

March 10, 2009

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 March, 2009; at 7:00 p.m., there were present:

William G. Fore, Jr.

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Howard F. Simpson

Lacy B. Ward

Mattie P. Wiley

Also present: Wade Bartlett, County Administrator; Sarah Puckett, Assistant County Administrator; Jonathan L. Pickett, Director of Planning and Community Development; James Ennis, County Attorney; Sharon Lee Carney, Director of Economic Development & Tourism; Alan Leatherwood, Resident Highway Engineer; and Mark McKissick, Assistant Resident Engineer.

Chairman Fore called the meeting to order. Supervisor Moore offered the invocation.

In Re: Public Participation

Sheila Gibbs, Leigh District, expressed concerns regarding the condition of Rainbow Lane. She said the dirt road leads to ten residences and the conditions of the road are not feasible for transportation. Mrs. Gibbs asked how the road can be paved and included in the county or state maintenance program. Chairman Fore asked for a state road number; Mr. Jonathan Pickett, Director of Planning and Community Development, said Rainbow Lane is a private road.

Jeffrey Anderson, Leigh District, agreed with Mrs. Gibbs and said the half-mile long road is a safety hazard. He asked why Rainbow Lane is considered a private road, and asked how to get the road paved and maintained.

Mary Clements, Leigh District, said Rainbow Lane is a dangerous road, and the road is beginning to deteriorate. She said she is concerned that emergency vehicles may have difficulty in getting to the residences because of the condition of the road. Mrs. Clements said prior to purchasing the house, she and her husband learned of an association that, for a yearly fee, would maintain the road; no one else on Rainbow Lane knew anything about it. She also asked how to get the road paved and maintained by the county or state.

Amanda Jackson, Leigh District, requested a presentation by Dr. Schafran of Old Dominion University and Draper Aden Associates to inform the citizens of the test results from the Sandy River Reservoir testing and the project in general. Chairman Fore said contact will be made with both to determine a date for a presentation.

Sharon Dotson, Leigh District, expressed concerns regarding the draft overlay ordinance. She said the citizens want best management practices for the water but is concerned that it is being done for appearances because of the landfill. She gave a history of the Sandy River Reservoir project and The Manor. She said a bond was executed for financing and asked about the costs. Supervisor Gilfillan asked if the bonds referred to had been sold; Mrs. Sarah Puckett, Assistant County Administrator, said the bonds of the CDA are not debt or bonds of the County of Prince Edward, and it is unknown if they were sold. They may have been bonds or debt of the CDA, but they would have clearly stated on the face that they were not debt of the County of Prince Edward. No County money is in the CDA or in the Poplar Hill project. Discussion followed.

Tim Dotson, Leigh District, asked about the need for water testing of the reservoir, adding the water sources surrounding the reservoir were not tested. He asked how many Board members approve of the restrictions presented in the draft Sandy River Reservoir Protection Overlay District ordinance. Supervisor Jones said the ordinance is being revised by the Planning Commission, and until the changes are complete, he cannot give an opinion. Supervisor Moore stated that he received the Conflict of Interest Opinion which determined no conflict of interest, and as a private citizen, felt the ordinance had been too restrictive. He said it needs to be revised.

Kenneth Jackson, Lockett District, inquired about the discrepancies with the land sale and the process taken. He submitted a request for a list of all RFPs for the past two years, and requested use of the

Board room by the Prince Edward County Community Association. He claimed improper notice was given for the public hearing on February 24, 2009. Mr. Jackson then said he spoke with Mr. Spates, Farmville Town Manager, who reported the annual cost to maintain the water line would not be \$5,000 a year as Mr. Bartlett had said at the February meeting, but \$60,000-\$65,000 a year.

Pattie Cooper-Jones, Farmville, expressed her concerns that a water treatment facility is not needed at this time. She said a need has not been demonstrated, and submitted a petition of 324 signatures opposing the construction of a water treatment facility and a waste water treatment facility.

Bemeché Hicks, Lockett District, said the infrastructure necessary to support a water treatment plant is not in place at this time. He said businesses would help offset costs and provide jobs, but without them, the taxpayers would pay for the system. He also expressed concern about businesses that are closing and leaving the county, and wanted the Board of Supervisors to place stipulations on any new businesses locating in Prince Edward County be required to pay good wages and benefits.

Jack Houghton, Farmville, said the Board should provide cogent, logical answers to the citizens regarding the water system. He said a water system should be customer supported and self-sustaining, but the County system has virtually no customers and will not have more customers without significant additional investments. He added development is planned at The Manor that will need public utilities, but there are no prospective customers or partners. He asked where the revenue will come from as there is no generation of cash surplus. Mr. Houghton said he is not aware of a plan for a solvent water system in the foreseeable future, and asked if other options were available.

Supervisor Ward asked about the difference between the figures presented by Mr. Bartlett, County Administrator, at the February 24, 2009 meeting and the one presented by Mr. Houghton; he also asked about the negotiations with the Town of Farmville. Mr. Bartlett said the maintenance costs of the lines would be minimal as the system is relatively new. He said the costs would be more if something were to break. Mr. Bartlett said he has spoken with Mr. Spates several times but that no agreement had been reached. He added the cost estimate he presented was for maintaining the line; new taps were not included in the estimate, as they are operational costs.

