

**RICHMOND COUNTY BOARD OF SUPERVISORS  
JUNE 9, 2016**

**MINUTES**

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 9th day of June 2016, thereof in the Public Meeting Room of the County Office Building.

Present:

F. Lee Sanders, Chairman  
Richard E. Thomas, Vice-Chairman  
Robert B. Pemberton, Member  
J. David Parr, Member  
William C. Herbert, II, Member

Also Present:

R. Morgan Quicke, County Administrator  
Hope D. Mothershead, Administrative Assistant  
Dr. Greg Smith, RCPS, Superintendent  
Kristie S. Brann, Treasurer  
Barry Sanders, Director of Code Administration  
Stephan B. Smith, Sheriff  
Dwayne Sanders, Planner  
Jennifer Delano, Commissioner of the Revenue  
Ted Hull, Superintendent of Northern Neck Regional Jail  
Mable Lewis, Chair of Richmond County Electoral Board  
Approximately 10 others

**CALL TO ORDER**

Chairman Sanders called the meeting to order at 9:00 a.m., gave the invocation, and led in the Pledge of Allegiance. Mr. Quicke introduced Hope Mothershead.

**RCPS**

Dr. Smith briefed the Board on the School's accomplishments, the end of the school year calendar, and the sports schedules. Dr. Smith said that after starting the year with 22 new employees, new facilities and lots of changes, the school year has been a success.

**SHERIFF**

Sheriff Smith presented the following report for the month of May: 605 calls for service; served 291 civil papers; 35 arrests with 73 warrants served; and served 60 traffic summons. He said that the jail population this week for Richmond County was 17.

Sheriff Smith reported that the Sheriff's Office has one new officer that graduated the academy in May, Taylor Elliott. The Sheriff's Office assisted with traffic control for the Food Bank Poker Run and it went well. He said that his office gave two community presentations during the month of May.

Sheriff Smith reported that the Sheriff's Office will start placing the speed trailer on the secondary roads, after some much needed upgrades to the trailer. Mr. Herbert asked if it was possible to place the speed trailer on Morgan Lane for a time period since he had received complaints of increased speed on that road. Sheriff Smith advised that he would work with the Town to have the speed trailer in place on Morgan Lane.

### **ANIMAL CONTROL**

Sheriff Smith presented the following Animal Control report for the month of May 2016: 22 dog calls; 2 farm livestock calls; 9 wildlife calls and 6 dogs were transferred to the pound.

Sheriff Smith said that the Animal Control Officer responded to 54 deputy calls, 2 squad assist, 10 papers served, 4 warrant arrests, 3 traffic summons and 1 case arrest.

### **TREASURER**

Kristie Brann, Treasurer, presented the Trial Balance Report for the month of May, 2016. Mrs. Brann advised that the personal property civil warrants were broken into two parts (1<sup>st</sup> and 2<sup>nd</sup> half of alphabet). The 1<sup>st</sup> half of the alphabet will be heard in June and the 2<sup>nd</sup> half will be heard in July in Circuit Court

### **COMMISSIONER OF THE REVENUE**

Jennifer Delano, Commissioner of the Revenue, presented the finalized Property Damage Relief Application. This form will be used by the nine property owners at Naylor's Beach. Mrs. Delano advised that once completed, these parcels would be taxed for 55 days and the other 311 days will be abated. Mr. Quicke reported that a letter would be sent to all nine owners together with the application. Mrs. Delano also indicated that she had received some questions about personal property tax relief for damaged automobiles, boats, etc.

### **PLANNING & ZONING**

Barry Sanders, Director of Code Administration, reported that all but one resident of Naylor's Beach area has cleaned up debris and removed damaged structures. He advised that one new structure has already been rebuilt and several others have contacted his office with interest of rebuilding.

Mr. Sanders advised that there is a new convenience store in the old Brown's Market location named, Speed Mart. He encouraged all to support the new business.

Mr. Sanders advised that he would provide end of fiscal year reports next month. Mr. Sanders reported that there are some compliance issues with junk yards that may need to be brought to the attention of the county attorney.

### **CHIEF OF EMERGENCY SERVICES**

In lieu of Chief Baker's absence, Mr. Quicke presented the following EMS report for the month of May: 101 calls in Richmond County; 0 calls for mutual aide to bordering counties; and 3 fly-outs.

Chief Baker's report indicated that \$20,593 was collected during the month of May for EMS recovery billing.

Chief Baker's report indicated that Richmond County was awarded the American Heart Association bronze award for continued positive patient outcome in conjunction with Air Care Medical helicopter service for getting patients definitive care faster than the standards set by American Heart Association.

Chief Baker's report also indicated that EMS members attended several community requested standbys with no issues.

### **PUBLIC COMMENT**

Mr. Dan Ream from Rappahannock Community College told the Board that roof renovations were currently underway at RCC. The RCC library will be using the library at the old Richmond County Intermediate School while renovations are being made to the college. The temporary library will open on July 1<sup>st</sup>. Mr. Ream offered thanks to Dr. Greg Smith for allowing RCC the use of the existing library at Richmond County Intermediate School.

### **NORTHERN NECK REGIONAL JAIL – SUPERINTENDENT, MR. TED HULL**

Mr. Quicke introduced Mr. Ted Hull from Northern Neck Regional Jail.

Mr. Ted Hull addressed the Board to discuss arrangements which would allow Gloucester County to become a member of the Northern Neck Regional Jail. Gloucester County has signed with NNRJ, an interim gap agreement which will allow their inmates to move into NNRJ effective July 1 as a rental, pending the agreement being finalized.

Mr. Quicke advised that there would come a time where money would have to be paid into the Northern Neck Regional Jail, but this agreement should extend the need for local funds out to 2025/2027. Mr. Hull shared that the jail has been operating for 21 years with no money from localities. Mr. Herbert asked how many average prisoners would be coming from Gloucester. Mr. Hull indicated that the ADP of Gloucester is about equal to the other three counties involved, adding 80-90 additional inmates to the prison.

Chairman Sanders congratulated Mr. Hull for the efficient way that he has run the jail in the past. Mr. Hull commended his staff for their efficiency each and every day.

**RICHMOND COUNTY ELECTORAL BOARD – CHAIR, MS. MABLE LEWIS**

Ms. Lewis presented the Board with a letter requesting a change of poll place. The Richmond County Electoral Board requests that the current precinct 401 be changed from Farnham Firehouse on North Farnham Church Road to 391 Canal Road, Farnham (Richmond County Community Center Service, Inc.). Ms. Lewis stated that the reasons for the request were as follows: (1) With new machines there is not enough space for machines and privacy screens. The privacy screens will be needed for marking or ballots; (2) Some voters have problems walking up the incline to get to the door; (3) Building is not accessible for wheelchairs; (4) The cleanliness of the facility is unsatisfactory; and (5) Does not meet standards sent down by the State Board Elections. The Electoral Board would like for the Board to consider the change very soon since the registrar will need to send out new cards to the voters 90 days before election.

Chairman Sanders advised Ms. Lewis that the Board would take the change in polling place under advisement.

Ms. Lewis also indicated that she visited Rappahannock High School and registered 25 seniors to receive voter cards.

**UPDATE ON COUNTY ENTRANCE SIGNS**

Mr. Quicke advised that he was instructed to work with the public and present to the Board several options for the slogan that will be a part of our new entrance signs. The slogans that came out of the May 12<sup>th</sup> Board meeting, plus other recommendations were:

- “Heartland of the Northern Neck”
- “Land of Pleasant Living”
- “A Place to Visit, a Place to Stay”
- “Gateway to Virginia’s Historic Northern Neck”
- “Virginia’s Historic Northern Neck”
- “Farming, Fishing and Forestry”
- “A Natural Place to Be”

Mr. Quicke added that the slogans were placed on Facebook for comment and there was great response, almost 50 people have given feedback. As of Thursday, June 2<sup>nd</sup>, the response totals are:

“Heartland of the Northern Neck”	13
“Land of Pleasant Living”	1
“A Place to Visit, a Place to Stay”	5
“Gateway to Virginia’s Historic Northern Neck”	9
“Virginia’s Historic Northern Neck”	18
“Farming, Fishing and Forestry”	2

“A Natural Place to Be”

1

Mr. Quicke hopes to move forward with a design and have the signs in place within the month. Mr. Parr asked if all four signs needed to be the same. Chairman Sanders indicated that it would probably be more cost effective to do all the same sign. Mr. Quicke advised that the signs would cost roughly \$1,000.00 each and he knew many people were looking forward to seeing the signs completed once the slogan was selected. Mr. Herbert suggested that since the majority of votes were for “Virginia’s Historic Northern Neck”, the Board should approve the slogan.

***“On a motion made by William C. Herbert, II, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to accept “Virginia’s Historic Northern Neck” as the slogan for the county entrance signs.”***

### **EMS BUILDING – REPLACEMENT/REMODEL RFP**

Mr. Quicke proposed to the Board the EMS Building RFP prepared with the help of Mr. Dwayne Sanders and asked the Board for approval of proposed schedule and advertising.

***“On a motion made by Robert B. Pemberton, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the following RFP and allow for advertising.”***

## **COUNTY OF RICHMOND, VIRGINIA REQUEST FOR PROPOSALS PROFESSIONAL ENGINEERING SERVICES**

The County of Richmond, Virginia is requesting proposals from qualified engineering firms to provide professional engineering and related services on the Emergency Services Building. The successful offeror shall provide normal engineering, structural, mechanical, civil, electrical and geotechnical engineering, surveying and related services for Richmond County.

Initial services shall include, but may not be limited to, the preparation of a site development plan and construction bid drawings and documents for public display.

