

January 13, 2009

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday the 13<sup>th</sup> day of January, 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

Mattie P. Wiley

Absent: Lacy B. Ward

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; and Mable Shanaberger.

Chairman Fore called the meeting to order. Supervisor Moore led the Pledge of Allegiance and called upon Reverend Vincent Eanes to offer the invocation.

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

Supervisor Moore made a motion 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:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay: None	Absent: Lacy B. Ward
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In Re: Adoption of By-Laws

Supervisor McKay moved that the Prince Edward County Rules of the Board of Supervisors be adopted as written. 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: None

Absent: Lacy B. Ward

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: Committee System

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 asked for any changes.

Supervisor Moore moved that the Board operate as a committee of the whole; 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: None	Absent: Lacy B. Ward
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In Re: Committee Appointments

Chairman Fore stated the one standing committee is the Personnel Committee; after some discussion and concurrence of the Board, Chairman Fore reappointed Supervisor Simpson, as Chair, Supervisor Gilfillan, Supervisor Moore and Supervisor Wiley to the Personnel Committee.

In Re: Rules of Procedure – Board of Supervisors’ Public Hearings

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  
Mattie P. Wiley

Nay: None

Absent: Lacy B. Ward

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: Public Participation

Linda Gibbs Staylor, Lockett District, encouraged each Board member and citizen to attend the Sandy River Reservoir RPOD meeting to be held by the Planning Commission on January 20, 2009 at 7:00 p.m. in the Board of Supervisors Room. She asked that each Board member read over each detail carefully.

Randy Biggerstaff, Leigh District, said he is in support of the proposed year-round animal confinement. He said the confinement would not include hunting dogs or those under the control of their owners, but would concern those dogs allowed to roam. He said it is best for the animal's welfare as well as the citizens of the county.

In Re: Consent Agenda

On motion of Mr. McKay and 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: None	Absent: Lacy B. Ward
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the Board accepted the Treasurer's report for October 2008; the minutes of the meetings held December 9, 2008 at 5:00 p.m., and December 9, 2008 at 7:00 p.m.; Accounts and Claims; Salaries; a Dance Hall Permit

for Fever's Restaurant and Lounge; an Erroneous Assessment for Julian W. Gates in the amount of \$275.31; an Erroneous Assessment for James Deskins in the amount of \$72.68; an Erroneous Assessment for Cornell E. Walker in the amount of \$80.32; the renewal of annual engineering contracts from January 1, 2009 to December 31, 2010 with Draper Aden Associates, Resource International and Wiley & Wilson; and appropriations as follows:

		<u>Debit</u>	<u>Credit</u>
3-100-041050-0100	From General Fund Fund Balance		164,000
4-100-093000-0710	Transfer to the IDA Fund	164,000	
3-100-024040-0080	Other Categorical Aid/Library of Virginia Records Grant		4,348
4-100-021600-3161	Clerk of Circuit Court/Professional Service – Preservation	4,348	
3-710-041050-0100	Transfer from General Fund		164,000
4-710-081500-8001	Capital Equipment Loan – Paris Ceramics, Stone Saw	164,000	
3-115-011015-0001	CDA Special Tax		\$451
4-115-012110-0001	Special Levy Payment to CDA	\$451	

**October 2008**

**Fund balances were as follows:**

General Fund-----	\$ 201,399.65	
General Fund Reserved for Investment-----	3,282,164.88	
		\$ 3,483,564.53*
Prince Edward Community Development Fund-----		0.00
Industrial Development Authority Fund-----		71,283.99
Recreation Fund Reserved for Investments-----		25,607.91
Forfeited Assets Fund Reserved for Investment-----		126,908.46
School Capital Projects Fund – VPSA-----		183.55
School Capital Projects Fund – QZAB01-----		414.91
Underground Storage Tank Fund-----		20,000.00
Economic Development Fund-----		1,203,576.98
Board of Public Welfare Special Account-----		2,826.55
Piedmont ASAP Fund-----		226,639.58
School Fund-----		0.00
Landfill Construction Fund-----		57,546.32
PCS Fund-----		308,422.84
Revenue Sharing Fund-----		(487,651.25)
Retirement Benefits Fund-----		1,186.00
School Capital Projects Fund – QZAB02-----		371,438.44
DARE Donations Fund-----		3,534.45
School Cafeteria Fund-----		144,699.06
		<b>5,560,182.32</b>

**Cash accounts were as follows:**

Cash in office-----	1,000.00
Cash in banks-----	1,603,633.86
Warrants Payable (School Fund)-----	0.00
General Fund Investments-----	3,282,164.88
VPSA Investments-----	183.55
QZAB01 Investments-----	414.91
Underground Storage Tank Fund-----	20,000.00
Recreation Fund Investments-----	25,607.91
QZAB02 Investments-----	371,438.44
Landfill Construction Fund for Investment-----	57,546.32
Forfeited Asset Fund for Investment-----	126,908.46
Industrial Development Authority Fund for Investment-----	71,283.99
	<b>5,560,182.32</b>

\*Of this \$3,483,564.53 in the General Fund, \$7,038,019.78 is encumbered for:

Transfers in:

Retirement Benefits Fund	30,900.00
School Fund	6,-58,513.84
VPA Fund	430,445.94
Landfill Construction Fund	0.00
Debt Obligations	518,160.00
<b>Total</b>	<b>7,038,019.78</b>

This leaves an unencumbered balance of \$(3,554,455.25) in the General Fund.

**STATEMENT OF DEPOSITORY BALANCES**

**Balances as of October 2008:**

**Checking Accounts:**

Benchmark Community Bank-----	\$ 43,583.71
Wachovia Bank-----	155,144.54
BB&T-----	2,311,872.12
Bank of America-----	268,889.86

**\$ 2,779,490.23**

**Investment Accounts:**

Benchmark Community Bank-----	\$ 749,315.66
Wachovia Bank-----	0.00
Citizens Bank & Trust Company-----	35,000.00
BB&T-----	988,596.33
Planters Bank & Trust-----	200,000.00
Mentor Investments-----	161,668.67
SNAP (State Non-Arbitrage Plan)-----	183.55
Bank of America-----	644,927.88

**\$ 2,779,692.09**

BOARD OF SUPERVISORS

Howard F. Simpson	Mileage	143.33	
	Tips	25.00	168.33
Business Card	Homestead lodging		2,264.97

COUNTY ADMINISTRATOR

Virginia Employment Commission	Unemployment		1.71
Pitney Bowes Financial Services	Postage meter lease		87.00
AT&T	Phone		181.78
Moonstar BBS	DSL		95.00
Embarq	Phone		463.73
US Cellular	Phone		74.62
Business Card	Homestead lodging		251.12
Business Data of Virginia	Norton updates		89.90
Diamond Springs	Office supplies		8.95
Farmville Printing	Copies / business cards		294.00
HR Direct	Absentee calendar kit		61.70
Key Office Supply	Office supplies / calendar		104.02
Visible	08 Tax forms		260.25
Matthew Bender & Company, Inc.	Code Rules Vol 11	13.75	
	VA Adv Crt Rules/PRC	75.85	89.60
Virginia Review	Directories		139.90

LEGAL SERVICES

Virginia Unemployment Commission	Unemployment		1.81
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COMMISSIONER OF REVENUE

