

January 9, 2007

At the regular meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Tuesday the 9th day of January, 2007; at 7:00 p.m., there were present:

Pattie Cooper-Jones

William G. Fore, Jr.

Sally W. Gilfillan

Robert M. Jones

Charles W. McKay

James C. Moore

Howard F. Simpson

Lacy B. Ward

Also present: Sarah Puckett, Acting County Administrator; Jonathan L. Pickett, Director of Planning and Community Development; Jill C. Dickerson, County Attorney; and Sharon Carney, Director of Economic Development and Tourism.

Mrs. Sarah Puckett, Acting County Administrator, called the meeting to order. Supervisors Moore and McKay offered the invocation with Mr. Moore leading the pledge of allegiance and reading the 23rd Psalm. Mr. McKay offered a prayer.

In Re: Election of Chairman

This being the first meeting of the Board of Supervisors in the year 2007, the Acting County Administrator opened the floor for nominations for Chairman. Supervisor Ward asked why the Board was deviating from the order of business specified in its bylaws by not proceeding with public participation. Mrs. Puckett explained that the Board held its organizational meeting in January and she was following the procedure of past years. Mr. Ward pointed out that to change the order of business, a motion and two-thirds vote of the members was required. He then asked that the agenda outlined in the bylaws be followed.

During discussion, Board members noted that a Chairman was needed to preside over the meeting. Mr. Moore commented that during his twenty-seven years as a Supervisor, the first order of business during

the January meeting had been to elect a Chairman and Vice-Chairman. He suggested, however, that since it had been brought to their attention, the Supervisors may wish to consider revising the by-laws pertaining to the order of business for the organizational meeting in January.

After being instructed to proceed with the agenda as presented, Mrs. Puckett opened the floor for nominations for Chairman. Mr. William G. Fore, Jr. was nominated by Supervisor Jones; and Mr. Lacy B. Ward was nominated by Supervisor Gilfillan, seconded by Mrs. Cooper-Jones. There being no other nominations, Mr. Simpson moved that the nominations be closed. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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On the order of the nominations, the following votes were cast:

<u>Candidate</u>	<u>Vote</u>
William G. Fore, Jr.	William G. Fore, Jr. Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson
Lacy B. Ward	Pattie Cooper-Jones Sally W. Gilfillan Lacy B. Ward

Mr. Fore will serve as Chairman of the Prince Edward County Board of Supervisors for calendar year 2007.

In Re: Election of Vice-Chairman

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

Supervisor Gilfillan nominated Mrs. Pattie Cooper-Jones, and Supervisor Jones nominated Mr. Howard F. Simpson. There being no further nominations, Mr. Moore made a motion that the nominations be closed. The motion carried:

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

Nay: None

Chairman Fore called for a vote of those in favor of Mrs. Cooper-Jones serving as Vice-Chairman.

The vote was as follows:

Aye: Pattie Cooper-Jones
Sally W. Gilfillan
Lacy B. Ward

Nay: William G. Fore, Jr.
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson

He then called for a show of hands of those in favor of Mr. Howard F. Simpson. The vote was:

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

Nay: Pattie Cooper-Jones
Sally W. Gilfillan
Lacy B. Ward

Mr. Simpson was elected Vice-Chairman of the Prince Edward County Board of Supervisors for calendar year 2007.

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

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

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

Nay: None

In Re: Adoption of By-Laws

Mr. McKay moved that the Prince Edward County Rules of the Board of Supervisors be adopted with: 1) the addition of wording to reflect a change in the order of business for the organizational meeting held in January, and 2) the deletion of wording from the first paragraph of *Section IV-Order of Business* pertaining to the approval of minutes, as this action was listed with the order of the agenda. The motion carried:

Aye: Pattie Cooper-Jones
William G. Fore, Jr.
Sally W. Gilfillan
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson

Nay: None

Abstain: Lacy B. Ward

PRINCE EDWARD COUNTY
RULES OF
THE BOARD OF SUPERVISORS

(As revised January, 2007)

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 one year, 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. Acceptance of Treasurer's Report
- C. Approval of Minutes
- D. Approval of Warrant List
- E. Highway Matters
- F. Business for Board Consideration
- G. County Administrator's Report
- H. Closed Session
- I. Correspondence
- J. Informational Items
- K. Upcoming Meetings
- L. Monthly Reports from Local Departments
- M. 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. 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).

VII. 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.)

VIII. 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.

IX. 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.

X. 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.

XI. 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.

XII. 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.

XIII. 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

Pursuant to Section XI of the preceding Rules of the Board of Supervisors, in January of each year the Board must determine if it wishes to operate with a system of standing committees or act as a committee of the whole.

Supervisor Gilfillan recommended that in addition to the current Personnel Committee, a Finance Committee be established. She suggested that one-half of the Supervisors study revenues while the other half studies expenditures. The following year the assignments would be reversed so that within two years all Supervisors would have experience studying both.

After some discussion, Mrs. Gilfillan moved that the Board continue to act as a committee of the whole, with the exception of standing personnel and finance committees. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Terms of Chairman and Vice-Chairman

Mr. Ward made a motion that the terms of the Board Chairman and Vice-Chairman be limited so that neither could succeed themselves.

County Attorney, Jill C. Dickerson, advised that the length of the Chairman and Vice-Chairman's terms had been set in the Rules of the Board that were previously adopted.

In Re: Committee Appointments

The Board was advised that during 2004 a standing Personnel Committee was established whose members are appointed annually by the Chairman. Mr. Fore advised that the committee's current membership consisted of Supervisors Simpson (Chair), Gilfillan, and Moore; and asked if those members were willing to continue to serve.

Mrs. Gilfillan recommended that Supervisor Cooper-Jones be added to the committee because of her expertise in human resources.

After discussion, Mr. Moore moved that Mrs. Cooper-Jones be added to the Personnel Committee.

The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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Mr. Jones made a motion to confirm the reappointment of Supervisors Simpson, Gilfillan, and Moore. This motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson	Nay:	Lacy B. Ward
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In Re: Rules of Procedure – Board of Supervisors’ Public Hearings

On motion of Mr. McKay and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay:	None
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the Prince Edward County Board of Supervisors readopted the following procedures to govern public hearings:

BOARD OF SUPERVISORS PUBLIC HEARINGS
RULES OF PROCEDURE

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

The order of speakers will be:

- 1) Those in support of the matter,
- 2) Those with questions or concerns,
- 3) Those opposed,
- 4) Rebuttals (limited by the Chair as to number and time-see below),
- 5) Questions by the Board members of speakers.

- d. Additional rules:
 - The Chair can permit speaking out of the order in #c above as deemed necessary to enable the public to fully participate.
 - Speakers must stand at the podium and address the Board.

- All comments shall be directed to the members of the Board of Supervisors. Debate is prohibited. This includes debate among speakers or speakers/Board members/staff.
 - Presentation by the applicant and other speakers shall be limited to a time set by the Chairman.
 - Additional time, for any portion, may be granted at the discretion of the Chairman.
 - The Chair will set the number of minutes permitted for rebuttal and has the discretion to change the number.
 - The Chair has the authority to limit or decrease time for any portion of the public hearing due to the number of potential speakers, or repetition, or any other concern.
 - Remarks shall be confined to the matter under discussion and shall be relevant.
2. Speakers arriving after the commencement of the hearing and/or who are not on the sign-up sheet will be recognized at the discretion of the Chairman.
 3. Repetitive testimony is discouraged.
 4. The Chairman shall have the authority to end a presentation that violates these rules or for other cause.
 5. Following discussion of all matters considered in the public hearing, the Board members will consider one of three actions regarding each matter:
 - Approval (with conditions, as applicable);
 - Denial; or
 - Table for further review.
 6. Once the public comment period has been closed, no further public input will be permitted unless clarification is requested by a Board member. The response shall address only those questions raised by the member.

In Re: Public Participation

Dr. Wilkie Chaffin advised that a mistake had been made during the January meeting with regard to Parliamentary Procedure that could have affected the result of the action taken. He referenced a motion pertaining to the amount and date of the Acting County Administrator’s salary increase. A substitute motion was raised and voted on to change the effective date of the salary increase. “In reality, the Board voted on the date the raise would start and never voted on whether there would be a raise or not.” Dr. Chaffin reminded the Board that all substitute motions require two votes—the first to determine the main motion, and the second for action on the proposal.