The RFP specifications may be obtained from the County Administrator's Office, located in the County Administration Building, 101 Court Circle, Virginia 22572; Telephone: (804) 333-3415. The RFP is posted on the county website at [www.co.richmond.va.us](http://www.co.richmond.va.us). The RFP specifications shall be available on and after Wednesday, June 22, 2016.

Proposals must be received by the County Administrator's Office by no later than 4:30 p.m., prevailing local time, Thursday, July 21, 2016. Proposals received after the aforesaid date and time shall not be considered and shall be returned. Proposals shall not be submitted by facsimile or e-mail.

The method of engineer selection shall be in accordance with the provisions for procurement of professional services contained in Section 2.2-4302.2 of the *Code of Virginia, 1950, as amended*. The County of Richmond reserves the right to cancel the RFP, to modify any RFP requirements prior to deadline for proposal receipt, to reject any or all proposals, to waive informalities in proposals, and to negotiate and award a contract for services and prices for same which is deemed most meritorious and best serves the county's interests. EOE.

R. MORGAN QUICKE  
RICHMOND COUNTY ADMINISTRATOR

**COUNTY OF RICHMOND, VIRGINIA**

**REQUEST FOR PROPOSALS  
FOR  
ENGINEERING SERVICES AS NEEDED**

**I. PURPOSE OF REQUEST**

The County of Richmond, Virginia is requesting proposals from qualified engineering firms to provide professional engineering and related services on an as needed basis. The successful Engineer shall provide normal engineering, structural, mechanical, civil, electrical and geotechnical engineering, surveying and related services to Richmond County.

Initial engineering services shall include, but may not be limited to, the preparation of a site development plan and construction bid drawings and documents for public display.

**II. AREAS OF CONSIDERATION**

Richmond County is currently exploring three options related to the future of the Emergency Services Building located at 6774 Richmond Road, Warsaw, Virginia 22572. The selected firm shall provide a detailed report covering feasibility, projected cost, lifespan, etc. The three options are listed below.

1. Remodel and Expansion of the existing building that was built over 20 years ago. The County needs major upgrades and renovations to keep up with changes over time. Consist of a sleep room, den, kitchen, small office space, two bathrooms, closets and a shower place. These renovations would consist of a five bay, climate controlled building constructed towards the rear of the property. The existing back two bays converted into office space plus a new office for the Chief. Other areas of consideration include; electrical and plumbing upgrades as well as parking lot improvements.
2. Construction of a new building to house Richmond County Department of Emergency Services on existing land owned by the County. Requirements for this building as follows, three drive through bays side by side, therefore having six entrances, an administrative wing would have a kitchen, den, three sleep rooms, two offices, training room, storage and bathroom with showers. The preferred concept of this facility is to be a metal building with the administrative wing being stick built with a brick finish.
3. Construction of a new building to accommodate the Richmond County Department of Emergency Services and Company 1 of the Richmond County Fire Department.

Certain criteria is needed to be followed; six drive through bays, three on either side with the administrative services placed in the middle. The middle structure would contain two halves, one for Emergency Services and the other for the Fire Department. The Emergency Services section would follow the guidelines stated above for Option two. The Fire Department section would need to consist of kitchen space, bathroom facilities, living quarters and training space.

**III. AREAS OF STUDY**

- Feasibility of all three options.
- Projected construction cost for all options.
- Estimated timeline.
- Estimated Lifespan and conceptual site plans for all options.

**IV. STATEMENT OF WORK**

The initial engineering services requested by the County of Richmond and to be furnished by the selected Engineer shall meet the following criteria to achieve a successful project:

- The Engineer shall generate a detailed Project program, which shall include a total cost estimate for each section of the Project and include a Project timeline including design and construction of Structural, Electrical, Mechanical, Plumbing and Lighting.
- Provide a Site Plan that meets all applicable state and local environmental and zoning requirements.
- The Engineer should take control of obtaining the proper permits for each phase of this project.
- Contact Richmond County's Building Official when applicable (Inspections).
- Follow all requirements of The Virginia Uniform Statewide Building Codes of 2012.
- All personnel selected to work on the Job Site must be in compliance with OSHA Standards.
- The awardee shall oversee day to day operations and provide a biweekly status report to the Richmond County Administrator.

**V. QUALIFICATIONS**

- Provide a detailed list of key personnel to be assigned to and to work on the project. The qualifications, including any related experience, of each person shall be provided.
- References shall include the name of the client agencies, contact persons, addresses, telephone numbers, and a brief description of the nature and scope of services and work rendered.
- Organizational structure of the Engineer.
- Financial status of the Engineer.
- Size of the Engineer relative to the statement of work required.
- Location of the Engineer relative to the County.
- Able to show proof of Liability Insurance, Workers Compensation and Automobile Coverage.

**VI. PHASE – TIME SCHEDULE**

- Phase 1 – Review of Options
- Phase 2 – Pre-Construction (Engineered Drawings, Bid Documentation and Processing and permitting, etc)
- Phase 3 – Construction (Construction Management and Inspection)
  
- June 9, 2016 – Release RFP to firms
- July 14, 2016 – RFP’s due back to the County Administrator’s Office
- August 4, 2016 – Possible interviews with the Board
- August 11, 2016 – Award RFP
- October 7, 2016 – Results completed by selected firm
- October 13, 2016 – Results reported to the Board of Supervisors
- November 10, 2016 – Board action on reported options
  
- November 2016 – March 2017 – Consider Financing Options
- November 2016 – March 2017 - Pre-Construction Phase
- April 2017 – November 2017 - Construction Phase

**XII. INFORMATION AND INQUIRIES**

Copies of this Request for Proposals (RFP) can be obtained by calling the Richmond County Administrator’s Office at (804) 333-3415 between the hours of 9:00 a.m. – 5:00 p.m., Monday through Friday, except holidays, or by visiting the County website at [www.co.richmond.va.us](http://www.co.richmond.va.us)

Inquiries regarding explanations and interpretations of the RFP contents and specifications shall be directed in writing to the Richmond County Administrator at the mailing address, telefax number or e-mail address noted below. The County Administrator must receive such written inquiries by no later than 2:00 p.m., Friday, June 24, 2016. The County shall distribute written responses to all written inquiries to all parties that have notified the County of its interest in receiving such written responses.

Engineers requesting copies of this Request for Proposals shall contact:

R. Morgan Quicke  
Richmond County Administrator  
101 Court Circle – P.O. Box 1000  
Warsaw, Virginia 22572

Telephone: (804) 333-3415  
Telefax: (804) 333-3408  
E-Mail: [rmquicke@co.richmond.va.us](mailto:rmquicke@co.richmond.va.us)

County Administrator's Office location, USPS mailing address and UPS/Federal Express shipping address:

Richmond County Administrator’s Office  
101 Court Circle – P.O. Box 1000  
Warsaw, Virginia 22572

All proposals must be complete and include the following information signed and notarized as appropriate:

1. **‘Statement of Qualifications’ (Attachment A)**
2. **‘Non-Collusion Affidavit Certificate’ (Attachment B)**
3. **Proposal Submittal (Attachment C)**

**Attachment A**

***STATEMENT OF QUALIFICATIONS AND EXPERIENCE***

Expressions of interest for as-needed professional engineering services shall be made by submitting a statement of qualifications, including background and experience of staff members who would be assigned to the work, summary of members who would be assigned to the work and a summary listing of similar projects conducted by the firm. The successful offeror shall hold all necessary licenses and certifications to provide the services, and shall have the capability to provide general architectural, planning, structural, mechanical, civil or electrical engineering services, as well as any required surveying or related services incidental thereto. When applicable to the category of services governed by the proposal, the offeror should address the following criteria:

1. Specific training, knowledge and experience of firm relating to architectural, planning, structural, mechanical, civil or electrical engineering services, as well as any required surveying or related services incidental thereto.
2. Specific training, knowledge and experience of firm’s employees and any subcontractors, who will perform the services solicited under this RFP.
3. Specific knowledge of applicable codes, regulations and best practices relating to potential projects to be undertaken by the County.
4. Demonstrated history of past success in provision of similar engineering services.

Each firm submitting a proposal for items included in this RFP shall prepare and submit the following information, in addition to addressing the qualifications stated above:

1. Name of Firm or Business \_\_\_\_\_
2. Business Address \_\_\_\_\_
3. Business Phone \_\_\_\_\_ Fax No. \_\_\_\_\_
4. E-mail address \_\_\_\_\_
5. How many years have you been in business in Virginia and under what names? \_\_\_\_\_
6. General Character of services provided by your firm:  
\_\_\_\_\_  
\_\_\_\_\_
7. Commonwealth of Virginia Sales Tax Registration No., if applicable.: \_\_\_\_\_

8. Federal I.R.S. Identification No.: \_\_\_\_\_
9. List the places of operation:  
\_\_\_\_\_  
\_\_\_\_\_.
10. Provide a clear statement of your experience and qualifications relevant to services proposed to be provided.
11. Execute and return this Statement of Qualifications, Attachment B and Attachment C.
12. I certify that I:
  - Am capable of providing the services as outlined in this proposal,
  - Will comply with the rules and regulations outlined by the U.S. Code, the Code of Virginia, the County of Richmond, and all rules and regulations of the Virginia State Corporation Commission, and other applicable laws and regulations.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Official Title

COMMONWEALTH OF VIRGINIA,

CITY/COUNTY of \_\_\_\_\_, to-wit:

The foregoing Statement of Vendor Qualifications was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_.