AT&T	Phone		78.98
VITA	Online service		125.38
Ntelos	Internet		20.44
Embarq	Phone		202.20
Creative Business Solutions	Envelopes		191.62
Key Office Supply	Ink cartridge		79.99
NADA Appraisal Guides	Older used car guide	15.00	
	Marine appraisal guide	25.00	
	RV appraisal guide	25.00	65.00

ASSESSOR

Wampler-Eanes Appraisal	Reassessment		35,256.90
ESI of Virginia, Inc.	Reprogram ringer		45.00

TREASURER

Virginia Employment Commission	Unemployment		6.34
AT&T	Phone		118.40
VITA	Online service		125.38
Embarq	Phone		223.70
Pitney Bowes Financial Services	Postage meter lease		2,858.31
Business Data of Virginia, Inc.	Internet security		59.95
Farmville Printing	Letterhead		51.00

Key Office Supply	Thermal rolls	3.20	
	Data tapes	1,899.90	
	Ribbons	74.70	
	Date stamps	8.97	1,986.77

INFORMATION TECHNOLOGY

Business Data of Virginia, Inc.	Travel expenses	750.00	
	Monthly contracts	5,600.00	6,350.00
ComputerPlus Sales & Service	Maintenance contract		270.00

ELECTORAL BOARD AND OFFICIALS

Sheila Eames	Election official		80.00
Beth M. Fore	Election official	80.00	
	Mileage	1.17	81.17
Betty A. Gibbs	Election official	80.00	
	Mileage	19.89	99.89
Yolanda Gladden	Election official	80.00	
	Mileage	0.59	80.59
Ernest Green	Election official	80.00	
	Mileage	12.87	92.87
Bertha E. Shepperson	Election official	80.00	
	Mileage	21.06	101.06
Scott J. Simms	Election official	80.00	
	Mileage	5.85	85.85

REGISTRAR

AT&T	Phone		46.96
VITA	Online service		3.25
Embarq	Phone		143.78
Dale L. Bolt	Mileage	70.20	
	Meal	8.93	79.13
Key Office Supply	Desk calendars	25.58	
	Office supplies	55.30	
	USB Card reader	21.99	102.87

CIRCUIT COURT

Embarq	Phone		160.32
Farmville Printing	Letterhead / envelopes		346.50

GENERAL DISTRICT COURT

Key Office Supply	Copier service contract		755.00
AT&T	Phone-Juv. Prob.	144.03	
	Phone-J&D	131.36	
	Phone-Gen. Dist. Court	90.21	365.60
Embarq	Phone-J&D	74.30	
	Phone-Juv. Prob.	102.52	
U S Cellular	Phone-Gen. Dist. Court	308.77	485.59
	Phone		37.31

SPECIAL MAGISTRATES

AT&T	Phone		126.95
Embarq	Phone		83.26
VITA	Pager rental		16.36
McMillian Pager Service	Pager rental		15.90

CLERK OF THE CIRCUIT COURT

Virginia Employment Commission	Unemployment		1.99
Brown's River Bindery, Inc.	Binding deed books		4,914.00
Key Office Supply	Copier service contracts	1,349.00	
	CD case	34.49	
	Appointment book	16.09	1,399.58
AT&T	Phone		99.78
Embarq	Phone		269.64
VAGARA	Membership dues		20.00
International Land Systems	Backup converter		101.79
Caskie Graphics, Inc.	Casebinders		735.00

LAW LIBRARY

Embarq	Phone		32.58
LexisNexis	Online charges		197.00
Matthew Bender & Company, Inc.	Code Rules V11 Supp	13.75	
	Jury Instr Civil R#9	193.80	207.55

COMMONWEALTH'S ATTORNEY

James R. Ennis	Mileage	82.48	
	Lodging	235.99	318.47
Shred-It	Shredding service		43.00

VICTIM WITNESS ASSISTANCE PROGRAM

Embarq	Phone		77.37
Cindy Sams	Mileage	46.80	
	Meal	8.00	54.80

SHERIFF

Virginia Employment Commission	Unemployment		10.19	
Joe Canfield	Bloodhound training		500.00	
Fire & Safety Equipment Company	Rope		26.00	
Ridge Animal Hospital	Vaccinations		39.44	
Walmart	Dog food		63.94	
Burkeville Body Shop	Auto repairs		1,977.52	
East End Motor Company, Inc.	Oil change	45.91		
	Fuse	13.00		
	Wrecker service	104.82		
	Inspect / replace fuse	50.57		
	Brake rotors & drums	638.68		
	Oil change / strobe light	227.14		
	Spark plugs	161.14		
	Inspection / bulb	29.50	1,270.76	
	Haley of Farmville, Inc.	Lamp assembly	333.42	

	Oil change / window switch	159.18	492.60
Newman Tire Company, Inc.	Flat repair / inspection		34.88
Third Street Wrecker Service	Tire change		60.00
Kinex Networking Solutions	Configure PC	75.00	
	Computer cables	450.00	
	DSL & webhosting	124.85	649.85
Business Card	Stamps	294.00	
	Meals & lodging	307.95	
	Office supplies	19.09	
	Service fee	56.90	
	Gas	53.83	
	Uniforms	62.98	794.75
Howard Estes	Postcards		3.00
UPS	Shipping charges		9.33
Embarq	Phone		467.38
Margie Franklin	Mileage	66.11	
	Meals	42.32	
	Gas	20.42	128.85
Richard Hurak	Parking fee	10.00	
Jimmy Farley	Meals		42.71
Barbara Huskey	Meal		12.42
Lavonna Lyle	Meal		15.32
William D. Shular, Jr.	Meals		13.20
Joseph Sprague	Meals	48.29	
	Uniforms	96.65	144.94
David Wilmoth	Meals		44.09
Mike Jackson	Meals	7.48	
	Gas	10.00	17.48
Key Office Supply	Copy paper	169.34	
	Laminating sheets	20.60	
	Correction pens / envelopes	11.90	
	Print cartridge	75.49	
	Laser cartridge	179.98	
	Pens & refills	17.30	
	Markers	30.72	
	Sheet protectors	8.98	514.31
David Eppes	Gas		10.00
Newman Tire Company, Inc.	Tires		367.85
Southern Police Equipment Company	Shotgun case	26.98	
	Shoes	47.50	
	Nameplate	6.99	81.47
Walmart	Photo developing	14.79	
	Cell phone cover	15.97	30.76
Quantum Graphics/Uniforms	Uniforms	91.50	
	Raincoat	58.00	
	Hats	345.00	494.50
USA Mobility Wireless, Inc.	Pager rental		82.41
<u>FARMVILLE VOLUNTEER FIRE DEPARTMENT</u>			
East End Motor Company, Inc.	Vehicle repairs		868.25

Farmville Auto Parts	Towels & cleaner	21.15	
	Lock / assembly	43.11	
	Polish / towels	47.98	112.24
Farmville Volunteer Fire Department	Internet & router	200.40	
	Phone reimbursement	82.02	282.42
Grant's Glass	Window operator		111.85