Dr. Chaffin also noted that the agenda contained an item on Freedom of Information training, and offered his services free of charge.

Mr. Jack Houghton spoke concerning the sale of 73.88 acres to Mr. Clayton C. Bryant, Jr. in June of 2003, and particularly about the Contract for Purchase of Unimproved Property discussed during the December 12, 2006 meeting.

He reminded the Supervisors that in October, 2005 he informed them of an email he received on April 24, 2003 (prior to the County advertising for bids) detailing information concerning rumored plans to clear cut the timber and develop a large number of housing units on the property. “No bids had been received and no final sale documents had been executed, but it appeared there was some type of understanding that Clayton Bryant would acquire the land with the formalities of bidding and the requisite paperwork to follow. In fact, in spite of public urgings to hold up the sale of the land and to conduct a public hearing; the County did, two months later on June 20, 2003, close on the sale of land to Mr. Clayton Bryant.” Mr. Houghton stated that the final sale did not differ “in one single material detail from what had been told to me about what was going to happen nearly two months previously before the announcement of the sale of the land was ever made.”

Mr. Houghton advised that in January 2006, he made a written Freedom of Information request to County Administrator Mildred B. Hampton seeking specific documents relating to the sale of the 73.88 acres to Mr. Bryant. He indicated that other than one page of minutes, the Administrator had been unable to provide any other documents. “Nor was there any explanation other than an unqualified statement denying the existence of all such documents, and I quote, ‘No such documents, no such correspondence exists. No such contract, agreement, or letter of understanding exists.’”

Mr. Houghton stated it had now been learned that such documents did exist, and the County had an agreement with realtors. “This contract that I speak of was even signed by the realtor and Mr. Bryant before the County voted to sell the land on April 15, 2003. This agreement seems to approve the \$25,000 real estate commission. This contract, including the real estate commission, appears to be signed by Chairman Fore. I can understand an occasional administrative oversight, a slip-up, little details that may fall through the cracks now and again. Those things happen and that is quite understandable. But, how is it possible that key County officials, knowing full well that this land transaction had been the subject of heated controversy in the preceding years, months, and even weeks prior to this request, could not be aware of the existence of these important documents signed by the Chairman of the Board of Supervisors? Of

course, I have listened to the explanation of how the bids may have been lost, how various documents may not have been in the County files at certain times but may have been in the County Attorney's files, and various other excuses. But really, all of this is beginning to stretch credulity to the breaking point. One begins to wonder if someone is not trying to conceal certain aspects of this transaction.”

Mr. Houghton felt the newly revealed contract raised such questions as:

- Why was the County party to the agreement when the sale of surplus land by sealed, competitive bid does not require an agreement involving realtors?
- Why did the County approve a \$25,000 real estate commission when surplus land was sold by publicly advertised requests for sealed bids?
- Why did the Chairman initial a fee and sign the contract?

Mr. Houghton stated that in December the County Attorney acknowledged, “with regard to an agreement for realtors’ services and commissions, that the County was not part of it...Yet, the County is indeed, obviously a party to this agreement and has agreed to a \$25,000 real estate commission. Why?”

Mr. Houghton also indicated that during the December meeting “the County Attorney stated she represented the buyer in this transaction, not the seller. The buyer, of course, was Mr. Bryant. Why is the County Attorney representing Mr. Bryant, while supposedly representing the County and its taxpayers?...Last month the County Attorney stated that this matter should have been closed a long time ago and recited several ostensibly logical steps the County took to sell the land. She explained how the circumstances of this land sale was not, in her words, unusual. I can, perhaps, understand that some involved County officials might want to close the book on this matter and not further explore this matter in addition to what we know now. However, overlooked in the County Attorney's explanation are a few troublesome facts. The Board elected to forego a new and current public hearing as recommended by citizens, and instead relied on a seven-year-old public hearing. This Board allowed an expedited bidding process that was not even befitting disposal of used office equipment let alone valuable real estate. The Board received only two bids, one of which was not even equal to the known value of the timber on the land; and yet, elected to award the sale of the land and timber at an amount disgracefully disadvantageous to the citizens and taxpayers of this County. On top of it all, key County officials proceed to lose critical documentation concerning the transaction, or otherwise deny that critical documents existed. We know those documents do exist now. Normal? Given the results, I hope this is not normal. It has been pointed

out previously by members of this Board that the transaction is now done—so what do we do now? I think it is pretty obvious that it would not be appropriate for members of the current Board, or members of the County Administration or legal staff to investigate itself in this transaction. While perhaps there is some lingering temptation to cling to the belief that this land transaction was normal, as has been claimed by our County Attorney, I don't think the facts support this position. Accordingly, I urge you to consider these facts and to use your collective sense of duty to call for an independent investigation of this matter so the public will finally get the answers to the questions that it is entitled to."

Following Mr. Houghton's remarks, County Attorney Jill Dickerson clarified that she had not represented Clayton Bryant in the transaction, but had represented the County. "Vivian Seay, from Appomattox, represented Mr. Bryant. To my knowledge I have never represented Mr. Bryant in any real estate transaction, or any other matter, in my entire career. I did not represent Mr. Bryant and never have."

Mr. Houghton indicated that the statement he made came from a tape transcript of the December meeting. Mrs. Dickerson countered, "I may have said buyer when I meant seller. It was a slip of the tongue. I have never represented Mr. Bryant—in twenty years, never."

In Re: Public Hearing – Through-Truck Restrictions on Route 307

The Chairman announced that this was the date and time scheduled for a public hearing on the adoption of a resolution requesting that the Virginia Department of Transportation and the Commonwealth Transportation Board impose through-truck restrictions on Route 307. Notice of this hearing having been advertised according to law in the December 22, 2006 and December 29, 2006 issues of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward, the floor was opened for comment.

Mr. Mark McKissick, Assistant Resident Engineer, shared the following information attained through a study conducted by VDOT.

Route 307 Corridor Analysis

Average Daily Traffic = 5,100 Vehicles per Day

Percentage of Trucks = 9%

Accident Date:

- Study period = January 1, 2001 to September 1, 2006

- Number of accidents = 102
- Tractor trailer accidents = 6
- Accident rate – all crashes
 - Route 307 = 81
 - State-wide rate for a similar route = 124

Alternate route = Route 360 to Route 460

- Impact = Adds five miles each way

Summary

- This restriction is not justified from a traffic engineering standpoint. Route 307 is a primary road with a good typical section. The accident rate is under the state-wide average rate. The capacity is at a level of service of “B” for the peak period. There are no safety reasons to restrict trucks from using Route 307.
- VDOT officials feel the trucking industry would strongly object to this restriction.

Mr. McKissick also advised that the State Police had indicated it was difficult to enforce the speed limit on Route 307, as some sections have no shoulder on which to pull vehicles.

There being no one else wishing to speak, the public hearing was closed.

Chairman Fore advised that the Nottoway County Board of Supervisors held a public hearing on the matter in December. After the public hearing, the Nottoway Board voted not to support the truck restrictions. He did not feel, however, that Nottoway’s action should preclude Prince Edward from voicing its opinion.

Mr. Moore stated Route 307 was unsafe in certain areas, and in an effort to protect the interests of County citizens, moved adoption of the following resolution requesting the Commonwealth Transportation Board approve through-truck restrictions. After some discussion, the motion was seconded by Mr. Simpson and carried:

<p>Aye:</p> <ul style="list-style-type: none"> Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward 	<p>Nay: None</p>
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**A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE
COUNTY OF PRINCE EDWARD, VIRGINIA**

ROUTE 307

WHEREAS, there is a need for increased safety for the traveling public on Route 307, a two-lane road which passes through the Counties of Amelia, Nottoway and Prince Edward, Virginia; and

WHEREAS, there has been a significant increase in the number of trucks and in truck size and weight that use Route 307; and

WHEREAS, the width and topography of Route 307 add further to the safety concerns for the traveling public; and

WHEREAS, there is a four-lane alternate for through-trucks via U.S. 360 and U.S. 460;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward, Virginia, does hereby request that the Commonwealth Transportation Board approve a through-truck restriction on Route 307.

In Re: Public Hearing – Sale or Lease of ± 0.914 Acres of County-Owned Property

The Chairman announced that this was the date and time for a public hearing on the sale or lease of ± 0.914 acres of County-owned property to the Town of Farmville. The property is located at the intersection of U.S. 15 and Dominion Drive in the Prince Edward County Industrial Park, and is the site of the water tower. Notice of this hearing was advertised in the December 22, 2006 and December 29, 2006 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward. The floor was opened for comment.

