

A regular meeting of the Westmoreland County Board of Supervisors was held Monday, December 14, 2009, in the auditorium of the A. T. Johnson Alumni Museum, located at 18849 Kings Highway, Montross, Virginia. Those members present were Darryl E. Fisher, W. W. Hynson, Russ Culver, Lynn C. Brownley, and Larry Roberson. Also present were Norm Risavi, County Administrator; Karen Lewis, Assistant County Administrator; LaToya Ball-Tate, Administrative Assistant; and Tom Bondurant, County Attorney.

CALL TO ORDER

Chairman Fisher called the meeting to order at 6:10 p.m.

1. APPROVAL OF MINUTES

Chairman Fisher stated that all members had received draft minutes of the special called meeting held November 2, 2009, and the regular/land use meeting held on November 9, 2009, and asked if there were any additions or corrections to these minutes.

Mr. Brownley stated that he had no problem with the minutes as drafted; however, he would be abstaining from the vote on the approval of said minutes because he was not present at the Board's November 9, 2009 meeting.

On motion by Mr. Hynson, second by Mr. Roberson and carried with a unanimous vote, the Board approved the minutes as presented. (Mr. Brownley abstained from the vote.)

2. APPROVAL OF ACCOUNTS PAYABLE LIST AND PAYROLL REGISTER

Upon motion by Mr. Roberson, second by Mr. Hynson, and carried unanimously, the Board approved the accounts payable list and payroll register as submitted by the Finance Department for the month of November 2009.

3. APPROVAL OF APPROPRIATION INCREASE/DECREASE REQUESTS

Upon motion by Mr. Brownley, second by Mr. Roberson and carried unanimously with Mr. Brownley, Mr. Hynson, Mr. Culver, Mr. Roberson, and Mr. Fisher voting "aye", the Board approved the following appropriation increase request: Fund #305 – Monroe Hall - \$3,250.00. (This supplemental appropriation represents federal monies received from the Southeast Rural Community Assistance Project for the Monroe Hall project.)

4. TOWN OF COLONIAL BEACH/CORRESPONDENCE

Colonial Beach Councilman Steve Kennedy was present to update the Board on the status of the

proposed national jet ski competition to be hosted by the Town in 2010. APBA representatives will be in town tomorrow to officially designate the site where the race will be held. The event will take place during the second week of August.

Mr. Brownley commented that this is a great idea and suggested that the Town and the County should continue to work together on future projects. Mr. Kennedy expressed his appreciation for Mr. Roberson's attendance at the Town Council's monthly meetings and stated that he hopes cooperation will continue between the Town and the County.

5. TOWN OF MONTROSS/CORRESPONDENCE

There was no correspondence from the Town of Montross. Mr. Brownley remarked that the Spirit Festival recently hosted by the Town was well attended.

6. KRIS HICKS, VOTER REGISTRAR

RE: AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING PROPOSED AMENDMENTS TO SECTION 18-111 OF THE WESTMORELAND COUNTY CODE OF ORDINANCES, CENTRAL ABSENTEE VOTER PRECINCT.

Kris Hicks, Voter Registrar, was recognized and requested the Board's authorization to advertise a public hearing to amend the existing ordinance pertaining to the County's Central Absentee Voter Precinct. It is necessary to modify the ordinance due to recent changes to the Code of Virginia. As currently drafted, the Central Absentee Voter Precinct only applies to elections held within the County; it does not include the Town of Colonial Beach or the Town of Montross. In order to conform to the new State requirements, the ordinance must be amended to establish a county-wide Central Absentee Voter Precinct., which includes elections held within both towns as well as the county. The County Attorney has reviewed the Code and recommends the ordinance be amended as follows:

There is hereby established a central absentee voter precinct which shall receive, count, and record such absentee ballots as are properly cast in all ~~county-wide elections and these elections where more than two polling places are used to conduct any election.~~

The central absentee voter precinct shall receive, count, and record all such ballots in accordance with state law.

Pending Board approval, the amendment can be advertised for public hearing at the Board's January meeting and can be implemented prior to the Town elections in May 2010. Ms. Hicks noted that the Towns absorb the costs for their elections.

After discussion, upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously, the Board authorized the County Administrator to advertise a public hearing to consider proposed amendments to Section 18-111 of the Westmoreland County Code of Ordinances, *Central Absentee Voter Precinct*.