In Re: Public Hearing: School Board Appointments

Chairman Fore announced this was the date and time scheduled for a public hearing on the School Board Appointments. Notice of this hearing was advertised according to law in the February 20, 2009 and February 27, 2009 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Chairman Fore opened the Public Hearing and called on Supervisor Gilfillan to introduce the Citizen Committee for District 701, consisting of Dr. Geoffrey Orth, Michelle Giese, Dr. Robert Lynch, Betty Sumner, and Connie Young; and Supervisor McKay to introduce the Citizen Committee for District 401, consisting of Shelby Asal, Dr. John Eastby, and Pam Venable. No nominations were received from the floor.

Jerry Todt, District 701, asked about the procedure for the selection of school board members. Chairman Fore gave him a "Criteria for Selection of School Board Members" sheet.

Chairman Fore closed the public hearing.

In Re: Consent Agenda

Supervisor Ward made a motion to remove Accounts and Claims from the Consent agenda; the motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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On motion of Supervisor Moore and carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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the Board accepted the Treasurer's report for December 2008; the minutes of the meetings held February 10, 2009 at 7:00 p.m. and February 24, 2009 at 7:00 p.m.; renewal of the Local Choice Program for the provision of health insurance for County employees for FY 2009-2010; and appropriations as follows:

		<u>Debit</u>	<u>Credit</u>
3-100-23000-0080	General Fund-Technology Trust Funds-Clerk		19,539.25
4-100-21600-5880	General Fund-Technology Trust Funds-Clerk	19,539.25	

December 2008

Fund balances were as follows:

General Fund	152,729.52	
General Fund Reserved for Investment	10,818,229.22	
		\$10,970,958.74*
PPEA Fund		5,000.00
Industrial Development Authority Fund		108,110.90
Recreation Fund Reserved for Investments		25,609.32
Forfeited Assets Fund Reserved for Investments		128,934.09
School Capital Projects Fund - VPSA		183.55
School Capital Projects Fund - QZAB01		415.04
Underground Storage Tank Fund		20,000.00
Economic Development Fund		1,132,926.98
Board of Public Welfare Special Account		3,061.55
Piedmont ASAP Fund		237,044.90
School Fund		0.00
Landfill Construction Fund		101,932.08
PCS Fund		246,347.02
Revenue Sharing Fund		(447,797.91)
Retirement Benefits Fund		26,936.00
School Capital Projects Fund - QZAB02		335,893.06
Dare Donations Fund		4,049.52
School Cafeteria Fund		162,749.70
Prince Edward Community Development Fund		38,580.00
Water Fund		(625,049.50)
Sewer Fund		(625,049.50)
		\$11,850,834.54

Cash accounts were as follows:

Cash in Office	1,000.00
Cash in Banks	310,528.28
Warrants Payable (School Fund)	0.00
General Fund Investments	10,818,229.22
VPSA Investments	183.55
QZAB01 Investments	415.04
Underground Storage Tank Fund	20,000.00
Recreation Fund Investments	25,609.32
QZAB02 Investments	335,893.06
Landfill Construction Fund for Investment	101,931.08
Forfeited Asset Fund for Investment	128,934.09
Industrial Development Authority for Investment	108,110.90
	11,850,834.54

*Of this \$10,970,958.74 in the General Fund, \$4,990,735.34 is encumbered for:

Transfers in:	
School Fund	4,273,912.02
VPA Fund	376,816.55
Debt Obligations	4,990,735.34
Total	4,990,735.34

This leaves an unencumbered balance of \$5,980,223.40 in the General Fund.

STATEMENT OF DEPOSITORY BALANCES

Balances as of November 2008:

Checking Accounts:

Benchmark Community Bank	98,576.80
Wachovia Bank	192,411.55
BB&T	2,986,714.54
Bank of America	257,361.62

\$3,535,064.51

Investment Accounts:

Benchmark Community Bank	949,315.66
Wachovia Bank	0.00
Citizens Bank & Trust Company	235,000.00
BB&T	4,380,022.00
Planters Bank & Trust	398,260.08
Mentor Investments	161,977.73
SNAP (State Non-Arbitrage Plan)	183.55

Bank of America

2,190,011.01

\$8,314,770.03

BOARD OF SUPERVISORS

Business Card	Meals & meeting refreshments	138.54	
	Legislative Day	160.00	298.54

COUNTY ADMINISTRATOR

AT&T	Phone		279.96
Embarq	Phone		467.50
US Cellular	Phone		74.62
Business Card	EZ Pass	60.00	
	Meals	28.50	
	Legislative Day	80.00	
	Postage meter ink	55.86	224.36
Diamond Springs	Equipment rental/water		22.45
Walmart	Soft drinks & water		56.30
Business Data of Virginia, Inc.	Software		49.95

