

At the Regular Meeting of the Greensville County Board of Supervisors, held on Monday, April 6, 2009, with Budget Session beginning at 2:00 p.m., Closed Session beginning at the Conclusion of Budget Session, and Regular Session beginning at 6:00 p.m., in the Board Room of the Greensville County Government Building, 1781 Greensville County Circle, Emporia, Virginia.

Present: Peggy R. Wiley, Chairman
Michael W. Ferguson, Vice-Chairman
James C. Vaughan
Dr. Margaret T. Lee

The meeting was called to order by Chairman Wiley at 2:00 p.m.

In Re: Budget Summary

Mr. Whittington, County Administrator, stated that there were about eight appointments scheduled for the budget meeting and that there was still a surplus of about \$3,729.00. He also stated that all reductions in force letters had gone out and budgetary cuts had been made.

In Re: Commissioner of the Revenue

Mrs. Martha Swenson addressed the Board of Supervisors stating that she had four new programs and that her office was two months behind. She stated that she had requested \$8,000 in part-time salary funding but would accept \$4,000. Mrs. Swenson further requested \$2,000 in construction money, money to be reinstated concerning postage because it was going to increase in May, that the \$940 be reinstated for travel and training and that the money be reinstated for office supplies.

Supervisor Ferguson stated that he would like for the Supervisors to consider providing the Commissioner of Revenue's Office with the part-time help she requested. He also stated that he would like to know what the office was doing differently than the rest of the jurisdictions.

Supervisor Vaughan and Supervisor Lee suggested that Mrs. Swenson make due with what she had at the moment and come back later if she runs out of office supplies.

There was a consensus to wait on making a decision on the part-time help until the information was returned concerning the different job duties.

In Re: Electoral Board – Registrar

Mrs. Mabel Powell addressed the Board of Supervisors stating that there would be a Primary and General Election this year. She requested that the deductions be added back in for the co-workers and mileage, payroll, equipment, lease of building, office supplies, and travel and training due to both elections. Mrs. Dorothy Kea addressed the Supervisors requesting that the salary funding be added back in because she only budgeted enough to pay her assistant who would be covering when she was out on leave.

In Re: Coalition for Delayed Parenthood

Mr. Puryear, Executive Director, for the Coalition of Delayed Parenthood, addressed the Board of Supervisors and gave an extensive description of the programs offered by the organization. He requested that the Board of Supervisors reconsider funding the organization in the amount of \$6,000.

In Re: Chowin Basin Soil and Water Conservation

Ms. Stacey Bradshaw addressed the Board of Supervisors with a plea to restore funding in the amount of \$69,018. She then gave a brief description of the how the program functioned and referenced the letter of support written by the Department of Conservation and Recreation. Mr. Walter Robinson and James Ferguson were also present to show their support in the importance of reinstating the 5% deduction.

In Re: Greenville County School

Mr. Phillip Worrell addressed the Board of Supervisors stating that the School Board was asking for level funding from the City and County. He stated that given the economic conditions the school was not going to request additional funding from the governing bodies. Mr. Worrell stated that the school did not have the final numbers of percentages at this time and that the governing bodies would be informed as soon as the school received them. He stated that the County's share would probably go down and they would be asking the City to pick up the total that was decreased by the County. He further gave a breakdown on what the school's budget would provide. Mr. Worrell stated that the school system was looking at about \$1.4 million in cuts by the State and would need local funding next year. He stated that the School was looking at receiving federal money but did not know the figures yet. Mr. Whittington stated that it was quite possible that Greenville County would have to borrow money sometime in August,

September, or October to meet the expenditures because of the reimbursement arrangement instead of getting the money in to spend directly. He also stated that Staff was requesting approval of the following Resolution #09-129 Literary Fund Permanent Bond.

