr. Howard F. Simpson. There being no further nominations, Supervisor Jones made a motion that the nominations be closed. The motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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There being no other nominations, Supervisor Simpson was chosen to serve as Vice-Chairman of the Prince Edward County Board of Supervisors for calendar years 2012-2013.

In Re: Date, Time, and Place of Board Meetings

Supervisor McKay moved that the regular monthly meetings of the Prince Edward County Board of Supervisors be held on the second Tuesday of each month, at 7:00 p.m., in the Board of Supervisors' Room of the Court House Building, 111 South Street, Farmville, Virginia. The motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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In Re: Adoption of Board By-Laws

Supervisor Simpson moved that the Prince Edward County Rules of the Board of Supervisors be adopted with no amendments. The motion carried:

Aye: Howard M. Campbell
Pattie Cooper-Jones
William G. Fore, Jr.
Don C. Gantt, Jr.
Robert M. Jones
Charles W. McKay
Howard F. Simpson
Jim R. Wilck

Nay: None

PRINCE EDWARD COUNTY
RULES OF
THE BOARD OF SUPERVISORS

(As amended January 2008)

I. ATTENDANCE AND ADJOURNMENT

All members shall make a reasonable effort to attend meetings of the Board. If unable to attend, a member shall notify the Chairman or County Administrator.

A majority of the members of the Board shall constitute a quorum and must be present to proceed to business. A smaller number of members may adjourn or send for absentees. Special meetings of the Board may be called in accordance with Section 15.1-538 of the Code of Virginia, 1950, as amended.

The Chairman shall take the chair at the hour set by the Board for regular or special meetings. He shall immediately call the Board to order and determine if a quorum is present; if so, he shall have the minutes of the preceding meeting submitted. Any errors or omissions shall, upon motion and carried, then be corrected. The minutes, being found correct, shall be signed by the Chairman and Clerk and shall be the authentic record of the proceedings of the Board of Supervisors.

II. CHAIRMAN AND VICE-CHAIRMAN

At the first meeting in January of each year, the Board of Supervisors shall elect one of its members as Chairman and one other of its members as Vice-Chairman. The term of office for the Chairman and Vice-Chairman shall be for two years, but they may be re-elected.

The Chairman shall preside at all meetings at which he is present. The Vice-Chairman shall preside at all meetings at which the Chairman is absent and may discharge any other duty of the Chairman during his absence or disability.

The day, time, and place of regular board meetings shall be determined at the January meeting.

III. CLERK

The County Administrator shall serve as Clerk to the Board.

The minutes of the meetings of the Board shall be duly drawn by the Clerk and shall be submitted for approval at the next regular monthly meeting following their draft.

The Clerk shall appoint a deputy as recording secretary if required or needed by the Board.

IV. ORDER OF BUSINESS

After the call to order the Board shall proceed to the agenda. The normal order of the agenda shall be as below, except at the January organizational meeting and as subject to rearrangement by the Chairman, absent objection by the Board. At the organizational meeting in January, the first order of business shall be the election of the Chairman and Vice-Chairman and approval of the Board's operating procedures.

- A. Public Participation
- B. Consent Agenda
 - Acceptance of Treasurer's Report
 - Approval of Minutes
 - Approval of Warrant List
- C. Highway Matters
- D. Business for Board Consideration
- F. County Administrator's Report
- G. Closed Session
- H. Correspondence
- I. Informational Items
- J. Upcoming Meetings
- K. Monthly Reports from Local Departments
- L. Adjournment

V. PREPARATION OF AGENDA

The County Administrator shall see that the preparation and printing of Board papers, ordinances, resolutions, petitions, and other applicable documents, be completed within such time that members of the Board may receive the documents at least 72 hours before the meeting of the Board.

The County Administrator shall close the upcoming Agenda on the Wednesday prior to the meeting of the Board. Any item submitted after this deadline will not be considered for action unless recommended by the County Administrator.

VI. CONSENT AGENDA

The Chairman and County Administrator shall style routine, non-controversial matters requiring Board action on a Consent Agenda. Items may be removed from the Consent Agenda and place on the Regular Agenda on recorded vote by a majority of the Board members present. Only one motion is necessary to adopt all recommendations and action items on the Consent Agenda.

There shall be no debate or discussion by any member of the Board or the public regarding any item on the Consent Agenda, beyond asking questions for simple clarification.

VII. CONDUCT OF BUSINESS

The Chairman shall preserve order and decorum. When two or more members speak at the same time, the Chairman shall name the person who shall speak first.

A motion or proposition shall be reduced to writing, if desired by the Chairman or any member. Any motion or proposition may be withdrawn by the mover at any time before a decision, amendment, or other action of the Board upon it, except a motion to reconsider, which shall not be withdrawn without leave of the Board. Otherwise, meetings shall be conducted in accordance to Robert's Rules of Order, Newly Revised (Procedures for Small Boards).

VIII. TAKING THE VOTE

When a motion in order is made, the Chairman shall state the exact motion and indicate that it is open to debate. After the motion has been debated, the Chairman shall put the question in the following forms: "As many as agree that, etc. (as the question may be) let it be known by raising your right hand", and "Those opposed by the same sign."

According to the Constitution of Virginia, a majority of all elected members shall be necessary to adopt any ordinance or resolution appropriating money exceeding the sum of \$500.00, imposing taxes, or authorizing the borrowing of money. Otherwise, a resolution, ordinance, or other proposition shall be adopted by vote of the majority of Board members present and voting. A tie vote shall mean the defeat of the motion voted on.

A member may abstain and be entered in the minutes as present and abstaining.

The Code of Virginia, 1950, as amended, Title 2.1, Chapter 40.2, Section 639.30 et seq shall control with respect to a member's participation and voting. (Conflict of Interest-Section 2.1-639.30 et al, Code of Virginia, 1950, as amended.)

IX. RECONSIDERATION

After a question has been decided, it may be reconsidered on the motion of any member who voted with the prevailing side, provided the motion is made on the same day as the decision carried. All motions to reconsider shall be decided by a majority of the votes of the members present and voting.

X. WITHDRAWAL OF EXHIBITS

Original papers, filed as exhibits with any ordinance or resolution, may be withdrawn by the patron or upon his order. In such case, he shall leave attested copies, and shall pay the Clerk for the cost of copying.

XI. MANUAL AND RULES

The rules of parliamentary practice in Robert's Rules of Order, Newly Revised shall govern the Board in all cases to which they are applicable, except when they are inconsistent with the rules established by the Board.

The Rules of the Board shall be reviewed and adopted in January of each year. These Rules may subsequently be suspended or amended by a two-third vote of the entire Board. Upon a motion to suspend or amend, the mover shall be allowed two minutes to state the reasons for his motion, and one member opposed to the motions shall be allowed an equal time to object.

XII. APPOINTMENTS

All appointments of Board representatives to commissions, authorities, committees, etc. shall be made once the individual leaves the position or on expiration of his term, and not later than two meetings after the individual has left. The Board shall attempt to honor appointments from representative districts and shall not discriminate based on sex, age, handicap, race, or origin.

At the January meeting of each year, the Board shall vote whether to operate with a system of standing committees during the year. If it does, the Board shall specify the name, composition, and function of each of the several committees. The committees shall meet at the regular times and in conformity with the Virginia Freedom of Information Act. In selecting members of committees, the Chairman of the Board shall make nominations after soliciting from members of the Board their preferences as to committee assignments. The Board may amend the Chairman's nominations and shall confirm the assignments. Standing committees shall consider such matters as referred by the Board, and shall report at regular meetings of the Board.

If the Board votes not to have standing committees, it may act as a committee of the whole on matters normally referred to standing committees. However; the Chairman after consulting with the County Administrator, may appoint special (ad hoc) committees to carry out specific tasks. This shall be done after soliciting from members of the Board their preferences as to committee assignments. A special committee shall automatically cease to exist once it has completed its specific task.

XIII. PUBLIC HEARINGS

The Chairman may, at his discretion, set an appropriate and consistent time limit on all speakers at a public hearing. All speakers shall come forward and identify themselves by name and address before stating their position. If a public hearing becomes disruptive, the Chairman may adjourn or continue, in accordance with the Code of Virginia.

XIV. CLOSED SESSIONS

All discussions held in Closed Session as outlined in the Freedom of Information Act shall represent privileged information held by those involved. Release of such information by a Board member outside the session shall be considered a breach of these by-laws, and the member shall be subject to censure. Specific purpose of closed session shall be stated in accordance with Section 2.2-3711 of the Code of Virginia, 1950, as amended.

Upon return to regular session after a closed session, the County Attorney and/or Chairman shall state the nature of the closed session in as specific terms as appropriate.

In open session, a roll call vote shall be recorded in the minutes, certifying that only public business matters lawfully exempted from open meeting requirements and only such business matters as were identified in the motion were discussed or considered. Any member of the public body who believes there was a departure from the requirements shall so state prior to the vote. The statement shall be recorded in the minutes.

ROBERT'S RULES OF ORDER, NEWLY REVISED

PROCEDURE IN SMALL BOARDS

In a board meeting where there are not more than about a dozen members present, some of the formality that is necessary in a large assembly would hinder business. The rules governing such meetings are different from the rules that hold in other assemblies, in the following respects:

--Members are not required to obtain the floor before making motions or speaking, which they can do while seated.

--Motions need not be seconded.

--There is no limit to the number of times a member can speak to a question, and motions to close or limit debate generally should not be entertained.

--Informal discussion of a subject is permitted while no motion is pending.