COMMISSIONER OF REVENUE

AT&T	Phone		57.10
Treasurer of Virginia	Online services		125.38
Ntelos	Internet		20.44
Embarq	Phone		201.60

TREASURER

Reserve Account	Postage		8,000.00
AT&T	Phone		127.70
Treasurer of Virginia	Online services		125.38
Embarq	Phone		222.98

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expenses	750.00	
	Hotel & meals	78.48	828.48

ELECTORAL BOARD AND OFFICIALS

Samuel A. Martin, Jr.	Salary		584.68
Gordon V. Smith	Salary		584.68
William Eugene Watson	Salary	1,169.32	
	Copies	39.00	
	Postage	75.24	1,283.56

REGISTRAR

AT&T	Phone		55.20
Treasurer of Virginia	Online services		3.25
Embarq	Phone		143.54

CIRCUIT COURT

U. S. Postal Service	Postage		249.90
AT&T	Phone		57.73
Embarq	Phone		167.08
Esitech, Inc.	Security monitor - Judge		444.55

GENERAL DISTRICT COURT

AT&T	Phone-Juv. Prob.		198.19
Embarq	Phone-J&D	92.85	
	Phone-Juv. Prob.	103.03	
	Phone-Gen. Dist. Court	342.74	538.62
U S Cellular	Phone		37.31
Sue Ann P. Fitz	Training	375.00	
	Parking	10.00	
	Tolls	7.60	392.60

SPECIAL MAGISTRATES

Embarq	Phone		82.87
Treasurer of Virginia	Pager rental		16.36
McMillian Pager Service	Pager rental		15.90

CLERK OF THE CIRCUIT COURT

Treasurer of Virginia	Audit	2,848.97	
	Jury questionnaires	1,636.77	4,485.74
Key Office Supply	Copier maintenance contract	845.00	
	Copier maintenance contract	395.00	
	Copy paper	659.42	
	Appointment calendar	23.90	1,923.32
Embarq	Phone		273.07
International Land Systems	Quantum Superloader	3,862.56	
	Server	8,976.69	
	LTO Annual maintenance	6,700.00	19,539.25

LAW LIBRARY

Embarq	Phone		32.48
LexisNexis	Online service		197.00

COMMONWEALTH'S ATTORNEY

Edward A. Mann	Postage		8.11
Kinex Networking Solutions	Internet		49.95
Shred-It	Shredding service		42.00
University of Virginia	Local Government Law handbook		155.00

VICTIM WITNESS ASSISTANCE PROGRAM

U. S. Postal Service	Post office box rent		42.00
Embarq	Phone		77.83
Cindy Sams	Mileage	110.00	
	Meal	10.69	120.69

SHERIFF

Joseph W. Canfield	Bloodhound training		1,375.00
East End Motor Company, Inc.	Radiator fan/inspection		619.81
Signs@Work, Inc.	Auto decals		20.50
Kinex Networking Solutions	Install switch/router	135.26	
	DSL & webhosting	134.85	270.11
WVHL	Holiday greetings		95.00
Embarq	Radio		10.36
Jimmy Farley	Meals		4.04
Joseph Sprague	Meals	45.88	
	Uniforms	123.83	169.71
Farmville Printing	Office forms & envelopes		826.30
Staples Business Advantage	Paper/printer ribbons		182.24
East End Chevron	Gas		50.30
Newman Tire Company, Inc.	Tires	964.86	
	Flat repair	10.88	975.74
Maria Del Carmen L. Weaver	Interpreter		125.00
Southern Police Equipment Company	Leg irons	94.31	
	Handcuffs	66.76	161.07

RICE VOLUNTEER FIRE DEPARTMENT

Bug Busters Pest Control	Exterminating service		90.00
Davis Pontiac	Inspection & filter	41.70	
	Switch	21.70	63.40
Farmville Wholesale Electric	Batteries	86.60	
	Light bulbs	4.88	91.48
Fire Programs	After hours support	50.00	
	Support/upgrade service	435.00	485.00
ISG Infrasys	Refurbished battery		114.00
Safe Air Systems, Inc.	Air test		183.34
Dominion Virginia Power	Electric service		292.91

PROSPECT VOLUNTEER FIRE DEPARTMENT

Citizens Bank & Trust Company	Truck payment		3,424.73
Fire & Safety Equipment Company	Cylinder test		73.24
M&W Fire Apparatus, Inc.	Helmet	188.44	
	Metal clips	77.85	
	Credit memo	-19.82	246.47
Price Supply Company, Inc.	Furnace vent cap		21.99
Embarq	Phone		120.16
Town of Farmville	Fuel		113.51
Treasurer of Virginia	Chainsaw / chair cart		85.00
Dominion Virginia Power	Electric service		249.63

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Ellington Energy Service	Propane		1,141.88
Stellar One Bank	Loan payment		501.50
Southside Electric Cooperative	Electric service		225.80
Verizon	Phone		123.02

