

BOARD OF SUPERVISORS MEETING

October 4, 2011

The regular meeting of the Campbell County Board of Supervisors was held on the 4th day of October 2011 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Steven M. Shockley, Chairman, Presiding	Sunburst Election District
Charles W. Falwell	Timberlake Election District
Stanley I. Goldsmith	Altavista Election District
Eddie Gunter, Jr.	Concord Election District
Hugh T. Pendleton, Jr.	Rustburg Election District
J. D. Puckett	Brookneal Election District
Hugh W. Rosser	Seneca Election District

Also present were:

R. David Laurell, County Administrator
 Clifton M. Tweedy, Deputy County Administrator
 David W. Shreve, County Attorney
 Kristin B. Wright, Staff Attorney

The meeting was called to order at 4:00 p.m., and Supervisor Rosser gave the invocation.

// APPROVAL OF MINUTES

On motion of Supervisor Falwell, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the September 6, 2011 regular meeting as presented.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser
 Nay: None
 Absent: Shockley

// LAWYERS ROAD ENERGY – TOBACCO COMMISSION GRANT

In November 2010 the Board of Supervisors approved Campbell County's participation as a co-applicant for a Tobacco Commission Research & Development Grant. The application was submitted and Lawyers Road Energy was awarded a \$3 million grant. Lawyers Road Energy is a subsidiary of Cycle Systems. The Board has approved a special use permit for Cycle Systems to operate a small refinery to produce raw grade diesel fuel.

One of the requirements of the grant is a Grant & Security Agreement and because of some recent revisions by the Tobacco Commission, the County would have some responsibility under the claw back clause. The Tobacco Commission would hold an undivided interest in the assets acquired or improved by the grant funds. In the event those assets were leased, sold, disposed of, used to secure a mortgage or deed of trust, without the Commission's permission, the Commission may assert its interest in the asset to recover its share of the value of the asset or recover the same from Campbell County. In other words Campbell County would be liable to assist in the recovery of any funds due back to the Commission if that became necessary. This would only be the case during the three-year development period.

The discussion that ensued centered around the County's potential liability should the company default under the terms of the grant. Supervisor Pendleton commented these types of energy projects have been shown to be risky. Supervisor Goldsmith anticipated all the future Tobacco Commission's grants would contain this clause to protect its assets. Supervisor Gunter offered the motion to accept staff's recommendation.

On motion of Supervisor Gunter, it was resolved the Board of Supervisors supports the Lawyers Road Energy project by authorizing Campbell County to be the co-applicant for the Research and Development Grant and authorizing the County Administrator and Director of

Economic Development to sign all required documents including the Grant and Security Agreement presented at this meeting.

The vote was: Aye: Falwell, Goldsmith, Gunter, Puckett, Rosser, Shockley
 Nay: Pendleton
 Absent: None

// TOBACCO COMMISSION AGRICULTURE GRANT

Campbell County has participated as grant applicant and fiscal manager for two different Tobacco Commission Agribusiness grant programs, the Beef Initiative and the Commodity Storage Initiative. The core coalition of counties in the present Agribusiness grant desires to apply for a new grant program entitled "Central Virginia Livestock Improvement Project."

The new program would provide a 33% reimbursement, not to exceed \$3,300 on expenditures of \$10,000 or more. A minimum expenditure of \$1,000 is required to be eligible. The overall objective of the Central Virginia Livestock Improvement Program was to improve the management, marketing, safety and production capabilities of cattle, dairy, sheep and goat producers in tobacco dependent communities. The program would focus on providing capital incentives to agriculture producers to enhance livestock management, pasture utilization and hay feed efficiency. Like the other grants, the County would be reimbursed for administrative duties.