There being no one wishing to speak, the public hearing was closed.

Mr. Simpson moved that the County deed the ± 0.914 acres to the Town of Farmville with a restriction that the land revert back to the County should the water tower ever be removed from the property.

Mr. Ward offered a substitute motion to table action until the February meeting, stating he did not have enough information on the legal impact or the necessity of deeding the property to the Town.

During discussion, it was explained that the Town of Farmville owned the water tower located on the ± 0.914 acres. When Mid-Atlantic Broadband Cooperative (MBC) recently approached the Town for an easement, it was discovered that the property had never been transferred.

Mrs. Puckett also reported that when water and sewer lines were built to the industrial park, there had been an agreement that the lines would be owned and maintained by the Town of Farmville in exchange for an allocation of water and sewer for the park.

After some further discussion, the Chairman called for a vote of all those in favor of the substitute motion becoming the main motion. The vote was:

Aye:	Pattie Cooper-Jones	Nay:	William G. Fore, Jr.
	Lacy B. Ward		Sally W. Gilfillan
			Robert M. Jones
			Charles W. McKay
			James C. Moore
			Howard F. Simpson

The Board then returned to the original motion. Supervisor Gilfillan offered an amendment that the property be deeded to the Town for use of the water tower only, and should there be any change in the use of the property it revert back to the County.

After it was pointed out that granting an easement to MBC would be a change in the property's use, Mrs. Gilfillan withdrew her amendment.

The Board then voted on Mr. Simpson's motion to deed the \pm 0.914 acres to the Town of Farmville with the restriction that the land revert back to the County should the water tower ever be removed. The motion carried:

Aye:	William G. Fore, Jr.	Nay:	Pattie Cooper-Jones
	Sally W. Gilfillan		Lacy B. Ward
	Robert M. Jones		
	Charles W. McKay		
	James C. Moore		
	Howard F. Simpson		

Mr. McKay offered a motion authorizing the Chairman to sign the deed. This motion carried:

Aye:	William G. Fore, Jr.	Nay:	Pattie Cooper-Jones
	Sally W. Gilfillan		Lacy B. Ward
	Robert M. Jones		
	Charles W. McKay		
	James C. Moore		
	Howard F. Simpson		

In Re: Public Hearing – Amendment to FY 06-07 County Budget

This being the date and time scheduled for a public hearing advertised as follows in the December 22, 2006 and December 29, 2006 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward:

“In accordance with Section 15.2-2507 of the Code of Virginia, 1950, as amended, the Prince Edward County Board of Supervisors will hold a public hearing to receive public input on a proposed amendment to the FY 06-07 County Budget. The proposed budget amendment is the appropriation of the proceeds of a \$1,000,000 Qualified Zone Academy Bond to the School Construction Fund, which will be used by the Prince Edward County Public School System for the rehabilitation or repair of school facilities and for providing equipment for the schools.”

the floor was opened for public comment.

Dr. Patricia Watkins, Division Superintendent of the Prince Edward County Public Schools, thanked the Board for its support of the QZAB application and advised that the monies would be used for:

- Renovation of the Elementary School bathrooms;
- Addition security for the High School, Career & Technical Center, Bus Shop and buses; and
- Roof and water pipe repairs.

Following the public hearing, Chairman Fore advised that appropriations would be needed in order to enable the Prince Edward County Schools to spend the \$1,000,000 QZAB proceeds. Supervisor Moore moved that the Board approve the following appropriations to the School Construction Fund:

1. \$1,000,000 to Revenue Account #3-301-41040-0007, and
2. \$1,000,000 to Expenditure Account #4-301-94000-0055

The motion carried:

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

In Re: Park Properties - Public Hearing on Age Restricted Apartment Complex & Approval of Application for Tax Credits

The Chairman advised that this was the date and time for a public hearing to gather citizen input on the following conditional use request:

“Request of Park Properties, Inc. to construct a 44-unit age restricted apartment complex on a portion of a 90-acre parcel (Tax Map #53-A-1C), located at the intersection of Zion Hill Road and McLendon Drive.”

Notice of this hearing was advertised in the December 22, 2006 and December 29, 2006 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward. The floor was opened for comment.

Mr. William Park requested the Board’s approval, advising that the complex would be located adjacent to the existing Poplar Forest Apartments and would consist of 36 one-bedroom and 8 two-bedroom units ranging in price from \$400 (one-bedroom) to \$475 (two-bedrooms).

In response to questions from the Board, Mr. Park provided a copy of the site plan and explained that a separate entrance would be constructed.

County Planner Jonathan L. Pickett reported that Mr. and Mrs. William Harding, owners of Fever’s Restaurant & Lounge, had been in attendance during the Planning Commission’s public hearing on December 20, 2006 to make Mr. Park aware of the fact that the facility generates noise. Mr. Pickett informed the Board that Fever’s was approximately 450’ from the proposed site, there was a buffer of trees between the two properties, and the site plan indicated the apartments would be constructed on a lower elevation.

It was also noted that should the Board approve the request, Park Properties would be seeking a letter of support from the County as part of a competitive application process through the Virginia Housing Development Authority for tax credits that will be used to offset the rent charged to tenants. Mr. Park assured the Board that if awarded, the tax credits would be sold to corporate investors who would receive a break on their tax returns. It would in no way affect taxes owed to Prince Edward County.

There being no one else wishing to speak, the Chairman closed the public hearing and called the Board’s attention to the fact that the Planning Commission had recommended approval of the request.

Supervisor Moore made a motion to approve granting a conditional use permit to Park Properties, Inc. for the construction of a 44-unit age-restricted apartment complex on a portion of a 90-acre tract located on Zion Hill Road (Route 628) between McLendon Drive and Poplar Forest Road. The location is

part of Tax Map #52-A-1C and is adjacent to the existing Poplar Forest Apartments. The motion was seconded by Mr. Simpson and carried unanimously:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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Mrs. Gilfillan then moved that the Acting County Administrator be authorized to draft and sign a letter of support to be submitted with Park Properties' application for tax credits on the project. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Approval of Minutes

On motion of Mr. Moore and adopted by the following vote:

Aye:	Pattie Cooper-Jones Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None	Abstain: William G. Fore, Jr.
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the minutes of the meeting held at 5:00 p.m. on December 12, 2006 were approved.

Mr. McKay moved approval of the minutes of the meeting held at 7:00 p.m., December 12, 2006.

The motion carried:

Aye:	Pattie Cooper-Jones Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None	Abstain: William G. Fore, Jr.
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In Re: Approval of Accounts and Claims

The following accounts and claims were presented, and on motion of Mr. McKay were approved for payment by the following vote:

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

BOARD OF SUPERVISORS

Farmville Herald	Advertising	731.50
Howard F. Simpson	Mileage	273.23
Platinum Plus for Business	Meals/Refreshments	119.16

COUNTY ADMINISTRATOR

Platinum Plus for Business	Fed Ex-31.75	
	Books-57.00	88.75
AT&T	Phone	144.91
VITA	Pager rental	16.36
Embarq	Phone	428.49
U.S. Cellular	Phone	74.58
Diamond Springs	Office supplies	15.40
Key Office Supply	Office supplies	138.39
Moonstar BBS	DSL	95.00
Wal-Mart	Office supplies	35.21
Crewe-Burkeville Journal	Subscription	17.00
Richmond Times-Dispatch	Subscription	91.00

LEGAL SERVICES

Jill C. Dickerson	Retainer	1,837.50
James R. Ennis	Professional services	1,249.50

COMMISSIONER OF REVENUE

AT&T	Phone	62.54
VITA	Online service	125.38
Ntelos	Internet	19.95
Embarq	Phone	204.25
NADA Appraisal Guides	Office supplies	40.00
Southern Business Forms	Envelopes	78.20

TREASURER

James W. Elliott, Atty.	Advertising costs-369.00	
	Court costs-116.00	485.00
AT&T	Phone	54.47
AT&T	Phone	23.63
VITA	Online service	125.38
Embarq	Phone	196.15
Key Office Supply	Office supplies	185.79
M&W Printers Inc.	Receipt paper	1,008.80