Mr. Roberson thanked Ms. Hicks for her assistance in handling the local elections and making sure things run smoothly.

Acceptance of Abstract of Votes for the November 3, 2009 General Election – Chairman Fisher read aloud the following results reported by the Westmoreland County Electoral Board for the November 3, 2009 General Election:

Governor

Robert F. "Bob" McDonnell – R	2,422 total votes
R. Creigh Deeds – D	1,711 total votes
Total Write-In Votes	2

Lieutenant Governor

William T. "Bill" Bolling – R	2,333 total votes
Jody M. Wagner – D	1,747 total votes

Attorney General

Ken T. Cuccinelli II – R	2,333 total votes
Stephen C. Shannon – D	1,735 total votes
Total Write-In Votes	1

Member, House of Delegates (99th District)

Catherine T. Crabill – R	1,722 total votes
Albert C. Pollard, Jr. – D	2,319 total votes
Total Write-In Votes	2

Upon motion by Mr. Brownley, second by Mr. Hynson and carried unanimously, the Board accepted the *Abstract of Votes* for the General Election held on November 3, 2009 as presented by the Westmoreland County Electoral Board.

7. CHARLIE RIEDLINGER, P.E., RESOURCE INTERNATIONAL, LTD.

RE: PROPOSED GLEBE HARBOR/TIDWELLS SEWER PROJECT

Charlie Riedlinger of Resource International, Ltd., was recognized and stated that the County has learned that Rural Development has some additional stimulus funds available. Rural Development has indicated that they would entertain an application from Westmoreland County. The next project identified in the Master Sewer Plan is the Glebe Harbor/Tidwells area, which would extend from the Coles Point Treatment Plant. Eligible projects could receive up to a 75% grant; however, it is very difficult to obtain the maximum grant percentage. The County would likely be looking at a 50% grant, with the remaining portion being financed at a 2.375% interest rate. Should the Board desire to pursue this funding, Resource International would need to prepare a Preliminary Engineering Report (PER) to determine the opinion of probable cost. The process would be the same as for the County's other sewer projects. Following completion of the PER, a public meeting would be held to explain the process. Rural Development has indicated that they would like to receive the application in February or March, at the latest. In order to meet that timeline, the PER and Environmental Assessment would have to be completed within the next thirty days. If the County desires to pursue this funding, Mr. Riedlinger recommended that the Board authorize Resource International, Ltd. to proceed with completing the Preliminary Engineering Report/Environmental Assessment for this project.

Mr. Culver asked if a lot of the information needed for the PER is already available. Mr. Riedlinger confirmed that much of the information is available. His initial view is that the project cost will be greater than \$8 million. With 50% grant funding, the project is feasible.

Mr. Hynson inquired as to whether the cost to complete the PER would be borne by the County. Mr. Riedlinger indicated that the County would be responsible for that cost; however, it would be reimbursed if the project moves forward.

Mr. Brownley asked if Mr. Riedlinger recalled the potential number of EDU's (Equivalent Dwelling Units) for this project. Mr. Riedlinger stated that the approximate EDU's to be served is 250; however, Resource has been conservative in that aspect.

The County Administrator informed the Board that Rural Development has advised the County that if the closing for Phase II of the Washington District project is delayed until January, the interest rates will be reduced from 4.5% to 4% (initial loan) and 2.75% to 2.375% (subsequent loan), which will be a significant savings to the County.

Mr. Culver stated that he understands from Rural Development that this money is available for a short period of time.

Chairman Fisher commented that it seems financing and timing have worked favorably to enable the County to complete those projects identified in the Master Sewer Plan/Strategic Planning process. He also spoke regarding the push that the Counties of the Northern Neck have to protect the Chesapeake Bay. Chairman Fisher went on to say that, over the past several days, he has encountered three residents of the Drum Bay/Tidwells area whose septic systems are failing. When you can potentially get 50% grant funding and an interest rate under 3%, Chairman Fisher questioned how a prudent government could not look at exploring that opportunity, if we are serious about improving water quality and improving quality of life for those in low-lying areas of the county.

Mr. Riedlinger stated that the study will also look at future expansion to serve Cabin Point; however, that area would not be included in this phase of the project.

Mr. Culver offered a motion to authorize Resource International, Ltd. to proceed with the preparation of a Preliminary Engineering Report/Environmental Assessment for the proposed Glebe Harbor/Tidwells sewer project. The motion was seconded by Mr. Roberson.