On motion of Supervisor Gunter, it was resolved the Board of Supervisors adopts the following resolution to authorize Campbell County's participation in the Central Virginia Livestock Improvement Project and authorizes the County Administrator to sign a letter of support for the Board and all other necessary documents to apply for and manage this project if the grant is awarded,

***RESOLUTION OF AUTHORIZATION
 AGRICULTURAL FUND GRANT APPLICATION
 CENTRAL VIRGINIA LIVESTOCK IMPROVEMENT PROGRAM***

WHEREAS, Campbell County recognizes the importance of livestock to the agricultural economy of Campbell County and the stresses upon our agriculture industry; and

WHEREAS, Campbell County recognizes that improvements to management, marketing, safety, and production capabilities of cattle, dairy, sheep, and goat producers will enhance farm profitability; and

WHEREAS, the enhancement of livestock management, pasture utilization and hay feed efficiency, will assist in transitioning into alternate agriculture endeavors; and

WHEREAS, Campbell County desires to participate with other Southside Virginia Tobacco Communities in the Central Virginia Livestock Improvement Program Incentive Project.

NOW, THEREFORE, BE IT RESOLVED, the Campbell County Board of Supervisors does authorize the submission of an application by Campbell County to the Virginia Tobacco Indemnification and Community Revitalization Commission for the purposes of obtaining grant funding to provide for a Livestock Improvement Program incentive to assist livestock producers.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// CHESAPEAKE BAY TMDL/STORMWATER MANAGEMENT REGULATIONS

Paul Harvey, Director of Community Development, provided an update on compliance with two state-mandated programs related to environmental management. New storm water management regulations that apply statewide became effective in September, with a local implementation deadline of July 1, 2014. In addition, the Chesapeake Bay Total Maximum Daily Load (TMDL) requirements were being implemented through a two-phased Watershed

Implementation Plan (WIP) mandated by the U. S. Environmental Protection Agency (EPA). The WIP requires reductions in nitrogen, phosphorus and sediment from localities within the James River watershed and other tributaries of the Chesapeake Bay. Approximately 20 percent of Campbell County's land area is in the James River watershed. The October meeting of the Region 2000 Local Government Council includes speakers who will be discussing implications of the Chesapeake Bay TMDL on area localities. The Board members were invited to attend.

Mr. Harvey reviewed a timeline identified at this time for implementation of the new regulations. The first step was to purchase enhanced digital land cover data from a specialized vendor under contract with the Virginia Geographic Information Network. It would enable staff to quickly determine the nature of the land cover in any area of the County using GIS mapping. Determining the impervious surface such as asphalt pavement or buildings compared to pervious surfaces such as woody vegetation, non-woody vegetation, water, barren land, etc, would be important to determine how much runoff was contributing to polluted waters. Funds have been budgeted for this data.

The County also has a choice of operating a local storm water program using the Department of Conservation and Recreation (DCR) rules and revenue sharing or allowing DCR to operate it. Staff believed a local program was advantageous to developers and contractors because the County could provide a single point of contact for all of the plan review, permitting and inspections required for construction projects. While we would not have local control over the amount of the storm water permit fees, the County would be allowed to retain 72 percent of the fee revenue for administering the program with the other 28 percent being returned to DCR.

As previously discussed with the Board during the FY 2012 budget process, the mandated storm water and TMDL programs would likely come at a significant cost to the County with the potential to increase over time. A new source of fee based revenue to support the programs appears to be preferred over a general tax increase. A two-tiered fee with a base fee for general storm water implementation applicable countywide followed by an add-on fee specifically for those within the James River watershed for TMDL compliance may be one of the recommendations for the Board's consideration. Staff desires to keep the funding structure as simple as possible; however, the fairness of the structure would demand a certain complexity.

In an answer to Chairman Shockley's question, planning for implementation of the new regulations has been discussed regionally, but assessing a fee and handling the administrative aspects of the regulations would be handled better at the local level. The fee structure would be discussed more in depth with the Board during the next budget process.

