BOARD OF SUPERVISORS
SPECIAL MEETING
MAY 16, 2016

The Appomattox County Board of Supervisors held a Special Called Meeting on Monday, May 16, 2016 at 5:30PM in the Board of Supervisors meeting room located at 171 Price Lane, Appomattox, Virginia.

Present:
Appomattox County Board of Supervisors:

Samuel E. Carter,	Courthouse District, Chairman
Sara E. Carter	Piney Mountain District, Vice-Chairman
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District
Bryan A. Moody	Stonewall District

Also Present:
Susan M. Adams, County Administrator
J. G. Overstreet, County Attorney
Johnnie Roark, Community Development Director
Jeff Taylor, Economic Development Director
John K. Spencer, Information Systems Manager/Purchasing Agent
Vicky C. Phelps, Finance

Also Present:
Don Austin, Virginia Department of Transportation
Robert Brown, Virginia Department of Transportation

Chairman Carter called the Special Meeting to order at 5:30 p.m. and welcomed everyone in attendance.

Chairman Carter explained that the purpose of the Special Meeting is to meet with Virginia Department of Transportation to discuss the upcoming Six Year Plan and to hold a closed session pursuant to §2.2-3711 (A) 7 to consult with legal counsel.

Mr. Austin and Mr. Brown came forward and explained the Six Year Plan process and answered questions from the Board.

Mr. Austin explained the Rural Rustic Priority List and stated that he would like to suggest some changes, but the decision to make changes would be up to the Board's discretion.

Mr. Austin provided the Board with the following draft Rural Rustic Priority List:
(A copy of the draft list may be obtained from the May 2016- Board file)

1 Coleman Mountain Road
2 Gardner Farm Road
3 Columbus Road

4 Salt Lick Lane
5 Cub Creek Lane
6 Poorhouse Creek Road
7 Dreaming Creek Road

After lengthy discussion it was the consensus of the Board to keep the draft Rural Rustic Priority Road List as presented by Mr. Austin and Mr. Brown with VDOT.

Ms. Carter made a motion to advertise a public hearing to receive public comment on the Draft Rural Rustic Priority List at the June 20, 2016 Board of Supervisors meeting. Mr. Millner seconded Ms. Carter's motion. Chairman Carter called for comment, hearing none, he called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Chairman Carter thanked Mr. Austin and Mr. Brown for attending the special meeting and providing the Board with information.

Chairman Carter stated that a motion would be needed to enter into closed session pursuant to §2.2-3711 (A) 7 consultation with legal counsel.

Mr. Overstreet, County Attorney provided the following statement:
The Zoning Administrator has received a complaint from a citizen regarding the granting of an administrative variance to the Zoning Ordinance and the subsequent location of the building constructed pursuant to the variance. The complaint is being investigated by the Zoning Administrator according to the procedure set forth in the Zoning Ordinance.

Prior to filing the complaint the citizen indicated that he would pursue litigation if necessary to achieve a remedy to his complaint. Therefore, I would ask the Board to hold a closed meeting pursuant to Section 2.2-3711(A) 7 Code of Virginia so that Counsel may consult with the Board about this matter. Based on the above, Mr. Overstreet reported that he believes we have a "probable litigation" and that discussing this matter in open session would adversely affect the County's litigating posture.

Mr. Millner made a motion at 5:56 p.m. to enter into closed session pursuant to § 2.2-3711 (A) 7 consultation with legal counsel. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Mr. Moody made a motion to return to regular session at 6:38 p.m. Mr. Millner seconded Mr. Moody's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Chairman Carter read the Closed Session Certification Resolution:

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

WHEREAS, Section 2.2-3712(D) of the Code of Virginia, as amended requires a certification by the Appomattox County Board of Supervisors that such closed session was conducted in conformity with Virginia Law:

NOW, THEREFORE, BE IT RESOLVED, that the Appomattox County Board of Supervisors hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from opening meeting requirements by Virginia Law were discussed in the closed session to which this certification motion applies, and (ii) only such matters were heard, discussed or considered by the Appomattox County Board of Supervisors
Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

No action was taken from the Closed Session.

Mr. Millner made a motion to adjourn the Special Meeting at 6:39 p.m. Mr. Hogan seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Ms. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

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Samuel E. Carter, Chairman