Mr. Brownley commented that he does not want the public to think that this is an automatic sanction that the County is moving forward with this project.

Chairman Fisher called for the question and the motion carried with a unanimous vote.

Mr. Riedlinger stated that the pre-construction conference for Phase II of the Washington District sewer project will be held tomorrow. He hopes to obtain the construction schedule from the contractors at that time. Once the schedule is received, it will be posted on the County's website.

Mr. Risavi noted that funds are available within the Coles Point Sewer Fund to cover the cost of the Preliminary Engineering Report/Environmental Assessment for the Glebe Harbor/Tidwells project.

Kennon Morris was recognized and asked if it would be possible for the Board to conduct a public hearing on this matter next month, in order to provide an opportunity for public input on this proposal.

Chairman Fisher stated that the Board would schedule a public meeting when the information is

received from Resource International.

8. HELEN WILKINS, DIRECTOR OF SOCIAL SERVICES

Helen Wilkins, Director of Social Services, was recognized and stated that the agency's mid-year review has been completed and it appears that they are fiscally sound for the balance of this year. Ms. Wilkins then presented the monthly report for November 2009, noting that case loads continue to increase as a result of the economy. The application period for Energy Assistance expired on November 16, 2009. A total of 142,905 applications were approved state-wide. This reflects a 20,000 increase over last year. The state has \$65 million available for the program, with an average benefit of \$455 per household. A total of 203 applications were received locally, with 155 being approved. Seventeen applications were received for crisis repairs/replacements, of which eight were approved. Ms. Wilkins noted that individuals may also seek energy assistance under the Crisis Component beginning in January. Ms. Wilkins then summarized the JLARC (Joint Legislative Audit Review Commission) report issued regarding the agency's operation and performance for fiscal year 2009. A copy of said report has been forwarded to the County Administrator for dissemination to the Board. Ms. Wilkins thanked the community for their generosity and support of the agency's Thanksgiving and Christmas projects, noting that the Santa Shop opens tomorrow.

Mr. Brownley thanked Ms. Wilkins for her assistance in looking into the local Bay Transit ridership. Bay Transit serves approximately 218 county residents. Mr. Brownley commented that those are good numbers; however, he hopes utilization of that service will increase in the future.

Mr. Risavi spoke briefly regarding Bay Transit, which initially offered job search related transportation services only; the program has since then expanded its services within Westmoreland County. There has been some consideration to having a bus that would serve Westmoreland County, along with the Warsaw and Callao areas; however, there was one jurisdiction which did not desire to participate, so that option has not been explored any further. Mr. Risavi noted that there has been a misconception that Bay Transit offers point-to-point service; however, that is not the case. Had this other option been available, it would have freed the existing bus up to provide more service.

9. BETH MCDOWELL, PLANNER – RE: CASE #0912-ZA-02 – PRESENTATION OF THE PLANNING COMMISSION'S RECOMMENDATIONS CONCERNING PROPOSED AMENDMENTS TO ARTICLE 2 OF THE WESTMORELAND COUNTY ZONING ORDINANCE

Beth McDowell, Planner, was recognized and presented the Planning Commission's recommendations regarding proposed amendments to Article 2 of the Westmoreland County

Zoning Ordinance. Based on the directive issued by the Board, the Planning Commission has been reviewing the “permitted uses (by-right)” and the “permissible uses (by special exception)” under each zoning district classification within Article 2 of the Zoning Ordinance. The Planning Commission has divided the zoning districts into categories and has completed its review of the agricultural, conservation, and residential zoning districts. The business, water-related and industrial zoning districts will be forthcoming. At this time, the proposed amendments to Article 2 have been limited to the following zoning districts: (C-1) Conservation; (C-2) Campground, Mobile Home Parks, and Travel Trailer; (A-1) Agricultural; (R-1) General Uses Residential; (R-2) Limited Uses Residential; (R-3) Planned Development Residential; (R-4) Townhouse, Condominium, Apartment (*no changes proposed*); (AC) Agricultural Conservation; (RC) Rural Conservation; (RR) Rural Residential; (RN) Residential Neighborhood; (PRD) Planned Residential Development (*no changes proposed*); (PVD) Planned Village Development (*no changes proposed*); and (RU) Residential Urban.