On motion of Supervisor Goldsmith, it was resolved the Board of Supervisors authorizes the acquisition of digital land cover mapping data from the Virginia Geographic Information Network with funding appropriated for that purpose in the FY 2012 Capital Improvement Program, and authorizes notification to the Department of Conservation and Recreation that Campbell County intends to operate a local storm water management program.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// HEALTH SAVINGS ACCOUNT ADMINISTRATOR

A Request for Proposals was issued to procure the services of a Health Savings Account (HSA) Administrator for the County and County Schools. Three firms submitted proposals to provide those services and the selection committee ranked Health Savings Administrators, Richmond, Virginia as the top ranked firm and believes that a contract with them would best meet the needs of the County and Schools. This would be for a three year contract with an option to renew for one additional year.

On motion of Supervisor Goldsmith, it was resolved the Board of Supervisors approves Health Savings Administrators, Richmond, Virginia as the top ranked firm and authorizes staff to negotiate and execute a final contract for a Health Savings Account (HSA) Administrator.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley

Nay: None
Absent: None

// HIGHWAY MATTERS

Mr. Tweedy updated the Board on highway matters. He noted the study required by DCR for the scenic byway designation for Route 24 would have to be completed when the leaves were on the trees so it may be spring before that was completed.

From the Board:

Supervisor Gunter asks that VDOT establish a more specific policy on political signs in the right of way. He had an incident recently where his signs were removed from the right of way and disposed of at the landfill. He would have appreciated if VDOT had called him to pick up his signs rather than throwing them away.

Supervisor Shockley reported a stop sign at the end of Bedford Springs Road off Wildwood Road that had been defaced.

Supervisor Pendleton reported a post that had been knocked down on Colonial Highway near the Ruritan Building in Rustburg.

Administrator Laurell advised that VDOT was reassigning Don Austin to Campbell County to receive the Board's highway matters.

// FUTURE REGIONAL AIR SHOWS

Administrator Laurell indicated that since the Regional Air Show in May 2011, a group of individuals had been meeting to discuss the future of regional air shows in the region. Mark Courtney, Executive Director of the Regional Airport, was also in attendance.

The air show held in May 2011 was planned over a relatively short window of time, four months. Even with the short planning schedule the air show was successful in terms of both performances and attendance. The show had an estimated attendance of 32,000 plus onsite spectators over the two-day event that not only paid for the direct costs of the show, but also provided funds for a \$25,000 contribution to Centra Health through the Children's Miracle Network, \$75,000 in seed funds for a future air show, and funds for the development of an aviation museum at Lynchburg Regional Airport.

Based on the discussions at the air show meetings, it was determined that regional air shows would be beneficial in terms of providing educational opportunities for area youth, recruitment opportunities for the armed forces, traditional entertainment and recreational value for the region at large, and related business activity and tax revenue benefits. It was also determined that if future air shows were supported by the community, it was recommended that a more formalized partnership between the private air show sponsors and the public sector, Campbell County and the City of Lynchburg, be established. After considerable discussion, it was the recommendation of the group that in order to have long-term support for a community-based event a Coordinating Committee comprised of the primary partners would be the best way to proceed and develop a more collaborative approach to the air show. This would provide for longer-term continuity and still allow a non-profit to take the lead with air show operations and charitable activities while involving the partners in the decision-making process in a collaborative and comprehensive fashion.

The Coordinating Committee would be comprised of eight members – two representatives each from the Lynchburg Regional Air Show, Inc., the City of Lynchburg and Campbell County plus the Lynchburg Regional Airport Director and Air Show Director. The City and County representatives would be the City Manager and County Administrator, or their designee, and another person from each locality appointed by the City Manager and County Administrator.

The Coordinating Committee would have no legal standing or authority. The Committee would help coordinate and facilitate activities between LRA, Inc., the City, the County and other

public sector agencies. The Committee would also make general recommendations to LRA, including scheduling and staffing, provide concurrence on air show dates, review budgets and after action reports and help with coordinating, permitting, public safety and airport operations and facilities. The City and County would maintain their respective responsibilities for permitting, public safety, and the use of public assets, including airport facilities and on-site parking, which is the responsibility of the Airport Director. A separate airport use agreement would be executed between the Lynchburg Regional Air Show, Inc. and the City with terms and conditions for use of airport facilities as established by the City. Campbell County would provide overall public safety coordination and management.