	<u>INFORMATION TECHNOLOGY</u>	
Business Data of Virginia, Inc.	Travel expense-675.00	
	Monthly contract-2,800.00	3,475.00
	<u>ELECTORAL BOARD AND OFFICIALS</u>	
Owen G. Dunn Co.	Lever adapter & ramps	34.23
	<u>REGISTRAR</u>	
Dale L. Bolt	Postage-23.40	
	Mileage-137.05	
	Meals-21.40	181.85
AT&T	Phone	31.63
Embarq	Phone	124.02
VITA	Online service	3.25
Key Office Supply	Office supplies	560.49
	<u>CIRCUIT COURT</u>	
AT&T	Phone	37.33
Embarq	Phone	135.64
Key Office Supply	Norton anti-virus	89.95
Lawyers USA	Subscription	179.00
	<u>GENERAL DISTRICT COURT</u>	
AT&T	Phone-Juv Prob	135.56
AT&T	Phone-J&D	98.94
AT&T	Phone-Gen Dist Court	88.32
Embarq	Phone-J&D	75.71
Embarq	Phone-Juv Prob	109.08
Embarq	Phone-Gen Dist Court	308.66
U.S. Cellular	Phone	37.29
Key Office Supply	Office supplies	36.99
	<u>MAGISTRATES</u>	
AT&T	Phone	44.55
Embarq	Phone	77.90
VITA	Pager rental	16.36
	<u>CLERK OF THE CIRCUIT COURT</u>	
Embarq	Phone	280.34
Caskie Graphics Inc.	Desk seals-196.00	
	Filing system-8,126.00	8,322.00
Polk City Directories	Polk Directory	457.00
	<u>LAW LIBRARY</u>	
LexisNexis	Online service	187.00
Matthew Bender & Co., Inc.	Code book	56.22
Embarq	Phone	35.43
	<u>COMMONWEALTH'S ATTORNEY</u>	
Kinex Networking Solutions	Internet-49.95	
	Monitor-225.00	274.95
Embarq	Phone	284.01
Key Office Supply	Office supplies	445.90
Legal Directories Publishing Co., Inc.	07 Legal Directory	49.75
Matthew Bender & Co., Inc.	Code book	12.10

VICTIM WITNESS ASSISTANCE PROGRAM

Cindy Sams	Mileage & meal	86.57
AT&T	Phone	92.99
Embarq	Phone	45.25

SHERIFF

Commtronics of Virginia	Radio repairs	108.00
William Cary	Postage	5.60
AT&T	Phone	480.13
Embarq	Phone	539.07
Embarq Communications Inc.	Phone	12.71
U.S. Cellular	Phone	590.40
Virginia Sheriffs' Association	Dues	1,106.00
Wal-Mart	Office supplies-54.83	
	Dog food-44.80	99.63
Galls Inc.	Siren & Police supplies-1,235.46	
	Uniforms-374.91	1,610.37
Intoximeters Inc.	Police supplies	798.00
Century Uniform-Raleigh	Uniforms	394.25
Southern Police Equipment Company	Blackjac & vest	1,505.00

FARMVILLE VOLUNTEER FIRE DEPARTMENT

Farmville Auto Parts	Truck parts	179.87
Farmville Volunteer Fire Department	Phone	83.83
Fire & Safety Equipment Co.	Uniforms-2,284.33	
	Batteries & Flow Test-1,220.70	3,505.03
Kinex Networking Solutions	Internet	9.95
Town of Farmville	Fuel	146.64

RICE VOLUNTEER FIRE DEPARTMENT

AT&T	Phone	25.69
East End Motor Co., Inc.	Inspection & oil change	40.46
Fire & Safety Equipment Co.	Gloves	127.00
Embarq	Phone	81.24
Dominion Virginia Power	Electric service	236.98

PROSPECT VOLUNTEER FIRE DEPARTMENT

Citizens Bank & Trust Co.	Truck payment	3,424.73
Farmville Auto Parts	Maintenance supplies	5.38
Goodman Truck & Tractor	Truck maintenance	302.59
Town of Farmville	Fuel	394.50
Dominion Virginia Power	Electric service	132.38

DARLINGTON HEIGHTS VOLUNTEER FIRE DEPARTMENT

Carpet House	Metal track, tile, and supplies	887.22
Darlington Heights Volunteer Fire Department	Fuel & office supplies	194.90
Ellington Energy Service	Propane	529.85
Farmville Wholesale Electric	Electrical supplies	19.23
Lumber Yard Inc.	Maintenance supplies	307.37
Southside Electric Cooperative	Electric service	183.66
Verizon	Phone	63.70

PAMPLIN VOLUNTEER FIRE DEPARTMENT

AT&T	Phone	48.12
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Blue Ridge Rescue Suppliers	Annual equipment service	435.00
Davenport Energy	Propane	114.47
Verizon	Phone	118.44
Dominion Virginia Power	Electric service	123.85

MEHERRIN VOLUNTEER FIRE DEPARTMENT

Commtronics of Virginia	Antenna whip	27.19
Key Office Supply	Ink cartridge	71.96
W. S. Darley & Co.	Connector, coupling, & accountability tags	463.72
Roy C. Jenkins, Inc.	Fuel	1,202.10
Jack L. Slagle Fire Equipment	Nozzle handle	15.50
U.S. Cellular	Phone	148.04
Verizon	Phone	118.99
Dominion Virginia Power	Electric service	272.98

EMERGENCY SERVICES

Timmons Group	System maintenance	3,595.00
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REGIONAL JAIL

Family Preservation Service	Electronic monitoring	690.00
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BUILDING OFFICIAL

Coy Leatherwood	Battery charger-20.95	
	Mtg. registration-7.23	28.18
Treasurer of Virginia	Building permit levy	282.29
U.S. Cellular	Phone	37.29

ANIMAL CONTROL

Blue Tarp Financial Inc.	Bolts, nuts, & fasteners	5.29
Reid Broadwater	Coyote bounty	50.00
James H. Coleman	Coyote bounty	50.00
Brad Horne	Coyote bounty	50.00
Chris McClellan	Coyote bounty	50.00
Josh Pack	Coyote bounty	50.00
Randy Biggerstaff	Coyote bounty	50.00
Michael Galbraith, Sr.	Coyote bounty	50.00
VITA	Pager rental	16.36
Southern States	Feed bags	50.00
U.S. Cellular	Phone	79.23
Wal-Mart	Surge protector & phone	72.13

MEDICAL EXAMINER

Treasurer of Virginia	Coroner	40.00
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BIOSOLIDS MONITORING

U.S. Cellular	Phone	37.29
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REFUSE DISPOSAL

Resource International	Misc Work Tasks-526.36	
	Solid Waste Management Plan-807.50	
	Phase 1 Closure-4,089.71	
	Storm Water Compliance-105.00	5,528.57
Blue Tarp Financial Inc.	Bolts, nuts, fasteners and padlock	13.31
Southern States	Netting & grass seed	116.99
O. O. Stiff, Inc.	Monthly service	577.50

Dave M. Walker	Cleaning box site	250.00
Arena Trucking Company	Trash pickups	258.00
Resource International	Groundwater monitoring	11,698.10
Wright's Excavating	Landfill operation	31,250.00
AT&T	Phone	180.98
Embarq	Phone	230.86
U.S. Cellular	Phone	37.29
Verizon	Phone	98.03
Farmville Auto Parts	Antifreeze	27.68

GENERAL PROPERTIES

Servicemaster	Janitorial service	4,875.83
O. O. Stiff, Inc.	Monthly service	100.00
Thyssenkrupp Elevator	Service contract	1,734.18
Southside Electric Cooperative	Electric service	142.98
Dominion Virginia Power	Electric service	8,998.68
Town of Farmville	Water & sewer:	
	Ag Bldg-112.83	
	CH irrigation-15.73	
	Moore Bldg-38.03	166.59
Embarq	Phone	63.54
U.S. Cellular	Phone	228.63
Wal-Mart	Janitorial supplies	43.99
Blue Tarp Financial Inc.	Maintenance supplies	116.85
VITA	Pager rental	33.62
Farmville Wholesale Electric	Fluorescent tubes & splicing tape	141.09
O K Termite & Pest Control	Exterminating service	150.00
Pearson Equipment Co.	Tiller rental	45.00
Farmville Auto Parts	Antifreeze & oil	85.70

CANNERY

Dixie Canner Equipment Co.	Air regulating valve	266.20
Southside Electric Cooperative	Electric service	72.48