RESOLUTION #09-129
COMMONWEALTH OF VIRGINIA
LITERARY FUND PERMANENT BOND

Project / School: E.. W. Wyatt Middle

The Board of Supervisors and the School Board of the County of Greensville, Virginia, (the "Issuer"), for value received from the Literary Fund hereby acknowledges itself indebted and promises to pay to the Commonwealth of Virginia for the benefit of the Literary Fund the principal amount of seven million five hundred thousand dollars (\$7,500,000.00), with interest, at an interest rate of 2% per annum in annual installments of principal and interest in the amounts and on the dates as set forth on Schedule 1 attached hereto.

This bond is registered in the name of the Commonwealth of Virginia for the benefit of the Literary Fund on the books of the Board of Supervisors and the School Board. This bond is duly authorized and issued in compliance with and pursuant to the , Constitution and laws of the Commonwealth of Virginia, and resolutions duly adopted by the Board of Supervisors and the school Board to provide funds for capital projects for school purposes.

Literary Fund loans are general obligation debt of the issuer and thereby subject to the provisions of state aid intercept under §22:1-168 of the *Code of Virginia*. All acts, conditions and things required or contemplated by the Constitution and laws of the Commonwealth of Virginia, includ^{ing} but not limited to §§ 22.1-142 through 22.1-161 of the *Code of Virginia*, to happen, exist or be performed precedent to and in the issuance of this bond have happened, exist and have been performed in due time, form and manner as so required.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #09-129. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Comprehensive Services

Mr. Worrell stated that Staff was asking for level funding in the total program. He stated that the state had reduced the aid to localities in a reduction of \$19,720. Mr. Worrell requested that the local appropriation be increased by what the state had cut to level funding. Mr. Whittington stated that this was a program where every year more and

more responsibility was passed on to the locality.

In Re: RC&D Council

Don Bradshaw, Chairman of the RC&D Council addressed the Board of Supervisors and gave a brief history of the organization and the projects from last year.

In Re: Airport Commission

Mr. Rick Franklin addressed the Board of Supervisors and commended the Commission's newest member, Mr. Sydney Jones, on his expertise concerning certain projects. He then briefed the Board on three projects that the Commission was requesting funding in which included the Runway 15-33 Rehabilitation (Design) at \$5,400 local share, Drainage Rehabilitation (Construction) at \$60,000 local share, and the Perimeter Fence (Construction) at \$35,000 local share for a total of \$100,400 local share for all three projects. Mr. Franklin stated that the Commission had initially requested \$40,000 and was now asking the County for \$20,200 capital money to fund half of two projects this year.

In R: Training School

Mr. McKinley Jordan and Frances Carter addressed the Board of Supervisors and thanked them for all they had done to support the rehabilitation of the Training School. He stated that Staff had gotten to the part of the designing phase of the building and would need a construction engineer soon. Mr. Jordan stated that Staff was requesting \$75,000 in funding. Ms. Carter gave a brief overview of how the organization was raising money and further reiterated the need for more funding. She stated that school needed a roof very soon before they lost the historical tax credits due to the weather destroying the building.

In Re: Southside Education Center, Phase II

Mr. Whittington addressed the Board of Supervisors stating that it was a budget approved by the Rural Development. He stated that the project was nearing completion and Staff could project what the expenditures and revenues would be. He briefly gave an

overview of the budget. Mr. Whittington made a recommendation to hold off on the 2nd petition until a final figure was received concerning the kitchen. There was a consensus among the Board Members not to include the 2nd petition. There was agreement among the Board Members concerning the Education Center, Phase II budget.

In Re: Commissioner of the Revenue

The Board of Supervisors requested that Mrs. Swenson return and give a list of the things that were done in her office differently from other jurisdictions. Mrs. Swenson gave a list of items that were done in her office that was not being done in Southampton County.

The Board of Supervisors deferred the item until more information was received.

In Re: Registrar Office

There was a consensus to reinstate the funding for the Registrar's Office due to two elections being held this year.

In Re: Coalition for Delayed Parenthood

There was a consensus not to fund the organization this year.

In Re: Soil & Water Conservation

There was a consensus to fund the organization.