--Sometimes, when a proposal is perfectly clear to all present, a vote can be taken without a motion having been introduced. Unless agreed to by general consent, however, all proposed actions of a board must be approved by vote under the same rules as in other assemblies, except that a vote can be taken initially by a show of hands, which is often a better method in such meetings.

--The chairman need not rise while putting questions to vote.

--The chairman can speak in discussion without rising or leaving the chair; and, subject to rule or custom within the particular board (which should be uniformly followed regardless of how many members are present), he usually can make motions and usually votes on all questions.

EFFECT OF PERIODIC PARTIAL CHANGE IN BOARD MEMBERSHIP

In cases where a board is constituted so that a specific portion of it is chosen periodically (as, for example, where one third of the board is elected annually for three-year terms), it becomes, in effect, a new board each time such a group assumes board membership. Consequently, all unfinished business existing when the outgoing portion of the board vacates membership falls to the ground; and if the board is one that elects its own officers or appoints standing committees, it chooses new officers and committees as soon as the new board members have taken up their duties, just as if the entire board membership had changed. The individual replacement of persons who may occasionally vacate board membership at other times, however, does not have these effects.

In Re: Selection of Operating System: Committees or Committees-of-the-Whole

The Rules of the Board state that “at the January meeting of each year, the Board shall vote whether to operate with a system of standing committees during the year. If it does, the Board shall specify the name, composition, and function of each of the several committees.” If the Board would vote not to have standing committees, it may act as a “committee of the whole.”

Chairman Fore said the Board currently operates as a “committee of the whole” with one standing committee, the Personnel Committee, and asked if the Board wished to continue or change to a Committee system.

Supervisor Simpson moved that the Board operate as a committee of the whole, but with one standing committee. The motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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In Re: Appointments: Personnel Committee

Chairman Fore then inquired if it was the Board’s pleasure to appoint another member to the committee to maintain a four-member committee or to keep it at three members.

Supervisor Gantt made a motion to keep the Personnel Committee at three members; the motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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The Personnel Committee comprises Supervisor Campbell, Supervisor Wilck, and Supervisor Simpson to act as Chair of the Personnel Committee.

In Re: Adoption of Board Rules of Procedure for Public Hearings

On motion of Supervisor Simpson and carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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the Prince Edward County Board of Supervisors readopted the following procedures to govern public hearings:

BOARD OF SUPERVISORS PUBLIC HEARINGS
RULES OF PROCEDURE

1. Public Hearings – the order of presentation shall be as follows, unless varied by the Chairman.
 - a. Staff report.
 - b. Applicant’s presentation.
 - c. Comments, statements or presentations from members of the public.

The order of speakers will be:

- 1) Those in support of the matter,
 - 2) Those with questions or concerns,
 - 3) Those opposed,
 - 4) Rebuttals (limited by the Chair as to number and time-see below),
 - 5) Questions by the Board members of speakers.
- d. Additional rules:
 - The Chair can permit speaking out of the order in #c above as deemed necessary to enable the public to fully participate.
 - Speakers must stand at the podium and address the Board.
 - All comments shall be directed to the members of the Board of Supervisors. Debate is prohibited. This includes debate among speakers or speakers/Board members/staff.
 - Presentation by the applicant and other speakers shall be limited to a time set by the Chairman.
 - Additional time, for any portion, may be granted at the discretion of the Chairman.
 - The Chair will set the number of minutes permitted for rebuttal and has the discretion to change the number.
 - The Chair has the authority to limit or decrease time for any portion of the public hearing due to the number of potential speakers, or repetition, or any other concern.

- Remarks shall be confined to the matter under discussion and shall be relevant.
2. Speakers arriving after the commencement of the hearing and/or who are not on the sign-up sheet will be recognized at the discretion of the Chairman.
 3. Repetitive testimony is discouraged.
 4. The Chairman shall have the authority to end a presentation that violates these rules or for other cause.
 5. Following discussion of all matters considered in the public hearing, the Board members will consider one of three actions regarding each matter:
 - Approval (with conditions, as applicable);
 - Denial; or
 - Table for further review.
 6. Once the public comment period has been closed, no further public input will be permitted unless clarification is requested by a Board member. The response shall address only those questions raised by the member.

In Re: Adoption of Board Protocol for Public Participation

On motion of Supervisor McKay and carried:

<p>Aye: Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck</p>	<p>Nay: None</p>
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the Prince Edward County Board of Supervisors readopted the following Protocol for Public Participation:

Protocol for Public Participation

The Board of Supervisors sets aside twenty (20) minutes near the beginning of each regular board meeting for citizen comment.

This regular agenda item is termed "Public Participation." During this period, the Board receives comment from any citizen of Prince Edward County on any matter not scheduled for a public hearing.

This is an opportunity for citizens to speak and the Board to listen carefully to citizen expressions of concern and opinion.

Citizens may ask questions of the Board or individual Board members; however, Public Participation is not designed to allow debate between Board members and citizens.

Citizens are expected to conduct research on topics prior to Board meetings and this forum provides citizens with an opportunity to inform elected officials of their findings and positions on matters of public interest and concern.

Citizens wishing to speak during Public Participation are asked to please sign the Public Participation register prior to the beginning of the meeting.

Citizens are respectfully requested to state their full name and address for the record.

The Chairman of the Board will establish the order of speakers and will maintain decorum.

Citizens shall speak for a maximum of five (5) minutes, unless more time is granted by the Chair.

In the event that more than four (4) speakers wish to be heard during citizen's time, the Chairman shall allocate the twenty (20) minutes among speakers in an equitable manner. An extension to the twenty (20) minute limit can be granted by the Chair.

Comments from citizens who are not residents of Prince Edward County will be entertained once all County residents are heard.

Signs, placards, posters or like material are not permitted in the Board Chamber, adjoining areas or County offices.

The Board asks that citizens remain seated during the meeting unless called upon to stand for recognition as a speaker, official duties, physical necessity, or to enter or leave the meeting.

The use of profane, vulgar, obscene or threatening speech is not permitted and can result in removal from the meeting.

Citizens are requested to turn off or deactivate the sound from all cell phones, pagers, or other electronic communication devices.

In Re: Adoption of Protocol for Board of Supervisors Comments

On motion of Supervisor Simpson and carried:

Aye:	Howard M. Campbell	Nay: None
	Pattie Cooper-Jones	
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

the Prince Edward County Board of Supervisors readopted the Protocol for Board of Supervisors

Comments:

Protocol for Board of Supervisors Comments

- The Board of Supervisors sets aside ten (10) minutes near the beginning of each regular board meeting for each member of the Board of Supervisors to respond to comments made by citizens during “Public Participation,” if he/she so desires.
- This is an opportunity for each individual member of the Board to express his/her own personal opinion in response to a citizen’s concerns on matters of public interest.
- “*Board of Supervisors Comments*” is not designed to allow debate between Board members and citizens.
- The Chairman of the Board will establish the order of speakers and will maintain decorum.
- Each Board member shall be allotted an opportunity to speak for a maximum of one (1) minute; unless additional time is yielded by another member of the Board. In the event a Board member or members shall be absent, unallocated time shall not be allocated to Board members in attendance.
- Following each Board member’s comment period, the remaining two (2) minutes shall be set aside for appropriate response, and shall be divided equally between those members of the Board wishing to respond, and as directed by the Chairman.

In Re: Adoption of Board of Supervisors Conflict of Interest Policy

On motion of Supervisor Simpson and carried:

Aye:	Howard M. Campbell	Nay: None
	Pattie Cooper-Jones	
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

the Prince Edward County Board of Supervisors readopted the Conflicts of Interest Policy:

Conflicts of Interest Policy

I. Introduction

Our system of government is dependent in large part on its citizens maintaining the highest trust in their public officials. *1995 Va. Op. Atty. Gen. 2*. The conduct and character of public officials is of particular concern to state and local governments, because it is chiefly through that conduct and character that the government’s reputation is derived. *1995 Va. Op. Atty. Gen. 2*.

The purpose of the Conflict of Interests Act (*Virginia Code § 2.2-3100 et seq.*) is to assure the citizens of the Commonwealth that the judgment of public officers and employees will not be compromised or affected by inappropriate conflicts. *Virginia Code § 2.2-3100*. To this end, the Act defines certain standards or types of conduct that clearly are improper.

The Act does not address all appearances of conflict and, in those cases; the public official must determine whether participation in a matter presents an unacceptable appearance of impropriety that will affect the confidence of the public in the official's ability to perform his or her duties impartially.

A knowing violation of the Act has serious consequences. A knowing violation is a misdemeanor (*Virginia Code § 2.2-3120*) and constitutes malfeasance in office (*Virginia Code § 2.2-3122*). In addition to criminal fines and penalties, a knowing violation may result in forfeiture of the office or employment (*Virginia Code § 2.2-3122*), the forfeiture of the value derived from the violation, and civil penalties in the amount of the value derived from the violation (*Virginia Code § 2.2-3124*).

Although the Conflict of Interests Act also covers conflicts arising in the contracting process, this policy pertains only to conflicts arising from a public official's personal interest in matters coming before a public body and other generally prohibited conduct. This policy also covers conflicts of interest not specifically covered by the Act.

Except as expressly stated otherwise, the term *public official* includes members of the County's public bodies, advisory agencies, committees and employees (collectively referred to as a *public body*).

II. Procedure if a conflict of interest in a transaction may exist

A public official should review pending matters and agenda materials for possible conflicts of interest and then do the following:

A. Notify the County Attorney's Office

If the public official believes that a conflict of interest may exist, the official should contact the County Attorney's Office immediately so that it is aware of the possible conflict, provide advice and, if necessary, assist the public official with the preparation of the required disclosure statement before the matter is considered.