My Commission expires:    /    /

\_\_\_\_\_  
Notary Public

**Attachment B**

*NON COLLUSION CERTIFICATION*

The following certifications are made:

1. The bid or offer (1) is made without prior participation, understanding, agreement, or connection with any corporation, firm or person submitting a bid/offer for the same materials, supplies, equipment, or services with respect to the allocation of the business afforded by or resulting from the acceptance of the bid or proposal, (2) is in all respects fair and without collusion or fraud, and (3) is or is intended to be competitive and free from any collusion with

any person, firm or corporation.

2. The offeror has not offered or received any kickback from any other offeror or Contractor, supplier, manufacturer, or subcontractor in connection with the bid/offer on this solicitation. A kickback is defined as an inducement for the award of a contract, subcontracts or order, in the form of any payment, loan, subscription, advance, deposit of money, services or anything, present or promised, unless consideration of substantially equal or greater value is exchanged. Further, no person shall demand or receive any payment, loan, subscription, advance, and deposit of money, services or anything of value in return for an agreement not to compete on a public contract.
3. The offeror is not a party to nor has he participated in nor is obligated or otherwise bound by agreement, arrangement or other understanding with any person, firm or corporation relating to the exchange of information concerning bids, prices, terms or condition upon which the contract resulting from the acceptance of his bid or proposal is to be performed.
4. The offeror understands that collusive bidding is a violation of the Virginia Governmental Frauds Act and federal Law, and can result in fines, prison sentences, and civil damage awards and agrees to abide by all conditions of this proposal.
5. The offeror or subcontractor has not and will not confer on any public employee having official responsibility for a procurement transaction any payment, loan, subscription, advance, deposit of money, services or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is exchanged.

\_\_\_\_\_  
Offeror

BY: \_\_\_\_\_  
Name & Official Title

COMMONWEALTH OF VIRGINIA,

COUNTY/CITY of \_\_\_\_\_, to-wit:

The foregoing Non Collusion Certification was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by \_\_\_\_\_.

My Commission expires:    /    /

\_\_\_\_\_  
Notary Public

**Attachment C**

The undersigned submits the following proposal desiring to perform professional engineering and related services for Richmond County on an as needed basis.

**Authorization:**

\_\_\_\_\_  
Firm Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Phone Number

\_\_\_\_\_  
State, Zip

\_\_\_\_\_  
Fax Number

\_\_\_\_\_  
By

\_\_\_\_\_  
Title

\_\_\_\_\_  
Contact Name (if different from above)

\_\_\_\_\_  
Contact Phone Number

**BOARD APPOINTMENTS – WETLANDS BOARD**

Mr. Quicke advised the Board that there were several Wetland’s Board appointments that need to be made.

The expiring terms are:

- District 1 – David Gallagher, Chairman
- District 2 – Greg Gruner, Vice Chairman
- District 4 – Michael Sisson
- Alternate – Thomas Kiple (District 2)
- Alternate – Shari Faina (District 4)

Mr. Quicke suggested that in order to get the terms back in line and to only have one of the five members expire each year, they should be appointed as follows:

- District 1 – 1 year term, expiring June 30, 2017
- District 2 – 2 year term, expiring June 30, 2018
- District 4 – 5 year term, expiring June 30, 2021
- Alternates – 5 year term, expiring June 30, 2021

Mr. Thomas added that David Gallagher is willing to serve a one year term.

***“On a motion made by Richard E. Thomas, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the re-appointment of the term of David Gallagher.”***

Mr. Parr added that Thomas M. Kiple and Gregory Gruner are willing to accept renewal of their terms.

***“On a motion made by J. David Parr, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the re-appointment of the terms of Thomas M. Kiple and Gregory Gruner.”***

Mr. Pemberton added that Michael Sisson is willing to renew his term.

***“On a motion made by Robert B. Pemberton, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the re-appointment of the term of Michael Sisson.”***

Mr. Pemberton advised the Board that he would discuss the renewal of term with Sharon Faina before next meeting.

Mr. Quicke will initiate letters of reappointment letters to all informing of terms.

**FY17 REVENUE ANTICIPATION NOTE – APPROVAL**

R. T. Taylor from Davenport & Company addressed the Board and expressed positive feedback due to receiving four bids this year for the anticipation note which is double the bids received over the past years.

Mr. Quicke advised the Board that the following bids were received this year: Union Bank and Trust – 0.65%; First Citizens Bank – 0.94%; Bank of Lancaster – 0.95%; BB&T – 1.55%. The low bid this year was from Union Bank and Trust at 0.65%, for 12 months and a total principal amount of \$3,055,000.00. Mr. Quicke continued by explaining the reason for the \$3,055,000.00 of principal which is due to the purchase of the two new Sheriff cars in the FY 17 Budget. Since the USDA, buy one – get one, grant was not an option this year, that Richmond County would bid the cars out with a local bank. Upon the recommendation of Sands Anderson, the vehicle purchase was included in the RAN instead of another loan which could have been at 2%-3%.

*“On a motion made by William C. Herbert, II, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to adopt the following resolution authorizing the issuance of up to 3,055,000 - FY 17 Revenue Anticipation Note.”*

**COUNTY OF RICHMOND, VIRGINIA**

**A RESOLUTION AUTHORIZING THE ISSUANCE OF UP TO  
\$3,055,000 PRINCIPAL AMOUNT OF A REVENUE ANTICIPATION NOTE  
OF THE COUNTY OF RICHMOND, VIRGINIA, AND PROVIDING  
FOR THE FORM, DETAILS AND PAYMENT THEREOF**

**Adopted June 9, 2016**

**TABLE OF CONTENTS**

	<b>Page</b>
<u>Section 1</u> <u>Definitions</u> .....	15
<u>Section 2</u> <u>Findings and Determinations</u> .....	17
<u>Section 3</u> <u>Authorization, Form and Details of the Note</u> .....	17
<u>Section 4</u> <u>Creation of Proceeds Fund</u> .....	23
<u>Section 5</u> <u>Payments into Proceeds Fund</u> .....	23

Richmond County Board of Supervisors Minutes: June 9, 2016

<u>Section 6</u>	<u>Creation of Note Fund</u> .....	23
<u>Section 7</u>	<u>Accounts Within Funds</u> .....	24
<u>Section 8</u>	<u>Investment of Funds</u> .....	24
<u>Section 9</u>	<u>Defeasance</u> .....	24
<u>Section 10</u>	<u>General Obligation</u> .....	24
<u>Section 11</u>	<u>Event of Default</u> .....	25
<u>Section 12</u>	<u>Enforcement by Noteholder</u> .....	26
<u>Section 13</u>	<u>Modification of Note Resolution</u> .....	26
<u>Section 14</u>	<u>Application of Proceeds; Sale of Note</u> .....	26
<u>Section 15</u>	<u>No Arbitrage Covenant and Covenant as to the Code</u> .....	26
<u>Section 16</u>	<u>General Covenants</u> .....	27
<u>Section 17</u>	<u>Further Actions Authorized</u> .....	27
<u>Section 18</u>	<u>Invalidity of Sections</u> .....	27
<u>Section 19</u>	<u>Headings of Sections, Table of Contents</u> .....	27
<u>Section 20</u>	<u>Effectiveness and Filing of Resolution</u> .....	28

Be it Resolved by the Board of County Supervisors of the County of Richmond, Virginia:

**Section 1 - Definitions** Unless the context shall clearly indicate some other meaning, the following words and terms shall for all purposes of the Resolution and of any certificate, resolution or other instrument amendatory thereof or supplemental thereto for all purposes of any opinion or

instrument or other documents therein or herein mentioned, have the following messages:

**“Act”** shall mean the Public Finance Act, Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended.

**“Board”** shall mean the County Board of Supervisors.

**“Bond Counsel”** shall mean Sands Anderson PC or another attorney or firm of attorneys nationally recognized on the subject of municipal bonds selected by the County.

**“Business Day”** shall mean any Monday, Tuesday, Wednesday, Thursday or Friday on which commercial banks generally are open for business in the Commonwealth of Virginia.

**“Chairman” or “Chair”** shall mean the Chairman or Vice Chairman of the Board.

**“Clerk”** shall mean the Clerk of the Board.

**“Closing Date”** shall mean the date on which the Note is issued and delivered to the Noteholder.

**“Code”** shall mean the Internal Revenue Code of 1986, as amended, and applicable regulations, procedures and rulings thereunder.

**“Commonwealth”** shall mean the Commonwealth of Virginia.

**“County”** shall mean the County of Richmond, Virginia.

**“Interest Account”** shall mean the Interest Account in the Note Fund established by Section 6.

**“Interest Payment Date”** shall mean January 1, 2017 and June 30, 2017, the Maturity Date.

**“Maturity Date”** shall mean June 30, 2017.

**“Note Fund”** shall mean the Note Fund established by Section 6.

**“Note or Notes”** shall mean the revenue anticipation note of the County, Series 2016, in the aggregate principal amount of up to \$3,055,000 authorized to be issued hereunder.

**“Note Period”** shall mean the period beginning on the Closing Date and ending on the 30<sup>th</sup> day of June, 2017.

**“Noteholder” or “Holder”** shall mean Union Bank & Trust, as registered owner of the Note.

**“Outstanding”** when used in reference to the Note shall mean, as of a particular date, the Note authenticated and delivered under this Resolution except:

- (i) any Note cancelled by the County at or before such date;
- (ii) any Note for the payment of which cash equal to the principal amount thereof, with interest to the date of maturity, shall have been deposited with the Paying Agent prior to maturity;
- (iii) any Note for the redemption or purchase of which cash or noncallable direct obligations of the United States of America, equal to the redemption or purchase price thereof to the redemption or purchase date, shall have been deposited with the Paying Agent, for which notice of redemption or purchase shall have been given in accordance with the Resolution;
- (iv) any Note in lieu of, or in substitution for, which another Note shall have been authenticated and delivered pursuant to this Resolution; and
- (v) any Note deemed paid under the provisions of Section 9, except that any such Note shall be considered Outstanding until the maturity or redemption date thereof only for the purposes of actually being paid.