In Re: Airport Commission

There was a consensus to speak with Rick concerning funding one project now and one next year.

In Re: Training School

There was a consensus not to fund the project.

In Re: RC& D Council

There was a consensus not to fund the organization.

In Re: Closed Session

Mr. Whittington, County Administrator, stated that Staff recommended the Board go into Closed Session, Section 2.2-3711 (a) 1) Personnel, and 3) Acquisition and Disposition of Real Property Matters.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to go into Closed Session, as recommended by Staff. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Regular Session

Supervisor Vaughan moved, seconded by Supervisor Lee, to go into Regular Session. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Certification of Closed Meeting – Resolution #09-125

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to adopt the following Resolution. A roll call vote was taken, as follows: Supervisor Ferguson, aye; Supervisor Lee, aye; Supervisor Vaughan, aye; and Chairman Wiley, aye.

**RESOLUTION #09-125
CERTIFICATION OF CLOSED MEETING**

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

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

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

Chairman Wiley recessed the meeting.

Chairman Wiley reconvened the Board of Supervisors Meeting.

In Re: Approval of Agenda

Mr. Whittington, County Administrator, stated that Staff recommended approval of the Agenda with two added items in Closed Session – Economic Development and Legal Matters.

Supervisor Lee moved, seconded by Supervisor Ferguson, to approve the Agenda as amended. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Approval of Consent Agenda

Mr. Whittington stated that Staff recommended approval of the Consent Agenda.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the Consent Agenda containing the following items. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Minutes from the Meeting of March 16, 2009

In Re: Budgetary Matters

Budgetary Matters consisting of the following: Fund #001 – Journal Voucher #36, in the amount of \$528.00, Journal Voucher #37, in the amount of \$410.00, and Budget Amendment Resolution #09-126, in the amount of \$30,321.00; Fund #075 – Journal Voucher #9, in the amount of \$250,000.00 and Journal Voucher #10, in the amount of \$21,660.95, all of which are incorporated herein by reference.

Warrants:

Approval of Accounts Payable for April 6, 2009, in the amount of \$547,384.81
Approval of Payroll for March 31, 2009, in the amount of \$339,687.35

In Re: Road Matters, Joe Lomax- VDOT's Residency Administrator

Mr. Lomax addressed the Board of Supervisors and reported on the following:

Email Addresses – Mr. Lomax requested all of the Board Members email addresses.

Pavement – Mr. Lomax stated that pavement would begin very soon and he would forward a copy of the schedule.

Route 625 – Overlaying will begin this week.

Entrances – Mr. Lomax stated that throughout the County, Staff was finding more and more entrances that were put in without permits and there were no pipes installed which was causing backups when there was bad weather. He also stated that it was becoming very costly for VDOT to put the pipes in.

Supervisor Ferguson asked about the rules and regulations of installing pipes. Mr. Lomax stated that VDOT would do it now, but as of October 1, 2009, the owners would be responsible.

Ditching – Mr. Lomax stated that VDOT would be performing ditch work on James River Junction and Independence Church Road.

Tree Trimming – Mr. Lomax stated that tree trimming would be done on Taylor’s Mill Road at Route 622 and James River Junction. He stated that Jerry had met with Ms. Mitchell on Grassy Pond Road and that the tree had been added to the list. He also stated that the district tree trimming crew was working its way up Highway 58, Southampton County and then Emporia. Keith stated that the one tree would be done first until the tree crew got to the area.

Interstate 95 – Mr. Lomax stated that Jerry was looking at the site distance on Brink Road leading into Falling Run coming out from the dumpsters.

Hills – Mr. Lomax stated that they would be getting to Route 608 within a month. He stated that on Route 604, the utilities would be costly and that VDOT needed information on who owned the land. Supervisor Ferguson suggested that he contact Russell Slayton to assist him.

Doyle’s Lake Road – Mr. Lomax stated that the sign had been removed.

Illuka – Mr. Lomax stated that he was meeting with the district designers about the first section on Route 633 and had left a message for Illuka to meet him after the meeting so they could meet the designers about the second section.