After a full disclosure of the facts, the County Attorney's Office will advise the public official to seek an advisory opinion from the Commonwealth's Attorney.

B. Request an advisory opinion from the Commonwealth's Attorney

The Commonwealth's Attorney is charged to render advisory opinions as to whether the facts in a particular case would constitute a violation of the provisions of the Conflict of Interests Act to the County's public officials. *Virginia Code § 2.2-3126(B)*. If the public official believes that a conflict of interest may exist, he or she should make a full disclosure of the facts to the Commonwealth's Attorney and request a written opinion from that office. If the official relies in good faith on the opinion of the Commonwealth's Attorney, the official is immunized from prosecution for a knowing violation of the Act. *Virginia Code § 2.2-3121(B)*.

In order for this immunity to be effective, it is critical that the public official is certain that all of the facts are disclosed to the Commonwealth's Attorney. It is also important that the opinion request be made in sufficient advance of the public body's consideration of the matter so that the Commonwealth's Attorney has adequate time to prepare the written opinion. Finally, if the public official will participate in the matter based on the Commonwealth's Attorney's opinion, the official should have the written opinion prior to his or her participation.

C. Request Attorney General to review Commonwealth's Attorney opinion, and judicial review

If the opinion given by the Commonwealth's Attorney indicates that the facts would constitute a violation of the Conflict of Interests Act, the public official affected by the opinion may request that the Attorney General review the opinion. *Virginia Code § 2.2-3126(B)*. A conflicting opinion by the Attorney General acts to revoke the opinion of the Commonwealth's Attorney. *Virginia Code § 2.2-3126(B)*.

Regardless of whether an opinion of the Commonwealth's Attorney or the Attorney General has been requested and rendered, any person has the right to seek a declaratory judgment or other judicial relief as provided by law. *Virginia Code § 2.2-3126(B)*.

III. Determining whether a personal interest in a transaction exists

A conflict of interest exists if the public official has a *personal interest in the transaction*. The italicized words are defined by statute.

A. Personal interest.

A *personal interest* is a financial benefit or liability accruing to a public official or to a member of his or her immediate family. *Virginia Code § 2.2-3101*. A member of the *immediate family* is either a spouse or any other person residing in the same household as the officer or employee, who is a dependent of the officer or employee, or of whom the officer or employee is a dependent. *Virginia Code § 2.2-3101*.

A *dependent* is a son, daughter, father, mother, brother, sister or other person, whether or not related by blood or marriage, if the person receives from the officer or employee, or provides to the officer or employee, more than one-half of his financial support. *Virginia Code § 2.2-3101*.

A personal interest exists in any of the following situations:

1. *Ownership in a business*: Ownership in a business if the ownership interest exceeds three percent of the total equity of the business.
2. *Income from property or business*: Annual income that exceeds, or may reasonably be anticipated to exceed, \$10,000 from ownership in real or personal property or a business.
3. *Salary, compensation, benefits paid or provided by business*: Salary, other compensation, fringe benefits, or benefits from the use of property, or any combination thereof, paid or provided by a business that exceeds, or may reasonably be anticipated to exceed, \$10,000 annually.

4. *Ownership of property*: Ownership of real or personal property if the interest exceeds \$10,000 in value and excluding ownership in a business, income, salary, other compensation, fringe benefits or benefits from the use of property.

5. *Personal liability on behalf of business*: Personal liability incurred or assumed on behalf of a business if the liability exceeds three percent of the asset value of the business. A *business* is a corporation, partnership, sole proprietorship, firm, enterprise, franchise, association, trust or foundation, or any other individual or entity carrying on a business or profession, whether or not for profit. *Virginia Code § 2.2-3101*.

B. Transaction

A *transaction* is any matter considered by the board or commission, whether in a committee, subcommittee, or other entity or department of the County, on which official action is taken or contemplated. *Virginia Code § 2.2-3101*.

C. Personal interest in a transaction

A *personal interest in a transaction* is a personal interest of an officer or employee in any matter considered by his agency. *Virginia Code § 2.2-3101*. A personal interest exists when an officer or employee or a member of his immediate family has a personal interest in property or a business, or represents any individual or business and the property, business or represented individual or business: (1) is the subject of the transaction; or (2) may realize a reasonably foreseeable direct or indirect benefit or detriment as a result of the action of the agency considering the transaction. *Virginia Code § 2.2-3101*.

Notwithstanding the above, a personal interest in a transaction is not deemed to exist where a member of the Board of Supervisors serves without remuneration as a member of the board of trustees of a not-for-profit entity and the Board member or member of his immediate family has no personal interest related to the not-for-profit entity. *Virginia Code § 2.2-3101*.

IV. What to do if a public official has a personal interest in a transaction

If a public official has a personal interest in a transaction, he/she must respond in one of the following ways:

A. When disclosure and disqualification required

A public official must disqualify himself or herself from participating if the transaction applies *solely* to the property or business in which he or she has a personal interest. *Virginia Code § 2.2-3112(A)(1)*. However, a public official is not disqualified merely because the official is a party in a legal proceeding of a civil nature concerning the transaction. *Virginia Code § 2.2-3112(D)*.

Once the public official is disqualified, he or she may not vote or in any other manner act on the matter. *Virginia Code § 2.2-3112(A)(1)*. However, an employee (not a board member or commissioner) who is disqualified may represent himself or a member of his immediate family in the transaction provided he does not receive compensation for the representation and makes a proper disclosure of the conflict. *Virginia Code § 2.2-3112(B)*.

A public official who is disqualified, or otherwise elects to disqualify himself, must promptly disclose the existence of his interest. *Virginia Code § 2.2-3115(E)*. The disclosure is typically announced by members of a public body during the meeting when

the particular matter is called, and is set forth in writing in a form prepared by the County Attorney's Office and signed by the public official. The disclosure is reflected in the public records for five years in the office of the administrative head of the public body. *Virginia Code § 2.2-3115(E)*.

B. When disclosure required, participation allowed

A public official may participate in a transaction if he or she is a member of a business, profession, occupation, or group, the members of which are affected by the transaction. *Virginia Code § 2.2-3112(A)(2)*. This means that if the transaction affects not only the property or business in which he or she has a personal interest, but also other properties or businesses, the public official may participate in the transaction. For example, the Attorney General has determined that a member of an airport commission was not required to disqualify himself from participating in a commission's vote on an application for funding to acquire the member's property if the transaction included property owned by others as well. *1995 VA. Op. Atty. Gen. 2*. In that case, the commissioner was merely a member of the group of landowners whose property the commission was considering acquiring.

A public official who has a conflict of interest because of his membership in a business, profession, occupation or group is required to declare his interest. *Virginia Code § 2.2-3115(G)*. The declaration must state: (1) the transaction involved; (2) the nature of the official's personal interest affected by the transaction; (3) that he is a member of a business, profession, occupation, or group the members of which are affected by the transaction; and (4) that he is able to participate in the transaction fairly, objectively, and in the public interest. *Virginia Code § 2.2-3115(G)*. The disclosure is typically announced by members of the public body during the meeting when the particular matter is called, and is set forth in writing in a form prepared by the County Attorney's Office and signed by the public official.

The disclosure is reflected in the public records for five years in the office of the administrative head of the public body. *Virginia Code § 2.2-3115(G)*. If reasonable time is not available to comply with these disclosure provisions prior to participating in the transaction, the public official must prepare and file the required declaration by the end of the next business day. *Virginia Code § 2.2-3115(G)*.

If a public official is unable to make the statements in the declaration of the interest without reservation, he or she should not participate in the matter and disqualify himself or herself from participating in the transaction.

C. When neither disclosure nor disqualification required

A public official may participate in a transaction if it affects the public generally, even though his or her personal interest, as a member of the public, may also be affected by the transaction. *Virginia Code § 2.2-3112(A)(3)*.

V. What it means to participate in a transaction

A transaction includes any matter considered by the public body on which official action is taken *or contemplated*. *Virginia Code § 2.2-3101*. Thus, the *transaction* begins when some future action is contemplated, *e.g.*, when a complete application for a special use permit is filed with the County, and continues until a final decision is made by a County public body.

Participation is not included in the Act. However, it is clear that during the decision making process, *participation* includes not only voting on the transaction, but also

engaging in any discussion related to it. The practice of some public bodies is for a disqualified official not to sit with the public body while the transaction is being considered so there is no question as to whether the disqualified official participated. Some public officials may even choose to leave the hearing room so that there is no question that the official tried to influence the public body through hand gestures and body language. Such an extreme measure, of course, is not required.

Participating in a transaction extends beyond the hearing room. Because a *transaction* includes any matter on which official action is contemplated, *participation* reasonably includes any activity that may influence the matter for which official action is contemplated, including talking to the applicant, other citizens, County staff and members of the County's public bodies. This broad application is consistent with the liberal interpretation to be given to the Act to effectuate its purposes.

VI. Avoiding the appearance of impropriety even though statutory conflict of interest does not exist

The Conflict of Interests Act does not address all conflicts of interest. There may be circumstances when a public official's interest in a transaction may not be a conflict within the meaning of the Act, but which may lend itself to an appearance of impropriety. In those cases, it is incumbent upon the public official to determine whether participating in the transaction presents an appearance of impropriety. *1995 Va. Op. Atty. Gen. 2.*

In determining whether an appearance of impropriety exists, the public official should consider: (1) whether the appearance of a conflict is unacceptable; and (2) whether the appearance of a conflict will affect the confidence of the public in the public official's ability to perform his or her duties impartially. *1995 Va. Op. Atty. Gen. 2.* If either of these elements is present, the public official should seriously consider disqualifying himself or herself from participating in the matter.