**“Paying Agent”** shall mean the County Treasurer acting as Paying Agent hereunder as designated and authorized under Section 3 or its successors or assigns serving as such hereunder.

**“Principal Account”** shall mean the Principal Account in the Note Fund established by Section 6.

**“Proceeds Fund”** shall mean the Proceeds Fund established by Section 4.

**“Registrar”** shall mean the Paying Agent, or its successors or assigns serving as such hereunder.

## **Section 2 - Findings and Determinations**

The Board hereby finds and determines that (i) the County is in need of funds to meet appropriations made for the current fiscal year which begins on July 1, 2016 in anticipation of the collection of tax and other revenues during the same fiscal year, to be paid for by such revenues (ii) the obtaining of such funds will be for the welfare of citizens of the County for purposes which will serve the County and its citizens, (iii) the most effective and efficient manner in which to provide such funds to the County is by a revenue anticipation note issued by the County to be sold to the Noteholder and (iv) the issuance of the Note is in the best interests of the County and its citizens.

## **Section 3 - Authorization, Form and Details of the Note**

There is hereby authorized to be issued a revenue anticipation note of the County in the

aggregate principal amount of up to \$3,055,000. The Note authorized herein shall be designated "Revenue Anticipation Note, Series 2016," shall be issuable as a fully registered note, without coupons, in denominations of \$5,000 or any whole multiple thereof, shall be dated the Closing Date, shall be numbered R-1 upwards, shall bear interest payable on each Interest Payment Date and on the Maturity Date at a rate per annum not to exceed 0.65% and the Note shall mature on the Maturity Date. The Note may be prepaid, without penalty, in whole or in part, at any time, upon 15 days notice to the Noteholder.

The Note is hereby authorized to be issued under the Act. The Note shall bear interest from the date on which it is authenticated. Interest on the Note shall be computed on an accrual basis of actual days elapsed over a 30-day month/360-day year.

Principal of, premium, if any, and interest on, the Note shall be payable in lawful money of the United States of America. Interest on the Note shall be payable on the Maturity Date by check or draft from the County to the Holder of the Note at its address as it appears on the registration books kept by the Registrar as of the 15th day of the month on which an Interest Payment Date occurs. Principal of the Note shall be payable at the principal office of the Paying Agent upon presentation and surrender of the Note on the Maturity Date. Upon written request in form satisfactory to the County and the Registrar, signature guaranteed, by the registered Holder of at least \$500,000 aggregate principal amount of Note and upon receipt of such Note by the County, principal and/or interest shall be payable by wire transfer in immediately available funds.

The Note shall be printed, lithographed or typewritten and shall be substantially in the form hereinbelow set forth, with such appropriate variations, omissions and insertions as are permitted or required by this Resolution, including such variations, insertions and omissions as shall be necessary to issue the Note under a system of book-entry for recording the ownership and transfer of ownership of rights to receive payments of principal of and interest on the Note and may have endorsed thereon such legends or text as may be necessary or appropriate to conform to any applicable rules and regulations of any governmental authority or any usage or requirement of law with respect thereto.

If any principal of, or interest on, the Note is not paid when due (whether at maturity, by acceleration or call for redemption, or otherwise), then, to the extent permitted by law, the overdue installments of principal shall bear interest until paid at the same rate as set forth in such Note.

The Note shall be signed by the facsimile or manual signature of the Chairman. The facsimile of the County seal shall be printed thereon or manually impressed thereon and attested by the facsimile or manual signature of the Clerk. In case any officer whose signature or facsimile of whose signature shall appear on any Note shall cease to be such officer before delivery of the Note, such signature or facsimile shall nevertheless be valid and sufficient for all purposes, the same as if he remained in office until such delivery.

The Note shall bear a certificate of authentication, in the form set forth below, duly executed by the Registrar. The Registrar shall authenticate each Note with the signature of an authorized officer of the Registrar, but it shall not be necessary for the same officer to authenticate all of the Notes. Only such authenticated Note shall be entitled to any right or benefit under this Resolution,

and such certificate on any Note issued hereunder shall be conclusive evidence that the Note has been duly issued and is secured by the provisions hereof.

The Paying Agent shall act as Registrar and shall maintain Registration Books for the registration and the registration of transfer of the Note. The County Treasurer is hereby designated and authorized to act as Paying Agent and Registrar hereunder. The transfer of any Note may be registered only on the books kept for the registration and registration of transfer of the Note upon surrender thereof to the Registrar together with an assignment duly executed by the registered holder in person or by his duly authorized attorney or legal representative in such form as shall be satisfactory to the Registrar. Upon any such transfer, the County shall execute and the Registrar shall authenticate and deliver, in exchange of such Note, a new registered Note registered in the name of the transferee of the same series, maturity and interest rate as the Note so exchanged in any denomination or denominations authorized by this Resolution.

The Registrar shall not be required to make any such registration or registration of transfer during the fifteen (15) days immediately preceding the Maturity Date or a redemption date. Prior to due presentment for registration of transfer for any Note, the Registrar shall treat the registered holder as the person exclusively entitled to payment of principal of, premium, if any, and interest on, such Note and the exercise of all other rights and powers of the Holder.

If any Note has been mutilated, lost or destroyed, the County shall execute and the Registrar shall authenticate and deliver a new Note of like date and tenor in exchange or substitution for, and upon cancellation of, such mutilated Note or in lieu of and in substitution for such lost or destroyed Note; provided, however, that the County and the Registrar shall execute, authenticate and deliver such Note only if the Holder has paid the reasonable expenses and charges of the County and the Registrar in connection therewith and, in the case of a lost or destroyed Note, has furnished to the County and the Registrar (a) evidence satisfactory to them that such Note was lost or destroyed and the Holder was the Owner thereof and (b) indemnity satisfactory to them. If any Note has matured, instead of issuing a new Note, the Registrar may pay the same without surrender thereof upon receipt of the aforesaid evidence and indemnity.

Any Note which has been paid (whether at maturity, by acceleration or otherwise) or delivered to the Paying Agent for cancellation shall not be reissued and the Registrar shall, unless otherwise directed by the County, cremate, shred or otherwise dispose of such Note. The Registrar shall deliver to the County a certificate of any such cremation, shredding or other disposition of any Note.

CUSIP identification numbers may be printed on the Note, but such numbers shall not be deemed to be a part of the Note or a part of the contract evidenced thereby and no liability shall hereafter attach to the County or any of the officers or agents thereof because or on account of said CUSIP numbers.

The Note, the Certificate of Authentication and the provision for the assignment to be inserted in the Note shall be substantially in the following forms, to-wit:

**“FORM OF NOTE”**

No. N-1

**UNITED STATES OF AMERICA  
COMMONWEALTH OF VIRGINIA, RICHMOND COUNTY**

**REVENUE ANTICIPATION NOTE, SERIES 2016**

Dated: **July 1, 2016**

Maturity Date: **June 30, 2017**

Registered Holder: **UNION BANK & TRUST**

Principal Sum: **UP TO THREE MILLION AND FIFTY FIVE THOUSAND DOLLARS  
(\$3,055,000)**

Interest Rate: **0.650%**

**KNOW ALL MEN BY THESE PRESENTS**, that the County of Richmond, Virginia (**hereinafter sometimes referred to as the “County”**), a County of the Commonwealth of Virginia, for value received hereby promises to pay to the registered holder (named above), or assigns, on the Maturity Date (specified above), subject to prior redemption as hereinafter provided the Principal Sum advanced hereunder (specified above) upon presentation and surrender of this Note at the principal corporate office of the Richmond County Treasurer, Warsaw, Virginia, (**the “Paying Agent”**), and to pay interest on said Principal Sum, from the date of authentication hereof on the Interest Payment Dates (January 1, 2017) and on the Maturity Date, at the rate per annum (specified above).

Both principal of, premium, if any, and interest on, this Note are payable in any coin or currency of the United States of America which at the time of payment is legal tender for public and private debts.

No registration, transfer or exchange of this Note shall be permitted within fifteen (15) days of the Maturity Date or the date of redemption of this Note.

This Note is an authorized series in the aggregate principal amount of up to \$3,055,000 of like date and tenor herewith, except for number and denomination and is issued under and pursuant to and in compliance with the Constitution and laws of the Commonwealth of Virginia, including Chapter 26, Title 15.2 of the Code of Virginia of 1950, as amended, the same being the Public Finance Act, and the resolution duly adopted under said Chapter by the Board of Supervisors of the County on June 9, 2016 (**the “Resolution”**).

This Note shall bear interest from the date on which this Note is authenticated. Interest on this Note shall be computed on an accrual basis of actual days elapsed over a 30-day month/360-day year. This Note may be prepaid, without penalty, in whole or in part, at any time upon 15 days notice to the Noteholder.

This Note is transferable only upon the registration books kept at the office of the Registrar by the registered holder hereof, or by his duly authorized attorney, upon surrender of this Note (together with a written instrument of transfer, satisfactory in form to the Registrar, duly executed by the registered holder or his duly authorized attorney, which may be the form endorsed hereon) and subject to the limitations and upon payment of the charges, if any, as provided in the Resolution, and thereupon as provided in the Resolution a new Note or Notes, in the aggregate principal amount and in the authorized denominations and of the same series, interest rate and maturity as the Note surrendered, shall be issued in exchange therefor. The County and the Registrar shall deem and treat the person in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal hereof and interest due hereon and for all other purposes whatsoever.