RICE VOLUNTEER FIRE DEPARTMENT

Embarq	Phone		89.45
Dominion Virginia Power	Electric service		301.09

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Ellington Energy Service	Propane		469.38
Fire & Safety Equipment Company	Nomex hood		44.18
Stellar One Bank	Loan payment		501.50
Southside Electric Cooperative	Electric service		147.66
Verizon	Phone		62.38

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone		41.15
Foster Fuels, Inc.	Propane		920.90
Pamplin Exxon	Fuel		156.51
Selective Insurance Company	Liability insurance		961.00
Verizon	Phone		50.72
Dominion Virginia Power	Electric service		278.02

MEHERRIN VOLUNTEER FIRE DEPARTMENT

Bank of Charlotte County	Truck loan payment		15,000.00
Safe Air Systems, Inc.	SCBA testing		335.00
Roy C. Jenkins, Inc.	Propane	375.86	
	Diesel	505.99	881.85
Jack L. Slagle Fire Equipment	Firefighting foam		246.00
US Cellular	Phone		151.35
Verizon	Phone		138.51
Dominion Virginia Power	Electric service		360.21

FIRST RESPONDERS

Hampden-Sydney Volunteer Fire Department	08-09 Support		2,500.00
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AMBULANCE AND RESCUE SERVICES

Prince Edward Volunteer Rescue Squad	08-09 Support		15,000.00
Pamplin VFD First Responder	08-09 Support		5,000.00
Meherrin Fire & Rescue	08-09 Support		5,000.00

EMERGENCY SERVICES

Timmons Group	System maintenance		300.00
Town of Farmville	Citizen alert system		12,500.00
Earth Vector Systems, LLC	GPS rental		250.00
Korman Signs	Signs & hardware		214.55



REGIONAL JAIL & DETENTION

Family Preservation Services	Electronic monitoring		600.00
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BUILDING OFFICIAL

Fourth Street Motor Company	Headlight repair		44.80
US Cellular	Phone		37.31
Coy Leatherwood	Meal	6.68	
	Meeting registration	15.00	21.68
Treasurer of Virginia	Permit levy		297.65
Business Data of Virginia, Inc.	Norton update		39.95
Farmville Printing	Business cards		39.00
Key Office Supply	Office supplies		27.12

ANIMAL CONTROL

Dominion Virginia Power	Electric service		294.77
US Cellular	Phone		74.87
Price Supply Company, Inc.	Pipe seal		5.14
Taylor-Forbes Equipment Company	Hydraulic fluid		69.30
William D. Shular, Jr.	Bounty		50.00
Edward A. O'Neil	Bounty (8)		400.00
John T. Adams	Bounty		100.00
Henry E. Womack	Bounty		50.00
Curtis C. Hamlett	Bounty		50.00
Ray Foster	Photo processing		2.94
Walmart	Litter	5.56	
	Food supplies	141.80	147.36
Newman Tire Company, Inc.	Flat repair		12.31

BIOSOLIDS MONITORING

US Cellular	Phone		37.31
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REFUSE DISPOSAL

Virginia Employment Commission	Unemployment		23.40
Resource International	Cell D construction mgmt.	1,117.50	
	Stormwater permit compliance	783.30	
	Environmental assessment	3,449.56	5,350.36
Jimmy's Power Wash	Washed rolloffs		130.00
Arena Trucking Company	Trash collection		420.00
Wright's Excavating	Landfill operation		42,187.50
Southside Electric Cooperative	Darlington Heights site		146.92
Dominion Virginia Power	Leachate pump	9.47	
	Scalehouse	146.75	
	Cell C pump station	23.11	
	Green Bay site	89.88	
	Worsham site	143.88	
	Prospect site	130.43	
	Landfill site	109.43	652.95
AT&T	Phone		227.05
Embarq	Phone		196.99

US Cellular	Phone		37.31
Verizon	Phone		139.94
O. O. Stiff, Inc.	Monthly service		702.75
Newman Tire Company, Inc.	Tires	311.19	
	Flat repairs	104.16	415.35

GENERAL PROPERTIES

OK Termite & Pest Control	Exterminating service		150.00
Southside Electric Cooperative	SRR Lights		33.16
Dominion Virginia Power	Industrial park	67.79	
	Roy Clark monument	28.57	
	Courthouse	11,620.85	
	Shop	50.22	
	Moore building	252.06	
	Sheriff's Department shed	5.50	
	Worsham Clerk's office	239.90	
	Lights at Rice	80.98	
	Ag building	1,998.66	14,344.53
Town of Farmville	Water & sewer		169.26
AT&T	Phone		34.11
Embarq	Phone		63.10
US Cellular	Phone		186.60
O. O. Stiff, Inc.	Monthly service		100.00
Lowe's	Cleaning supplies	88.88	
	Concrete mix	5.94	
	Spray paint	9.36	
	Stencils & markers	16.90	121.08
Diamond Springs	Office supplies		10.45
Farmville Wholesale Electric	Candle bulbs	29.00	
	Fluorescent bulbs	338.72	367.72
Price Supply Company, Inc.	Fuel filter / nozzle		11.22
Southern States	Ice buster		478.00
Farmville Auto Parts	Halogen bulb	8.75	
	Battery	110.74	119.49
Taylor-Forbes Equipment Company	Fuel stabilizer		16.78

CANNERY

Virginia Employment Commission	Unemployment		2.07
Southside Electric Cooperative	Electric service		123.97
AT&T	Phone		35.86
Walmart	Office supplies	4.56	
	Janitorial supplies	59.64	64.20

COMPREHENSIVE SERVICES ACT

Sabur Latrind Abdus	Foster care		270.00
Kathy Bandy	Foster care		628.00
Barry Robinson Center	Professional service		1,853.00
Centra Health	Professional service		22,450.00
Crossroads Services Board	Professional service		4,590.00
Cumberland Hospital	Professional service		8,042.05

Cheryl Deskins	Foster care	495.00
Dominion Youth Services	Professional service	16,906.00
Elk Hill	Professional service	3,373.00
Family Preservation Services	Professional service	3,256.25
Juanita Fisher	Foster care	230.00
Grafton School, Inc.	Professional service	7,692.00
Heartland Family Counseling	Professional service	2,750.00
Dekeace Morton	Foster care	628.00
Presbyterian Home / Family Services	Professional service	3,441.00
Jeremy & Jamie Proffitt	Foster care	1,294.11
Angela Uhrich	Foster care	1,908.00
United Methodist Family Services	Professional service	8,360.50
Shantay Watson	Foster care	167.20
Mable Shanaberger	Administrative fee	150.00

OTHER WELFARE / SOCIAL SERVICES

SCOPE/Meals on Wheels	08-09 support	4,750.00
FACES, Inc.	08-09 support	2,137.50
HOPE	08-09 support	4,750.00
Tri-County Life Learners	08-09 support	1,662.50
Southside Center for Violence Prevention	08-09 support	2,375.00
Longwood Center for Visual Arts	08-09 support	1,247.00
Habitat for Humanity	08-09 support	2,375.00

CONTRIBUTIONS TO COLLEGES

Southside Virginia Community College	08-09 support	2,759.00
Longwood Small Business Development Center	08-09 support	3,537.00

PUBLIC LIBRARY

Farmville-Prince Edward Community Library	08-09 support	38,014.75
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PLANNING