The following uses which are currently “permitted uses (by-right)” are proposed to be changed to “permissible uses (by special exception)” in the zoning districts as noted: Bed and Breakfast (A-1); Bed and Breakfast Homestays (AC, RC, RR); Cemeteries (AC, RC); Churches, not greater than 50,000 SF (C-1, A-1, R-1, R-2, AC); Churches, 50,000 SF or greater (C-1, A-1, R-1, R-2); Family Day Care Homes (AC, RC); Golf Courses (A-1, R-1, R-2); Research and Development Laboratory (A-1); Libraries (C-1, A-1, R-1, R-2, R-3); Private Marinas (RR, RN, RU); Museums (A-1, R-1); Parks (C-1, C-2, A-1, R-1); Unlighted Parks (AC, RC, RR, RN, RU); Playgrounds (C-1, A-1, R-1, R-2); Unlighted Playgrounds (AC, RC, RR, RN, RU); Private Recreational Area (C-1, A-1), and Schools (C-1, A-1, R-1).

In addition to the above amendments, the Planning Commission is considering changing “Temporary or Portable Sawmills” to “Temporary and Portable Sawmills” and permitting such use by-right rather than by special exception in the A-1 and C-1 zoning districts. The Planning Commission is of the opinion that requiring special exception approval could be excessive for this use, provided it is only temporary. Standard, permanent sawmills would continue to be listed as a separate use.

Ms. McDowell advised the Board that the changes before the Board have been unanimously approved by the Planning Commission.

Bob McDermott, Chairman of the Westmoreland County Planning Commission, was recognized and encouraged the Board to move on these recommendations quickly, primarily because of the

Research and Development Laboratory use, which is currently permitted by-right.

Ms. McDowell estimated that the Planning Commission would complete its review of the remaining zoning districts within the next couple of months.

Discussion ensued among the Board. The general consensus was that the proposed amendments would require further study by the Board prior to advertising a public hearing.

Mr. Brownley stated his intention to seek a work session among the Board at the next regular meeting.

On motion by W. W. Hynson, second by Larry Roberson and carried unanimously, the Board deferred action on CASE #0912-ZA-02 until the Board's next regular meeting to be held on January 11, 2010, in order to further study the recommendations made by the Planning Commission with respect to amending Article 2 of the Westmoreland County Zoning Ordinance.

10. OLD BUSINESS

Progress Report on the Reassessment – C. “Sonny” Fultz was present on behalf of Pearson’s Appraisal Service to update the Board on the progress of the 2010 Reassessment. Mr. Fultz provided the following preliminary overview of the sales/assessment comparison for Westmoreland County, based on 2008 sales and 2009 sales (through the end of November):

2008 – 390 Total Sales Used	
2008	2010
Sales	Assessed Value
\$83,109,727	\$76,358,729
Equals 91%	
2009 – 215 Total Sales Used	
2009	2010
Sales	Assessed Value
\$39,041,730	\$39,069,650
Equals 99%	
Combined 2008 & 2009 Sales	
\$122,151,457	
Assessed Value	
\$115,428,379	
Equals 94%	

Mr. Fultz commented on the difficulty in obtaining a grasp on the housing market, given the current state of the economy. Pearson's Appraisal will basically be using 2009 sales for this reassessment. They have been granted a 120-day extension to complete their work, primarily due to concerns about the fluctuating market. Other counties have taken similar action.

Mr. Fultz noted that the County's last general reassessment was in 2006. At that time, the sewer projects were not factored into property values. This reassessment will become effective at the end of March 2010. Mr. Fultz reported that, based on the 2009 market sales, an average increase of 21% is warranted county-wide. This is the first general reassessment that reflects the true market value on properties in the Cople and Montross districts where sewer service is available. Conservatively, approximately 55% – 60% of the 21% increase in values county-wide comes from these two districts – in strictly land values. Without these two sewer projects, the value increase would be less than 10%. The largest increase has been in land values. The market shows that residential water front sales are decreasing. All subdivisions within the county have been assessed on their own merit, based on their respective covenants, amenities, and restrictions, along with the 2009 sales market values. Mr. Fultz pointed out that appraisers do not create the market; they interpret the market. Reassessment Notices are scheduled to be mailed in early January. Hearings will begin shortly thereafter, at the English Building. Hearings may be conducted Monday through Friday, 9:00 a.m. to 4:00 p.m., and on Fridays from 9:00 a.m. – Noon. Mr. Fultz expressed appreciation to the Commissioner of the Revenue and staff for their assistance in keeping the tax maps and property records up to date.