VII. The effect of disqualification on a public body's ability to transact business

If a disqualification leaves less than the number of members required by law to act, the remaining member or members have authority to act for the public body by majority vote. *Virginia Code § 2.2-3112(C).*

VIII. Generally prohibited conduct

In addition to those situations when a public official may have a personal interest in a transaction, the Conflict of Interests Act prohibits certain interests in contracts and other general conduct. Conflicts of interests arising in contracts are addressed in Virginia Code § 2.2-3105 *et seq.* This section addresses other conduct prohibited by Virginia Code § 2.2-3103, which provides that the following conduct by County officers and employees is declared to be unlawful:

1. *Solicit or accept money or other thing of value for services:* Except for special benefits authorized by law, an officer or employee may not solicit or accept money or other thing of value for services performed within the scope of his official duties, except the compensation, expenses or other remuneration paid by the County.
2. *Offer or accept money or other thing of value for employment, appointment or promotion:* An officer or employee may not offer or accept money or any other thing of value in consideration of obtaining employment, appointment, or promotion of any person with any governmental or advisory agency.

3. *Offer or accept money or other thing of value to use position for contract purposes:* An officer or employee may not offer or accept any money or other thing of value for or in consideration of the use of his public position to obtain a contract for any person or business with any governmental or advisory agency.
4. *Use confidential information for personal or another's gain:* An officer or employee may not use for his own economic benefit, or that of another party, confidential information which he has acquired by reason of his public position and which is not available to the public.
5. *Accept money or other benefit that may influence performance:* An officer or employee may not accept any money, loan, gift, favor, service, or business or professional opportunity that reasonably tends to influence him in the performance of his official duties. This rule does not apply to any political contribution actually used for political campaign or constituent service purposes and reported as required by Virginia Code § 24.2-900 *et seq.*
6. *Accept opportunity that may influence performance:* An officer or employee may not accept any business or professional opportunity when he knows that there is a reasonable likelihood that the opportunity is being afforded him to influence him in the performance of his official duties.
7. *Accept honoraria:* An officer or employee may not accept any honoraria for any appearance, speech, or article in which the officer or employee provides expertise or opinions related to the performance of his official duties. The term *honoraria* does not include any payment for or reimbursement to a person for his actual travel, lodging, or subsistence expenses incurred in connection with the appearance, speech, or article or, in the alternative a payment of money or anything of value not in excess of the per diem deduction allowable under Section 162 of the Internal Revenue Code.
8. *Accept a gift where its timing and nature questions impartiality:* An officer or employee may not accept a gift from a person who has interests that may be substantially affected by the performance of the officer's or employee's official duties under circumstances where the timing and nature of the gift would cause a reasonable person to question the officer's or employee's impartiality in the matter affecting the donor.
9. *Accept gifts frequently so as to raise appearance of impropriety:* An officer or employee may not accept gifts from sources on a basis so frequent as to raise an appearance of the use of his public office for private gain.

Each of these prohibitions will be liberally construed to apply as broadly as reasonable under the circumstances.

In Re: Public Participation

Chairman Fore read the Public Participation Policy, adopted at the September 2009 meeting:

Public Participation is a time set aside for citizens to share their thoughts, ideas and concerns. An official record is made of each person's contribution tonight and will be directed to the County Administrator for follow-up; any necessary follow-up will be noted and tracked. Follow-up may consist of an immediate

response, or planned action by the County Administrator or Board, or by placement on a future Board agenda. Tonight's agenda cannot be changed because the public needs advance knowledge of and the opportunity to review related materials regarding items addressed by the Board. To further assist public information, the Board requests our Administrator, Attorney or county staff immediately correct any factual error that might occur.

Henry Shelton, Prospect District, stated his concern regarding the Treasurer being out of office for an extended period of time and said the taxpayers should not pay for someone that is not there. He added he is concerned about the process necessary in the event a new Treasurer would be needed.

Mr. Shelton then stated there is a sight hazard on the Farmville exit from Route 460 onto Route 15 caused by two One-Way arrows blocking sight of the south-bound traffic. He asked that they be moved.

Cornell Walker, Prospect District, expressed his thanks to the Board members and the County Administrator for action taken on December 24, 2011, to clean up the property on Dry Bridge Road.

In Re: Board of Supervisors Comments

Supervisor Wilck stated Mrs. Shanaberger is making progress. Mr. Bartlett added that Mrs. Shanaberger was in her office on Friday, [January 6, 2012] for several hours and is indeed making progress.

Supervisor Gantt said the Town of Farmville wrote a letter to the Board of Supervisors offering a seat on the Water Authority. He asked if the Board has responded to that letter. Chairman Fore said the Board has not formally answered the letter; Mr. Bartlett recommended the Board wait until the Town of Farmville makes their decision on their Water Authority and formally asks the County to join.

Supervisor Gantt requested the Chairman and the County Administrator to write a letter to the Town of Farmville asking them to consider re-opening negotiations; he stated it would be a missed opportunity to work together on the project.

Supervisor Wilck said he spoke to Town Council members and the topic is on their agenda for Wednesday [January 11, 2012] evening. He stated some changes are going on. Some discussion followed.

Chairman Fore stated he and the County Administrator will attempt to re-open negotiations and will draft a letter to the Town of Farmville.

Supervisor Simpson thanked Mr. Walker for letting the Board know of the efforts of the County Administrator.

Chairman Fore thanked the Board for showing the confidence in reinstating him as Chairman and Supervisor Simpson as Vice-Chair. Supervisor Simpson expressed his thanks to the Board members.

Supervisor McKay thanked Supervisor Gantt for initiating discussion regarding working with the Town of Farmville on the water project. He said the Town and County should work together.

Supervisor Campbell thanked Mr. Walker for reporting the action taken on the property on Dry Bridge Road; he added the front door of the house needs to be secured with nails. Mr. Bartlett stated the company in charge of the property knows of its condition; he is not sure if they will tear down the building in the near future.

In Re: Consent Agenda

On motion of Supervisor Jones and carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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the Board accepted the Treasurer's report of August 2011; the minutes of the meetings held December 13, 2011 and December 21, 2011; Accounts and Claims; Salaries; and a Dance Hall Permit for Fever's Restaurant and Lounge.

August 2011

Fund balances were as follows:

General Fund	120,568.21	
General Fund Reserved for Investments	6,469,424.85	
		6,589,993.06

PPEA Fund	(1,529.57)
Industrial Development Authority Fund	150,334.73
Recreation Fund Reserved for Investments	27,021.30
Forfeited Assets Fund Reserved for Investments	93,175.53
School Capital Projects Fund - VPSA	0.00
School Capital Projects Fund - QZAB01	0.00
Underground Storage Tank Fund	20,000.00
Economic Development Fund	743,464.42
Board of Public Welfare Special Account	6,715.72
Piedmont ASAP Fund	306,879.21
QZAB Debt Services Fund	408,068.97
Landfill Construction Fund	942,333.50
PCS Fund	370,237.44
Revenue Sharing Fund	(46.64)
Retirement Benefits Fund	(1,703.87)
School Capital Projects Fund - QZAB02	0.00
Dare Donations Fund	2,107.20
School Cafeteria Fund	261,140.22
Prince Edward Community Development Fund	46,793.50
Water Fund	90,261.09
Sewer Fund	(32,174.04)
School Fund	0.00
	10,023,071.78

Cash accounts were as follows:

Cash in Office	1,000.00
Cash in Banks	2,412,957.39
Warrants Payable (School Fund)	0.00
General Fund Investments	6,469,424.35
VPSA Investments	0.00
QZAB01 Investments	0.00
Underground Storage Tank Fund	20,000.00
Recreation Fund Investments	27,021.31
QZAB02 Investments	0.00
Landfill Construction Fund for Investment	942,333.50
Forfeited Asset Fund for Investment	93,175.53
Industrial Development Authority for Investment	150,334.73
	10,023,071.78

*Of this \$6,598,993.06 in the General Fund, \$9,238,735.30 is encumbered for:

Transfers in:	
School Fund	8,052,445.05
VPA Fund	504,506.92
Water Fund	0.00
Sewer Fund	0.00
IDA Fund	23,528.98

Retirement Benefits Fund	25,176.00	
Debt Obligations	633,078.35	
Total	9,238,735.30	

This leaves an unencumbered balance of \$(2,639,742.24) in the General Fund.