R. Samuel Coleman	Commission meeting	100.00	
	Mileage	14.04	114.04
Donald B. Gilliam	Commission meeting	100.00	
	Mileage	23.40	123.40
Robert M. Jones	Commission meeting	100.00	
	Mileage	5.85	105.85
Clifford Jack Leatherwood	Commission meeting		100.00
Robert Christopher Mason	Commission meeting	100.00	
	Mileage	166.14	
	Meal	6.16	272.30
Thomas M. Pairet	Commission meeting		100.00
Ernest Lewis Toney, Sr.	Commission meeting	100.00	
	Mileage	11.70	111.70
	Commission meeting		100.00
James Robert Wilck	Commission meeting		100.00
Alecia Daves-Johnson	Mileage	123.73	

	Meals	39.05	162.78
Jonathan Pickett	Mileage		282.79
Treasurer of Virginia	Training		130.00
Farmville Printing	Copies		187.52
Key Office Supply	Note books		41.03

COMMUNITY DEVELOPMENT

Farmville Chamber of Commerce	08-09 support		2,375.00
Piedmont Area Transit	08-09 support		5,000.00

ECONOMIC DEVELOPMENT

Virginia Employment Commission	Unemployment		2.33
Michael Lucas	Research/Program development		520.00
Virginia's Retreat	Travel guide ad		750.00
Business Card	Postage	42.42	
	Web hosting	47.88	
	Books & organizer	145.54	
	Fees	41.46	277.30
AT&T	Phone		65.02
Moonstar BBS	DSL		45.00
Embarq	Phone		185.30
Successful Events	Fulfillment bags		257.40

SOIL & WATER CONSERVATION DISTRICT

Piedmont Soil & Water Conservation District	08-09 support		4,845.00
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COOPERATIVE EXTENSION OFFICE

Embarq	Phone		95.70
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GENERAL EXPENSE

Commonwealth of Virginia	Reimbursement to state		147,859.00
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CAPITAL PROJECTS

Lowe's	Plumbing supplies		144.97
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DEBT SERVICE

Rural Development	Courthouse loan		16,626.00
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WATER FUND

Clerk of Circuit Court	Recording fee		49.50
Town of Farmville	Infrastructure payment		625,000.00

SEWER FUND

Clerk of Circuit Court	Recording fee		49.50
Town of Farmville	Infrastructure payment		625,000.00

RETIREMENT BENEFIT FUND

Vicki K. Johns	Retiree benefit		959.00
Anthem BCBS	Retiree health insurance		1,616.00

PIEDMONT COURT SERVICES

Dominion Virginia Power	Electric service	404.96
AT&T	Phone	127.21
Embarq	Phone	203.39
Sheena Franklin	Mileage	70.20
Ashley Glenn	Mileage	35.10
Sharon Gray	Mileage	179.58
Renee T. Maxey	Mileage	80.73
Andy Mays	Mileage	45.63
Rebecca Moss	Mileage	50.31
Rockhurst University	Training registration	199.00
Page Hardy	Cleaning service	210.00

PCS SUPERVISION FEES EXPENDITURES

SRP Corporation, LLC	Rent	2,383.00
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PCS DRUG TESTING FEES

Kroll Laboratory	Drug testing	15.57
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ADDENDUM BILL LIST

LIABILITIES

Virginia Department of Taxation	State sales tax	3.84
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BOARD OF SUPERVISORS

Farmville Herald	Advertising	78.00
Virginia Association of Counties Group	Liability insurance	792.00

COUNTY ADMINISTRATOR

Town of Farmville	Gas	39.96
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COMMISSIONER OF REVENUE

AT&T	Phone	70.93
Creative Business Solutions	Personal Property forms	195.06

CIRCUIT COURT

AT&T	Phone	52.25
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GENERAL DISTRICT COURT

Joyce K. Sexton	Mediation	712.50
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CLERK OF THE CIRCUIT COURT

Caskie Graphics, Inc.	Casebinders	277.25
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LAW LIBRARY

AT&T	Data line	34.11
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LexisNexis	Online service	197.00	
Matthew Bender & Company, Inc.	Virginia Forms 08 Supplemental Set	545.55	

COMMONWEALTH'S ATTORNEY

AT&T	Phone	204.07	
Embarq	Phone	281.00	
Cecelia Charlton	Notary fee	10.00	
Lawyers Weekly, Inc.	Advertising	571.68	

VICTIM WITNESS ASSISTANCE PROGRAM

Key Office Supply	Labels	13.79	
	Cartridges	44.97	58.76

SHERIFF

Town of Farmville	Gas	4,321.38	
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EMERGENCY SERVICES

Korman Signs	Signs & hardware	1,124.35	
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REGIONAL JAIL & DETENTION

Piedmont Regional Juvenile Detention Center	Juvenile detention	8,100.00	
Piedmont Regional Jail	Inmate per diem	4,175.60	

BUILDING OFFICIAL

East End Chevron	Oil change	28.95	
Town of Farmville	Gas	226.26	

ANIMAL CONTROL

Ray Foster	Cell phone battery	14.86	
Embarq	Phone	31.88	
John Butler	Bounty	50.00	
Todd Fariss	Bounty	50.00	
William Long	Bounty	50.00	
VACA	Animal law handbooks	60.00	
Town of Farmville	Gas	372.36	

BIOSOLIDS MONITORING

Manuel H. Toombs, Jr.	Internet	24.67	
Town of Farmville	Gas	159.06	

REFUSE DISPOSAL

C&L Machine & Welding	Roller assembly	757.95	
	Tarp repair	120.00	877.95
Jimmy's Service Center	Truck maintenance	164.30	
Lowe's	Pushbroom & shovel	80.44	
Resource International	Groundwater monitoring	1,625.05	
STEPS, Inc.	Recycling fee	1,609.81	
Southside Electric Cooperative	Virso site	177.90	
Dominion Virginia Power	Rice site	159.60	

AT&T	Phone		40.94
Embarq	Phone		36.48
Town of Farmville	Gas		1,513.33

SANDY RIVER RESERVOIR

Draper Aden Associates	Water supply plan		3,770.00
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GENERAL PROPERTIES

Thyssenkrupp Elevator	Maintenance contract		1,975.43
Dominion Virginia Power	Courthouse	10,284.79	
	Ag building	2,391.14	12,675.93
Ellington Energy Service	Fuel oil		6,600.00
Roy C. Jenkins, Inc.	Heating oil		432.23
AT&T	Phone		34.11
Embarq	Line to hospital	7.97	
	Phone	46.93	54.90
Aramark Uniform Services	Janitorial supplies		354.39
Handi-Clean Products, Inc.	Cleaning supplies		95.95
Lowe's	Service charge	9.01	
	Spray paint	13.31	
	Light bulbs	124.90	147.22
Cintas Corporation #524	Uniform rental		476.00
Town of Farmville	Gas		270.81

CANNERY

Roy C. Jenkins, Inc.	Heating oil		493.81
AT&T	Phone		34.11
Embarq	Phone		31.13

COMPREHENSIVE SERVICES ACT

Centra Health	Professional services		23,724.00
VSDB	Professional services		10,047.37

PLANNING

Farmville Herald	Advertising		87.75
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FUND TRANSFERS OUT

Prince Edward County Industrial Development Authority	Capital equipment loan		164,000.00
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CAPITAL PROJECTS

Lowe's	PVC fittings - Animal Shelter		25.21
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PIEDMONT COURT SERVICES

Pitney Bowes Financial Services	Postage meter lease		202.00
Moonstar BBS	Internet		15.00
Connie Stimpson	Mileage		12.60
Brittany Layne	Mileage		146.24

In Re: Special Recognition

Chairman Fore stated that Mr. Clem Richards has served on the Prince Edward County Planning Commission from July 1984 until December 2008, and at the end of December, Mr. Richards celebrated his 96<sup>th</sup> birthday. Chairman Fore presented a special framed certificate to Mr. Richards for his exemplary service to the County of Prince Edward and his community.