COMPREHENSIVE SERVICES ACT

Bedford County Treasurer	Foster care	2,812.00
Crossroads Services Board	Professional services	7,707.60
Dominion Youth Services	Foster care	6,019.20
Elk Hill	Professional services	700.00
Family Preservation Services	Professional services	11,452.50
Violet Fane	Foster care	800.06
Juanita Fisher	Foster care	230.00
Grafton School Inc.	Professional services	6,788.00
Shirley Hicks	Foster care	381.00
Helton House, Inc.	Professional services	2,259.00
Christy Johnson	Foster care	326.00
Mildred Jones	Foster care	270.00
Margaret Jones	Foster care	326.00
Ernestine Lee	Foster care	762.00
Poplar Springs Hospital	Professional services	2,400.00
Presbyterian Home & Family Services	Foster care	14,773.00
Toni Russell	Foster care	827.74
Ananda B.Chellappan, M.D.	Foster care	480.00
Mable H. Shanaberger	Administrative fee	150.00

<u>PLANNING</u>		
Garland Carmichael	Commission meeting	107.12
Samuel Coleman	Commission meeting	110.68
Donald Gilliam	Commission meeting	117.80
Robert M. Jones	Commission meeting	104.45
Jack Leatherwood	Commission meeting	100.00
Thomas M. Pairet	Commission meeting	100.00
Clem Richards	Commission meeting	117.80
Mattie P. Wiley	Commission meeting	100.00
Platinum Plus for Business	Postage	32.48
U.S. Cellular	Phone	37.29
Jonathan L. Pickett	Mileage	308.21
Farmville Herald	Advertising	161.50

<u>COMMUNITY DEVELOPMENT</u>		
Virginia Regional Transit	Piedmont Area Transit Service	10,000.00

<u>ECONOMIC DEVELOPMENT</u>		
McCain Printing Co., Inc.	Brochures	399.66
Vaden & Associates, Inc.	Brochure & map layout	300.00
AT&T	Fax	31.97
SuddenLink	Internet	104.24
Moonstar BBS	Webhosting	15.00
Embarq	Phone	188.55
JJ's Best Buy	Cups, plates, towels & trays	141.00
Platinum Plus for Business	Client gifts-80.80	
	Postage & supplies-269.55	350.35
Key Office Supply	Office supplies	19.62
OCO Industries, Inc.	Conference packet gifts	276.48

<u>COOPERATIVE EXTENSION OFFICE</u>		
Embarq	Phone	94.14

<u>CAPITAL PROJECTS</u>		
Draper Aden Associates	Sandy River Reservoir Supply Options & Financial Analysis	4,635.08
Piedmont Soil & Water Conservation District	Dam 12 repairs	120.00

<u>DEBT SERVICE</u>		
Rural Development	Loan #97-01—6,508.00	
	Loan #97-02—10,118.00	16,626.00

<u>CAPITAL PROJECTS</u>		
Jonathan L. Pickett	Recording fees	23.00

<u>RETIREMENT BENEFIT FUND</u>		
Vicki K. Johns	Retiree benefit	892.00

<u>PIEDMONT COURT SERVICES</u>		
Dominion Virginia Power	Electric service	95.94
PBCC	Meter rental	125.00
AT&T	Phone	189.56
Embarq	Phone	231.05
Sheena Franklin	Mileage	115.70

Sharon Gray	Mileage	52.51
Lisa Green	Mileage	15.57
Connie Stimpson	Mileage	104.49
Renee T. Maxey	Mileage	64.08
Andy Mays	Mileage	33.82
Rebecca Moss	Mileage	55.17
Connie Stimpson	Lodging	98.83
Treasurer of Virginia	Registration	139.65

PIEDMONT COURT SERVICES SUPERVISION FEES

SRP Corporation LLC	Rent	1,550.00
County Seat Restaurant	Meals	264.56
Page Harding	Cleaning service	120.00

PIEDMONT COURT SERVICES DRUG TESTING

Scientific Testing Lab	Drug testing	108.99
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ADDENDUM BILL LIST

COUNTY ADMINISTRATOR

Farmville Printing	Copies	171.70
JJ's Best Buy	Cups	32.98

INDEPENDENT AUDITOR

Robinson Farmer & Cox Associates	05-06 Audit	25,000.00
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INFORMATION TECHNOLOGY

ComputerPlus Sales & Service	Maintenance contract	270.00
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CLERK OF THE CIRCUIT COURT

AT&T	Phone	73.26
Matthew Bender & Co., Inc.	Code books	177.50
Brown's River Bindery, Inc.	Deed Book restoration	9,806.00

COMMONWEALTH'S ATTORNEY

AT&T	Phone	208.58
Crane-Snead & Associates, Inc.	Trial transcript	126.00
Farnsworth & Taylor	Trial transcript	138.00

SHERIFF

East End Motor Co., Inc.	Auto inspections, maintenance & repairs	1,818.80
Farmville Auto Parts	Auto maintenance	86.11
Franklin Auto Body Repair	Auto repairs	986.88
Third Street Wrecker Service	Tire change	55.00
Platinum Plus for Business	Postage-83.84	
	Meals-78.66	
	Credit-(139.00)	
	Gas-32.77	
	Uniforms-5.25	61.52
Diamond Springs	Office supplies	57.15
Farmville Printing	Copies	11.16
Key Office Supply	Office supplies	559.42
Kinex Networking Solutions	DSL-52.45	
	Service call-32.50	84.95

Galls Inc.	Lightbar	1,791.48
Newman Tire Co., Inc.	Tires, alignment, & flat repair	1,497.72
Town of Farmville	Fuel	5,398.87
Galls Inc.	Vehicle unlock kit	131.79
Printech Inc.	Traffic summons	548.92
Century Uniform-Raleigh	Uniforms	219.55
Galls Inc.	Uniforms	282.72

PROSPECT VOLUNTEER FIRE DEPARTMENT

Roy C. Jenkins, Inc.	Propane	173.12
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REGIONAL JAIL

Piedmont Regional Juvenile Detention Center	Juvenile Detention	9,000.00
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BUILDING OFFICIAL

East End Chevron	Oil change	24.40
Town of Farmville	Fuel	209.10

ANIMAL CONTROL

Town of Farmville	Fuel	352.88
William Robert Peters	Coyote bounty	50.00
Embarq	Phone	166.66

BIOSOLIDS MONITORING

Town of Farmville	Fuel	147.77
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REFUSE DISPOSAL

Jimmy's Servicecenter	Truck maintenance	597.70
Embarq	Phone	46.18
Newman Tire Co., Inc.	Flat repairs	67.20
Town of Farmville	Fuel	1,714.48

GENERAL PROPERTIES

Dominion Virginia Power	Electric service	1,539.56
Ellington Energy Service	Propane & fuel oil	4,322.72
Roy C. Jenkins, Inc.	Fuel oil	4,290.00
Embarq	Phone	47.14
Embarq	Line to hospital	7.97
Aramark Uniform Services	Janitorial supplies	161.50
Fisher Auto Parts, Inc.	Tools	46.90
Price Supply Co., Inc.	Maintenance supplies	24.41
Cintas Corporation	Uniform rental	379.44
East End Motor Co., Inc.	Inspection	16.00
Fisher Auto Parts, Inc.	Antifreeze	67.12
Town of Farmville	Fuel	369.18

CANNERY

Price Supply Co., Inc.	Repair part	.36
Roy C. Jenkins, Inc.	Fuel oil	503.30
Embarq	Phone	31.34

COMPREHENSIVE SERVICES ACT

Latrind Abdus Sabur	Foster care	330.00
Rickey Brown	Foster care	1,449.00
Helton House, Inc.	Professional services	2,312.97

Jackson-Field Homes, Inc.	Foster care	2,066.00
Pat Jones	Foster care	130.00
Presbyterian Home & Family Services	Foster care	2,774.50
<u>MUSEUMS</u>		
Price Supply Co., Inc.	Filters	31.20
<u>PIEDMONT COURT SERVICES</u>		
Charlotte Gazette	Advertising	98.00
Kenbridge Victoria Dispatch	Advertising	98.00

In Re: Treasurer's Report

Mrs. Mable H. Shanaberger explained that no Treasurer's Report was available as she was having trouble settling the trial balance and had not had time to work on it because of the tax collection deadline. She did report, however, that over 90% of the 2006 personal property and real estate taxes, as well as 100% of public service taxes, had been collected.