STATEMENT OF DEPOSITORY BALANCES

Balances as of August 2011:

Checking Accounts:

Benchmark Community Bank	483,068.33
Wachovia Bank	326,876.84
BB&T	152,860.52
Bank of America	2,414,260.70

3,377,066.39

Investment Accounts:

Benchmark Community Bank	5,941,935.92
Wachovia Bank	104,172.85
Citizens Bank & Trust Company	235,000.00
BB&T	1,491.23
Planters Bank & Trust	200,000.00
Mentor Investments	162,405.39
SNAP (State Non-Arbitrage Plan)	0.00
Bank of America	0.00

6,645,005.39

BOARD OF SUPERVISORS

Business Card	Homestead lodging	1,853.74	
	VACo forum	295.00	2,148.74

COUNTY ADMINISTRATOR

VACORP	Workers compensation	75.50	
	Workers compensation credit	-28.05	47.45
Business Card	Postage	44.00	
	Homestead lodging	455.35	499.35
Pitney Bowes Financial Service	Postage meter lease		29.00
US Cellular	Phone		114.17
Business Data of Virginia, Inc.	Norton Anti-virus		59.90

	<u>LEGAL SERVICES</u>		
VACORP	Workers compensation	8.00	
	Workers compensation credit	-2.95	5.05
	<u>COMMISSIONER OF REVENUE</u>		
VACORP	Workers compensation	38.50	
	Workers compensation credit	-14.16	24.34
Treasurer of Virginia	Online service		77.33
NADA Used Car Guide	Used car guide	98.00	
NADA Appraisal Guides	Marine appraisal guide	35.00	
	RV appraisal guide	35.00	168.00
	<u>TREASURER</u>		
VACORP	Workers compensation	45.25	
	Workers compensation credit	-17.00	29.25
Farmville Herald	Advertising		137.39
Treasurer of Virginia	Online service		77.34
Pitney Bowes Financial Service	Equipment rental		2,664.00
VGFOA	2012 Dues		35.00
Business Data of Virginia, Inc.	Norton Anti-virus		119.80
Matthew Bender & Company, Inc.	Repl Vol 7 11 Supp		43.49
	<u>INFORMATION TECHNOLOGY</u>		
Business Data of Virginia, Inc.	Travel expenses		875.00
	<u>REGISTRAR</u>		
VACORP	Workers compensation	14.75	
	Workers compensation credit	-5.42	9.33
Dale L. Bolt	Mileage	67.16	
	Meal	8.55	75.71
Business Data of Virginia, Inc.	Norton Anti-virus		89.85
	<u>GENERAL DISTRICT COURT</u>		
US Cellular	Phone		25.46
	<u>CLERK OF THE CIRCUIT COURT</u>		
VACORP	Workers compensation	63.00	
	Workers compensation credit	-23.17	39.83
Compro Computers	Router		114.99
	<u>LAW LIBRARY</u>		
CenturyLink	Phone		37.24
	<u>COMMONWEALTH'S ATTORNEY</u>		
VACORP	Workers compensation	67.75	
	Workers compensation credit	-24.91	42.84
Commonwealth Solutions	Shredding service		15.00
Key Office Supply	Legal file cabinets	987.00	
	2-Drawer file	182.59	
	Pen refills	7.84	

	Markers / binder clips	8.94	
	Storage boxes / pens	96.59	
	Paper	17.99	
	Storage boxes	89.97	
	5 Box bottom file	99.96	1,490.88
<u>VICTIM WITNESS ASSISTANCE PROGRAM</u>			
VACORP	Workers compensation	9.50	
	Workers compensation credit	-3.49	6.01
VNVWC	Dues		50.00
<u>SHERIFF</u>			
VACORP	Workers compensation	2,322.25	
	Workers compensation credit	-853.89	1,468.36
MedTox Laboratories, Inc. Express Care	Drug testing		50.00
	Oil changes (4)	241.85	
	Oil change / flush transmission	221.90	463.75
CenturyLink	VCIN line	10.36	
	RIOS Network system	334.21	344.57
US Cellular	Phone		725.76
Business Data of Virginia, Inc.	Norton Anti-virus		29.95
Staples Advantage	Keyboard / office supplies		264.05
Galls, An Aramark Company	Uniforms		204.95
Premium Marketing & Sales	Badge wallets		79.90
AB Nightvision, LLC	Conversion mono		3,834.76
<u>SHERIFF - COURTS</u>			
VACORP	Workers compensation	711.75	
	Workers compensation credit	-261.71	450.04
<u>RICE VOLUNTEER FIRE DEPARTMENT</u>			
C. L. Williams	Pike pole	54.33	
	Battery for lite box	42.96	97.29
Goodman Truck & Tractor	Transmission fluid		293.50
Dominion Virginia Power	Electric service		265.41
<u>HAMPDEN-SYDNEY VOLUNTEER FIRE DEPARTMENT</u>			
Computerland	Whiteboard / projector		2,442.40
<u>PAMPLIN VOLUNTEER FIRE DEPARTMENT</u>			
AT&T	Phone		79.36
Jana Baldwin	Janitorial service		130.00
Blue Ridge Rescue Suppliers	Mineral oil		50.00
C. W. Williams	Image camera battery		597.50
Carquest Appomattox	Hose & nozzle		37.98
Farmville Wholesale Electric	Bulbs		236.40
Fire & Safety Equipment Company	Gloves		221.70
J. E. Jamerson Building Supply	Trash bags	11.79	
	Pine Sol	11.99	23.78
Pamplin Exxon	Fuel	491.43	

	Repairs & maintenance	128.22	619.65
Verizon	Phone		59.32
Vest's Sale & Service, Inc.	Boots		301.00
Your First Due, Inc.	Internet		24.95

MEHERRIN VOLUNTEER FIRE DEPARTMENT

Parker Oil Company, Inc.	Propane	490.15	
	Diesel	883.34	
	Gas	229.87	1,603.36
US Cellular	Phone		157.08
Verizon	Phone		152.28

REGIONAL JAIL & DETENTION

Piedmont Regional Juvenile Detention Center	Juvenile detention		6,000.00
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BUILDING OFFICIAL

VACORP	Workers compensation	128.75	
	Workers compensation credit	-47.34	81.41
US Cellular	Phone		25.46
Coy Leatherwood	Meal		7.71
JMBCOA	2012 Dues		35.00

ANIMAL CONTROL

VACORP	Workers compensation	160.75	
	Workers compensation credit	-59.10	101.65
US Cellular	Phone		50.92
M&W Printers, Inc.	O-Rings for dog tags		114.94

BIOSOLIDS MONITORING

VACORP	Workers compensation	125.75	
	Workers compensation credit	-46.24	79.51
Manuel H. Toombs, Jr.	Internet (1 year)		130.00
US Cellular	Phone		25.46

REFUSE DISPOSAL

VACORP	Workers compensation	2,565.50	
	Workers compensation credit	-943.34	1,622.16
Resource International	Miscellaneous work tasks	1,160.00	
	Storm water compliance	4,236.45	
	Groundwater monitoring	17,945.03	23,341.48
Emanuel Tire of Virginia	Tire recycling		457.00
Synergy Recycling, LLC	Electronic recycling		888.97
Southside Electric Cooperative	Darlington Heights site		89.33
Dominion Virginia Power	Green Bay site		92.24
AT&T	Phone		66.36
CenturyLink	Phone		91.39
US Cellular	Phone		25.46

GENERAL PROPERTIES

VACORP	Workers compensation	919.25	
	Workers compensation credit	-338.01	
Southside Electric Cooperative	SRR lights		29.96
Dominion Virginia Power	Roy Clark monument		45.73
US Cellular	Phone		77.89
Wilco, Inc.	Trash bags		96.00
Grainger	Toilet repair kit		229.38

CANNERY

VACORP	Workers compensation	174.25	
	Workers compensation credit	-64.07	110.18
Southside Electric Cooperative	Electric service		256.03
US Cellular	Phone		25.46

COMPREHENSIVE SERVICES ACT

Braley & Thompsom, Inc.	Professional services		2,092.24
Centra Health	Professional services		510.00
Crossroads Services Board	Professional services		1,545.00
Family Preservation Services	Professional services		5,010.00
Grafton School, Inc.	Professional services		13,965.00
Treasurer of Bedford	Foster care		485.65
Mable Shanaberger	Administrative fee		150.00

PLANNING

VACORP	Workers compensation	148.50	
	Workers compensation credit	-54.60	93.90
Samuel R. Coleman	Commission meetings	200.00	
	Mileage	26.64	226.64
Sally W. Gilfillan	Commission meeting		100.00
Donald B. Gilliam	Commission meeting	100.00	
	Mileage	22.20	122.20
Preston Hunt	Commission meetings	200.00	
	Mileage	44.40	244.40
Robert M. Jones	Commission meetings	200.00	
	Mileage	11.10	211.10
Clifford Jack Leatherwood	Commission meetings		200.00
Robert Christopher Mason	Commission meetings	200.00	
	Mileage	19.98	219.98
John F. Townsend, III	Commission meetings	200.00	
	Mileage	16.64	216.64
Brett Von Cannon Watson	Commission meetings		200.00
Business Card	Office supplies	48.97	
	Subscriptions	175.00	223.97

ECONOMIC DEVELOPMENT

VACORP	Workers compensation	171.75	
	Workers compensation credit	-63.15	108.60
Farmville Printing	Copies for brochures		34.50
US Cellular	Phone		25.46

Business Card	Meals		156.86
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TOURISM

VACORP	Workers compensation	8.25	
Business Card	Workers compensation credit	-3.03	5.22
Business Card	UPS		86.14

GENERAL EXPENSE

Anthem BCBS	Cobra insurance		530.00
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CAPITAL PROJECTS

CJMW Architecture	Professional service		27,741.60
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PIEDMONT COURT SERVICES

VACORP	Workers compensation	69.00	
	Workers compensation credit	-25.37	43.63
AT&T	Phone		113.77

ADDENDUM BILL LIST

BOARD OF SUPERVISORS

Carl U. Eggleston Funeral Home	Cremation		1,445.00
Farmville Herald	Advertising		1,148.03
Howard M. Campbell	Mileage		327.45

COUNTY ADMINISTRATOR

Diamond Springs	Water & equipment rental		15.70
Farmville Printing	Business cards		254.00
HR Direct	PR attendance kit		68.36
Key Office Supply	Planner	15.29	
	Ink / paper / toner / notebooks	553.12	568.41
Pairet's, Inc.	Certificate holders		49.90
Town of Farmville	Credit card fees		64.51
Poulston's	Refrigerator		399.95