Mr. Risavi asked if it would be okay to publish this preliminary report on the County's website. Mr. Fultz indicated his agreement with posting this information on-line, as it will become public knowledge in January.

Mr. Fultz reiterated that these are the best values that Pearson's Appraisal can provide, based on the 2009 sales market through November.

There then followed a brief discussion among the Board regarding these preliminary figures.

Mr. Risavi reported that the draft Comprehensive Plan, which has been provided in the Board's table packet, reports the County's seasonal/recreational housing units have increased from 1,676 units in 2000, to 4,723 units during the period of 2007 through 2009. One of the focuses of the County's strategic planning effort was to try to encourage more secondary homeowners and retirees. Building trends over the past several years confirm that a significant number of new

housing units fall within that category.

Update on Governor's Mid-Year Budget Review – A summary of the additional cuts implemented by the Compensation Board for FY 2009/2010 was included in the Board's table packet. Mr. Risavi advised the Board that the County had to make up a total of \$108,352. He has met with the Constitutional Officers. The Sheriff has agreed to leave 2 positions vacant, which will result in a savings of \$48,172.54. The budget for the Commonwealth's Attorney has been reduced by \$3,462.00 (Office Expenses). The Clerk of the Circuit Court's budget for temporary personnel and office expenses has been reduced by \$6,071.00. This leaves \$50,646.46 to be transferred from the Contingency Fund, to get through the remainder of FY 2009/2010. Mr. Risavi then addressed the Board concerning changes in the way localities are reimbursed by the Compensation Board. He noted that the Sheriff's Department has 1 additional position above the statutory limit. If additional cuts are implemented, the Compensation Board has indicated that localities in this situation will be next up on the chopping block. Mr. Risavi commented that, through the cooperation of all the employees and Constitutional Officers, Westmoreland County has fared well under the current economic conditions, in comparison to some other jurisdictions.

Mr. Roberson commented that the County has done an excellent job in ensuring that employee salaries remain stable.

Mr. Culver suggested that it was unfair for the State to cut the Constitutional Officers' budgets mid-year.

Mr. Brownley noted that part of the problem is that Virginia is on a biennium budget.

Chairman Fisher commented on the County's efforts to keep the existing personnel employed. As these cuts have come down from the State, it has been this Board's position to keep people working, as best we can, for as long as possible.

Upon motion by Mr. Roberson, second by Mr. Brownley and carried unanimously with Mr. Brownley, Mr. Hynson, Mr. Roberson, Mr. Culver and Mr. Fisher voting "aye", the Board concurred with the transfer of \$50,646.46 from the FY 2009/2010 Contingency Fund to the appropriate categories within the Constitutional Officers' budgets to offset budget cuts implemented by the State Compensation Board.

11. NEW BUSINESS

Proposed Rate Increase – United Water Virginia – Mr. Risavi informed the Board that United Water Virginia, a subsidiary of Virginia American Water, has filed a general rate increase application with the State Corporation Commission. Copies of the December 7, 2009 press release regarding this matter were included in the Board's agenda packet.

Mr. Culver reported that United Water Virginia has indicated that they are requesting a 50% increase from the State Corporation Commission, citing system improvements as the reason for the increase.

Mr. Risavi stated that the Board previously appointed a Private Water Systems Users Committee to address matters such as this. If the Board desires, he can schedule a meeting with representatives from each of the subdivisions served by United Water Virginia to discuss this matter further. Mr. Risavi will obtain a copy of the filing from the State Corporation Commission.

Appointment: Board of Building Appeals (District 2) – This appointment expires December 31, 2009. The Board deferred this item until the January meeting.

Appointments: Industrial Development Authority (IDA) – These appointments expire December 31, 2009. Mr. Roberson stated that Paul Tsompanas has indicated that he does not wish to be reappointed, as he would like to do some traveling. Upon motion by Mr. Roberson, second by Mr. Hynson and carried unanimously, the Board directed the County Administrator to draft a letter of appreciation to Paul Tsompanas for his hard work and dedication, and appointed Robert Lynch to serve a four-year term on the Westmoreland County Industrial Development Authority, commencing January 1, 2010.

Mr. Culver noted that Stanley Dixon has indicated a willingness to serve an additional term. On motion by Mr. Culver, second by Mr. Roberson and carried unanimously, the Board reappointed Stanley Dixon to serve an additional four-year term on the Westmoreland County Industrial Development Authority, commencing January 1, 2010.