Chairman Wiley asked if there were any other concerns. There were none.

In Re: Major Timothy Jarratt – JAG Grant

Major Jarratt addressed the Supervisors and informed them that Greenville County would be receiving stimulus money in the amount of \$25,367 from the Federal Government with a local match of \$178 which would be taken care of by the Sheriff’s Office. He stated that the Greenville County Sheriff’s Office would be purchasing Tasers. He further stated that included with the JAG Grant would be the Tasers, Taser Recording, Training Kit with 50 Cartridges. He stated that the new protocol would be mace, tasers, baton strikes and last result would be lethal force. There was a consensus of approval by the Board of Supervisors.

In Re: Citizens Comments

Mr. Whittington invited anyone present who wished to address the Supervisors, to come forward and state their name for the record. There was no one.

In Re: Reimbursement Resolution #09-127

Mr. Whittington stated that the Resolution would ensure reimbursement to the County for prior expenditures on the following projects; the VPI Office Building, the Animal Shelter, the District 19 Building and an addition to the Education Center, Phase II. He further requested approval of the following Resolution.

RESOLUTION #09-127
RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF GREENSVILLE, VIRGINIA DECLARING INTENT TO REIMBURSE PROJECT EXPENDITURES WITH PROCEEDS OF REVENUE BONDS

WHEREAS, the County of Greenville, Virginia (the "County") has included in its capital improvement program the undertaking, acquisition and construction of the following projects: new animal shelter, Virginia • Cooperative Extension, office building, new office building for use by the District 19 Community Services Board and Phase II Additions for the Southside Virginia Education Center (each a "Project" and collectively, the "*Projects*");

WHEREAS, the County intends to issue, or to work by and through the Industrial Development Authority of Greeneville County, Virginia with respect to the issuance of, one or more series of tax-exempt revenue bonds in *an* aggregate principal amount not to exceed \$2,600,000 (*the* "Bonds") to finance all or a portion of the cost of the Projects;

WHEREAS, the Internal Revenue Code of 1986, as amended, and Treasury Regulations Section 1.150-2 thereunder; provide that proceeds of tax-exempt obligations may be used to reimburse a previously paid expenditure provided that certain criteria are met; and

WHEREAS, the County has paid and intends to pay certain expenditures with respect to the Projects prior to the issuance of Bonds to finance the Projects and *to receive* reimbursement for such expenditures from proceeds of the Bonds;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF GREENSVILLE, VIRGINIA AS FOLLOWS:

The County intends to issue or to cause the issuance of Bonds *to* pay all or part of the costs of the Projects, together with other available funds.

The County intends to receive reimbursement from proceeds of the Bonds, when *issued, for* expenditures made not more than 60 days prior to the date of this Resolution *related to* the respective Project that are paid prior to such issuance.

Each expenditure reimbursed with proceeds of the Bonds will be, unless otherwise approved by the County's bond counsel, either (a) of a type properly chargeable to a capital account under general federal income tax principles (determined in each case as of the *date* of the expenditure), (b) a cost of issuance with respect to the Bonds, (c) a nonrecurring item that is *not* customarily payable from current revenues, *or* (d) a grant to a party that *is not* related to or an agent of the County so long as such grant does not impose any obligation *or* condition *to repay* any amount *to* or for the benefit of the County.

The County intends to make a reimbursement allocation, which is a written allocation that evidences the County's use of *proceeds of the Bonds to reimburse* an expenditure, no later than 18 months after the later of the date on which the expenditure is paid or the Project is placed in service or abandoned (but in no event more than three years after the date on which the expenditure is paid).

The County recognizes that exceptions are available under the applicable Treasury Regulations which also may permit reimbursement for certain (a) preliminary expenditures incurred prior to commencement of construction, (b) expenditures in an amount not in excess of the lesser of \$100,000 or five percent of the proceeds of the Bonds, and (c) expenditures for long-term construction projects of at least five years duration.