In Re: Authorize Issuance of Treasurer's Check – Poplar Hill CDA

The Board received a request from the Poplar Hill Community Development Authority that pursuant to Section 15.2-5158 of the Code of Virginia 1950, as amended, the County remit to the Authority all Special Tax revenue levied and collected on the privately owned property within the Authority District for the year 2006.

County Treasurer, Mable H. Shanaberger, advised that the amount of the Special Tax collected on the aforementioned properties for 2006 was \$31,249.00.

On motion of Mr. McKay and unanimously carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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the Board authorized Mrs. Shanaberger to issue a Treasurer's check to Poplar Hill Community Development Authority in the amount of \$31,249.00.

In Re: Highway Matters

Mr. Mark McKissick, Assistant Resident Engineer, reported that the Virginia Department of Transportation had officially announced the closing of the Green Bay Maintenance Facility. He told the Board that Mr. Bill King, Superintendent of the Green Bay Headquarters, had received a lateral transfer to the Residency Offices in Dillwyn. There was no word on the job status of the remaining employees.

Mr. McKissick also reported that progress was being made on obtaining right-of-way for the Route 613 and 751 projects. However, the Residency had received word that the State was restricting the use of certain funding, thus necessitating a second work session and public hearing on the Six-Year Plan. The Board scheduled a work session for 5:00 p.m., Tuesday, February 13, 2007. A public hearing on the Six-Year Plan will be advertised for the March 13, 2007 meeting.

Mr. Moore asked pertaining to the progress of the new dumpster site in Virso. Mr. Pickett indicated that advertisements would be run during the upcoming week seeking bids for the containers and site work.

In Re: Review of Lowe's Site Plan

Mr. Brian Bradner and Mr. Chad Abbitt, of Dewberry and Davis, presented a site plan and overview of the Lowe's project that will be located at the intersection of U.S. Route 15 and Dominion Drive. The Board was advised that the store would encompass 110,000 sq. ft., and while being the smaller of the two company prototypes, would have all the components of the larger store including a garden center and lumber area with drive-thru canopy. Parking will be provided in the front of the building, and two entrances are proposed—one off Dominion Drive and the other off U.S. Route 15. A traffic signal is to be installed at the intersection of Dominion Drive and Route 15. A storm water management pond will be located at the rear of the property that will serve not only Lowe's, but any future development between Dominion Drive and Route 628.

During the question and answer period, Supervisor Gilfillan requested that additional trees and landscaping be added to the parking lot. Earlier in the presentation, Mr. Bradner had indicated that the proposal included landscaping only along Route 15 and Dominion Drive, and in the islands running along the entrances.

Mrs. Cooper-Jones expressed concern regarding potential traffic congestion relating to the Prince Edward County Public Schools. She was advised that right and left-turn lanes would be added for access to the business. In addition, Lowe's would be working in conjunction with VDOT on a traffic study.

Building signage will include standard Lowe's lettering, as well as a sign denoting the garden center and lumber canopy. One 38' pylon sign will be located at the Route 15 entrance. The site plan also referenced outdoor sales of seasonal items such as mulch, gas grills, lawn mowers, etc.

Supervisor Cooper-Jones asked that the Board be allowed to review a revised landscaping plan depicting the location and type of trees to be planted, as well as the final plan approved by VDOT.

County Planner, Jonathan L. Pickett, brought up an issue involving lighting, and was told by Mr. Bradner that all lighting was designed to project downward and within the property boundaries.

Chairman Fore advised that the Planning Commission had recommended approval of the site plan, but asked the Board how it wished to proceed in view of the issues raised.

Mr. Simpson moved approval provided: 1) prior to proceeding with the project the Board be allowed to review the revised landscaping plan and VDOT recommendations for ingress and egress to the property, and 2) all lighting be directed internally and downward. The motion carried:

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

In Re: Commonwealth Regional Council Request – Regional Review of County Zoning Ordinances

Mr. Jonathan L. Pickett, County Planner, advised that a memorandum had been received from Mrs. Mary Hickman, Director of Planning of the Commonwealth Regional Council, advising that the CRC had been contacted regarding a regional service approach for zoning ordinance reviews. Mrs. Hickman indicated the CRC was receptive to the idea and would proceed in contracting with a consultant provided at least two member localities agreed to participate.

She also advised that since no grant funds were available for such an effort, the total costs must be borne by the localities and will be dependent on the number of participants.

Mr. Pickett agreed that the proposal had merit, but recommended the Board not participate at this time due to the fact the County was nearing completion of its current review of the revised zoning ordinance.

After discussion, Mrs. Gilfillan made a motion that the Board not enter into an agreement at this time, but convey support for the general idea and make the Commonwealth Regional Council aware that the County may be interested in the future. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Informational Meeting on Revised Zoning Ordinance

Mr. Pickett advised that the Planning Commission would be holding an informational meeting at 7:00 p.m., January 22, 2007, on the revised zoning ordinance. He indicated that the proposal drafted by the Planning Commission included a four-acre density in the Agricultural Conservation District allowing for lots as small as two acres, and would not impact family subdivisions. Provided the proposal does not generate a great deal of public opposition, the Planning Commission will hold a public hearing February 21, 2007, and could forward a recommendation to the Board of Supervisors by March.

Mrs. Gilfillan requested that notices of the meeting be announced on the local radio station, as well as advertised in the newspaper.

In Re: School Board Appointments

Chairman Fore advised that the terms of the following School Board members would expire June 30, 2007:

Susan Lawman – District 201 (Jones)
Thomas Tillerson – District 601 (Ward)

Board members directed that an advertisement be run in THE FARMVILLE HERALD soliciting persons interested in serving on the citizen committees to review and select candidates for appointment to the School Board.

In Re: Appointment to Piedmont Regional Jail Board

In response to questions brought up during the December meeting concerning appointments to the Piedmont Regional Jail Board, Mrs. Puckett advised that the County makes two appointments to the Jail Board. One is a citizen representative who serves at the pleasure of the Board of Supervisors with no set term of office. This position is currently held by Mr. James W. Garnett, Jr.

The other is an alternate who also serves at the pleasure of the Board of Supervisors and is called upon to attend meetings and vote in the absence of the citizen representative. Mrs. Mildred B. Hampton holds this position.

Mrs. Puckett further explained that each member jurisdiction is represented by two appointments to the Jail Board—the Sheriff (legislatively mandated) and a citizen appointed by the Board of Supervisors. Both appointments have an alternate. The Sheriff appoints his own alternate, and the alternate for the citizen representative is appointed by the Board of Supervisors.

Mr. Moore made a motion that Supervisor Pattie Cooper-Jones be appointed to the alternate position. Mrs. Cooper-Jones thanked Mr. Moore but indicated she was not interested in serving as the alternate, and wished to be considered for appointment as the citizen representative.

Board members discussed the merit of having someone with experience on the Jail Board, noting that Mr. Garnett had held the position since the conception of the Jail and had not indicated a desire to step-down. Mrs. Cooper-Jones voiced the opinion that it was unfair for anyone to assume that an appointment was guaranteed for life.

After some further discussion, Supervisor Gilfillan moved that Mrs. Cooper-Jones be appointed as the County's citizen representative to the Piedmont Regional Jail Board. The motion failed:

Aye: Pattie Cooper-Jones
Sally W. Gilfillan
Lacy B. Ward

Nay: William G. Fore, Jr.
Robert M. Jones
Charles W. McKay
James C. Moore
Howard F. Simpson

Mrs. Gilfillan then moved that a one-year term limit be set on the citizen representative position with appointments to be made in January. During discussion it was agreed that the bylaws of the Piedmont Regional Jail Board should be reviewed prior to such action, therefore, the motion was withdrawn.

The Board also directed that the vacancy created by Mrs. Hampton's retirement be advertised.

In Re: Information Technology Committee Request

Mrs. Gilfillan advised that the Information Technology Committee would begin work on the County's new web site during its January 31, 2007 meeting, and asked fellow Board members to submit recommendations on the site's content and priorities for adding information.

In Re: American Red Cross Statement of Understanding

Mr. Jonathan L. Pickett, Director of Planning and Community Development, reported that the Southside Area Chapter of the American Red Cross was requesting that all counties in its coverage area enter into a "Statement of Understanding" delineating the services the Red Cross will provide in cases of emergency.

Mr. Pickett complimented the Red Cross for its assistance in operating emergency shelters following Hurricane Fran (1996) and Hurricane Isabel (2003), and recommended the Board enter into the agreement.