The Lynchburg Regional Air Show, Inc. (LRA)'s responsibility would be more focused on air show operations and support that would include responsibility for air show aeronautical performances and ground displays, off-site parking, spectator hospitality, concessions, marketing, ticketing, sponsorships, funding, volunteer coordination and other activities related to the event. As a non-profit it could continue to act as the vehicle for charitable contributions determined to be in the best interest of the overall air show activities. LRA would also be the funding mechanism for costs incurred for City, County and other resources and vendors used to provide support to the show.

On the question of whether the public sector was willing to commit to continue providing in-kind support for future air shows, the recommendation was that the City of Lynchburg and Campbell County would continue to provide general planning and policy support; however, all direct costs for staff time and support functions outside of those areas would be paid for by the revenues generated from the event. Reimbursable services include costs for buses, EMS, fire, law enforcement, transportation support, public works and use of the airport facility.

The third question was how often an air show in the region would be expected to succeed. There was general agreement that in order to have a successful, economically viable air show, it would require the participation of one of the major military flight demonstration teams. Availability of one of the teams would drive in large part when shows could occur. Beyond that it was discussed that the region and planning infrastructure could not support a major air show every year; possibly every two to five years would be reasonable. At the present time if a flight demonstration team becomes available, a show may be planned in 2013 or 2014.

A summary of the recommendations would be presented to the Campbell County Board of Supervisors, Lynchburg City Council, Lynchburg Regional Airport Commission and the Lynchburg Regional Air Show, Inc. to obtain concurrence.

On motion of Supervisor Falwell, it was resolved the Board of Supervisors concurs with the following recommendations on future regional air shows:

- 1) Continue to have regional air shows on a periodic basis based on availability of military flight demonstration teams, availability of partner organizations to provide the resources necessary to support these events, and general support from the region to attend and participate in such events;
- 2) Support planning for an event in 2013 subject to availability of a military flight demonstration team;
- 3) Support the creation of the Region 2000 Air Show Coordinating Committee with the membership and involvement as noted;
- 4) Authorize the continued partnership with Lynchburg Regional Air Show, Inc. that would be responsible for the areas noted;
- 5) Authorize the utilization of public sector resources as in-kind contributions for general planning responsibilities with other direct expenses to be paid for by LRA, Inc. from the revenues generated off the air show and specific taxes or fees generated from the air show activities as may be authorized by City Council or the County Board of Supervisors.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley

Nay: None

Absent: None

// CONSENT AGENDA

On motion of Supervisor Gunter, it was resolved the Board of Supervisors approves the following under the Consent Agenda:

a) Appropriations –

- (1) General Fund, Non-Departmental Expenses, deleting \$2,809 from Budget Set Aside and appropriating the same to 4-H General Fund, Cooperative Extension, Personnel Salaries – County Share, to fully fund County Share of salaries and benefits;
- (2) General Fund, EMS Services, deleting \$1,930 from Employee Tuition Assistance, \$2,000 from Convention & Education and \$14,256.64 from Medical Equipment, and appropriating the same to EMS Services, Comp – Overtime, to increase overtime line;
- (3) Capital Improvement Fund, Parks & Recreation, deleting \$5,000 from Countywide Park, and appropriating the same to Rustburg/Concord Park, funds needed to meet VDOT compliance requirements for entrance at Rustburg/Concord Park;
- (4) General Fund, Information Technology, deleting \$12,000 from Network Engineer and appropriating the same to Other Professional Services, to provide contract services to cover duties of vacant Network Engineer position;
- (5) General Fund, Information Technology, deleting \$8,091.15 from Maintenance Contract – EDP Equipment, and appropriating \$4,005.44 to Other Professional Services, \$223.41 to Telephone, \$3,186.51 to Office Supplies, \$62.87 to Tires, Tubes, Parts and \$612.92 to Network Client Printers, additional contract dollars for Network Engineer services to resolve unforeseen network equipment problems at County Libraries during May and June 2011;
- (6) General Fund, Social Services Administration, appropriating \$1,500 to Comp – P/T Help; and raises estimated revenue, Miscellaneous Refund, by \$1,500, to administer Energy Share program;