**THIS NOTE AND THE ISSUE OF WHICH THIS IS ONE IS A GENERAL OBLIGATION OF THE COUNTY FOR THE PAYMENT OF WHICH THE COUNTY'S FULL FAITH AND CREDIT ARE IRREVOCABLY PLEDGED. THE COUNTY BOARD OF SUPERVISORS IS AUTHORIZED AND REQUIRED TO LEVY AND COLLECT ANNUALLY AT THE SAME TIME AND IN THE SAME MANNER AS OTHER TAXES OF THE COUNTY ARE ASSESSED, LEVIED AND COLLECTED, A TAX UPON ALL TAXABLE PROPERTY WITHIN THE COUNTY, OVER AND ABOVE ALL OTHER TAXES AUTHORIZED OR LIMITED BY LAW AND WITHOUT LIMITATION AS TO RATE OR AMOUNT, SUFFICIENT TO PAY WHEN DUE THE PRINCIPAL OF AND PREMIUM, IF ANY, AND INTEREST ON THE NOTE, TO THE EXTENT OTHER FUNDS OF THE COUNTY ARE NOT LAWFULLY AVAILABLE AND APPROPRIATED FOR SUCH PURPOSE.**

Reference is hereby made to the Resolution and to all of the provisions thereof to which any holder of this Note by his acceptance hereof hereby assents, for definitions of terms; the description of and nature and extent of the security for the Note; the conditions upon which the Resolution may be amended or supplemented without the consent of the holder of any Note and upon which it may be amended only with the consent of the holder of the Note affected thereby; the rights and remedies of the holder hereof with respect hereto; the rights, duties and obligations of the County; the provisions discharging the Resolution as to this Note and for the other terms and provisions of the Resolution.

This Note shall not be valid or obligatory for any purpose unless the certificate of authentication hereon has been duly executed by the Registrar and the date of authentication inserted hereon.

It is hereby certified, recited and declared that all acts, conditions and things required to have happened, to exist and to have been performed precedent to and in the issuance of this Note and the series of which it is a part, do exist, have happened and have been performed in regular and due time, form and manner as required by law; that the series of which this Note is a part does not exceed any constitutional, statutory or charter limitation of indebtedness; and that provision has been made for the payment of the principal of, and interest on, this Note and the series of which it is a part, as provided in the Resolution.

**IN WITNESS WHEREOF**, the County of Richmond, Virginia, by its Board of Supervisors has caused this Note to be signed by the Chairman and attested by the Clerk of said Board, by their manual or facsimile signatures, and its seal to be impressed or imprinted hereon, and this Note to be dated as set forth above.

**(SEAL)**

\_\_\_\_\_  
Clerk of the Board of Supervisors  
of the County of Richmond, Virginia

\_\_\_\_\_  
Chairman of the Board of Supervisors  
of the County of Richmond, Virginia

**CERTIFICATE OF AUTHENTICATION**

This Note is the Note described in the within-mentioned Resolution.

**REGISTRAR - RICHMOND COUNTY TREASURER**

By: \_\_\_\_\_  
Richmond County Treasurer

**DATE OF AUTHENTICATION:**

July 1, 2016

**[FORM OF ASSIGNMENT]**

For value received, the undersigned hereby sells, assigns, and transfers unto

---

Please insert social security number or other tax identification number of assignee:  
[\_\_\_\_\_]

Name and address of assignee, including zip code: \_\_\_\_\_ the within mentioned Note and hereby irrevocably constitutes and appoints \_\_\_\_\_ attorney-in-fact, to transfer the same on the registration books thereof maintained in the office of the within-mentioned Registrar with the full power of substitution in the premises.

**DATED:** \_\_\_\_\_

---

**NOTE:** The signature to this assignment must correspond with the name of the registered holder that is written on the face of the within Note in every particular, without alteration or enlargement or any change whatsoever.

Signature Guaranteed

---

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

**Section 4 - Creation of Proceeds Fund**

There is hereby established a trust fund to be designated the “Proceeds Fund - Richmond County Revenue Anticipation Note, Series 2016.”

**Section 5 - Payments into Proceeds Fund**

All funds received from the proceeds of the sale of the Note less costs of issuance shall be deposited into the Proceeds Fund to be used in the manner provided in Section 2.

**Section 6 - Creation of Note Fund**

There is hereby established a trust fund to be designated the “Note Fund - Richmond County Revenue Anticipation Note, Series 2016” in which Note Fund there is hereby established an Interest

Account and a Principal Account. As and when received, monies shall be deposited into the Note Fund, and payments from the Note Fund shall be made as follows:

(a) to the Interest Account in the Note Fund subject to credit, if any, for proceeds of the Note deposited therein on, on each Interest Payment Date and the 30<sup>th</sup> day of June, 2017, an amount equal to the amount of interest that will become due on the Note on the Interest Payment Date and the Maturity Date; and

(b) to the Principal Account in the Note Fund on the 30<sup>th</sup> day of June, 2017, an amount equal to the principal that is required to be deposited into the Principal Account in order to pay the principal due on the Note on the Maturity Date.

#### **Section 7 - Accounts Within Funds**

Any fund or account created by this Resolution may contain such accounts or subaccounts as may be necessary for the orderly administration thereof.

#### **Section 8 - Investment of Funds**

(a) The County shall separately invest and reinvest any monies held in the funds established by this Resolution in investments which would mature in amounts and at times so that the principal of, premium, if any, and interest on, the Note can be paid when due.

(b) Permissible investments include investments in securities that are legal investments under Chapter 45 of Title 2.2 of the Code of Virginia of 1950, as amended (Section 2.2-4500 et seq.) and which are otherwise in compliance with Section 15.2-2625 of the Act.

#### **Section 9 - Defeasance**

The obligations of the County under this Resolution and covenants of the County provided for herein shall be fully discharged and satisfied as to any Note and such Note shall no longer be deemed to be Outstanding thereunder when such Note shall have been purchased by the County and cancelled or destroyed, when the payment of principal of such Note, plus interest on such principal to the due date thereof either (a) shall have been made or (b) shall have been provided for by irrevocably depositing with the Paying Agent for such Note, money sufficient to make such payment, or direct and general obligations of, or obligations the principal of, and interest on, which are guaranteed by, the United States of America, maturing in such amounts and at such times as will insure the availability of sufficient monies to make such payment.

#### **Section 10 - General Obligation**

The Board, in accordance with Section 15.2-2624 of the Act, is hereafter authorized and required to levy and collect annually, at the same time and in the same manner as other taxes of the County are assessed, levied and collected, a tax upon all taxable property within the County, over and above all other taxes, authorized or limited by law and without limitation as to rate or amount, sufficient to pay when due the principal of and premium, if any and interest on the Note, to the

extent other funds of the County are not lawfully available and appropriated for such purpose.

**Section 11 - Event of Default**

Each of the following shall constitute an event of default hereunder:

- (a) The failure to pay the principal of, and premium, if any, on, the Note when due;
- (b) Failure to pay interest on the Note when due;
- (c) Failure of the County to perform any other covenant or agreement contained in this Resolution, which failure shall have continued for 60 days after the notice thereof from the Holders of not less than twenty percent (20%) of the Note Outstanding; provided, however, that if any such failure shall be such that it cannot be cured or corrected within a 60-day period but is, in fact, susceptible of cure or correction, it shall not constitute an Event of Default if curative or corrective action is instituted within said period and diligently pursued until the failure of performance is cured or corrected;
- (d) The instituting of any proceeding with the consent of the County for the purpose of effecting composition between the County and its creditors or for the purpose of adjusting the claims of creditors pursuant to any federal or state statute; or
- (e) If the County for any reason shall be rendered incapable of fulfilling its obligations under this Resolution.

Upon the occurrence of an Event of Default, the Holders of not less than twenty-five percent (25%) in principal amount of the Note then Outstanding may declare the principal of all of the Outstanding Note and all accrued and unpaid interest thereon to be due and payable immediately. This provision is subject to the condition that if, at any time after such declaration and before any such further action has been taken, all arrears of interest on, and principal of, the Note shall have been paid and all other Events of Default, if any, which shall have occurred have been remedied, then the Holders of such majority in principal amount of the Outstanding Note may waive such default and annul such declaration.

If an Event of Default shall have occurred and be continuing, then the Holders of not less than twenty-five percent (25%) in principal amount of the Note then Outstanding may call a meeting of the Holders of the Note for the purpose of selecting a Noteholders' committee (**the "Noteholders Committee"**). At such meeting the Holders of not less than a majority in principal amount of the Outstanding Note must be present in person or by proxy in order to constitute a quorum for the transaction of business. A quorum being present at such meeting, the Noteholders present may, by a majority of the votes cast, elect one or more persons who may or may not be Noteholders to the Noteholders' Committee. The Noteholders' Committee is empowered to exercise, as trustee for the Noteholders, all the rights and powers conferred on any Noteholder in the Resolution.

In case an Event of Default shall occur, subject to the provisions referred to in the preceding paragraph, the Holder of any Outstanding Note shall have the right for the benefit of all Holders of the Note, to protect the rights vested in such Holders by the Resolution by such appropriate judicial proceeding as such Holders shall determine either by suit in equity or by action at law.

**Section 12 - Enforcement by Noteholder**

Any Holder of a Note may by mandamus or other appropriate proceeding at law or in equity in any court of competent jurisdiction, enforce and compel performance of this Resolution and every provision and covenant thereof, including without limiting the generality of the foregoing, the enforcement of the performance of all obligations and duties and requirements to be done or performed by the County by the Resolution by the applicable laws of the Commonwealth.