Dr. Patricia Watkins explained that Prince Edward County High School has been awarded the Bronze Medal on the *U.S. News & World Report's* list of America's Best High Schools. The criteria for selection include College Readiness Index, Poverty Adjusted Performance Index, and Disadvantaged Student Performance Gap. Dr. Watkins said while the College Readiness was not strong, the Poverty Adjusted Performance Index and Disadvantaged Student Performance Gap levels were approximately 3% above state levels. Chairman Fore expressed the Board's congratulations for the achievement.

In Re: Highway Matters

Chairman Fore said there was no VDOT representative in attendance, but staff could relay any concerns the Board members may have.

Supervisor McKay said Route 628 going west towards the YMCA is very rough, and asked that someone look at it to see what can be done to correct the problem.

Supervisor Simpson said he recently traveled Route 460 and noticed that from Lynchburg to Norfolk, Prince Edward County has the worst road surface, especially in the Lockett District. He said potholes have been patched but it seems to have made things worse. Supervisor Moore agreed and said the top surface needs to be removed and repaved to the Nottoway County line.

In Re: School Board Appointments

Chairman Fore said the terms of the following School Board members expire on June 30, 2009:

District 401 – Osa Sue Dowdy (McKay)

District 701 – Ellery Sedgwick (Gilfillan)



Supervisor McKay and Supervisor Gilfillan will appoint Citizen Committees to be announced at the February Board meeting.

Supervisor McKay made a motion to add words to the School Board selection criteria in Section 3.h.1. to read “A person must be *an eligible voter and* a resident of the election district”; 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:	None	Absent:	Lacy B. Ward
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The revised criteria now read:

CRITERIA FOR SELECTION OF SCHOOL BOARD MEMBERS

1. Each of the eight School Board members shall be appointed by a majority vote of the full Board of Supervisors when the School Board members' terms expire. This vote of the Board of Supervisors shall be by the show of hands.
2. The School Board members' terms of office shall commence on July 1.
3. The criteria for the appointment of School Board members are as follow:
  - a. Each year, the Supervisor from each election district in which a School Board member's term expires shall appoint a three (3) or five (5) member Citizens Committee to review and select candidate(s) for appointment to the School Board.
  - b. The membership of the Citizens Committee shall be announced at the Board of Supervisors meeting in February and published in a newspaper of general circulation, and the voters of the electoral district encouraged to submit nominations to the Chairman of the Committee.
  - c. For the March Board meeting, the County Administrator shall schedule and publish notice of a public hearing at which citizens will have an opportunity to submit names of candidates to be considered for appointment to the School Board. The members of the appointed Citizens Committee shall attend.
  - d. After the public hearing, the Citizens Committee shall interview and seriously consider all persons who are nominated and express willingness to serve, if appointed.
  - e. At the April Board meeting, the Citizens Committee shall report to the full Board of Supervisors a list of candidates for consideration. If the incumbent is requesting reappointment and is the only citizen expressing an interest, the Citizens Committee shall only be required to submit one name, the incumbent's, for consideration. If the incumbent is not requesting reappointment or is ineligible for reappointment, the Citizens Committee shall submit one or more

names for consideration. The Citizens Committee shall also provide the Board biographical information on each candidate.

- f. At the May Board meeting, a public hearing shall be held on the candidate(s) submitted at the April meeting.
- g. At the June meeting, the Board, by a majority vote, shall appoint one candidate to the School Board.
- h. The Citizens Committee, in selecting the candidates, shall consider the following:
  - 1. Person must be an eligible voter and a resident of the election district;
  - 2. Person should be a freeholder;
  - 3. Person must be willing to serve on the School Board;
  - 4. Person should have at least a high school education;
  - 5. Person should be oriented to public service;
  - 6. Person should be involved, concerned, and dedicated to public education;
  - 7. Person should be independent (base decisions on factual matters rather than as a representative of a group or faction);
  - 8. Person should be able to perform the duties and obligations of School Board members;
  - 9. Person should be of integrity in all matters;
  - 10. Person should be above prejudice with regard to race, creed, sex, religion, age, and national origin.

In Re: YMCA Board Representative

Chairman Fore said the County of Prince Edward has two seats on the Southside Virginia Family YMCA Board held by Supervisors James C. Moore and Howard F. Simpson. The term of Supervisor Moore expired December 31, 2008.

With the concurrence of the Board, Chairman Fore reappointed Supervisor Moore to the Southside Virginia Family YMCA Board with a term to expire December 31, 2011.

In Re: Request from Moton Museum

Chairman Fore said the R. R. Moton Museum will be sending a brochure to the members of the Virginia General Assembly regarding a funding request for \$750,000 to design, fabricate and install *The*

*Massive Resistance Gallery of Moton 2011*. The Moton Museum has requested a resolution of support from the Board of Supervisors.

Supervisor Moore made a motion to adopt the Resolution of Support for the Robert Russa Moton Museum funding request in the amount of \$750,000 to provide for the design, fabrication and installation of *The Massive Resistance Gallery of Moton 2011*. The motion carried unanimously:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay: None	Absent: Lacy B. Ward
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The Moton Museum will include the following resolution in a package to the General Assembly members:

### **MOTON 2011**

#### **A Resolution of the Board of Supervisors of the County of Prince Edward, Virginia**

**WHEREAS**, the County of Prince Edward, Virginia named its first high school for African-American students in honor of Robert Russa Moton, a son of Prince Edward County, who rose to become a national leader in education and in race relations; and

**WHEREAS**, it was from this building, the Robert Russa Moton High School, that on April 23, 1951 African-American students led by Barbara Rose Johns, niece of civil rights pioneer Reverend Vernon Johns, staged a walk-out to protest the separate and unequal conditions of their overcrowded, all-black school; and

**WHEREAS**, the lawsuit that followed, *Davis v. County School Board of Prince Edward*, was one of the five cases included in the United States Supreme Court landmark 1954 *Brown v. Board of Education* decision, which ended segregation in America's public schools; and

**WHEREAS**, between 1954 and 1959, the Commonwealth of Virginia's strategies for avoiding integration included "massive resistance", which meant that schools would close rather than integrate; and

**WHEREAS**, as an outcome of efforts to maintain segregated schools in Prince Edward County, all public schools were closed from 1959 to 1964; and

**WHEREAS**, following four years without public schools, the Prince Edward County Free School system was created in 1963, funded through foundation, corporate and private support, and leasing equipment and buildings from the County; and

**WHEREAS**, on May 26, 1964 with *Griffin v. County School Board of Prince Edward*, the United States Supreme Court ruled that Prince Edward County could no longer deny County school children their constitutional rights to an education equal to that afforded by the public schools in other parts of Virginia; and

