

January 24, 2012

At the special meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday, the 24th day of January 2012; at 9:00 a.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.

Chairman Fore called the meeting to order. He stated the meeting was advertised as a Special Called Meeting regarding the acquisition for the "Route 628 Project" and a Closed Session regarding Acquisition of Real Property. He requested the addition of two items, Appropriations and Board of Supervisors Comments.

Supervisor Wilck made a motion to accept the Agenda as amended, to include the Appropriations and Board of Supervisors Comments, as presented; 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: Appropriations

Mr. Bartlett stated the County's HVAC vendor has notified the County that in order to renew the maintenance contract for the HVAC system as it currently exists, the County will need to install a

Condenser Enhancement Kit (CEK) and a Soft Start Kit (SSK). The primary purpose of the CEK is to act as an oil separator but it also allows increased unit efficiency through more effective use of the condensing surface coils, thereby lowering head pressures. An 8% Kw reduction can be realized with a CEK.

Mr. Bartlett stated both will increase compressor life. The Soft Start allows the compressor to slowly ramp up instead of going from 0-100, for example. He said the vendor stated they will maintain as is but would not replace the compressors at their cost unless the kits are installed.

Mr. Bartlett said the cost to install the CEK and SSK kits is approximately \$23,000. Collections of Taxes from Public Service Corporations already exceed the budget by over \$34,000, increasing the revenue budget in that line item will offset this expense.

Supervisor Jones made a motion to authorize the County Administrator to enter into a contract with McQuay Factory Service to install the Condenser Enhancement Kit and the Soft Start Kit and to approve the budget amendment and appropriate the funds as follows:

		<u>Debit</u>	<u>Credit</u>
3-100-11020-2011	Public Service Corporations		\$ 23,000
4-100-94000-0023	Capital Projects / Physical Plant	\$ 23,000	

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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In Re: Supervisors Comments

Supervisor Simpson suggested effective January 24, 2012, each Supervisor be paid \$100 for each Special Called Meeting attended, not counting committee meetings; he then suggested \$15,000 be placed in the budget to cover the rest of the budget year; \$30,000 could be placed in the FY 2012-2013 budget for next year.

Supervisor Jones stated this issue should be brought up at a regular meeting. He added that the Prince Edward County Board of Supervisors is paid better than some other nearby localities, and he is skeptical of this idea and especially of its passage today with no previous knowledge of this topic.

Supervisor Campbell stated when employees continue to work they must be paid for their time; since the Board members technically work for the county citizens, the board members should receive something for the special meetings. He added that he has encountered difficulty in finding part-time employment due to having to attend meetings.

Supervisor Gantt suggesting tabling the issue until after the Board works on the budget. He added he would have felt better giving the increase at the same time the employees received the bonus. Supervisor Jones agreed, stating it would not be good to do this at this type of meeting and prior to working on the budget.

Supervisor Wilck questioned the number of Special Called Meetings held last year. Mr. Bartlett said that would need to be researched; the \$15,000 would provide funding for 19 called meetings; there aren't usually that many.

Chairman Fore stated there are expected to be between 12-15, with special work sessions, budget work sessions, and school board meetings, among others.

Discussion followed. Supervisor Simpson then suggested the amount budgeted be set at \$9,600 for the remainder of this fiscal year.

Supervisor Jones questioned the Water Authority meetings; Mr. Bartlett stated the Water Authority is a separate entity but could be paid. Discussion followed.

Supervisor Simpson made a motion to appropriate \$9,600 for the purpose of paying the Board members \$100 each, per special called meeting, provided the member was present, effective Tuesday, January 24, 2012.

Supervisor Jones stated he was still opposed to this at this time and at this type of meeting.

Supervisor Cooper-Jones questioned if this topic had been advertised; Chairman Fore said it had not been.

Supervisor Wilck stated he is not opposed to the idea, but that Supervisor Jones made a good point that it should be placed on an agenda ahead of time.

After further discussion, Supervisor Simpson withdrew his motion.

In Re: Update on Status of Property Acquisitions for “Alternate 628” Project

Mr. Bartlett stated that at the November 17, 2011 meeting of the Board of Supervisors, the Board approved the acquisition of all property required to proceed with the construction of the Route 628/786/15 project. Since that time the County has attempted to negotiate the acquisition of property fronting State Route 15 owned by Davis Real Properties, LLC, Tax Map # 051-9-A. This property is a 173.395 acre tract, which includes an approximate 150.795 acre tract fronting on the west side of State Route 15. This project requires the acquisition of .919 acres in fee simple and .447 acre will be encumbered with a permanent utility easement. To date the attempt at reaching an agreement by negotiations has failed. The County had the property appraised and on Friday, January 13, 2012 via certified mail, a packet of information was sent to Davis Real Properties, LLC. That packet contained the appraisal and the County’s final offer. The letter informed Davis Real Properties, LLC that it must accept the offer or reach a negotiated settlement no later than January 23, 2012 or the County would be forced to acquire the property by eminent domain. Davis Real Properties, LLC has not responded to the letter. Mr. Bartlett stated he spoke with Mrs. Davis on January 23, 2012 and she stated her position had not changed; as such, the County’s offer has been rejected.

Supervisor Jones made a motion to authorize the advertisement of a public hearing to be held on Tuesday, February 7, 2012 regarding the condemnation of the property owned by Davis Real Properties, LLC, Tax Map # 051-9-A, using quick take procedures; 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: 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*; 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

Supervisor McKay left during the closed session.

The Board returned to regular session by motion of Supervisor Cooper-Jones and adopted as follows:

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

Nay: None

Absent: Charles W. McKay

On motion of Supervisor Jones 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
Howard F. Simpson
Jim R. Wilck

Nay: None

Absent: Charles W. McKay

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.

On motion of Supervisor Campbell 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	
	Howard F. Simpson	
	Jim R. Wilck	

Absent: Charles W. McKay

the meeting was adjourned at 10:15 a.m.