PAMPLIN VOLUNTEER FIRE DEPARTMENT

Amelia Overhead Doors	Bay door repairs		406.00
Fire & Safety Equipment Company	Extinguisher maintenance		107.95
Foster Fuels, Inc.	Propane		495.08
Pamplin Volunteer Fire Department	Fuel		1,025.94
Verizon	Phone		63.08

EMERGENCY SERVICES

Timmons Group	Address cross-reference		60.00
Earth Vector Systems, LLC	GPS rental		145.00

BUILDING OFFICIAL

US Cellular	Phone		37.31
Coy Leatherwood	Meal	5.56	
	Meeting registration	15.00	20.56
Ronald VanEps	Cut-able magnet sheets		18.88

ANIMAL CONTROL

United States Equine Rescue League	Vet service (horses)	3,436.00	
	Boarding (horses)	1,050.00	4,486.00
Dominion Virginia Power	Electric service		412.44
US Cellular	Phone		74.62
Ray Foster	Photo processing		14.93
Walmart	Dog food		136.31

BIOSOLIDS MONITORING

US Cellular	Phone		37.31
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REFUSE DISPOSAL

Resource International	Professional service	1,899.85	
	Storm water compliance permit	174.00	
	MRF assessment	4,305.85	
	Groundwater monitoring	10,964.01	17,343.71
Luck Stone Corporation	Stone - landfill & Virso		2,158.57
Piedmont Regional Jail	Inmate trash pickup		142.50
Russell Fence Company, Inc.	Gate rollers		567.24
Arena Trucking Company	Trash collection		268.00
Emanuel Tire of Virginia	Tire recycling		555.60
Southside Electric Cooperative	Darlington Heights site		184.59
Dominion Virginia Power	Leachate pump	5.88	
	Scalehouse	212.23	
	Cell C pump station	22.18	
	Green Bay site	106.40	
	Worsham site	127.92	
	Prospect site	126.47	
	Landfill site	98.84	699.92
AT&T	Phone		183.86
Embarq	Phone		202.39
US Cellular	Phone		37.31
Verizon	Phone		116.70

O. O. Stiff, Inc.	Monthly service	702.75
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SANDY RIVER RESERVOIR

Draper Aden Associates	Water treatability study	33,125.23
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GENERAL PROPERTIES

OK Termite & Pest Control	Exterminating service	150.00
Putney Mechanical Company, Inc.	Time delay relay	52.75
Southside Electric Cooperative	SRR Lights	34.50
Dominion Virginia Power	Roy Clark monument	20.70
	Courthouse	10,516.93
	Shop	54.86
	Sheriff's Department shed	5.50
	Worsham Clerk's office	207.60
		10,805.59
Embarq	Phone	62.86
US Cellular	Phone	186.59
O. O. Stiff, Inc.	Monthly service	100.00
Ronald VanEps	Mileage	58.30
	Pesticides recertify	10.00
		68.30
Handi-Clean Products, Inc.	Janitorial supplies	206.69
Walmart	Cleaning supplies	65.32
Ayers Building & Supply Company	Gloves	2.25
Arcet Equipment Company	Gloves	15.20
Diamond Springs	Equipment rental/water	29.20
Sherwin Williams Company	Masking tape	6.48

CANNERY

Valley Boiler, Inc.	Cylinder / nozzle / mount	413.50
	Solenoid valve / nozzle	205.45
		618.95
Southside Electric Cooperative	Electric service	147.09

HEALTH DEPARTMENT

Prince Edward Health Department	3rd Quarter support	29,845.50
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CHAPTER X BOARD

Crossroad Services Board	Local support	15,660.75
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COMPREHENSIVE SERVICES ACT

Barry Robinson Center	Professional service	2,180.00
Business Card	Foster care	55.02
Centra Health	Professional service	34,351.00
Crossroads Services Board	Professional service	4,100.00
Cheryl Deskins	Foster care	495.00
Family Preservation Services	Professional service	4,215.00
Juanita Fisher	Foster care	230.00
Ryan Frey	Foster care	135.96
Grafton School, Inc.	Professional service	8,953.50
Dekeace Morton	Foster care	628.00
Jeremy & Jamie Proffitt	Foster care	990.00
Angela Uhrich	Foster care	1,908.00

<u>PLANNING</u>		
R. Samuel Coleman	Commission meeting	100.00
	Mileage	13.20 113.20
Donald B. Gilliam	Commission meeting	100.00
	Mileage	22.00 122.00
Lee Edward Hicks, Jr.	Commission meeting	100.00
	Mileage	12.65 112.65
Robert M. Jones	Commission meeting	100.00
	Mileage	5.50 105.50
Clifford Jack Leatherwood	Commission meeting	100.00
Robert Christopher Mason	Commission meeting	100.00
	Mileage	9.90 109.90
Thomas M. Pairet	Commission meeting	100.00
Jonathan Pickett	Mileage	295.63
James Robert Wilck	Commission meeting	100.00
US Cellular	Phone	76.37

