

At the Regular Meeting of the Greensville County Board of Supervisors, held on Monday, December 6, 2010, with Closed Session beginning at 3:00 P.M., 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

Absent:        Dr. Margaret T. Lee

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The meeting was called to order by Chairman Wiley at 3:00 p.m.

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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, 3) Acquisition of Real Property and 5) Industrial Development Matters.

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

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In Re: Regular Session

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

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In Re: Certification of Closed Meeting – Resolution #11-75

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

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In Re: Certification of Closed Meeting – Resolution #11-75

**RESOLUTION #11-75  
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.

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Chairman Wiley recessed the meeting.

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Chairman Wiley reconvened the meeting at 6:00 p.m.

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In Re: Approval of Agenda

Mrs. Natalie Slate, Deputy County Administrator, stated that Staff recommended approval of the Agenda.

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

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In Re: Approval of Consent Agenda

Mrs. Slate stated that Staff recommended approval of the Consent Agenda.

Supervisor Vaughan moved, seconded by Supervisor Ferguson, to approve the Consent Agenda containing the following items.

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Minutes from the Meeting of November 15, 2010

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Budgetary Matters consisting of: Fund #001 - Journal Voucher #35, in the amount of \$250.50, which is incorporated herein by reference.

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Warrants:

Approval of Accounts Payable for December 6, 2010, in the amount of \$373,316.96

Approval of Payroll for November 30, 2010, in the amount of \$357,891.98

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In Re: Citizens Comments

Mr. Whittington invited anyone who wished to address the Board, to come forward and state their name.

Mr. Glenn Pair, Jr, President of the Education Association addressed the Board and commented regarding a petition in which he read into record. He requested that the Board of Supervisors pass a resolution tonight authorizing the Greensville County School Board to release funds in the amount of \$267,510 to the Greensville County School Board for the purpose of providing holiday bonuses for School Board Employees. He then stated that a delegation of employees of the Greensville County School system was present and with the permission of the Board, would like to come forward.

Ms. Gail Richards of 310 Ivey Street, Jarratt, VA, who was a 3<sup>rd</sup> grade school teacher, addressed the Board of Supervisors and briefly described the duties on a day to day basis. She also informed the Board of all the overtime teachers worked due to preparing for and helping the students. Ms. Richards requested that the Board of Supervisors consider approving the requested Resolution.

Mr. Pair again addressed the Board of Supervisors and gave background information on how dedicated the teachers were in Greensville County and that they were paid one of the lowest salaries in Virginia.

Mr. Whittington stated that the Board could not mandate the School Board to give bonuses. He stated that that the Board could approve the school budget but could not mandate how they spent the funds. Mr. Whittington stated that legally they could pass the budget

involving six line items and were limited to those categories by law. He stated that the School Board was correct in stating that the Board needed a resolution but the request/resolution would need to come from the School Board requesting that \$267,510 be expended on bonuses. Mr. Whittington also suggested a joint meeting with the School Superintendent and Mr. Pair and himself to work out the details of holiday bonuses for the school employees. It was agreed a meeting be scheduled.

Chairman Wiley asked if there were anyone else present to address the Board.

Mr. Moses Clements addressed the Board of Supervisors and complimented the Sheriff and Staff in helping the Water and Sewer Authority on a road closing in the Washington Park area. Mr. Clements stated that Easter Street had to be closed so Staff worked with the Department of Transportation for a traffic flow plan so that the citizens could have access to a detour around Sales Exchange Lane. He stated that one of VDOT's requirements was that all of the local emergency services be contacted regarding the road closing. He further stated that he contacted Sheriff Edwards and the Sheriff and his Staff took care of the item in a professional and courteous manner. Mr. Clements stated that the Sheriff's Department was wonderful to work with.

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In Re: Industrial Development Authority Appointment

Chairman Wiley opened the floor for nominations of an individual to fill the unexpired term of Mrs. Linda Richardson on the Industrial Development Authority beginning December 1, 2010 until September 30, 2013.