**Section 13 - Modification of Note Resolution**

The County may without the consent of any Noteholder make any modification or amendment of this Resolution required to cure any ambiguity or error herein contained or to make any amendments hereto or to grant to the Noteholders additional rights.

The Holders of not less than sixty-six and two-thirds percent (66-2/3%) in principal amount of the Outstanding Note shall have the power to authorize any modifications to this Resolution proposed by the County other than as permitted above; provided that without the consent of the Holder of each Note affected thereby, no modifications shall be made which will (a) extend the time of payment of principal of, or interest on, any Note or reduce the principal amount thereof or the rate of interest thereon; (b) give to any Note any preference over any other Note secured equally and ratably therewith; (c) deprive any Noteholder of the security afforded by this Resolution, or (d) reduce the percentage in principal amount of the Note required to authorize any modification to the Resolution.

**Section 14 - Application of Proceeds; Sale of Note**

Proceeds derived from the sale of the Note together with other monies available therefor shall be used to pay the costs of issuance and other expenses of the County relating to the issuance of the Note and thereafter any remaining funds to be deposited in the Proceeds Fund shall be used for the purposes specified in Section 2 of this Resolution, and otherwise used in accordance with the provisions of this Resolution.

**Section 15 - No Arbitrage Covenant and Covenant as to the Code**

The County hereby covenants that it will not use or invest, or permit the use or investment of any proceeds of the Note, in a manner that would cause the Note to be subjected to treatment under Section 148 of the Code and the regulations adopted thereunder as an "arbitrage bond," and to that end the County shall comply with applicable regulations adopted under said Section 148 of the Code.

The County covenants to comply with the Code provisions requiring that any issuance of

“governmental bonds,” as defined therein, be subject to certain requirements as to rebate and timing and type of payments to be paid for from the proceeds of such Note, as well as other additional requirements. In order to assure compliance with such Code provisions, the County has entered into a Compliance Certificate, to comply with such requirements and covenants therein that it will not breach the terms thereof. The Board intends for the Note to be treated as complying with the provisions of Section 148(f)(4)(D) of the Code and Section 1.148-8 of the U.S. Treasury Regulations thereunder, which provides an exception from the “rebate requirement,” since this Note issue (1) is issued by the County which is a governmental unit with general taxing powers, (2) no Note which is a part of this issue is a private activity bond, (3) 95% or more of the net proceeds of this issue are to be used for local governmental activities of the County, and (4) the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the County during the calendar year 2016 (and bonds issued by any subordinate entity of the County) is not reasonably expected to exceed \$5,000,000 increased by the lesser of \$10,000,000 or so much as are attributable to the financing of the construction of public school facilities within the meaning of Section 148(f)(D)(vii) of the Code.

The Board of Supervisors, on behalf of the County, hereby designates the Note as a “qualified tax-exempt obligation” as defined in Section 265(b)(3)(B) of the Code and certifies by this Resolution that it does not reasonably anticipate the issuance by it or its subordinate entities of more than \$10 million in “qualified tax-exempt obligations” during the calendar year 2016 and will not designate, or permit the designation by any of its subordinate entities of, any of its bonds (or those of its subordinate entities) during the calendar year 2016 which would cause the \$10 million limitation of Section 265(b)(3)(D) of the Code to be violated.

#### **Section 16 - General Covenants**

The County agrees to make all payments of principal and interest on the Note in a timely manner.

#### **Section 17 - Further Actions Authorized**

The Chairman and Clerk of the Board and the County Treasurer and all other officers and employees of the County are hereby authorized and directed to take any and all such further action as shall be deemed necessary or desirable in order to effectuate delivery of, and payment for, the Note, including, but not limited to modifications in the dates of payment of interest and maturity, the final interest rate, redemption terms and related issues.

#### **Section 18 - Invalidity of Sections**

If any section, paragraph, clause or provision of this Resolution shall be held invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph, clause or provision shall not affect any of the remaining portions of this Resolution.

#### **Section 19 - Headings of Sections, Table of Contents**

The headings of the sections of this Resolution and the Table of Contents appended hereto

or to copies hereof shall be solely for convenience of reference and shall not affect the meaning, construction, interpretation or effect of such sections of this Resolution.

**Section 20 - Effectiveness and Filing of Resolution**

This resolution shall become effective upon its passage. A certified copy of this Resolution shall be filed by the Clerk with the Clerk of the Circuit Court of the County of Richmond, Virginia in accordance with Section 15.2-2607 of the Act.

The Members of the Board voted at its regular meeting on June 9<sup>th</sup>, 2016 during an open meeting as follows:

**Ayes**

F. Lee Sanders, Chairman  
Richard E. Thomas, Sr., Vice Chairman  
Robert B. Pemberton  
John David Parr  
William C. Herbert, II

**Nays**

None

A Copy Teste:

---

Clerk, Board of Supervisors of the County of  
Richmond, Virginia

Mr. Thomas advised that he held stock in Union Bank and asked if it would be a conflict. Mr. Quicke confirmed that there would be no conflict.

**USDA GRANT APPLICATION RESOLUTION – EMS STRETCHER**

Mr. Quicke informed the Board that as customary with USDA Grant Applications, the application and project need to be discussed in an open meeting with the minutes submitted to USDA in order to fulfill the grant application requirements. He added that the Department of Emergency Services has applied for a grant through the USDA for partial funding of an automatic stretcher. The cost of the automatic stretcher is \$45,000 in which we are applying for full funding through both USDA and the Office of EMS. Discussion from Mr. Quicke continued setting forth reasons for the need of an automatic stretcher; Increase in patient obesity, Less available lift assist help when needed, Reduction in back injuries which in turn could create less workers compensation claims and less overtime to cover vacancies; Better ability to safely move larger patients with only one crew; Reduce the risk of dropping and injuring larger patients; State of Virginia future requirement.

Mr. Thomas questioned how EMS would decide which unit to place the stretcher. Chairman Sanders explained that the stretcher would be fitted into a particular squad and the installation costs were figured into the \$45,000.00 cost. Mr. Quicke advised that the stretcher would be placed on Medic 1 and that any new medics purchased would likely have the stretcher already installed at the time of purchase.

### **VJCCCA FUNDING RESOLUTION**

Mr. Quicke presented the Board with information on the Virginia Juvenile Community Crime Control Act, administered by the Rappahannock Area Office on Youth. The budgeted item of \$11,698.00 needs an accompanying resolution from the governing body in support of the program. Mr. Quicke added that the VJCCCA includes the following services: community service work supervision, electronic incarceration supervision, life skills, anger management groups and substance abuse education prevention groups. He continued to add that the purpose of VJCCCA is hopefully a cost saver to the counties as it tries to keep struggling youth out of the detention system and move them towards a more successful life path.

Mr. Herbert brought to the attention of the board that the VJCCCA has also requested an additional contribution of \$840.00 as an administrative fee. Mr. Quicke explained that this additional amount would help with updating its case management system but does not have to be approved at this time since it was not within the yearly budget.

*“On a motion made by William C. Herbert, II, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to adopt the Virginia Juvenile Community Crime Control Act Resolution.”*

### **RESOLUTION**

#### **VIRGINIA JUVENILE COMMUNITY CRIME CONTROL ACT**

**Be It Resolved** that the Richmond County Board of Supervisors will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this act for FY2017;

**Be It Further Resolved** that Richmond County will combine with the governing bodies of Essex, Lancaster, Northumberland and Westmoreland Counties. Westmoreland County will act as fiscal agent for the program;

**Be It Further Resolved** that the County Administrator is hereby authorized to execute a local plan on behalf of the County of Richmond.

---

F. Lee Sanders, Chairman  
Richmond County Board of Supervisors

---

Date

Mr. Herbert would like for discussion on the additional \$840.00 to be discussed at the July meeting of the Board.

**FOIA DESIGNATED REPRESENTATIVE**

Mr. Quicke presented information to the Board pertaining to House Bill 818

**VIRGINIA ACTS OF ASSEMBLY -- CHAPTER**

*An Act to amend and reenact § [2.2-3704.1](#) of the Code of Virginia and to amend the Code of Virginia by adding a section numbered [2.2-3704.2](#), relating to the Virginia Freedom of Information Act; designation of FOIA officer; posting of FOIA rights and responsibilities.*

[H 818]

Approved

Be it enacted by the General Assembly of Virginia:

1. That § [2.2-3704.1](#) of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered [2.2-3704.2](#) as follows:

§ [2.2-3704.1](#). Posting of notice of rights and responsibilities by state and local public bodies; assistance by the Freedom of Information Advisory Council.

A. All state public bodies ~~created in the executive branch of state government and~~ subject to the provisions of this chapter *and any county or city, and any town with a population of more than 250*, shall make available the following information to the public upon request and shall post ~~such information on~~ *a link to such information on the homepage* of their respective public government websites:

1. A plain English explanation of the rights of a requester under this chapter, the procedures to obtain public records from the public body, and the responsibilities of the public body in complying with this chapter. For purposes of this section, "plain English" means written in nontechnical, readily understandable language using words of common everyday usage and avoiding legal terms and phrases or other terms and words of art whose usage or special meaning primarily is limited to a particular field or profession;
2. Contact information for the ~~person~~ *FOIA officer* designated by the public body *pursuant to § [2.2-3704.2](#)* to (i) assist a requester in making a request for records or (ii) respond to requests for public records;
3. A general description, summary, list, or index of the types of public records maintained by such state public body;
4. A general description, summary, list, or index of any exemptions in law that permit or require such public records to be withheld from release;
5. Any policy the public body has concerning the type of public records it routinely withholds from release as permitted by this chapter or other law; and
6. The following statement: "A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or

## Richmond County Board of Supervisors Minutes: June 9, 2016

maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § [2.2-3704](#) of the Code of Virginia."