(b) Corrected Carryover Request – FY 11 to FY 12

Approves a carryover totaling \$82,278 for the General Fund for Debt Stabilization which has been established to pay future debt service payments for the 2008 bond issue with VML/VACo from overpayment made in interest expense;

(c) County Attorney invoice –

Approves payment to the County Attorney in the amount of \$4,000.93 for legal services rendered;

(d) Railroad Fencing at English Park –

Accepts lowest responsive and responsible bid from Hurricane Fence Company, Richmond, Virginia in the amount of \$24,138 for construction of a security fence at English Park in Altavista and approves a contingency of \$1,206.90 to bring the total request to \$25,344.90 to keep pedestrians out of harm's way of the railroad trestle;

(e) Gasoline Cards for Social Services –

Accepts bid from Workman Oil Company, Forest, Virginia for approximately 6,000 gasoline cards at the rate of \$25.49 per card for the participants enrolled in the Virginia Initiative for Employment not Welfare (VIEW) Program administered through the Department of Social Services.

(f) General Architectural & Engineering Services –

Based on the recommendation of the Evaluation Committee, approves Dewberry & Davis, Inc., as the top ranked firm and authorizes staff to negotiate and execute a final contract for General Architectural & Engineering Services;

(g) On-Call HVAC Repair Services –

Accepts lowest responsive and responsible bid from Moore's Electrical & Mechanical Construction, Inc., Altavista, Virginia at a regular time average hourly rate of \$51.37 for the provision of On-Call HVAC Repair Services; and

(h) Determination for RFP – Telephone Maintenance –

Determines that competitive sealed bidding is not practicable or fiscally advantageous for the procurement of Annual Telephone Maintenance Services and authorizes the use of the competitive negotiation process.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley

Nay: None

Absent: None

// MATTERS FROM THE BOARD

(1) Supervisor Gunter indicated a mother and daughter in his district operate a day care center. Because the home was located in an agricultural district, it was against the County's ordinance to have a second cooking area. He offered the following motion:

On motion of Supervisor Gunter, it was resolved the Board of Supervisors requests the Community Development staff and the Planning Commission review and make a recommendation for code changes to the Zoning Ordinance for exceptions to allow multiple cooking areas in dwellings where the cooking area is directly necessary for the operation of a legally permissible home occupation or business.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley

Nay: None

Absent: None

(2) Supervisor Shockley questioned if the Board would consider some options to support Pittsylvania County in its pending litigation on Board prayer. Administrator Laurrell indicated he would bring some options back to the Board.

The meeting was recessed at 5:24 p.m. until 5:30 p.m.

// PUBLIC HEARING – GLADYS ELEMENTARY SCHOOL

The meeting was reconvened at 5:30 p.m. The first public hearing was opened at 5:30 p.m. on the subject of disposing by sale, lease or otherwise of real property known locally as Gladys Elementary School consisting of five parcels and being tax parcel number 74A-6-1.

Kristin Wright, Staff Attorney, indicated a public hearing was required to declare the property of the former Gladys Elementary School surplus before considering transferring the property to the Piedmont Community Impact Organization, Inc. (PCIO). The County Attorney drafted a proposed sales contract for the Board's review. The Board also needed to confirm its intent to move forward with the construction of a non-potable water storage tank at the Gladys Fire Department.