<u>ECONOMIC DEVELOPMENT</u>		
Farmville Herald	Advertising	195.00
Dominion Virginia Power	Electric service	378.30
Ellington Energy Service	Propane	211.56
Business Card	UPS	26.95
	Postage	210.00
	Domain name renewal	31.99
	Meals	49.23 318.17
AT&T	Phone	72.07
Moonstar BBS	DSL	45.00
Embarq	Phone (2 months)	387.53
Business Data of Virginia, Inc.	Norton Anti-virus	49.95
Compro Computers	Transfer data	265.00

<u>COOPERATIVE EXTENSION OFFICE</u>		
Treasurer, Virginia Tech	2nd Quarter support	14,808.23
Embarq	Phone	95.46

<u>CAPITAL PROJECTS</u>		
Custom Concrete	Concrete pad	2,170.00
Hancock-Fuqua-Robertson	Bathroom/ADA ramp construction	11,287.00
Wiley & Wilson	Professional services-bathroom/ramp	2,000.00

<u>SEWER FUND</u>		
Dominion Virginia Power	Sewer pump	27.29

<u>RETIREMENT BENEFIT FUND</u>		
Anthem BCBS	Retiree health insurance	1,616.00

<u>PIEDMONT COURT SERVICES</u>		
Dominion Virginia Power	Electric service	389.42
AT&T	Phone	146.30

Embarq	Phone	202.79
CAN Surety	Surety bonds	226.80
Sheena Franklin	Mileage	102.30
Southern Police Equipment Company	Pepper spray	93.92
Charlotte Gazette	Subscription	22.00

PCS SUPERVISION FEES EXPENDITURES

SRP Corporation, LLC	Rent	2,383.00
Page Hardy	Cleaning service	210.00

ADDENDUM BILL LIST

LIABILITIES

Virginia Department of Taxation	State sales tax	12.14
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BOARD OF SUPERVISORS

Farmville Herald	Advertising	1,150.54
James C. Moore	Mileage	363.87

COUNTY ADMINISTRATOR

Haley of Farmville, Inc.	Inspection	16.00
Moonstar BBS	DSL	95.00
Key Office Supply	Office supplies	79.73
	Paper	199.96
	Message books	15.56
	Printer ribbons	105.54
Town of Farmville	Fuel	40,079.00
		40.78

INDEPENDENT AUDITOR

Robinson Farmer Cox Associates	Audit	29,500.00
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COMMISSIONER OF REVENUE

Key Office Supply	Copy paper	349.50
	Hanging folders	153.24
	Pens	23.47
NADA Used Car Guide	Subscription	526.21
		90.00

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expenses	375.00
	Monthly contract	2,800.00
BAI Municipal Software	Technical support	3,175.00
ComputerPlus Sales & Service	Maintenance contract	7,525.00
		270.00

ELECTORAL BOARD AND OFFICIALS

Farmville Printing	Envelopes	84.00
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GENERAL DISTRICT COURT

AT&T	Phone-J&D	114.54	
	Phone-Gen District Court	147.04	261.58

SPECIAL MAGISTRATES

AT&T	Phone		143.45
McMillian Pager Service	Pager rental		15.90

CLERK OF CIRCUIT COURT

AT&T	Phone		137.80
Poster Compliance Center	Renewal		69.00

LAW LIBRARY

LexisNexis	Online charges		197.00
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COMMONWEALTH'S ATTORNEY

Pitney Bowes, Inc.	Postage meter lease		105.87
AT&T	Phone		250.72
Embarq	Phone		279.28
DMV	ID Card		10.00
Farmville Printing	Business cards		39.00
Key Office Supply	Rolodex/stand/binders	57.63	
	Office supplies	3.00	
	Folders	79.17	139.80

SHERIFF

Walmart	Dog food	63.94	
	Office supplies	85.70	
	Photo processing	122.55	272.19
Commtronics of Virginia	Radio speakers	175.38	
	Speaker	135.00	310.38
Newman Tire Company, Inc.	Inspection	22.00	
	Tires	921.36	943.36
Third Street Wrecker Service	Road service - change tire		75.00
Kinex Networking Solution	Virus cleanup	75.00	
	Internet	139.85	214.85
Great North American Company	Calendar cards	589.37	
	Bookmarks	290.00	879.37
UPS	Shipping		32.24
AT&T	Phone		599.61
Embarq	Data line	10.36	
	Phone		452.69
Embarq Communications, Inc.	Phone		39.08
US Cellular	Phone		755.44
Business Card	Meals	33.34	
	Fees	1.42	
	Gas	104.38	
	First aid kits	134.69	
	Uniforms	79.78	353.61
David Eppes	Meals		21.75

Diamond Springs	Water/equipment rental		58.40
Key Office Supply	Copy paper	29.95	
	Cardstock	30.98	
	Folders	347.60	
	Ink cartridge	72.00	480.53
Howard Estes	Gas		10.00
Town of Farmville	Fuel		3,970.41
Farmville Auto Parts	Battery		112.30
Southern Police Equipment Company	Batteries		42.88
Town Police Supply - Richmond	Ammunition		169.54
Mary Lou's Monogramming	Monogrammed caps		312.00
Quantum Graphics/Uniforms	Coats & shirts	263.35	
	Returned merchandise	-138.00	125.35
USA Mobility Wireless, Inc.	Pager rental		82.23