B. The Freedom of Information Advisory Council, created pursuant to § [30-178](#), shall assist in the development and implementation of the provisions of subsection A, upon request.

§ [2.2-3704.2](#). *Public bodies to designate FOIA officer.*

*A. All state public bodies, including state authorities, that are subject to the provisions of this chapter and all local public bodies that are subject to the provisions of this chapter, shall designate and publicly identify one or more Freedom of Information Act officers (FOIA officer) whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with the provisions of this chapter.*

*B. For such state public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available to the public upon request and be posted on the respective public body's website at the time of designation and maintained thereafter on such website for the duration of the designation.*

*C. For such local public bodies, the name and contact information of the public body's FOIA officer to whom members of the public may direct requests for public records and who will oversee the public body's compliance with the provisions of this chapter shall be made available in a way reasonably calculated to provide notice to the public, including posting at the public body's place of business, posting on its website, or including such information in its publications.*

*D. For the purposes of this section, local public bodies shall include constitutional officers.*

*E. Any such FOIA officer shall possess specific knowledge of the provisions of this chapter and be trained at least annually by legal counsel for the public body or the Virginia Freedom of Information Advisory Council.*

Mr. Quicke informed the board that pursuant to a new law passed by the General Assembly this past session, House Bill 818, and taking effect July 1, 2016, each governing body shall designate and publicly identify one or more Freedom of Information Act officers whose responsibility is to serve as a point of contact for members of the public in requesting public records and to coordinate the public body's compliance with FOIA laws. It also requires that special FOIA information be included on the localities website in a visible area, outlining who the FOIA is as well as the rights and procedures to request information under FOIA. The Rights and Responsibilities to follow:

### **Rights & Responsibilities: The Rights of Requesters and the Responsibilities of Richmond County under the Virginia Freedom of Information Act**

The Virginia Freedom of Information Act (FOIA), located § 2.2-3700 et seq. of the Code of Virginia, guarantees citizens of the Commonwealth and representatives of the media access to public records held by public bodies, public officials, and public employees.

A public record is any writing or recording -- regardless of whether it is a paper record, an electronic file, an audio or video recording, or any other format -- that is prepared or owned by, or in the possession of a public body or its officers, employees or agents in the transaction of public business. All public records are presumed to be open, and may only be withheld if a specific, statutory exemption applies.

The policy of FOIA states that the purpose of FOIA is to promote an increased awareness by all persons of governmental activities. In furthering this policy, FOIA requires that the law be interpreted liberally, in favor of access, and that any exemption allowing public records to be withheld must be interpreted narrowly.

### **Your FOIA Rights**

- You have the right to request to inspect **or** receive copies of public records, or both.
- You have the right to request that any charges for the requested records be estimated in advance.
- If you believe that your FOIA rights have been violated, you may file a petition in district or circuit court to compel compliance with FOIA. Alternatively, you may contact the FOIA Council for a nonbinding advisory opinion.

### **Making a Request for records from Richmond County**

- You may request records by U.S. Mail, fax, e-mail, in person, or over the phone. FOIA does not require that your request be in writing, nor do you need to specifically state that you are requesting records under FOIA.
  - From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect to not put it in writing.
- Your request must identify the records you are seeking with "reasonable specificity." This is a common-sense standard. It does not refer to or limit the volume or number of

records that you are requesting; instead, it requires that you be specific enough so that we can identify and locate the records that you are seeking.

- Your request must ask for existing records or documents. FOIA gives you a right to inspect or copy **records**; it does not apply to a situation where you are asking general questions about the work of Richmond County, nor does it require Richmond County to create a record that does not exist.
- You may choose to receive electronic records in any format used by Richmond County in the regular course of business.
  - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via e-mail or on a computer disk, or to receive a printed copy of those records
- If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

**To request records from Richmond County, you may direct your request to FOIA Officer, R. Morgan Quicke. He can be reached at 101 Court Circle, PO Box 1000, Warsaw, Virginia 22572, telephone 804-333-3415 or email [rmquicke@co.richmond.va.us](mailto:rmquicke@co.richmond.va.us). You may also contact him with questions you have concerning requesting records from Richmond County. In addition, the Freedom of Information Advisory Council is available to answer any questions you may have about FOIA. The Council may be contacted by e-mail at [foiacouncil@dls.virginia.gov](mailto:foiacouncil@dls.virginia.gov), or by phone at (804) 225-3056 or [toll free] 1-866-448-4100.**

### **Richmond County's Responsibilities in Responding to Your Request**

- Richmond County must respond to your request within five working days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from Richmond County is irrelevant, and you do not have to state why you want the records before we respond to your request. FOIA does, however, allow Richmond County to require you to provide your name and legal address.
- FOIA requires that Richmond County make one of the following responses to your request within the five-day time period:
  - 1) We provide you with the records that you have requested in their entirety.

- 2) We withhold all of the records that you have requested, because all of the records are subject to a specific statutory exemption. If all of the records are being withheld, we must send you a response in writing. That writing must identify the volume and subject matter of the records being withheld, and state the specific section of the Code of Virginia that allows us to withhold the records.
  - 3) We provide some of the records that you have requested, but withhold other records. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that may be withheld, and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows portions of the requested records to be withheld.
  - 4) We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want). However, if we know that another public body has the requested records, we must include contact information for the other public body in our response to you.
  - 5) If it is practically impossible for Richmond County to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This will allow us seven additional working days to respond to your request, giving us a total of 12 working days to respond to your request.
- If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

## Costs

- A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia.
- You may have to pay for the records that you request from [Richmond County]. FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or

any other costs directly related to supplying the requested records. It cannot include general overhead costs.

- If we estimate that it will cost more than \$200 to respond to your request, we may require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request does not include the time between when we ask for a deposit and when you respond.
- You may request that we estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.
- If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, Richmond County may require payment of the past-due bill before it will respond to your new FOIA request.

### **Types of records**

The following is a general description of the types of records held by Richmond County:

- Personnel records concerning employees and officials of Richmond County
- Records of contracts which Richmond County has entered into

If you are unsure whether Richmond County has the record(s) you seek, please contact the FOIA Officer listed above.

### **Commonly used exemptions**

The Code of Virginia allows any public body to withhold certain records from public disclosure. Richmond County commonly withholds records subject to the following exemptions:

- Personnel records (§ 2.2-3705.1 (1) of the Code of Virginia)
- Records subject to attorney-client privilege (§ 2.2-3705.1 (2)) or attorney work product (§ 2.2-3705.1 (3))
- Vendor proprietary information (§ 2.2-3705.1 (6))
- Records relating to the negotiation and award of a contract, prior to a contract being awarded (§ 2.2-3705.1 (12))

### **Policy regarding the use of exemptions**

- The general policy of Richmond County is to invoke the personnel records exemption in those instances where it applies in order to protect the privacy of employees and officials of Richmond County.
- The general policy of Richmond County is to invoke the contract negotiations exemption whenever it applies in order to protect Richmond County's bargaining position and negotiating strategy.
- Other exemptions as necessary.

Mr. Quicke recommended to the Board that he be appointed as the designated FOIA officer. He also advised that there would be annual training based on the FOIA regulations.

*“On a motion made by Richard E. Thomas, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to appoint Morgan Quicke as the designated FOIA officer.”*

### **RE-WRITE OF COUNTY PERSONNEL POLICY**

Mr. Quicke provided a copy of the proposed County Personnel Policy to each Board member and asked for consideration. Upon review, the Personnel Policy will be added to the agenda in early fall for formal adoption.

### **CIRCUIT COURTHOUSE MAINTENANCE – BRICK WORK**

Mr. Quicke presented information to the board about ongoing repointing on the bricks of the Circuit Court. Charles Rackey Restoration and Preservation Services are performing the work. The \$25,000.00 project will be paid out of Courthouse Maintenance, money collected through the Court Systems from fines and fees.

### **TIRE COLLECTION DAY – RECAP**

Mr. Quicke noted that the first annual tire collection day was a huge success. He appreciates the efforts expended by all five board members in their participation and help. An estimation of 4,000 tires were collected meaning the one trailer on site was quickly filled. Mr. Quicke stated that on June 2<sup>nd</sup>, the second trailer was filled. It is the estimation of Mr. Quicke that two more trailers will be needed to complete the removal of the tires and that the estimated expenses for the project will be close to \$6,000.00.

Mr. Quicke appreciates all of the help from many individuals throughout the project. He gave a special thank you to Kathy Clarke and Sam Johnson from Northern Neck Soil and Water District; Broaddus Farms and Rappahannock High School Tennis Team. Mr. Quicke did recommend that this become a yearly project and plans would be discussed at a later time.

Mr. Quicke noted that appreciation letters to all parties had been rendered.

### **NORTHERN NECK REGIONAL JAIL – PROPERTY TRANSFER RESOLUTION**

Mr. Quicke presented to the Board a resolution for consideration as a result of Northumberland County completing their Lease Purchase into the Northern Neck Regional Jail. The original documents stated that upon completion of payment, Northumberland County would be added to the Deed for the Northern Neck Regional Jail, along with Richmond and Westmoreland County. Mr. Quicke added that the resolution was confirmation of the agreement and authorization for the Chairman to sign the new Deed and other affiliated paperwork with the official transfer.