In answer to a question by Supervisor Puckett, David Shreve explained the deed would contain a clause giving the County the right of first refusal. Should PCIO decide to sell the property, the County would have the opportunity to repurchase the property at the price of \$5,000 (the selling price).

Chairman Shockley called for comments.

Janet Lomax, 353 Chestnut Creek Drive, Evington, Virginia, spoke on behalf of PCIO and as a citizen of Campbell County asking the Board to declare the property surplus. The Gladys Elementary School building held a rich legacy that coincided with memorable events in American history – the Civil War era and the Civil Rights movement. The forefathers of that day left a legacy that started with one room at Gladys School which later became Seneca High School, then Gladys High School, Gladys Primary School, and later Gladys Elementary School. She asked the Board to allow PCIO the opportunity to revitalize the school building so that the rich heritage could live on and that the citizens of the community would continue to benefit through the programs and activities that would be available to them at the building.

Hearing no further comments, the public hearing was closed at 5:39 p.m.

Supervisor Puckett supported PCIO's plan for the former school building that would greatly benefit the citizens of the County. He was also comfortable with the sale of the building due to the restrictions placed on the sale and the clause giving the County the first right of refusal. He offered the following motion:

On motion of Supervisor Puckett, it was resolved the Board of Supervisors declares surplus and to dispose by sale, lease or otherwise the property known as Gladys Elementary School, Tax Parcel ID No. 74A-6-1.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

The next discussion centered on the proposed contract to sell the property to PCIO in the amount of \$5,000. It was noted the property contained approximately 12 acres but very little was developable because of the pump sewer system. The cost of demolishing the building would be high because of suspected asbestos. Chairman Shockley and Supervisor Falwell were in favor of the plan for the building proposed by PCIO pointing out this would maintain the school as a valued resource in the community. Supervisor Rosser commented on the history of the building and the fact that he attended that school 78 years ago. Supervisor Pendleton was concerned that even with the best intentions; some of the former school properties have fallen into complete disrepair in the ensuing years. It was very distressing to him to pass by the former Bocock Elementary School or the former Falling River Elementary School now to see the crumbling buildings.

Supervisor Puckett offered a second motion to relocate the water tank.

On motion of Supervisor Puckett, it was resolved the Board of Supervisors confirms its intent to move forward with the construction of a non-potable water storage tank at the Gladys Fire Department.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

A third motion was offered to sell the property to PCIO.

On motion of Supervisor Puckett, it was resolved the Board of Supervisors approves the sale of the former Gladys Elementary School per the contract included in the October 4, 2011 Administrator's Report to Piedmont Community Impact Organization, Inc. which contracts includes a right of first refusal clause should the use of the building become unsatisfactory and a provision that the building may not be used as collateral for any type of loan without the express permission of the Board of Supervisors; and authorizes staff to finalize the sale and sign all documents necessary to transfer the property.

There were some questions about the type of programs offered by PCIO and if financially they would be able to make the necessary repairs to the building. Rev. Russell Lomax indicated they offer primarily summer programs because they have been using the school facilities, but with their own building, they would be able to offer more. Rev. Lomax added they have identified funds for initial repairs and have a plan for making more extensive repairs. The

building would have to be inspected before any programs would be offered. As to funding from state and federal grants, Rev. Lomax was aware these resources may be reduced and they plan to reach out more to private foundations, faith groups and the community for support.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// PUBLIC HEARING – COUNTY LANDFILL PROPERTY TRANSFER TO THE
 REGION 2000 SERVICES AUTHORITY

The second public hearing was opened at 6:05 p.m. regarding the appropriateness of disposition of portions of Phase I and all of Phases III and Phase IV of what is locally known as the Campbell County Municipal Solid Waste Landfill Permit #285 located at the terminus of Livestock Road and conveyance of said property to the Region 2000 Service Authority. The County would retain Phase II of that facility.