FARMVILLE VOLUNTEER FIRE DEPARTMENT

East End Motor Company, Inc.	Vehicle tune-up		129.64
Farmville Auto Parts	Miniature lamps	9.06	
	Light	28.95	38.01
Farmville Volunteer Fire Department	Phone	80.57	
	Website	24.95	105.52
Fire & Safety Equipment Company	Gas detector / charger		583.07
Key Office Supply	Toner		44.00
Kinex Networking Solution	Internet		24.90
Darley	Stop/slow paddle		70.49

REGIONAL JAIL & DETENTION

Family Preservation Services	Electronic monitoring		1,860.00
Piedmont Regional Juvenile Detention Center	Juvenile detention		16,125.00

BUILDING OFFICIAL

Farmville Printing	Office forms		69.10
Town of Farmville	Gas		147.90

ANIMAL CONTROL

Farmville Wholesale Electric	Wall mount heater		94.69
Town of Farmville	Fuel		561.58

MEDICAL EXAMINER

Treasurer of Virginia	Coroner		20.00
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BIOSOLIDS MONITORING

Manuel H. Toombs, Jr.	Internet		24.67
Town of Farmville	Fuel		268.41

REFUSE DISPOSAL

Farmville Wholesale Electric	Portable heater	41.31	
	Light bulbs	64.58	
	Outside light	76.38	

	Compactor switch	53.19	
	Thermostat	81.72	317.18
Luck Stone Corporation	Stone for landfill		605.70
Luck Stone Burkeville	Hauling charge		91.75
Sherwin Williams Company	Paint	149.94	
	Gloves & roller pads	53.10	203.04
Wright's Excavating	Landfill operation		42,187.50
Southside Electric Cooperative	Electrical service		190.78
Dominion Virginia Power	Rice site		131.41
AT&T	Phone		33.59
Town of Farmville	Fuel		1,073.84
Newman Tire Company, Inc.	Tire		150.00

GENERAL PROPERTIES

Davis Pontiac	Inspection		16.00
East End Chevron	Oil change		29.95
East End Motor Company, Inc.	Inspection		16.00
Dominion Virginia Power	Industrial park	67.86	
	Lights at Rice	81.04	148.90
Roy C. Jenkins, Inc.	Heating fuel - shop	210.82	
	Heating fuel - courthouse	4,593.00	4,803.82
Town of Farmville	Water & sewer	127.39	
	Water	17.30	
	Fuel	188.76	333.45
Wilco, Inc.	Janitorial supplies		1,223.25
Arcet Equipment Company	Cylinder lease		125.00
Farmville Auto Parts	AHU belts		25.57
Farmville Wholesale Electric	Light bulbs	102.05	
	Batteries	65.85	167.90
Cintas Corporation #524	Uniform rental		623.01
Newman Tire Company, Inc.	Plug tire	7.00	
	Tire & road service	139.00	
	Used tire	25.00	171.00
Rod & Staff Welding	Tractor weight box		53.00

CANNERY

Farmville Wholesale Electric	Boiler parts		45.50
Roy C. Jenkins, Inc.	Heating fuel		416.13

COMPREHENSIVE SERVICES ACT

Sabur Latrind Abdus	Foster care		270.00
Dominion Youth Services	Professional services		6,320.00
Elk Hill	Professional services		700.00
Heartland Family Counseling	Professional services		2,750.00
Poplar Springs Hospital	Professional services		2,611.00
Presbyterian Home & Family Services	Professional services		3,108.00

PLANNING

Key Office Supply	Printer cartridges		90.97
Town of Farmville	Fuel		27.30

<u>ECONOMIC DEVELOPMENT</u>		
Town of Farmville	Water & sewer	48.60
Key Office Supply	Message books	15.20
	Envelopes	97.16
	Calculator/binders	92.33
	Binders	28.65
	Pencil lead	1.78
		235.12
<u>DEBT SERVICE</u>		
Rural Development	Loan payments	161,361.54
<u>DARE FUND EXPENSES</u>		
Creative Product Sourcing	Tee shirts / supplies	1,635.11
Tee's Plus	Bags / ribbons	258.46
<u>RETIREMENT BENEFIT FUND</u>		
Vicki K. Johns	Retiree benefit	959.00
<u>PIEDMONT COURT SERVICES</u>		
Charlotte Gazette	Advertising	18.50
Kenbridge Victoria Dispatch	Advertising	21.00
Moonstar BBS	IP address	15.00
Ashley Glenn	Mileage	44.00
Sharon Gray	Mileage	139.70
Connie Stimpson	Mileage	12.48
	Office supplies	107.03
		119.51
Brittany Layne	Mileage	178.75
Renee Maxey	Mileage	213.10
	Meal	9.07
	Training	13.50
		235.67
Rebecca Moss	Mileage	117.70
Key Office Supply	Office supplies	35.85
	File cabinet	169.99
		205.84
M & S Publishing Company, Inc.	1 year subscription	19.00
<u>PCS DRUG TESTING FEES</u>		
Kroll Laboratory	Drug testing fees	105.42

In Re: Accounts & Claims

Supervisor Ward questioned a payment to Draper Aden for \$33,125.23. Mr. Bartlett said it was for the treatability study which is approximately 85% complete. He said the whole project will cost approximately \$48,000.