**WHEREAS**, the Prince Edward County Public Schools were reopened in the fall of 1964; and

**WHEREAS**, in 1995, the Robert Russa Moton school building was retired from service by the Prince Edward County School Board and was sold by Prince Edward County to the Martha E. Forester Council of Women to be used as a museum dedicated to the study of civil rights in education; and

**WHEREAS**, in 1998, the Robert Russa Moton Museum was designated a National Historic Landmark, the highest level of historical recognition offered by the United States Department of the Interior, National Park Service; and

**WHEREAS**, in 2003, the Virginia General Assembly adopted a Resolution of Profound Regret for the state's role in the closing of the Prince Edward County Public Schools; and

**WHEREAS**, during the 2004 session, the Virginia General Assembly created the Brown v. Board of Education Scholarship Program for the purpose of assisting students who were enrolled in the public schools of Virginia between 1954 and 1964, in jurisdictions in which public schools were closed to avoid desegregation; and

**WHEREAS**, on July 21, 2008, the Virginia Civil Rights Memorial was dedicated on the grounds of the Virginia State Capitol, honoring the struggle begun in Prince Edward County on April 23, 1951; and

**WHEREAS**, on July 21, 2008, the Prince Edward County Board of Supervisors illuminated *The Light Of Reconciliation* in the bell tower of the Prince Edward County Courthouse in honor of Barbara Rose Johns and the students of Robert Russa Moton High School and all the children of our county, for their historic role in ending public school segregation in the United States, and with sorrow for closing schools; hoping that when we raise our eyes to see this light, may we also incline our hearts and minds to shine our own light of reconciliation toward all people;

**NOW, THEREFORE, BE IT RESOLVED**, that we, the undersigned members of the Board of Supervisors of the County of Prince Edward, Virginia, hereby wish to express our support for the Robert Russa Moton Museum funding request in the amount of \$750,000 to provide for the design, fabrication and installation of *The Massive Resistance Gallery* of Moton 2011; and

**BE IT RESOLVED FURTHER**, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby respectfully request support from the members of the Virginia General Assembly for the \$750,000 to fund *The Massive Resistance Gallery*, which will present the history of Virginia's reaction to *Brown v. Board of Education* and recognize the courage and personal sacrifice made by citizens of the Commonwealth of Virginia to bring about change in our nation's struggle for civil rights.

In Re: Resolution – Commonwealth’s FY 2010 Budget Shortfall

Chairman Fore said VACo is urging Virginia’s counties to adopt a model resolution which includes five specific budget and revenue recommendations intended to help the Commonwealth resolve the state budget shortfall and mitigate the impact of the shortfall on Virginia’s counties. He said the resolution seeks to partner with the Commonwealth in addressing the 2009-2010 state budget shortfall of approximately \$3 billion, and offers specific state budget and revenue recommendations to the governor and the Virginia General Assembly.

Supervisor Simpson made a motion to approve the Resolution Regarding the Commonwealth’s FY 2010 Budget Shortfall; the motion carried unanimously:

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

**Regarding the Commonwealth’s FY 2010 Budget Shortfall**

**WHEREAS**, the County of Prince Edward, Virginia is committed to ensuring fiscal sustainability at the local and state levels of government because fiscal sustainability enables the Commonwealth and its local governments to provide high quality, cost effective, core public services that benefit Virginians today and for generations to come; and

**WHEREAS**, the current difficult economic and financial times require government, at all levels, to evaluate service delivery responsibilities and to determine the continued importance of programs meeting critical needs; and

**WHEREAS**, the Commonwealth must resolve an estimated 2009 and 2010 biennial revenue shortfall approaching \$3 billion that may continue to escalate in the near term; and

**WHEREAS**, the County of Prince Edward must also resolve significant local revenue shortfalls for these periods as well; and

**WHEREAS**, the Commonwealth’s General Fund supports most critical core government services including public education, health and human resources, including the Comprehensive Services Act, public safety, natural resources and environmental services by dedicating almost 50 percent of the state’s General Fund to local governments (with 74 percent of this funding supporting K-12 public education); and

**WHEREAS**, if one level of government establishes and ensures a priority, it is then incumbent upon that level of government to adequately fund the services necessary to meet that priority; and

**WHEREAS**, the current economic environment threatens the sustainability of these critical core public services if the Commonwealth is required to reduce its contribution to the financial partnership between the state and local governments including the County of Prince Edward; and

**WHEREAS**, specific and necessary state budget reductions may impact a wide array of core public services, including but not limited to public education, the Comprehensive Service Act, and public safety, and many local governments, including the County of Prince Edward, will absorb significant state reductions in 2009 and may be compelled to increase real property taxes to help ensure the continuation of vital core public services; and

**WHEREAS**, the County of Prince Edward stands ready to partner with the Commonwealth to make the difficult budgetary decisions required, including thoroughly evaluating programs and working together to maintain a structural balance between revenues and expenditures that promotes the long-term viability of our Commonwealth;

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Supervisors of County of Prince Edward, Virginia respectfully offers the following budget and revenue recommendations for the 2009 legislative session to the Governor and Virginia General Assembly, including Prince Edward County's Delegates and Senators:

- Budget and appropriate sufficient withdrawals from the state's Revenue Stabilization Fund ("Rainy Day Fund") to help offset necessary state budget reductions. Global and national financial markets are imbalanced; consequently, Virginia is one of many states facing a significant state revenue shortfall. The Commonwealth is required to replenish the Fund when economic conditions improve, and the County of Prince Edward supports recapitalizing the Fund in better economic times.
- Before budgeting and appropriating necessary state budget reductions, revisit recent state tax exemptions. Since the late 1990s the state has enacted more than \$1.8 billion in net biennial tax reductions and specific General Fund transfers.
- Oppose the enactment of new unfunded and under-funded state mandates that will impose new costs on local governments. Additionally, consider repealing specific, unfunded and under-funded state mandates. In the area of public education, the Governor and Virginia General Assembly should consider providing localities and school districts maximum flexibility to i) suspend specific mandates and ii) manage specific public education reductions.
- Enact a law authorizing equal taxing authority for counties. Counties should be enabled, like cities and towns, to institute specific taxes, including a meals tax without a referendum. The new sources of revenue would be tailored to the needs of a jurisdiction and could help local governments protect adequate funding for the core government services including K-12 public education, and reduce county dependence on property taxes.
- Consider additional possibilities for mitigating the impact of state cuts on local governments. Local governments will have to make significant cuts in services because of flat or decreasing real estate revenues. Permit local governments, at

their option, to implement a one-half percent increase in the sales tax as a way to minimize the potential burden passed on to homeowners through increased real property taxes.

**FURTHERMORE**, the Board of Supervisors of the County of Prince Edward offers these recommendations in the spirit of compromise and partnership to the Governor and Virginia General Assembly.

In Re: Animal Control – Confinement

Chairman Fore introduced Animal Control Officer Ray Foster and Deputy Animal Control Officer Vicki Horn to report on the issue of year-round confinement.