Kristin Wright indicated that in 2007 the Board agreed to join the Region 2000 Services Authority and allow the Authority to handle solid waste disposal services for the County. As part of that agreement the County would transfer the County Landfill to the Authority. Since that time, the County has worked with the Department of Environmental Quality (DEQ) to split the existing permit into two separate permits so that the County could continue to maintain the Phase II section.

The Authority has already begun construction of a number of improvements including a new office, scale house and scales, new maintenance facility and liner system for cells 6 and 7. All these improvements would allow them to begin taking waste at the Campbell facility next spring.

Hearing no comments in favor of or in opposition to the proposal, the public hearing was closed at 6:07 p.m.

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors declares surplus the portions of Phase I and all of Phases III and Phase IV of the Campbell County Municipal Solid Waste Landfill Permit #285 located at the terminus of Livestock Road and authorizes staff to finalize and sign all necessary documents to transfer the property to the Region 2000 Services Authority.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// PUBLIC HEARING – TRANSFER COUNTY LIVESTOCK ROAD PROPERTY TO
 VDOT

The last public hearing was opened at 6:08 p.m. on the propriety of the disposition of certain property known locally as Livestock Road, as the same has been relocated from Calohan Road to the entrance to the Campbell County Municipal Solid Waste Landfill as more particularly described by instrument of record in the Campbell County Circuit Court Clerk's Office as instrument number 100002744.

Several years ago the Board and staff worked with the developer and the Region 2000 Services Authority to relocate a portion of Livestock Road to improve traffic flow and safety near the intersection of Calohan Road and Route 29. In order to do this, the County purchased some neighboring property and traded other property with the developer. A public hearing was advertised to trade the property and to vacate the old right-of-way for Livestock Road. An additional public hearing was now needed to complete the transfer of the right-of-way for the new section to the Virginia Department of Transportation (VDOT).

This public hearing was advertised to declare surplus a piece of property that includes the right-of-way for the new section of Livestock Road from Calohan Road to the old section of Livestock Road and the storm water management pond.

Hearing no comments in favor of or in opposition, the public hearing was closed at 6:09 p.m.

On motion of Supervisor Pendleton, it was resolved the Board of Supervisors declares surplus and transfers the piece of property that includes the right-of-way for the new section of Livestock Road from Calohan Road to the old Livestock Road and the storm water pond to the Virginia Department of Transportation as more particularly described by instrument of record in the Circuit Court Clerk's Office number 100002744.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// CLOSED MEETING

On motion of Supervisor Puckett, it was resolved the Board of Supervisors enters into a closed meeting at 6:10 p.m. to discuss the acquisition or disposal of real property for public purposes related to a proposed Timbrook library branch, in accordance with the acquisition or disposal of property exemption §2.2-3711 (A)(3) of the Code of Virginia of 1950, as amended.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// The Campbell County Board of Supervisors entered into a closed meeting on this 4th day of October, 2011 at 6:10 p.m. to discuss the acquisition or disposal of real property for public purposes related to a proposed Timbrook library branch, in accordance with the acquisition or disposal of property exemption §2.2-3711 (A)(3) of the Code of Virginia of 1950, as amended.

// On motion of Supervisor Falwell, it was resolved the meeting return to open session at 6:40 p.m.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
 Nay: None
 Absent: None

// On motion of Supervisor Pendleton, the following resolution was adopted:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 4th day of October, 2011 pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711 of the Code of Virginia requires a certification by the Campbell County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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

The roll call vote was: Aye: Falwell
 Aye: Goldsmith
 Aye: Gunter
 Aye: Pendleton
 Aye: Puckett
 Aye: Rosser
 Aye: Shockley

Nay: None
Absent During Meeting: None
Absent During Vote: None

// ADJOURNMENT

On motion of Supervisor Rosser, the meeting was adjourned at 6:41 p.m.

The vote was: Aye: Falwell, Goldsmith, Gunter, Pendleton, Puckett, Rosser, Shockley
Nay: None
Absent: None

STEVEN M. SHOCKLEY, CHAIRMAN

Approved: _____