Supervisor Ward asked for clarification on the process and the duties of the parties involved. Mr. Bartlett said the study is being completed by Dr. Schafran with Old Dominion University (ODU), on how to best treat the water. Approximately 90% of the funds paid to Draper Aden go to ODU. Further discussion followed.

Supervisor McKay made a motion to accept the Accounts & Claims as presented; the motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Reverend R. Leon Burchett, Jr.

Reverend Leon Burchett, Jr. requested a memorial for Cpl. Jonathan T. Yale, who received the Navy Cross and has been recognized on the State and National levels for his heroic actions in Iraq which cost him his life.

Chairman Fore said the Board is considering action to be taken, and if the idea bears fruit, the Board will be in touch with Rev. Burchett.

In Re: Highway Matters

Mr. Mark McKissick, Assistant Resident Engineer, advised the Board of the budget cuts being implemented by the VDOT District Administrator. He said VDOT is being reorganized and 1,000 jobs will be eliminated. The Dillwyn residency will gain Nelson County, and cuts will be seen in construction as well as the level of service.

Supervisor Gilfillan asked that the Route 460 West sign be moved closer to the ramp to keep trucks from turning onto Williams Street in error. Mr. McKissick said the sign is within the Town of Farmville limits and therefore the Town would have to relocate the sign.

Supervisor McKay made a motion to approve a resolution for the placement of “Watch for Children” signs near the Virso Community Center. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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**RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

WATCH FOR CHILDREN SIGNS – ROUTE 626 AND ROUTE 609

WHEREAS, there is a need for two (2) “WATCH FOR CHILDREN” signs to be placed by the Virginia Department of Transportation on Route 633 (Virso Road) in the County of Prince Edward, Virginia;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby request that the Resident Engineer of the Virginia Department of Transportation submit a request to the Transportation Commissioner to have placed the aforementioned signs in the following recreational areas of the County of Prince Edward: 0.10 miles north of the intersection of Route 633 and Route 634 and 0.10 miles south of the intersection of Route 633 and Route 634; and

BE IT FURTHER RESOLVED, that the installation of the aforementioned signs, as well as any future maintenance of the signs, shall be paid for by the County of Prince Edward, Virginia.

In Re: Appointments

The following Board and Commission citizen positions will expire on June 30, 2009:

Appointment	Term of Office	# of Terms Expiring or Vacancies	Individual Currently in Office
Poplar Hill Community Development Authority	1 Year	2 (Citizen Positions)	Ken Copeland Joseph Eppes
Industrial Development Authority	4 Years	2	Virginia Price Tony Williams
Central Virginia Library Board	4 Years	1	Mary Prevo
Social Services Board <i>(Position to be filled by resident living in the Hampden area of the County.)</i>	4 Years	1	Zachary Jackson
Board of Appeals for Building Code	5 Years	1	Cornelius Jones
Southside Va. Community College	4 Years	1	James C. Moore

Supervisor Moore made a motion to authorize advertisement of the upcoming Board and Commission vacancies. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Commissioner of Revenue’s Request: Tax Relief for Elderly & Disabled Ordinance

The Commissioner of Revenue requested the Board consider amendments to the County’s ordinance providing tax relief for elderly and disabled citizens.

Chairman Fore recommended the appointment of a committee comprising Supervisor Simpson; Supervisor Wiley; Beverly Booth, Commissioner of Revenue; Mr. Bartlett; and James Ennis, County Attorney to review the existing ordinance and the recommendations of the Commissioner of Revenue. The Committee can then present their recommendations to the full Board for amendments to the County ordinance to insure the intent of the ordinance is maintained. The Board concurred.

In Re: Planning & Community Development Report

Mr. Jonathan Pickett, Director of Planning and Community Development, updated the Board on the complaints presented during the February Board meeting regarding the Parc Crest Apartments. He said the issue had been investigated and no children were found residing at the apartment in question. Mr. Pickett said a full time care assistant is necessary for the tenant in that apartment as well. He added the representatives from Park Properties (owner of Parc Crest) will be installing “Private Property – Violators Will Be Towed” signs and parking permits and passes will be required in an effort to reduce some of the noise and traffic issues.

Mr. Pickett reported that five county residents attended the shelter that had been opened at Wilck’s Lake due to the significant power outages caused by the recent winter storm. He said the Red Cross and social workers were present to assist the residents. He added the residents that attended the shelter had called the Sheriff’s Department for assistance.

Supervisor Moore inquired about the progress made in getting the wheelchair for the courthouse. Mrs. Puckett said staff is currently obtaining prices.