Supervisor Lee moved, seconded by Supervisor Vaughan, to approve Resolution #09-127. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Landfill Facility Options

Mrs. Natalie Slate, Deputy County Administrator, addressed the Board of Supervisors stating that Joyce Engineering had completed a study of the Greenville County Landfill to determine the financial impact of various future expansions and operations. She gave a brief synopsis of the alternatives given by Joyce Engineering and stated that Staff recommended moving forward with constructing the new cell with the additional piggy back liner. She also stated that if the Board approved the option, Staff also requested authorization to advertise for proposals from engineering firms to conduct the design, permit amendments, and construction of the facility.

Supervisor Ferguson moved, seconded by Supervisor Lee, to accept Staff's recommendation. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: CWA Cable TV, Inc.

Mr. Russell Slayton, County Attorney, addressed the Board of Supervisors stating that the contract was kind of confusing due to CWA Cable had not expressed what they wanted in the contract. He stated that Ms. Ashworth had provided to his office copies of the old contract and ordinances that already existed. Mr. Slayton requested authorization to contact CWA Cable to request for a new contract and ordinances stating exactly what they wanted from the County before the Board of Supervisors proceed with any action.

There was a consensus that Russell Slayton contact CWA Cable.

In Re: Resolution #09-128- Washington Park Community Development Program, Phase IV

Mr. Moses Clements, Director of Engineering, addressed the Board of Supervisors stating that it was a required resolution anytime funds were applied for from the Virginia Department of Housing and Community Development. He stated that Staff was requesting approval of the following Resolution.

**RESOLUTION # 09-128
WASHINGTON PARK COMMUNITY DEVELOPMENT PROGRAM
PHASE IV**

WHEREAS, pursuant to two public hearings, Greenville County wishes to apply for \$973,300 of Virginia Community Development Block Grant funds for the Washington Park Community; and

WHEREAS, the funds will be for Housing Rehabilitation and Infrastructure improvements; and

WHEREAS, it is projected that 40 residents in the Washington Park Community will benefit from the implementation of this project, of which 83% will be low- and moderate-income persons; and

WHEREAS, Greenville County will expend funds in the amount of \$129,700 both cash as well as “in kind” contributions; and

WHEREAS, the Southern Virginia Development Corporation will expend \$137,500; and

WHEREAS, the total Washington Park Community Development Program's budget is \$1,240,500,

NOW, THEREFORE, BE IT RESOLVED that K. David Whittington, Greensville County Administrator is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant Proposal.

Supervisor Ferguson moved, seconded by Supervisor Lee, to approve Resolution #09-128. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Appointments

1. Chairman Wiley opened the floor for nominations of an individual to serve on the Building Appeals Board, an At-Large Appointment, for a term of 3 years.

Supervisor Ferguson moved, seconded by Supervisor Lee, to defer the appointment until the next meeting. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

2. Chairman Wiley opened the floor for nominations of an individual to serve on the AQUOLA, an At-Large Appointment, for a term of 2 years.

Mr. Whittington recommended that the Board of Supervisors abolish the appointment due to no meetings have occurred within the past six years.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to abolish the appointment. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

3. Chairman Wiley opened the floor for nominations of an individual to serve on the Planning Commission, an Election District One and Four Appointment, for a term of 4 years.

Supervisor Ferguson moved, seconded by Supervisor Lee, to re-appoint James M. Tucker to Election District One and Dianne Barnes-Rhodes to Election Four for a term of four years. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

In Re: Miscellaneous Matters

Various Departmental Reports were prepared for the Board's review or comments.

Chairman Wiley asked if there were any comments concerning the Reports. There was none.

There being no further business, Supervisor Ferguson moved, seconded by Supervisor Lee, to adjourn. Voting aye: Supervisors Ferguson, Lee, Vaughan and Chairman Wiley.

Peggy R. Wiley, Chairman

K. David Whittington, Clerk

Account Number: 08108

Amount: \$7,500,000.00

Name of Locality: Greenville County