Officer Horn said during the six months of confinement, from March 2008 through August 2008, 15 calls were received regarding nuisance dogs. She said from September 1, 2008 through January 13, 2009, the calls more than tripled to 48. She said the complaints were regarding nuisance and dangerous dogs, with issues such as neighbor's dogs soiling in their yard, getting into the garbage and scratching cars, and aggressive dogs not allowing people to leave their homes and killing chickens.

Supervisor Moore asked about the procedure if someone is bitten by a dog. Officer Horn said the dog is seized and placed into a 10-day quarantine period, and the owner, if known, is notified. Officer Foster said the owner of the dog that has bitten someone may now have to go to court to determine if the dog is dangerous.

Supervisor Jones asked what rights a citizen has during confinement as opposed to during non-confinement, and what can they do differently to remove the dog from their property. Officer Horn said during the confinement period, Animal Control picks up the dog, takes the dog to the shelter, and charges the owner. She said there is no law currently to enforce during the non-confinement period. Officer Foster said it becomes a civil matter.

Supervisor Jones then asked for clarification regarding hunting dogs. Officer Horn said hunting dogs are permitted during hunting season, and if a hunter runs dogs out of season, they are illegally hunting. She added dogs can be exercised but must be kept under the control of the owner during the confinement period. Bill Powers, Virginia Department of Game & Inland Fisheries, said hunting dogs are not affected during hunting season, and hunting dogs must be under the control of their owners. He said

the State of Virginia allows people to hunt their dogs in some sort of fashion or another during hunting season; there are several counties that have year-round confinement laws.

Supervisor Gilfillan explained the definition of confinement is not to keep the dog on a chain, but is to keep the dog or dogs in a safe environment and under the control of the owner.

Supervisor Gilfillan made a motion to authorize a public hearing on February 10, 2009 for a proposed amendment to the Prince Edward County Animal Control Ordinance to expand the County's confinement period to year-round. 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:	None	Absent:	Lacy B. Ward
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In Re: Community Garden

Chairman Fore introduced Brent Clayton, County Extension Agent, who spoke regarding the creation of a community garden. He said he began to assess the need and interest in a community vegetable garden in April 2008, and found that people want control but do not have land or the knowledge to maintain their own gardens. He contacted the Town of Farmville to assist in locating land to be used as a common area, where citizens can combine resources and knowledge, and asked the Board for assistance in finding land to be used for that purpose.

After some discussion about possible locations and the steps that would be necessary, Supervisor Jones suggested he and the County Administrator meet with Mr. Clayton to discuss the matter further.

In Re: Personnel Committee Report

Chairman Fore said the Personnel Committee, consisting of Supervisors Simpson, Gilfillan, Moore, and Wiley met on December 15, 2008 to review the County Personnel Policy to clarify the benefits for part-time and temporary employees of the County. The Committee unanimously recommends that the Board of Supervisors amend the County Personnel Policy.



Supervisor McKay made a motion to amend the County Personnel Policy as presented. The motion carried unanimously:

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

Nay: None

Absent: Lacy B. Ward

(Text additions approved appear in italics; deleted sections appear with strike-through.)

### **1.8 PERSONNEL DEFINITIONS**

Full-Time Temporary Appointment – Appointment to a full-time temporary position indicates that the employee is scheduled to work for a maximum of one year. *Temporary employees shall not receive fringe benefits.*

Part-Time Permanent Appointment – An appointment to a part-time position that is routinely scheduled to work for the County on a continuous basis, without regard to time limitation. Permanent part-time employees work less than ~~eight hours, or less than~~ 40 hours per week or less than 52 weeks per year. Employees occupying part-time permanent positions shall *not* receive fringe benefits as specified in these policies.

Part-Time Temporary Appointment – An employee that is routinely scheduled to work for a period of less than one year. Part-time temporary employees work less than ~~eight hours per day, or less than~~ 40 hours per week. Temporary employees shall not receive fringe benefits.

### **8.4 HOLIDAY LEAVE**

- A. Scheduled Holidays
  - 1. The County observes the same holidays as the Commonwealth of Virginia.
  - 2. The Board of Supervisors may designate additional holidays.
- B. Eligibility
  - 1. Regular full-time employees shall receive paid holiday leave.
  - 2. ~~Regular part time employees who are specifically required by the County to work on a holiday are eligible to receive a proportional amount of paid holiday leave based on the annual leave accrual table.~~
  - 3. Temporary ~~full~~ and part-time employees are not entitled to paid holiday leave.

### **8.1 ANNUAL LEAVE**

- A. Annual Leave Accrual
  - 1. Regular full-time employees shall earn annual leave at a rate based upon completed calendar month of service as follows:

0 – 4 years of continuous service	8 hours per month
5 – 9 years of continuous service	10 hours per month
10 – 14 years of continuous service	12 hours per month
15 – 19 years of continuous service	14 hours per month
20 – 24 years of continuous service	16 hours per month
25 or more years of continuous service	18 hours per month

2. ~~Regular part-time employees shall earn annual leave proportionate to the amount of time worked.~~

3. Temporary full and part-time employees do not earn annual leave.

4. Maximum annual leave accrual rates are as follows:

0 – 4 years of continuous service	192 hours
5 – 9 years of continuous service	240 hours
10 or more years of continuous service	288 hours

5. During the calendar year, an employee may accrue more than the maximum levels as stated above. Leave beyond the maximum levels that is not used by the beginning of the first full pay period of the new calendar year shall be forfeited.

B. Granting of Annual Leave

1. So far, as possible, annual leave shall be set at a time mutually agreeable to the employee and the County. Annual leave shall normally be granted each calendar year, unless a department director specifically defers an employee's vacation because of work requirements.

2. The annual leave credits provided may be used, at the option of the employee, to provide for paid absences due to vacation or other personal purposes (including sickness) or for paid absences exceeding credit available for other kinds of leave.

3. No annual leave credit shall be provided for service less than a full semi-monthly pay period. The credit for a full semi-monthly pay period or more, but less than one calendar month shall be one-half the accrual rate to which the employee is entitled for one calendar month of service. No annual leave credits shall be provided during any period of absence immediately following an absence of sixty calendar days.

C. Payment of Annual Leave Upon Separation

1. Upon separation, an employee shall receive payment for annual leave up to the maximum accrual rate. Payment shall be calculated using the employee's base hourly rate of pay at the time of separation.

2. In the case of the death of an employee, the unused annual leave credit shall be paid to the employee's estate.

D. Effect of Change of Appointment Status

An employee who transfers from a temporary to permanent position, ~~without a break in service,~~  
~~may will~~ receive annual leave credit from the date of ~~temporary~~ *the full time permanent* appointment.

~~Annual leave credit is conditional upon the following:~~

- ~~1. The permanent position must be identical or nearly identical to the temporary position in duties and level of responsibility; and,~~
- ~~2. The employee must have worked an average of 30 hours per week in the temporary position.~~

## **8.6 SICK LEAVE**

### **A. Sick Leave Accrual**

1. Regular full-time employees shall accrue one and one-quarter day of sick leave for each completed calendar month of service. There is no limit for accumulated sick leave. Upon favorable termination, an employee who has accumulated over ninety (90) days of sick leave will be reimbursed for thirty percent (30%) of the first ninety (90) days of accumulated leave. The remainder of the leave shall be un-reimbursable and forfeited by the employee.
- ~~2. Regular part-time employees accrue sick leave proportionate to the amount of time worked.~~
3. ~~All other~~ *Temporary and part-time* employees do not accrue sick leave.