After discussion, Mr. Jones moved that Mr. Pickett and Chairman Fore be authorized to sign the Statement of Understanding on the County's behalf. The motion carried unanimously:

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

In Re: Request for County Flag

The Board received a letter from Taylor-Forbes Equipment Company, Inc. requesting that it be allowed to purchase a Prince Edward County flag for exhibit in its showroom. The letter explained that the

company currently maintains a display that includes the U.S. Flag, as well as flags from its equipment suppliers. The County flag would be added to the collection.

A motion was made by Mr. McKay directing staff to make arrangements with the company that manufactures the County's flag so that citizens, businesses, etc. may purchase them directly from the supplier, and that ordering information be provided to Taylor-Forbes Equipment Co., Inc. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: County Attorney Vacancy

Mrs. Sarah Elam Puckett, Acting County Administrator, presented the Board with a draft advertisement for the County Attorney's position. The ad was modeled after samples provided by the Virginia Institute of Government.

Mrs. Puckett also advised that the Virginia Institute of Government had furnished a number of sample contracts for the position, and recommended the Board either appoint a committee to review the contracts or have the entire Board consider them during the work session that will be scheduled on the County Administrator's position.

Chairman Fore also called the Board's attention to a request from Mrs. Roma Morris, Director of the Department of Social Services, that the County Attorney's job description include assisting DSS when there is a conflict with the Agency Attorney regarding a case.

During discussion, Board members agreed that the request from the Department of Social Services should not be a requirement of the new County Attorney, but could be offered to him/her as an option.

Mr. Ward expressed concern with having the Commonwealth's Attorney serve as the County's Attorney due to his role as prosecutor, and pointed out the benefits of seeking the services of a law firm versus an individual.

Mr. Moore made a motion that: 1) wording in the advertisement of the County Attorney's position be revised to include services of law firms as well as individuals, and 2) ads be run in *The Farmville Herald*, *Richmond Times-Dispatch*, *Lynchburg News and Advance*, Local Government Attorneys Newsletter/Website, and VACo and VML Newsletters/Websites with a closing date of March 9, 2007.

The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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The Board also agreed that it would act as a committee of the whole in reviewing the sample contracts provided by the Virginia Institute of Government for the County Attorney's position.

In Re: Appointment of Interim County Attorney

Supervisor Jones made a motion that Commonwealth's Attorney, James R. Ennis, be appointed to serve as the County's interim attorney until a new County Attorney is appointed. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson	Nay: Lacy B. Ward
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In Re: Joint Meeting with Farmville Town Council

The Board was advised that Farmville Town Council had requested a joint meeting be held January 22, 26, or 29 at the train station. A tentative date of Monday, January 22, 2007 was selected.

In Re: Schedule Work Session on Search for County Administrator and County Attorney

The Board scheduled a work session for 10:00 a.m., Wednesday, January 24, 2007 to begin the process of searching for a new County Administrator and County Attorney.

In Re: FOIA Training

On recommendation of Supervisor Jones, the Board agreed to contact the Virginia Association of Counties for training on the Freedom of Information Act. Mrs. Gilfillan asked that invitations also be extended to the Constitutional Officers, so they may participate or have representatives present at the training.

In Re: Library – Authorize Award of Contract for Architect

Acting County Administrator, Sarah Elam Puckett, reported that the Library Interview Panel had interviewed four firms and was recommending that the County and Town negotiate a contract with *The Design Collaborative, Library Architects* for the new library building.

During discussion, Board members were reminded that the County had agreed to pay two-thirds of the construction costs of the new library, with the Town of Farmville paying one-third. Supervisor Gilfillan suggested that the County also enter into a Memorandum of Agreement with the Town.

She then made a motion that the Board approve granting authorization for the Library Committee to enter into contract negotiations with *The Design Collaborative, Library Architects* for the Farmville-Prince Edward Community Library Project. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Resolution – Funding for High Bridge Trail State Park

On motion of Supervisor McKay and carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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the Board adopted the following resolution requesting support from the Governor and General Assembly for funding for the High Bridge Trail State Park:

A RESOLUTION OF THE
BOARD OF SUPERVISORS OF THE COUNTY OF PRINCE EDWARD, VIRGINIA

HIGH BRIDGE TRAIL STATE PARK

WHEREAS, in 2004 Norfolk Southern Corporation filed a petition with the Surface Transportation Board for the abandonment of 33.8 miles of railroad between the Town of Pamplin and Town of Burkeville, which passes through the County of Prince Edward and the Town of Farmville; and

WHEREAS, since 2004, the Board of Supervisors of the County of Prince Edward has unanimously supported and worked closely with the Virginia Department of Conservation and Recreation on the creation and planning for the transition of the rail corridor to a linear state park; and

WHEREAS, the Board of Supervisors of the County of Prince Edward believes that *High Bridge Trail State Park* will preserve this historic corridor for future generations, protect High Bridge, and create significant economic opportunity for our citizens; and

WHEREAS, the 2004 Virginia General Assembly approved House Bill 643 enabling the Virginia Department of Conservation and Recreation to accept a donation of the abandoned rail corridor from Norfolk Southern for the purpose of establishing a rails-to-trails state park; and

WHEREAS, on December 28, 2006, the ownership of the Norfolk Southern property was transferred to the Commonwealth of Virginia for the creation of *High Bridge Trail State Park*;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Prince Edward hereby requests the support of Governor Timothy Kaine and the Virginia General Assembly to assist our community and the Commonwealth with funding for the construction of *High Bridge Trail State Park*.

In Re: Appointment – Town/University Committee

Board members reviewed correspondence from Mr. Gerald J. Spates, Town Manager, in which an invitation was extended to the County to have representation on the Town/University Committee. Vice-Chairman Simpson volunteered to serve.

In Re: Erroneous Assessment – Irene Mitchell Legon

On motion of Mr. Jones and adopted by the following vote:

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

Nay: None

the Prince Edward County Board of Supervisors approved payment of \$63.24 to Irene Mitchell Legon for refund of taxes erroneously assessed during the 2003-2006 tax years.

In Re: Dance Hall Permit – New Fevers Restaurant & Lounge

Board members were advised that Mr. William Harding had submitted an application to renew the dance hall permit for New Fevers Restaurant & Lounge, located at 193 McLendon Drive off Route 628. Having paid the necessary fees and completing the required building inspection, a motion was made by Mr. Moore and carried:

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

Nay: None

approving issuance of a dance hall permit to New Fevers Restaurant & Lounge for the 2007 calendar year.

Acting County Administrator, Sarah Puckett, advised that a letter would be sent to Mr. Harding reminding him that the County's Dance Hall Ordinance had been amended to require that security personnel be in attendance at all events, and the Prince Edward County Sheriff's Department would be conducting random checks to ensure compliance.

In Re: Sale of 73.88 Acres Near Crestview Subdivision – Request for Investigation

Mrs. Cooper-Jones asked that action be taken to address citizens' concerns being repeatedly brought before the Board involving the sale of 73.88 acres behind Crestview Subdivision. "These questions are not going to go away until we as a Board get (answers) to these questions."

When asked how she proposed the Board go about finding the answers, Mrs. Cooper-Jones suggested the Commonwealth's Attorney be asked to call for an investigation by an outside attorney, the FBI, or a grand jury.

Mr. Ward agreed and offered the following statement that was distributed, in letter form, to each member of the Board:

*To: Members, Prince Edward County Board of Supervisors
From: Lacy B. Ward
Subject: Sale of 73.88 acres near Crestview Neighborhood
Date: January 9, 2007*

"By letter dated December 8, 2005, the Chairman of the Prince Edward County Board of Supervisors was advised that bids on the 73.88 acres of the County land sold to Clayton Bryant were missing from the County files. In that letter, I also requested the Chairman direct the County Administrator to locate the bids and return them to the files. This request was also rejected (Fore to Ward letter, dated January 3, 2006).

Included in the Board packet for the December, 2006 meeting was a document (contract for the sale of the land in question) signed by our Chairman on 05-14-03. This document was missing from the file I received on December 8, 2005 and was not made available to the members of this Board until its inclusion in the December, 2006 Board packet.