Mr. Brownley informed the Board that he had written a letter to those members of the Industrial Development Authority whose terms are about to expire asking them to notify County Administration of their willingness to serve.

Mr. Brownley stated that James W. Latane, Jr. has indicated that he would like to remain on the

IDA. On motion by Mr. Brownley, second by Mr. Hynson and carried unanimously, the Board reappointed James W. Latane, Jr. to serve an additional four-year term on the Westmoreland County Industrial Development Authority, commencing January 1, 2010.

Mr. Hynson reported that Stephen Allen has agreed to serve an additional term. Upon motion by Mr. Hynson, second by Mr. Roberson and carried unanimously, the Board reappointed Stephen Allen to serve an additional four-year term on the Westmoreland County Industrial Development Authority, commencing January 1, 2010.

Mr. Culver agreed to contact Richard B. Allison, Jr. to see if he desires to be reappointed to the IDA. Mr. Brownley indicated that he would be in touch with G. Bryan Oliff to determine whether or not he is willing to remain on the IDA.

Wetlands Board – District 4 – This appointment expires December 31, 2009. The Board deferred this appointment until the January meeting.

Planning Commission – District 2 – Mr. Culver stated that he wished to thank Robert McDermott for his service to the Planning Commission and recommended that John Muenzen be appointed to that post. Upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously, the Board appointed John Muenzen to serve a four-year term as the representative for District 2 on the Westmoreland County Planning Commission, commencing January 1, 2010.

Chairman Fisher expressed the Board's gratitude to Mr. McDermott for his invaluable service and thanked him for all the work that he has done for the County.

Planning Commission – District 5 – Mr. Roberson advised the Board that Richard Moncure has agreed to serve an additional term. Upon motion by Mr. Roberson, second by Mr. Brownley and carried unanimously, the Board reappointed Richard Moncure to serve an additional four-year term on the Westmoreland County Planning Commission, commencing January 1, 2010.

Potomac Watershed Roundtable – These appointments expire December 31, 2009. Mr. Hynson and Mr. Brownley agreed to remain as the Board's representatives. Upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously, the Board reappointed W. W. Hynson as Westmoreland County's representative on the Potomac Watershed Roundtable and reappointed Lynn C. Brownley to serve as the County's alternate representative.

Tidewater RC&D Council – This appointment expires December 31, 2009. Mr. Brownley agreed to continue as the Board’s representative. Upon motion by Mr. Culver, second by Mr. Roberson and carried unanimously, the Board reappointed Lynn C. Brownley to serve as Westmoreland County’s representative on the Tidewater Resource, Conservation and Development Council.

Board of Equalization – Upon motion by Mr. Roberson, second by Mr. Culver and carried unanimously, the Board recommended the following individuals be appointed to the Westmoreland County Board of Equalization, subject to final approval by the Circuit Court Judge:

- District 1 – James Thornton, Jr.;
- District 2 – Bill Alverson;
- District 3 – Ben Cox;
- District 4 – David W. Desmond (subject to his acceptance); and
- District 5 – Peggy Campbell.

The County Attorney will prepare the order to the Circuit Court Judge.

Landowner/Hunter Advisory Committee – Upon motion by Mr. Brownley, second by Mr. Culver and carried unanimously, these appointments were deferred to the Board’s January meeting.

12. PUBLIC COMMENT PERIOD

The following individuals spoke during the public comment period:

Bob Quinn – Mr. Quinn implored the Board to consider the Zoning Ordinance changes proposed by the Planning Commission prior to going into closed session at the end of this meeting, especially as it relates to schools and research facilities. Mr. Quinn suggested that these two items be placed on the agenda for the Board’s January meeting.

Margaret Quinn – Mrs. Quinn stated that she was in agreement with comments made by Mr. Quinn.

Robert McDermott – With respect to the proposed changes to the Zoning Ordinance, Mr. McDermott asked the Board to keep in mind whether or not we want to hear the public’s opinion on these items. Mr. McDermott encouraged the Board to be open to public opinion.

Kennon Morris – Mr. Morris addressed the Board concerning the proposed Glebe Harbor/Tidwells sewer project, suggesting that many people do not want the system. Mr. Morris urged the Board to

get the public's input before moving forward with this project. He suggested that the Board conduct a public hearing before the February deadline established by Rural Development.