COMMISSIONER OF REVENUE

Key Office Supply	Copier maintenance contract		552.00
Treasurer of Virginia	Online service		77.33
NADA Appraisal Guides	Older used car guide		20.00

TREASURER

Farmville Herald	Advertising		46.13
Treasurer of Virginia	Online service		77.34
VALECO	FY12 Dues		75.00
Key Office Supply	Calendars / pens	17.67	
	Batteries	8.95	26.62

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expenses	250.00	
	Monthly contract	3,700.00	3,950.00
ComputerPlus Sales / Service	Maintenance contract		270.00

GENERAL DISTRICT COURT

Joyce K. Sexton	Mediation services		712.50
Key Office Supply	Copier maintenance		755.00

CLERK OF THE CIRCUIT COURT

ILS / Manatron, Inc.	APC back-ups		91.35
Key Office Supply	Copier maintenance contracts (2)		1,404.00
AT&T	Phone		42.65
CenturyLink	Phone		79.13
VALECO	Dues		125.00
Kinex Networking Solutions	DSL		74.95
West Payment Center	Probate handbooks		378.00

LAW LIBRARY

AT&T	Phone		37.00
Matthew Bender & Company, Inc.	Jury instructions - civil	224.60	
	Form 11 Sup Set / Index	448.20	
	VA Advance Code Serv	70.30	743.10
West Payment Center	Probate handbooks		189.00

SHERIFF

Farmville Auto Parts	ABS computer	651.42	
	De-icer	4.29	655.71
Fourth Street Motor Company	Vehicle repairs		1,527.57
Robby Franklin	Bulb		6.29
Travis Harris, III	Vehicle repairs		206.30
Farmville Herald	Advertising		66.63
Business Card	Postage	210.69	
	Meals	79.22	
	Gas	93.69	
	Hat	96.90	
	Books	7.54	488.04
Treasurer of Virginia	VCIN Service		53.06
Kinex Networking Solutions	Web host / data backup		39.90
CenturyLink	VCIN		7.97
Central Virginia Criminal Justice Academy	Investigator training		200.00
Diamond Springs	Water & equipment rental		58.40
Key Office Supply	Appointment books / planner / folders	48.16	
	Copy paper	58.99	107.15
Walmart	Shotgun shells		41.82
David Wilmoth	Safety glasses / ear plugs		58.68

FARMVILLE VOLUNTEER FIRE DEPARTMENT

Piedmont Fleet Service	Truck maintenance		1,197.99
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RICE VOLUNTEER FIRE DEPARTMENT

Farmville Auto Parts	Pin & bushing		9.49
Farmville Wholesale Electric	Rechargeable battery		50.74
John Deere Financial	Propane		179.53
Dominion Virginia Power	Electric service		9.03

PROSPECT VOLUNTEER FIRE DEPARTMENT

Benchmark Community Bank	Chassis note payment		2,000.00
Commtronics of Virginia	Pager repair		50.10
Farmville Auto Parts	Tire foam	23.96	
	Batteries	239.98	
	Car wash / hose nozzle	30.98	294.92
CenturyLink	Phone		86.56
Pamplin Exxon	Fuel		474.93
Parker Oil Company, Inc.	Propane		299.25
Town of Farmville	Fuel		552.89
Dominion Virginia Power	Electric service		236.58

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Atlantic Emergency	Gauge repair		1,513.32
Carpet House	Stripper	433.50	
	Credit	-27.30	406.20
Darlington Heights Volunteer Fire Department	Truck repairs		1,387.33
Ellington Energy Service	Propane		1,271.06
Farmville Auto Parts	Fuel pump / oil		133.55
Jack L. Slagle Fire Equipment	Foam	283.50	
	Battery	72.45	355.95
Southside Electric Cooperative	Electric service		262.76
Verizon Wireless	Phone		60.28
Verizon	Phone		139.04

HAMPDEN SYDNEY VOLUNTEER FIRE DEPARTMENT

AT&T	Phone		37.21
Keplinger Repair Service, Inc.	Truck repair	347.88	
	Transducer	711.64	1,059.52
CenturyLink	Phone		47.54
Dominion Virginia Power	Electric service		305.41

PAMPLIN VOLUNTEER FIRE DEPARTMENT

C. W. Williams	Truck repairs		1,133.77
Carquest Appomattox	Car wash		14.98
Farmville Wholesale Electric	Electrical supplies	397.32	
	Batteries	239.12	636.44
Foster Fuels, Inc.	Propane		540.85
David T. Garrett & Sons, LLC	Lines to ice machine	850.00	
	Hooked up sink	175.00	1,025.00
Verizon	Phone		52.44
Dominion Virginia Power	Electric service		363.47

MEHERRIN VOLUNTEER FIRE DEPARTMENT

C. W. Williams	Air bottles	2,171.04
Parker Oil Company, Inc.	Propane	137.32
Dominion Virginia Power	Electric service	338.22

REGIONAL JAIL & DETENTION

Piedmont Regional		
Juvenile Detention Center	Juvenile detention	8,625.00
Piedmont Regional Jail	Inmate per diem	3,814.80

BUILDING OFFICIAL

East End Chevron	Oil change	27.70
Treasurer of Virginia	2% Levy on permits	135.35

ANIMAL CONTROL

Dominion Virginia Power	Electric service	271.84
CenturyLink	Phone	118.19
Walmart	Batteries / ink	32.95
	Ammunition	15.41
	Dog food	129.10
		177.46

REFUSE DISPOSAL

Farmville Wholesale Electric	Light bulbs	14.58	
	Thermostat / tape	27.12	41.70
Lowe's	Thermostat / heat tape		69.24
Southern States	Fencing & posts	538.22	
	Rakes & fork	67.96	117.76
Arcet Equipment Company	Gloves		13.25
Farmville Auto Parts	Tarp strap / antifreeze		39.14
Jimmy's Service Center	Truck maintenance		150.00
Arena Trucking Company	Trash collection		268.00
Wright's Excavating	Landfill operation		42,187.50
Emanuel Tire of Virginia	Tire recycling		1,371.00
STEPS, Inc.	Recycling fee		1,352.42
Synergy Recycling, LLC	Electronic recycling		1,524.94
Southside Electric Cooperative	Virso site		262.60
Dominion Virginia Power	Leachate pump	6.04	
	Scalehouse	139.93	
	Rice site	129.75	
	Cell C pump station	14.63	
	Worsham site	116.61	
	Prospect site	122.47	
	Landfill site	74.78	604.21
AT&T	Phone		193.85
CenturyLink	Phone		169.70
Verizon	Phone		119.04
O. O. Stiff, Inc.	Monthly service		662.50
Town of Farmville	Diesel		434.36

GENERAL PROPERTIES

Flameless Specialties	Flashing		13.25
ThyssenKrupp Elevator	Service contract (Jan-Mar)		2,374.13
Dominion Virginia Power	Courthouse	10,179.68	
	Shop	34.46	
	SCOPE building	364.15	
	Sheriff Department shed	5.66	
	Worsham Clerk office	138.24	
	Lights at Rice	111.40	
	Ag building	1,891.43	12,725.02
Town of Farmville	Water & sewer		201.15
AT&T	Phone		36.99
CenturyLink	Phone		121.70
O. O. Stiff, Inc.	Monthly service		100.00
Key Office Supply	Ink cartridge / cord		29.19
Diamond Springs	Water & equipment rental		29.20
Farmville Wholesale Electric	Ballast / light bulbs	268.00	
	Toggle bolts / connector	44.53	
	Ballasts	21.90	
	Light bulbs / outlets	15.72	350.15
Lowe's	Fuse	13.70	
	Paint	178.91	
	Bucket / tool bag / handle	40.60	
	Nails	9.58	
	Washers / screws / bolts	8.65	
	Wire ties	6.02	
	Paint & supplies	189.61	
	Screws & washers	12.50	
	Paint rollers	15.14	
	Heater / fuel stabilizer	68.84	543.55
Price Supply Company, Inc.	Plumbing supplies		19.74
Cintas Corporation \$524	Uniform rental		554.59
Farmville Auto Parts	Fuel filter	13.19	
	Antifreeze / bulb	20.27	33.46

CANNERY

Farmville Wholesale Electric	Light bulbs / switch		12.49
Lowe's	Heater		56.98
CenturyLink	Phone		116.28
Key Office Supply	Thermal roll	2.00	
	Ink cartridges	48.58	50.38

CHAPTER X BOARD

Crossroad Services Board	3rd Quarter support		15,660.75
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COMPREHENSIVE SERVICES ACT

Bear Creek Academy	Professional services		5,220.00
Business Card	Foster care		12.34
Centra Health	Professional services		13,328.00
The Hughes Center	Professional services		3,630.00