This contract adds to the confusion of this already controversial sale of public property. This blurred copy of the contract included in the December, 2006 Board packet indicates that a deposit of \$1,000.00 was made on the property on 04-10-03 and signed by the successful bidder, Clayton Bryant on 04-11-03. The vote to sell the property did not occur until 05-13-03. The purchase price on the contract was changed three times \$210,000.00, \$250,000.00 and \$225,000.00. Lines were drawn through the \$210,000.00 and \$250,000.00. It is perplexing that the Chairman's initials appear above the \$250,000.00. Does that mean the Chairman rejected the larger offer of \$250,000.00? This raises the question of whether the buyer actually paid the \$25,000.00 commission to the realtors (Remax and Caldwell Banker Forehand) or was the realtor's fee provided by an adjustment in the sales price?

On December 14, 2006, I visited the County Administrator's Office to review the file on the County/Bryant land sale. This time I spoke with Assistant County Administrator Puckett. The file contained a copy of the contract. I inquired as to whether the County had more than one file on this sale of land. I was assured that there was only one file. She stated that the contract was in the County Attorney's file when I examined our file in December 2005. In order to respond to Mr. Shepperson's FOI request, the County had to obtain the contract from the County Attorney's file, according to Mrs. Puckett.

I then requested to review Mr. Shepperson's FOI file and discovered that a fax cover sheet was attached to the much clearer copy of the contract in the Shepperson's FOI file. This cover sheet, dated 5-16-03 was addressed 'to Jill from Sherry'. It contained these remarks, 'Enclosed is the contract with Clayton's initials. Is this sufficient? Vivian is representing Clayton. Please close ASAP.'

This document, which was secretly executed and withheld from this Board for three years, raises numerous questions pertaining to the manner in which this public

asset was disposed of and the allegations surrounding the sale of this valuable County property. These questions are plentiful and should be clarified; otherwise, this Board will remain under a cloud of suspicion. As a result of how this sale was handled, taxpayers lost approximately one-half million dollars.

Some events pertaining to this sale are particularly disturbing:

- 1) The tip from a private citizen that he had been told that Clayton Bryant had purchased the land on 4-24-03. The secret contract made available in the December 2006 Board packet lends credence to this tip.*
- 2) Just six days after receiving the tip (4-30-03) the first public ad appeared in THE FARMVILLE HERALD and the second and final public ad appeared two days later (5-2-03). The public was only given 14 days to respond to the ad (5-12-03). The property was only advertised in THE FARMVILLE HERALD.*
- 3) After discovering that the bids were missing from the County's file on December 8, 2005 and reporting the missing documents to the Chairman on December 19, 2005, apparently little effort, if any, has been made to locate the missing bids. It was only after Supervisor Gilfillan's request to the County Attorney during the Board meeting, that outside sources connected to the sale was asked for copies of the bids from their respective files. It was reported in the record that Mr. McMillan's bid was \$150,000.00. However, his signed statement indicates that his bid was \$175,000.00. He did not submit his actual bid.*
- 4) Why was it necessary or appropriate to execute a contract and accept a deposit on the land more than a month prior to the Board's decision to sell the property?*
- 5) Why was this contract kept secret from the Board for more than three years?*
- 6) Why was the land not appraised nor a public hearing held prior to the sale of the land?*

There are numerous other questions to be raised concerning the contract and the overall handling of the sale of this property. Knowing what we know at this point, as a Board, we are compelled to seek answers to these questions for the sake of our constituents. Since we lack the expertise and authority to conduct a thorough and credible investigation, I suggest that this Board request such an investigation by an agency with the necessary expertise and authority.

I offer this motion that the Prince Edward County Board of Supervisors request that the Prince Edward County Commonwealth Attorney seek an appropriate, independent, investigation of this matter either by a Commonwealth Attorney outside the area or an appropriate federal agency such as the Federal Bureau of Investigation (FBI) or a Special Grand Jury."

The Chairman called for discussion of the motion.

Mr. McKay recalled that during a closed session the Board authorized the Chairman “to sell (the property) for \$250,000. He (Mr. Bryant) came back with a counter offer of \$210,000. We (the Board) came back in closed session and authorized you (Chairman Fore) to try to get \$250,000, but hold out for \$225,000 and not sell for less than \$225,000.”

Mr. Jones added, “He (Mr. Bryant) made an offer to the County before we ever put it up for sealed bid. That’s what gave us the interest in going ahead and possibly selling the land—because he approached us about selling it. The thought was that this land is called surplus land, the County has no use for it, it is separated from our industrial park, it’s on the other side of the bypass—why don’t we look into selling it? Before we (advertised) notice of the sealed bids, we got the timber cruised on the property...That took a month’s time period for us to get the report back. I can’t remember the figure, but it surprised me that there was more timber than I thought. Then we discussed, and I think that’s when we decided, to put this thing up for sealed bids. That’s the fairest way to dispose of it. The sealed bid process proceeded from there. That’s my recollection.”

In further explanation, Mr. Jones stated “the realtor (Mrs. Sherry Honeycutt) was showing him (Mr. Bryant) another piece of property at the time. It apparently bordered the County’s property...She (Mrs. Honeycutt) approached us with his (Mr. Bryant’s) offer. That’s probably where the first figure, that was scratched out on that sheet, came from.”

During further discussion, Mr. McKay asked that the record show that he had not done anything he felt was wrong. “The offer was made. I voted for it. We sold it. That was it. I know there has been a lot of discussion. The Board has been called corrupt over this. I did nothing corrupt. I’m not corrupt, and I went home and went to sleep and I’ll do the same thing tonight because I vote my conscience. We did what we thought was best at the time.”

Mrs. Gilfillan stated that the Board needed to move away from the idea that anyone had personally been accused of being corrupt. “We have stewardship of the County government by virtue of being a Supervisor. We are stewards of this County’s government. We’ve talked about the fact that the timber was appraised at \$165,000 and (the property) was sold for \$225,000—which is close to \$1,000 per acre. Our stewardship comes into the fact that we have people making Freedom of Information requests and they

were told...there's nothing. We need to send a message to our County government that that's not acceptable...Our County government needs to know we do things right.”

The Board returned to Mr. Ward's motion that the Prince Edward County Commonwealth's Attorney be requested to seek an appropriate, independent investigation of the sale of the 73.88 acres near Crestview Neighborhood either by a Commonwealth Attorney outside the area, an appropriate federal agency such as the Federal Bureau of Investigation (FBI), or a Special Grand Jury. The motion carried unanimously:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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In Re: Closed Session

Supervisor Cooper-Jones made a motion that the Board convene in Closed Session to discuss three prospective business and industry projects where no previous announcement had been made pursuant to the exemptions provided for in Section 2.2-3711(A)5 of the *Code of Virginia*; and to discuss the candidates for employment for two county positions, the promotion of one county employee, the demotion of one county employee, the performance of one county employee, and the salary of a county official pursuant to the exemptions provided for in Sections 2.2-3711(A)1 of the *Code of Virginia*. The motion carried:

Aye:	Pattie Cooper-Jones William G. Fore, Jr. Sally W. Gilfillan Robert M. Jones Charles W. McKay James C. Moore Howard F. Simpson Lacy B. Ward	Nay: None
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The Board returned to regular session by motion of Mr. McKay and adopted as follows:

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

Nay: None

On motion of Mr. Moore, seconded by Mr. McKay, and carried by the following roll call vote:

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

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: County Administrator's Leave Pay

Supervisor Cooper-Jones made a motion that former County Administrator Mildred B. Hampton be compensated for annual and sick leave in accordance with the Prince Edward County Personnel Policies Manual.

The motion carried unanimously:

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

Nay: None

In Re: FY 07-08 Salaries Adjustments

Mrs. Gilfillan noted that work would soon begin on the FY 07-08 budget and reminded the Board that effective with the adoption of the County's Personnel Policy (January 1, 2006), all salary increases are to be based on employee job classifications and position on the grade/step schedule. Said schedule to be adjusted annually based on the consumer price index.

In Re: Building Official's Report

Mr. Coy Leatherwood, Building Inspector, submitted a report for the month of December 2006, which was reviewed and ordered to be filed with the Board papers.

In Re: Animal Warden's Report

Mr. Ray Foster, Animal Warden, submitted a report for the month of December 2006, which was reviewed and ordered to be filed with the Board papers.

In Re: Cannery Report

Mrs. Lena Rose Huddleston, Cannery Manager, submitted a report for the month of December 2006, 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 2006, which was reviewed and ordered to be filed with the Board papers.

On motion of Mr. Moore and adopted by the following vote:

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

Nay: None

the meeting was recessed at 11:53 p.m., and will tentatively reconvene at 12:00 noon, January 22, 2007.