T. C. Hackett – Ms. Hackett stated her intent to acquire 11 acres of property in the Mt. Holly area and spoke in favor of the proposed Glebe Harbor/Tidwells sewer project.

Bob Quinn – Mr. Quinn stated that he would like the Board to answer whether or not they will open up for discussion the two items he requested previously.

Chairman Fisher stated that, unless the Board makes that recommendation, the matter will stand as is.

With respect to a particular zoning use of right, Mr. Brownley asked if it would be reasonable for the County not to act on such matters while the Board is in the process of reviewing the Zoning Ordinance.

The County Attorney stated that if an application is filed, the County has to accept the application.

Kevin Gouldman – Mr. Gouldman addressed the Board regarding the proposed rate increase by United Water Virginia, stating that he does not believe they own more water systems than those that he himself operates. His rates are still lower than theirs. Mr. Gouldman noted, however, that this Board has no jurisdiction over these rates and stated that he would encourage property owners to write to the State Corporation Commission (SCC) to voice their concerns. Unless the SCC hears complaints from at least 25% of the customers, they will likely approve the request.

Mr. Risavi asked if Mr. Gouldman would be willing to serve as a witness, if the County hired an accountant to fight the increase. Mr. Gouldman indicated that he would be willing to help, but not necessarily as a witness.

Bill Alverson – Mr. Alverson inquired as to the status of the mileage logs that were requested for County vehicles, suggesting that the citizens deserve a log that shows where their tax money is going. Mr. Alverson offered his opinion that it would be a lot cheaper if the vehicles were left at the office and not driven home by County employees.

Bonnie Balderson – Ms. Balderson offered holiday greetings to the Board. She then informed the Board that she received a phone call inviting her to visit the O'Gara project site and stated that she

would encourage anyone who has not been to the site to do so. Mr. Provost and Mr. Hurst were most gracious. Ms. Balderson complimented Mr. Risavi for checking on things and stated that her main concern is who is going to make sure the persons that go there for training are monitored. Ms. Balderson stated that she was shocked to see what O’Gara has done since August, and how big and involved the project is. You cannot know until you physically visit the site. O’Gara has indicated that they would have an open house at the appropriate time. Ms. Balderson commented that the site plans show that they will have four 25-student classrooms and one 100-student classroom. O’Gara representatives have told her that they will have three hundred students. Someone needs to make sure they stick to what they have said. Ms. Balderson stated that it was her understanding that the Alton facility would no longer exist, but O’Gara has indicated that is not the case. Ms. Balderson went on to say that safety is of paramount importance and that she understands that one individual has already slipped through security. Ms. Balderson suggested that night surveillance of the property would not be asking too much.

There being no further comments, Chairman Fisher thanked the public for their participation and closed the public comment period at this time.

13. CLOSED SESSION: PURSUANT TO VIRGINIA CODE SECTION 2.2-3711.A1 RE: DISCUSSION OF PERSONNEL MATTERS

Upon motion by Mr. Roberson, second by Mr. Culver, and carried unanimously, the Board and the County Attorney entered into a Closed Meeting pursuant to Section 2.2-3711.A.1 of the Code of Virginia, 1950 for discussion of personnel matters, at 8:35 p.m.

Having completed the Closed Meeting, the Board reconvened in open session at 9:15 p.m.

Because the Board convened in Closed Meeting pursuant to an affirmative recorded vote, and in accordance with the Freedom of Information Act, and because Virginia Code Section 2.2-3711.A.1 requires that certification be given that such Closed Meeting was conducted in conformity with Virginia law, Mr. Roberson moved that the Board certify by roll call vote that, to the best of each member’s knowledge:

(a) Only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification applies;

(b) Only such public business matters as were identified in the motion covering the Closed Meeting were heard, discussed or considered by the Board; and

(c) No action was taken.

The motion was seconded by Mr. Culver and carried with a unanimous roll call vote with Mr. Brownley, Mr. Hynson, Mr. Culver, Mr. Roberson and Mr. Fisher voting "aye".

ADJOURNMENT

Chairman Fisher extended holiday greets to all on behalf of the Board.

There being no further business to come before the Board at this time, upon motion by Mr. Roberson, second by Mr. Hynson and carried unanimously, the Board adjourned at 9:17 p.m.

Chairman, _____

A handwritten signature in cursive script, appearing to read "David E. Fisher", is written over a horizontal line.