## **9.1 HEALTH INSURANCE**

### **Primary Health Care**

The County offers one primary health care program for employees. The County pays 100% of the *full-time permanent* employee's share of the premium, and varying amounts for dual and family coverage as determined by the Board of Supervisors. Retiree health benefits are offered by the County to retired employees with thirty (30) years of County service upon reaching the age of sixty. No cash payments will be made to individuals and these benefits cease when the retired employee becomes Medicare eligible.

## **9.2 RETIREMENT**

- A. The County is a member of the Virginia Supplemental Retirement System. The County pays both the employer's and employee's cost of participation in VSRS *for full-time, permanent employees.*
- B. Amount of Benefit
  1. VSRS offers several alternative methods of receiving retirement benefit payments (these options are outlined in the Handbook for Members).

2. The amount of the retirement benefit is based on three factors: the employee's average final compensation (average of highest 36 consecutive months of salary), years of service credit and age.
- C. Notice of Retirement
- Employees planning retirement should contact the County Administrator's Office four months prior to retirement to ensure sufficient time for application of all retirement benefits.
- D. Disability Retirement
1. Employees may apply for disability benefits if they become mentally or physically unable to perform their present duties, and the disability is likely to be permanent.
  2. Regular disability retirement (for conditions that are not work-related) may be granted if medical conditions warrant and all other qualifications established under the retirement program are met.
  3. A work-related disability results from a cause compensable under the Virginia Workers' Compensation Act. The amount of compensation provided by the retirement program is coordinated with any benefits received under Workers' Compensation and Social Security disability benefits.

### **9.3 GROUP LIFE INSURANCE**

The County pays the cost of the premium for group life insurance provided by the Virginia Supplemental Retirement System *for full-time permanent employees*.

Optional life insurance is also provided by the Virginia Supplemental Retirement System. The cost of the premium for the optional life insurance coverage shall be paid by the employee

Mrs. Sharon Carney, Director of Economic Development and Tourism, said the Personnel Committee met on January 12, 2009 due to the resignation of Diane Speas Faison, a part-time employee at the Virginia's Heartland Regional Visitor Center and Transportation Heritage Museum. Mrs. Carney requested the position to be advertised and filled, as it is not a new position and would ensure the Center remain open at least five days a week, a stipulation to retain its Certified State Visitor Center status.

Supervisor Moore made a motion to advertise for the part-time position at the Virginia's Heartland Regional Visitor Center and Transportation Heritage Museum. 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: None	Absent: Lacy B. Ward
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In Re: County Attorney's Report

County Attorney James Ennis said he received a letter of resignation from Deputy County Attorney Eric A. Tinnell, effective January 15, 2009. He said he has advertised for the position, and will begin interviews on January 15, 2009.

Supervisor McKay made a motion to accept the resignation of Deputy County Attorney, Eric A. Tinnell; 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: None	Absent: Lacy B. Ward
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In Re: County Administrator's Report

Mr. Bartlett said an RFP was issued to retain a firm to serve as financial advisor for the County. Responses were received from Davenport & Company and Springsted. A committee consisting of the Treasurer, Assistant County Administrator and County Administrator independently reviewed and ranked the two proposals and conducted interviews with the two firms. The committee agreed Davenport was the firm best able to serve as the County's financial advisor. Mr. Bartlett said no retainer is required; payment is on a per project basis.

Supervisor Moore made a motion to approve Davenport and Associates as the County's financial advisor. 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: None	Absent: Lacy B. Ward
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Mr. Bartlett then recommended the County engage the services of a firm to provide legal review and advice concerning the PPEA process and the contract issues regarding the unsolicited PPEA proposal that has been submitted. He said Troutman Sanders has served as outside legal counsel to the County on a number of water and infrastructure issues over the past ten years. Mr. Bartlett said a principal attorney with

Troutman Sanders, Scott Hart, has extensive experience with water supply projects and development as well as the PPEA statutes and guidelines.

Supervisor Moore made a motion to engage Troutman Sanders to provide legal review and advice concerning the PPEA process and contract issues. The motion carried unanimously:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay: None	Absent: Lacy B. Ward
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Mr. Bartlett said the County is in the process of completing a reassessment of real property, and it is now at the stage where a Board of Equalization must be impaneled. He said the Circuit Court Judge has the responsibility to appoint the members of the Board of Equalization, and the Board of Supervisors is responsible for setting the compensation for the members. Mr. Bartlett said the recommended compensation be set at \$100 per day, keeping in line with surrounding counties and the compensation to the previous Board of Equalization in 2003.

Supervisor Moore made a motion to set compensation at \$100 per day for the Board of Equalization members. The motion carried unanimously:

Aye:	William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Mattie P. Wiley	Nay: None	Absent: Lacy B. Ward
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Mr. Bartlett then said it is anticipated that an Economic Stimulus Bill will be passed by Congress in the near future. He said both VACo and VML recommend that localities develop a list and forward it to both the Governor and the Congressional Delegation, and reviewed a draft list of projects for the County. Mr. Bartlett said he met with a representative from Congressman Perriello's office who expanded on the guidelines and suggested adding all components of the projects that would have a transformational impact on the community.

After further discussion, Supervisor Gilfillan made a motion to authorize the County Administrator to prepare the list for the Economic Stimulus Bill. The motion carried unanimously:

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

Nay: None

Absent: Lacy B. Ward

In Re: Addendum to Library Agreement

Mr. Bartlett said three items were necessary to finalize the financing for the construction of the new library. First, he said an addendum to the Library Agreement was drafted to set forth the County's intent to pay its two-thirds share of the cost of the Library as set forth in the Schedule of County Payments, subject to annual appropriation by the Board of Supervisors. He then said of the four bids received for financing, RBC Bank provided the best quote with a fixed percentage rate of 3.68% for the 15 year note. Mr. Bartlett said he also recommended approval of the debt service schedule option proposed by RBC with the principal payments beginning in February 2010.

Supervisor Moore made a motion to approve the Addendum to the Memorandum of Agreement between the Town of Farmville and Prince Edward County. 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: None

Absent: Lacy B. Ward

Supervisor Simpson made a motion to accept the financing bid from RBC Bank for the amount not to exceed \$4,200,000.00 for a term of 15 years with an interest rate of 3.68%. 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: None

Absent: Lacy B. Ward

Supervisor Wiley made a motion to approve the debt service schedule option proposed by RBC with principal payments beginning in February 2010. 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: None	Absent: Lacy B. Ward
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Supervisor McKay made a motion to authorize the Board Chairman to sign all necessary documents. 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: None	Absent: Lacy B. Ward
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In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of December 2008, 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 2008 and year-end, which were reviewed and ordered to be filed with the Board papers.

In Re: Cannery

Mrs. Lena Huddleston, Cannery Manager, submitted a report for the month of December 2008, 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 December 2008, which was reviewed and ordered to be filed with the Board papers.



In Re: PERT Ridership Report

The Board reviewed the November 2008 ridership report from PERT and ordered it to be filed with the Board papers.

On motion of Mr. Simpson 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 8:31 p.m. until 8:00 a.m. on Saturday, January 24, 2009.