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

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In Re: Presentation from Baxter Bailey and Staff

Mr. Baxter Bailey of Baxter Bailey and Associates was present and gave a presentation regarding the office space for the Commonwealth's Attorney Building. Mr. Bailey stated that he and his staff provided the Preliminary Architectural Report on December 1, 2010 to the County for the entire work on the project thus far. He stated that Staff began by identifying her existing space conditions and space needs. He also stated that Staff was then assigned seven properties in which to view and analyze for the future Commonwealth's Attorney office. He further stated that presently the office was 3600 sq. ft. and it was identified for a need of over 5500 sq. ft. with a potential growth of about 7500 sq. ft. Mr. Bailey stated that Staff had the task to find a building with the specifications requested by Mrs. Watson. He stated that Staff settled on the Phoenix Building as a better candidate because it had about 10,400 sq. ft. in it and the specifications requested would fit nicely with the building. He also stated that schematic drawings were done for the new space and then a full building survey was done to include the

future space and a budget developed.

Mr. Whittington stated that of the seven options looked at they included the vacant lot at School and Spring Street, the former VPI Office Building, the former Citizens Bank Building located on main street, the Phoenix Building, the Greensville Bank Building, the Townsend Office Building and the Heilig Meyers building. He stated that out of the eight criteria's used to compare the subject properties were based on the proximity to the Courthouse, ADA Compatibility, Space Needs Accommodations, Off Street Parking, Public Access, Vehicular Access, Structural Condition and General Layout. Mr. Whittington stated that the recommendations being offered by Baxter Bailey and Staff was that the Phoenix Building should be purchased and the Commonwealth's Attorney Office should be relocated in the building in order to improve the quality of service by the Commonwealth's Attorney. He also stated that the Phoenix Building should be rehabilitated in accordance with the Architect's recommendations, the County should seek funding from Rural Development in the amount of \$1.3 million which was the budget to purchase and rehabilitate the building, the use of historic tax credits should be examined to significantly reduce the cost of the project and the County should retain the current leases with the governmental agency currently located on the 3<sup>rd</sup> floor of the phoenix building in order to reduce the cost to the localities. Mr. Whittington requested approval of the Preliminary Architectural Feasibility Report.

Mr. Bailey also reported that District 19 was in good shape and that he had met with the landscape architect the past week.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve the Preliminary Architectural Feasibility Report. Voting aye: Supervisors Ferguson, Vaughan and Chairman Wiley.

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In Re: Resolution #11-76

Mr. Whittington stated that Staff requested approval of the Resolution as presented so that all costs associated with Phase III could be reimbursed to the County with bond proceeds when financing was completed.

**RESOLUTION #11-76**  
**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 Greensville, Virginia (the "County") has included in its capital improvement program the undertaking, acquisition, construction, renovation and improvement of offices for use by the Commonwealth's Attorney (the "Project");

**WHEREAS**, the County intends to issue, or to provide for the issuance through the Industrial Development Authority of Greensville County, Virginia of, one or more series of revenue bonds in an aggregate principal amount not to exceed \$1,600,000 (the “Bonds”) to finance all or a portion of the cost of the Project;

**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 Project prior to the issuance of Bonds to finance the Project 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:**

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

2. 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 Project that are paid prior to such issuance.

3. 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.

4. 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).

5. 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.

6. The County intends that adoption of this Resolution shall constitute “official intent” within the meaning of Treasury Regulations Section 1.150-2.

7. This Resolution shall be effective immediately.

Supervisor Ferguson moved, seconded by Supervisor Vaughan, to approve Resolution #11-76. Voting aye: Supervisors Ferguson, Vaughan and Chairman Wiley.

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In Re: Miscellaneous Matters – Departmental Reports

Various Departmental Reports and Staff Work Programs were prepared for the Board's review and comments.

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

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In Re: Adjournment

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

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Peggy R. Wiley, Chairman

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K. David Whittington, Clerk