Treasurer of Bedford	Professional services		1,740.00
	<u>MUSEUMS</u>		
Bug Busters Pest Control	Termite control		915.00
Phillip & Jessica Sterling	Foster care		448.00
Christina Velez	Foster care		120.89
	<u>PLANNING</u>		
Farmville Herald	Advertising		153.75
Jonathan Pickett	Mileage		63.82
Key Office Supply	Ink cartridges		73.98
	<u>TOURISM</u>		
Dominion Virginia Power	Electric service		294.89
Town of Farmville	Water & sewer		49.37
CenturyLink	Phone		263.44
Town of Appomattox	Postage & envelopes		1,105.26
Magi Van Eps	Web hosting		53.89
Key Office Supply	Ink cartridge / envelopes		48.74
Walmart	Candles & bulbs		21.80
	<u>COOPERATIVE EXTENSION OFFICE</u>		
CenturyLink	Phone		95.26
	<u>GENERAL EXPENSE</u>		
Lumos Networks	Phone		2,771.54
	<u>CAPITAL PROJECTS</u>		
Pearson Appraisal Services	Software		3,200.00
	<u>WATER FUND</u>		
Town of Farmville	Water testing	40.00	
	Water	330.11	370.11
	<u>SEWER FUND</u>		
Dominion Virginia Power	Sewer pump		36.69
	<u>RETIREMENT BENEFIT FUND</u>		
Vicki K. Johns	Retiree benefit		1,051.29
Anthem BCBS	Retiree insurance		1,060.00
	<u>PIEDMONT COURT SERVICES</u>		
Dominion Virginia Power	Electric service		262.32
Pitney Bowes Financial Services	Postage meter lease		202.00
U. S. Postal Service	Postage		29.55
CenturyLink	Phone		203.13
Sheena Franklin	Mileage		97.12
Sharon Gray	Mileage		139.84
Emily Guill	Mileage		150.96

Connie Stimpson	Mileage		9.29
Renee T. Maxey	Mileage	151.51	
	Business luncheon	29.34	180.85
Andy Mays	Mileage		79.36
Ashley Nash	Mileage		23.86
Cadance Tyler	Mileage		25.53
Dayna Stanley	Mileage		92.68
VCCJA	Training		200.00
Kinex Networking Solutions	Check computer errors		112.50
<u>PCS DRUG TESTING FEES</u>			
SRP Corporation, LLC	Rent		2,383.00
Page Hardy	Cleaning service		210.00

In Re: Highway Matters

Kevin Wright, Dillwyn Residency Administrator, VDOT, presented a verbal update:

- The “No Through Trucks” sign is still in the processing stage.
- Route 600, Stokes Road: A speed study was completed; due to low volume, it does not qualify for a 35 MPH speed limit. It will be monitored.
- Route 307, Rice: In the bottom below Route 617, the shoulder is washing away; work to be done consists of relocating the stream, repairing shoulders, and clearing trees.
- Route 630, Worsham Road: Four cross-line pipes are to be replaced; VDOT will give the County advance notice.
- Brush cutting will continue.
- Route 660 Bridge is about complete.
- Route 628, Mountain Creek Road: Work will begin in a week or two
- Contractors continue to cut the trees along Route 460.

Mr. Wright stated he will be meeting with the Traffic engineers and will present Mr. Shelton’s complaint about the sight distance.

Supervisor Jones stated the work on Route 460 culverts looks good; he and the other residents appreciate all their work.

Supervisor Gantt requested information regarding the snow removal on the secondary roads. Mr. Wright stated VDOT intends to have roads passable within 48 hours of the snow ending. He said if it is an extended snow, roads will be treated. Salt will not be applied to secondary roads as it eats away at the tar and gravel; salt can be applied to asphalt roads. Sand may be used on secondary roads.

Supervisor Simpson requested clarification regarding the survey on Stokes Road; Mr. Wright stated Stokes Road has fewer than 400 vehicles per day and fewer than three crashes per year. VDOT must follow Federal guidelines. Discussion followed.

Chairman Fore asked if a resolution directing VDOT to lower the speed limit would help; Mr. Wright stated it cannot be changed in that manner, and would check with the engineer to see if there are other options. Further discussion followed.

Supervisor McKay reported a citizen complaint regarding rain water sitting on Route 15 South along the edge of the road; it is a ditch line but it has been paved over, and can drainage be installed. Mr. Wright will look into the issue.

Supervisor Campbell stated rain water runs across Route 460 at Plain Mill Circle; there is a ditch line but no culvert. Mr. Wright stated the rain runs off the slope and will be difficult, but he will look into the issue. Supervisor Campbell added there is a bush leaning into the road on Route 600 near Jenkin's Blue & Gray.

Supervisor Simpson stated there is a sight issue at the northern end of Stokes Road onto Route 15; he requested a line be painted to keep drivers in the correct lane. Mr. Bartlett suggested making it a T-intersection.

Supervisor Simpson commended the highway shop.

In Re: 2012 Tourism Preview

Mrs. Magi Van Eps, Tourism and Visitor Center Coordinator, presented a preview of county tourism highlights for the spring of 2012, including:

- January 2012 – installation of Virginia Logo signage on US 460 at Route 15 entrance into Farmville, stating: Farmville Historic District/Heartland Regional Tourist Info Center, Next Exit
- March 3rd - Thirteenth Annual Appomattox Court House National Historical Park and Longwood University free Civil War seminar will be held at Longwood.
- March 9th – Grand Opening of Sailor's Creek Battlefield Historical Park:
- March 31st – Open to the Public Grand Opening of Museum of the Confederacy – Appomattox; the ribbon cutting for public officials will be about a week and a half before the Public Grand Opening.
- April 11th – Annual Civil War Trails Day. This event is sponsored by VA Civil War Trails who maintains and promotes all of the Civil War Sites in five states. Lee's Retreat is the grandfather of this organization, and the reason it began its work. This Annual

meeting is rotated around the state to encourage tours of major sites of the American Civil War; this years' meeting will be held at Sailor's Creek Battlefield Historical State Park.

- Two events for High Bridge Trail State Park:
 - 1) On the day of the bridge inspection, the Friends of High Bridge Trail State Park will host the First Person to Officially Cross High Bridge. That date will be determined on fairly short notice! Tickets are on sale at the Visitor Center.
 - 2) Sometime after the bridge inspection has been completed (possibly late April – early May), the Grand Opening of High Bridge Trail State Park will take place. The Governor and other dignitaries have been invited and are expected to be on hand for the ribbon cutting ceremony.

Mrs. Van Eps then discussed her marketing efforts. She stated she has successfully written or co-written six tourism grants for Prince Edward County, Virginia's Retreat and The Best Part of the Civil War ... The End, of which Prince Edward County is a partner. She then said a "free gift" will be offered to demonstrate how many visitors come into our area because they saw an advertisement or used one of the partnership Visitor Centers or State Parks for additional information in planning their trip. The "free gift" was created specifically for this promotion, and was created from photographs taken by Karen Fulcher, then a volunteer at the Visitor Center; 10,000 lapel pins will be dispersed at ten locations in The Best Part region, comprising Amelia, Cumberland, Prince Edward, the Town of Appomattox, Virginia State Parks, District 4 covering the five State Parks in these counties, and the Museum of the Confederacy-Appomattox.

In Re: School Board Appointments

Chairman Fore said the terms of the following School Board members expire as of June 30, 2012:

District 301 – Harriett Fentress (Supervisor Gantt)
District 501 – Russell L. Dove (Chairman Fore)

Supervisor Gantt and Chairman Fore will appoint Citizen Committees to be announced at the February Board meeting.

In Re: Request from Old Dominion RC&D

Mr. Bartlett stated a letter has been received from the Old Dominion Resource Conservation and Development Council requesting Prince Edward County appoint a representative from the agricultural community to serve on the steering committee of a newly created Buy Fresh/Buy Local (BFBL) Chapter, which will serve the Council's ten-county area of southern Virginia. Mr. Bartlett stated this falls into line with the development of the commercial aspect of the Cannery.

Discussion followed on possible appointments to the steering committee of the Buy Fresh/Buy Local Chapter.

Mrs. Puckett stated the informational meeting will be held Thursday, January 19, 2012 at Southside Virginia Community College in Keysville.

In Re: Resolution – Constitutional Officer Week

Supervisor McKay made a motion to approve the Resolution for Constitutional Officer Week in Prince Edward County, January 16, 2012 – January 20, 2012; the motion carried unanimously:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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**Constitutional Officer Week in Prince Edward County
January 16, 2012 – January 20, 2012**

Whereas, Article VII, Section I, of the Virginia Constitution provides for the direct election of local officials charged with the critically important duties of maintenance of public records, operation of the circuit courts, prosecution of criminals, protection of public safety, and the administration and collection of local revenues; and,

Whereas, Prince Edward County's Clerk of the Circuit Court, Commissioner of the Revenue, Commonwealth's Attorney, Sheriff and Treasurer continue a tradition of local administration of government functions that predates the American Revolution; and,

Whereas, these constitutional officers, deputies and employees who serve in their offices provide the people of Prince Edward County with a direct link to their government at the local level, unfiltered by bureaucracy and responsive to citizen's needs; and,

Whereas, the constitutional officers embody Thomas Jefferson's ideal form of representative democracy which provides for direct accountability to the people by virtue of the people's right to vote for their constitutional officers; and,

Whereas, the constitutional officers in Prince Edward County are setting new standards of customer service, innovative service delivery, and responsiveness that fellow constitutional officers and other public servants in Virginia would do well to emulate;

Now, Therefore, Be it Resolved by the Prince Edward County Board of Supervisors that the week of January 16, 2012 through January 20, 2012 be designated as *Constitutional Officer Week* to coincide with the Commonwealth of Virginia's state designation of constitutional officer week in Virginia; and

Be it Further Resolved, that the Board of Supervisors urges Prince Edward County's citizens to familiarize themselves with the services provided by the constitutional officers; and

Be it Further Resolved, that the Clerk of the Board of Supervisors transmit copies of this resolution to:

The Honorable Beverly M. Booth, Commissioner of Revenue
The Honorable James R. Ennis, Commonwealth's Attorney
The Honorable Machel J. Eppes, Clerk of Circuit Court
The Honorable Wesley W. Reed, Sheriff
The Honorable Mable S. Shanaberger, Treasurer

with the appreciation and respect of the Board of Supervisors for their service to the citizens of Prince Edward County.