In Re: County Attorney's Report

Mr. Ennis said the proposed policy would establish a protocol for all newly elected and appointed officials to advise them of the existence of the Conflict of Interest Act and what procedure they should follow if they suspect they have a conflict of interest or wish to get a ruling from a Commonwealth's Attorney's office. He said the policy includes a form to be used as a disclosure statement. The official would be required to disclose interest prior to participation and prior to a vote that's taken. Every time the topic comes up in a meeting, it is required that a new disclosure be done orally and put into the minutes of the meeting, as well as the disclosure form be signed which certifies that the statements of disclosure are true and correct, and that the member is able to participate. He added it is advisable for the Board of Supervisors to consider the adoption of a policy for how public officials in Prince Edward County should respond to questions regarding conflicts of interest.

Chairman Fore recommended the adoption of the policy.

Supervisor Ward asked for clarification on the inclusion of businesses and contractors, and if the vote was necessary at this meeting. Mr. Ennis said it does not cover businesses, contractors or private individuals, only elected or appointed officials. Further discussion followed.

Supervisor Gilfillan said if approved, this policy should be presented to each elected and appointed member on January 1 of each year.

Supervisor Moore made a motion to approve the Conflict of Interest Policy. The motion carried:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Mattie P. Wiley

Nay: Lacy B. Ward

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: Other Business

Supervisor Ward suggested that the letter from Mr. Jack Houghton to Mr. Bartlett be answered. He said all citizen requests should be answered, as the Board has been accused of violating the law repeatedly.

In Re: County Administrator's Report

Mr. Bartlett briefly reviewed the proposed meetings and work session schedule for the completion of the FY 2010 County Budget. He said the schedule closely follows the meeting schedule held in 2008. Further discussion followed.

Mr. Bartlett said the County's procurement for audit services requires the issuance of a new RFP.

Supervisor Jones made a motion to authorize Mr. Bartlett, County Administrator, to issue an RFP for audit services.

Supervisor Gilfillan asked where the RFP had been advertised previously. Mr. Bartlett said it had been advertised in The Farmville Herald, in the Richmond Times Dispatch, and on the County's web site.

The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward Mattie P. Wiley	Nay: None
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In Re: Courthouse Facility Use Policy

Mr. Bartlett said the County Administrator's Office is receiving an increasing number of requests from community organizations not affiliated with county government for nighttime use of courthouse meeting rooms. He said it presents a courthouse security issue for the County, as outside organizations have to be given exterior and interior keys or the doors have to be left open. He added there is no county staff person in the courthouse at night to unlock and lock the doors.

Mr. Bartlett said the Sheriff's Department has been contacted and they are not in a position to unlock and lock the doors on any given night, as their deputies are usually out in the field and the dispatchers cannot leave the office. He said the Town of Farmville and surrounding counties do not give access to their municipal office building or courthouse facilities to non-county entities. Mr. Bartlett added the County currently has a policy in place restricting the daytime use of county meeting rooms to county departments due to the demand for space.

Discussion followed regarding other venues that may be available for meeting space.

Supervisor Simpson made a motion to adopt a policy restricting after-hours use of the courthouse facilities to county organizations, effective April 1, 2009. The motion carried:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay:	Lacy B. Ward
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In Re: Light of Reconciliation Committee Report

Supervisor Wiley reported the Light of Reconciliation Committee recommends the Board approve the proposed courthouse square design and the installation of the Virginia Civil Rights memorial replica in the Atrium of the Prince Edward County Courthouse.

Supervisor Moore made a motion to approve the proposed courthouse square design and the installation of the Virginia Civil Rights memorial replica in the Atrium of the Prince Edward County Courthouse; the motion carried:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Nay: None

In Re: Closed Session

Supervisor Wiley made a motion that the Board convene in Closed Session to discuss two prospective industrial projects where no previous public announcement has been made, pursuant to the exemptions provided for in Section 2.2-3711(A)5 of the *Code of Virginia*. The motion carried:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Nay: None

The Board returned to regular session by motion of Supervisor Moore and adopted as follows:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Nay: None

On motion of Supervisor Simpson, seconded by Supervisor Wiley, and carried by the following roll call vote:

Aye: William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson
Lacy B. Ward
Mattie P. Wiley

Nay: None

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 February 2009, 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 February 2009, which was reviewed and ordered to be filed with the Board papers.

In Re: Financial Report from Prince Edward County Schools

Dr. Patricia Watkins, School Superintendent, submitted a financial summary report for the month of February 2009, which was reviewed and ordered to be filed with the Board papers.

In Re: PERT Ridership Report

The Board reviewed the January 2009 ridership report from PERT and ordered it to be filed with the Board papers.

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

Aye:	William G. Fore, Jr.	Nay: None
	Sally W. Gilfillan	
	Robert M. Jones	
	Charles W. McKay	
	James C. Moore	
	Howard F. Simpson	
	Lacy B. Ward	
	Mattie P. Wiley	

the meeting was recessed at 9:39 p.m. until Tuesday, March 17, 2009 at 5:00 p.m.