In Re: Issuance of RFQ for County Financial Advisor

Mr. Bartlett stated Davenport & Company of Richmond has served as Prince Edward County's financial advisor since Mary of 2009; the third on-year contract will soon expire. Mr. Bartlett recommended the solicitation of proposals for a new Request for Qualifications. He stated it is anticipated no retainer will be paid and instead the County will pay the selected firm on a project by project basis, as needed.

Supervisor Cooper-Jones made a motion to authorize the County Administrator to solicit Requests for Qualifications for a new County Financial Advisor; the motion carried:

Aye:	Howard M. Campbell	Nay: None
	Pattie Cooper-Jones	
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

In Re: Issuance of RFQ for Landfill and General Engineering Services

Mr. Bartlett stated time is expiring on several contracts the county has for engineering services; he recommended moving the landfill engineering services from an annual contract to a specifically procured contract for landfill management.

After some discussion, Supervisor Simpson made a motion to authorize the advertisement of a “Request for Qualifications” for annual engineering services; the motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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Supervisor Simpson then made a motion to authorize the advertisement of a “Request for Qualifications” for landfill engineering services: the motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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In Re: County Administrator’s Report

Mr. Bartlett stated several meetings needed to be scheduled. After some discussion, a Joint Meeting with the Prince Edward County School Board was set for Tuesday, January 31, 2012, at 5:30 p.m. in the Career Technical Center, for preliminary budget discussion.

The Board of Supervisors Strategic Planning Session was scheduled for Friday, February 3, 2012, from 9:00 a.m. – 12:00 noon, in the Third Floor Conference Room.

Supervisor Wilck questioned the funding for the schools from the lottery. Mr. Bartlett said the state previously had a line specifically called “Lottery”. Since 2009, the State now directs the lottery funds into specific funds and several categories of items for funding. Each year, a print-out can be obtained. The

\$1.66 million is broken into categories. State aid has been reduced and replaced with monies from the lottery.

Mr. Bartlett stated a safety concern has been raised concerning the railings along the atrium walkway on the third floor, especially at the secure elevator as they are only three feet high. Mr. Bartlett said the railings could be raised another 24-30 inches by using the same type materials at a cost of \$8,137; the work would include a considerable amount of welding and would need to be done on a weekend due to the smoke, smell and hot embers. He stated another option is to use a sheet of Lexan which would provide 9,331 pounds of tensile strength and would not require welding, at a cost of approximately \$1,500. Mr. Bartlett added the middle section of the walkway could be secured in the same way, with costs approximately \$8,000 for the welded rail extension or \$1,500 for the Lexan. Discussion followed.

In Re: Finance Report

Mr. Bartlett presented a report of the revenue and expenditure information for the County's major funds during the first six months of the Fiscal Year. Revenues are exceeding expectations by approximately \$550,104 when the negative variance in the School Fund is discounted, while expenditures are almost \$283,911 less than expected. The General Fund accounts for all of the positive variance for revenues. Collections of personal property account for the majority of the positive variance in General Fund revenues. Collections of this tax exceeded expectations by about \$368,000. This was due to a large increase in the number of vehicles being assessed and the values of used vehicles holding steady. Collections of real estate tax were about \$122,000 greater than anticipated. Through October, Local Use and Sales tax collections have exceeded expectations by \$74,219. Collections of this tax have exceeded the three year average every month this fiscal year, which is a strong indication that the local economy is gaining strength.

Revenues in the school fund are \$158,874 less than anticipated through December and are expected to be \$433,887 less than the budget when the fiscal year ends; this is primarily the result of a decline in enrollment and the impact of the Governor's caboose bill. Mr. Bartlett said he has spoken with the Superintendent and he and the School Board are aware of the issue and have taken steps to lessen this loss in revenue.

In Re: Request from the Sheriff

Sheriff Wesley Reed stated he must hire a Chief Deputy and requested authorization to hire at the same annual salary that he received, \$56,155. He said the Comp Board will cover at least \$49,000; a meeting was scheduled to see if they would provide more funding. He stated the individual he is considering is very well qualified and would be a benefit to the department.

Mr. Bartlett stated there is a savings from the salary for the new Sheriff, and the salary for the Chief Deputy would remain the same; the amount the Comp Board reimburses the County may change.. He said the benefits would remain the same as they exist now There will be other changes in the Sheriff's department; what the County pays is set by policy and a portion is repaid to the County from the Comp Board.

Supervisor Gantt made a motion to approve Sheriff Reed's request for a salary amount for the Chief Deputy at \$56,155; the motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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In Re: Ordinance – Authorizing Funding for a Tourism Project

Mr. Bartlett stated that at the December 2011 meeting, the Board took action to position the County and the Granite Falls Hotel and Conference Center project to take advantage of Virginia Tourism development Financing Program, which is to provide a gap financing mechanism for tourism projects in partnerships with developers, localities, financial institutions and the state. This program provides a method of financing to compensate for a shortfall in project funding not to exceed 20% of a qualified project's total cost.

For those tourism projects that are eligible, one percent of the state sales tax generated by the project, matched by an equal dollar amount of local tax revenue, matched by an equal dollar amount from the developer (called the developer access fee) can be used to help pay the debt service on the projects.

Mr. Bartlett stated the final components of the program that require action are the execution of a Performance Agreement and the adoption of an ordinance that specifies that the County shall match the 1% of state tax by an equal dollar amount of local tax revenue generated by transactions taking place on the premises.

Supervisor McKay made a motion to authorize advertisement of a public hearing to be held during the February 14, 2012 Board meeting on the Ordinance Authorizing Funding for a Tourism Project; the motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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AN ORDINANCE AUTHORIZING FUNDING FOR A TOURISM PROJECT

WHEREAS, the County of Prince Edward wishes to participate in the Virginia Tourism Development Financing Program; and

WHEREAS, Section 48.1-3851(C) of the *Code of Virginia* requires that a locality, by ordinance, direct that at least one percent of the local sales and use tax revenues, or an equivalent amount of other local tax revenues, generated by transactions taking place on the premises of the authorized tourism project shall be applied to the payment of principal and interest on qualified gap financing; and

WHEREAS, the *Prince Edward County Tourism Development Plan* identifies a deficiency that will be met by the Granite Falls Hotel and Conference Center project; and

WHEREAS, the Granite Falls Hotel and Conference Center project has been authorized by an appropriate ordinance;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Prince Edward, following a duly advertised Public Hearing, does hereby authorize the following distribution of local tax revenue generated by the Granite Falls Hotel and Conference Center, subject to annual appropriation and subject to the provisions of the Economic Development Grant and Performance Agreement, to the Industrial Development Authority of Prince Edward County, Virginia:

The County shall make payments equal to the entitled sales tax revenues for a period of twenty (20) years from any of the following sources to the Industrial Development Authority of Prince Edward County, Virginia pursuant to the authority of Section 58.1-3851.1(C) of the *Code of Virginia* to be applied to payments of principal and interest on qualified gap financing:

- (a) 80% of the transient occupancy taxes collected in any calendar year from the Project in excess of the amount of such taxes collected in calendar year 2009; and/or

- (b) 95% of food and beverage sales tax or assessment collected, if any, in any calendar year from the Project.

In Re: Closed Session

Supervisor Gantt made a motion that the Board convene in Closed Session for the purpose of discussing the acquisition of real property related to the Alternate Route 628 road project, pursuant to the exemption provided for in Section 2.2-3711(A)(3) of the *Code of Virginia*, and for the purpose of consultation with legal counsel to discuss pending litigation related to the contesting of a real property assessment, pursuant to the exemptions provided for in Section 2.2-3711(A)(7) of the *Code of Virginia*.

The motion carried:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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The Board returned to regular session by motion of Supervisor McKay and adopted as follows:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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On motion of Supervisor Simpson and carried by the following roll call vote:

Aye:	Howard M. Campbell Pattie Cooper-Jones William G. Fore, Jr. Don C. Gantt, Jr. Robert M. Jones Charles W. McKay Howard F. Simpson Jim R. Wilck	Nay: None
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the following Certification of Closed Meeting was adopted in accordance with the Virginia Freedom of Information Act:

WHEREAS, the Prince Edward County Board of Supervisors convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the *Code of Virginia* requires a certification by this Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Prince Edward 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 Prince Edward County Board of Supervisors.

In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of December 2011, which was reviewed and ordered to be filed with the Board papers.

In Re: Building Official's Report

Mr. Coy Leatherwood, Building Inspector, submitted reports for the month of December 2011, which was reviewed and ordered to be filed with the Board papers.

In Re: Cannery Report

Mrs. Lena Huddleston, Cannery Manager, submitted a report for the month of December 2011, which was reviewed and ordered to be filed with the Board papers.

In Re: PERT Ridership Report

The Board reviewed the December 2011 ridership report from PERT and ordered them to be filed with the Board papers.

In Re: Prince Edward County Public Schools

Mr. K. David Smith, School Superintendent, submitted a financial summary report for the month of December 2011, which was reviewed and ordered to be filed with the Board papers.

In Re: Tourism and Visitor Center Report

Mrs. Magi Van Eps, Tourism & Visitor Center Coordinator, submitted a report for the month of December 2011 and Year-End Report, which were reviewed and ordered to be filed with the Board papers.

On motion of Supervisor McKay and adopted by the following vote:

Aye:	Howard M. Campbell	Nay: None
	Pattie Cooper-Jones	
	William G. Fore, Jr.	
	Don C. Gantt, Jr.	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	

the meeting was adjourned at 9:55 p.m.