*“On a motion made by Richard E. Thomas, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to adopt the following Property Transfer Resolution.”*

## **RESOLUTION**

### **AUTHORIZING THE CHAIRMAN OF THE BOARD OF SUPERVISORS TO EXECUTE A DEED AND BILL OF SALE CONVEYING TO THE COUNTIES OF NORTHUMBERLAND, RICHMOND AND WESTMORELAND INTERESTS IN THE REAL PROPERTY AND OTHER ASSETS OF THE NORTHERN NECK REGIONAL JAIL**

**WHEREAS**, effective December 1, 1993, the County of Westmoreland (hereinafter “Westmoreland”) and the County of Richmond (“Richmond”) and the Town of Warsaw (“Warsaw”) executed a Cooperation Agreement that created the Northern Neck Regional Jail Board (the “Jail Board”) and authorized it to construct and operate the facility now known as the Northern Neck Regional Jail, located at 3908 Richmond Road, Warsaw, Virginia 22572; and

**WHEREAS**, effective June 29, 2000, Richmond, Westmoreland and Warsaw executed an Amended Cooperation Agreement that included the County of Northumberland (“Northumberland”) as an additional party and participating member jurisdiction on the Jail Board, and effective that same date, Richmond and Westmoreland, as Lessors, and Northumberland, as Lessee, also executed a Financing Lease, under which Northumberland was obligated to make rental payments for its use of the Jail, all of which Northumberland has now paid in full, and

**WHEREAS**, the real property used for and occupied by the Jail is currently titled in the names of Richmond and Westmoreland, and the personal property, tangible and intangible, and other assets held in the name of the Jail or the Jail Board are indirectly owned by Richmond and Westmoreland (Warsaw having no ownership interest in either the real estate or the personal property and other assets); and

**WHEREAS**, both the Financing Lease and the Amended Cooperation Agreement contain requirements that, upon satisfaction of all Northumberland’s obligations under the Financing Lease, Richmond and Westmoreland will execute a deed conveying to themselves and

Northumberland as joint tenants all the real property and improvements occupied by and used for the Jail, with the result that Westmoreland shall have 50% ownership of the Jail property, and Richmond and Northumberland shall each have 25% ownership of such property, and **WHEREAS**, the Financing Lease and the Amended Cooperation Agreement also provide that Richmond and Westmoreland will execute a bill of sale conveying and transferring to themselves and Northumberland those same percentages of ownership in all personal property, tangible and intangible and other assets of the Jail and the Jail Board, in the same percentages as the real property.; and

**WHEREAS**, as required by Va. Code § 15.2-1800, the Board of Supervisors duly advertised and held a public hearing on June 29, 2000, concerning the proposed conveyance of an interest in real estate to Northumberland,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF RICHMOND COUNTY, VIRGINIA, THAT:**

1. The Chairman of the Board of Supervisors is authorized and directed to sign a deed and bill of sale, in form approved by the County Attorney, conveying to the Counties of Richmond, Westmoreland and Northumberland the real property comprising the Northern Neck Regional Jail, with all improvements thereon and appurtenances thereto, and transferring to the same three counties an undivided ownership interest in all personal property, tangible or intangible and other assets held by or in the name of the Jail or the Jail Board, in both cases to result in the respective shares of the counties ownership to be 50% for Westmoreland, and 25% each for Richmond and Northumberland.

I certify that this is a true copy of a resolution adopted by the Board of Supervisors of Richmond County, Virginia on June 9, 2016.

---

Clerk of the Board

**MONTHLY APPROPRIATIONS – RICHMOND COUNTY DEPARTMENT OF SOCIAL SERVICES**

*“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to appropriate \$85,000.00 to the Richmond County Department of Social Services for the month of July, 2016.”*

**MONTHLY APPROPRIATIONS – RICHMOND COUNTY PUBLIC SCHOOLS**

*“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to appropriate \$1,290,116.00 to the Richmond County School Board for the month of July 2016.”*

**MONTHLY SUPPLEMENTAL APPROPRIATIONS**

Mr. Quicke explained two (2) supplemental appropriations for the Board to consider this month.

*“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to approve a supplemental appropriation in the amount of \$65,140.00 to the Richmond County School Board for School Security Equipment Grant.”*

*“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to approve a supplemental appropriation in the amount of \$26,000.00 to the Richmond County School Board for Virginia Public School Authority – Technology Grant.”*

**APPROVAL OF MINUTES – MAY 12, 2016**

*“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the minutes from the May 12, 2016 meeting.”*

**OTHER BUSINESS**

Mr. Thomas mentioned how well he liked the college library sign. He offered best of luck to the Raiders this weekend. He encouraged everyone to visit and support the new Speed Mart store. Mr. Thomas expressed concern about looking at the big picture of items necessary within the county in the future. Mr. Quicke advised that the Capital Improvement Plan would be used to help with projects moving forward. Some items of concern are the EMS project, bus garage area, airhandlers and roof on court house complex.

Mr. Parr said that he was thankful for a successful tire day. He also added that he wished the best to the sports teams as it takes a great deal of work to get to the finals and he is in hopes that the community will support each team no matter the outcome.

Mr. Pemberton reminded everyone that the tennis and baseball players were leaving Warsaw at 4:30 on June 9<sup>th</sup> and asked everyone to line the streets to cheer.

Chairman Sanders delivered to Mr. Quicke a check in the amount of \$6,000.00 as payment on the Newland Fire House. Mr. Quicke acknowledged that the Newland members were doing an

excellent job in paying back the loan. Mr. Thomas commented that all volunteers were working well together to make it happen.

Mr. Quicke advised that he would be attending the Warsaw Town Council meeting tonight. He also commented that the Farnham Dump has been paved and paid through the Capital Improvement Plan.

### **CLOSED SESSION**

*“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: as permitted by Virginia Code Section 2.2-3711(A)(7), consultation with legal counsel to receive advice on potential future litigation.”*

### **CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION:**

*“On a motion made by Robert B. Pemberton, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: that the Board certifies that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.”*

### **ACTION FROM CLOSED SESSION**

There was no action taken by the Board of Supervisors resulting from the closed session.

### **RECESS**

Chairman Sanders recessed the meeting until Tuesday, June 28, 2016 at 6:00 p.m. – End FY16 Appropriations.

### **RECONVENED MEETING – 6:00 P.M. FOR END OF FY16 BUDGET MEETING**

Chairman Sanders reconvened at 6:00 p.m. on June 28, 2016 for an end of FY16 budget meeting.

Present:

F. Lee Sanders, Chairman  
Richard E. Thomas, Vice-Chairman  
Robert B. Pemberton, Member  
J. David Parr, Member  
William C. Herbert, II, Member

Also Present:

R. Morgan Quicke, County Administrator  
Hope Mothershead

Denise Dunaway

Chairman Sanders called the meeting back to order.

**FY16 SUPPLEMENTAL APPROPRIATIONS**

Mr. Quicke advised the Board that over the last several years, everyone has worked hard to balance the annual budget without having to go to the taxpayers in the form of a Real Estate Tax increase. By doing this, certain scenarios that lead to many of our departments not staying within budget and little cushion to help absorb any unbudgeted or unforeseen expenses that may arise throughout the year. The results have been extremely tight year end budgets, which have resulted in expenditures outpacing revenues slightly. Mr. Quicke presented the Board with supplemental appropriations as follows:

**Board of Supervisors**

Original Budget-	\$106,052
Projected Expenditures-	\$112,000

Reasons:

Unbudgeted \$6,000 turnover audit in the Treasurer's office due to the change in Treasurer.

**Operating Reserve**

Original Budget-	\$1,476,500
Projected Expenditures-	\$1,528,000

Reasons:

Unbudgeted RAN Interest and Fees of \$30,000

Unbudgeted issuance of bond for voting machines of \$3,500

Unbudgeted debt service of voting machines of \$9,000

**County Administrator**

Original Budget-	\$169,173
Projected Expenditures-	\$266,000

Reasons:

County Attorney bills due to the land use case involving Little Florida total almost \$100,000 for FY16. Mr. Quicke advised that Vacorp has agreed to help with the costs of Attorney bills.

**Information Technology**

Original Budget-	\$222,596
Projected Expenditures-	\$252,000

Reasons:

\$28,599 in unbudgeted grant expenditures, which have been reimbursed as revenue  
\$10,000 in additional postage throughout the year, partial FY17 prepayment

**Commissioner of the Revenue**

Original Budget-	\$174,945
Projected Expenditures-	\$176,800

Reasons:

New construction assessment through Fred Pearson

**Treasurer**

Original Budget -	\$211,146
Projected Expenditures-	\$223,600

Reasons:

\$6,500 – changes in Health Insurance for certain employees  
\$13,000 – Vacation payout of former and current Treasurer  
\$6,000 – advertising costs for land sale and turnover audit

**Electoral Board**

Original Budget-	\$100,711
Projected Expenditures-	\$103,200

Reasons:

Additional Poll worker wages due to Federal Primary and Warsaw Town Elections. Expenses from Town of Warsaw election have been reimbursed.

**Circuit Court**

Original Budget -	\$66,858
Projected Expenditures-	\$77,000

Reasons:

As mentioned in the past, the five counties pay the salary of the Secretary for the Circuit Court Judge. Since Richmond County serves as the Judge's primary office, we pay certain expenditures that the other counties do not contribute to.

All five counties send the Judge a check for \$11,700, the Judge then turns around and writes a check to Richmond County for \$58,500.

**Building Inspections**

Original Budget-	\$72,759
Projected Expenditures-	\$81,900

Reasons:

Additional expenses for a part time secretary from the months of February-June due to understaffing in the County Administrator's office.

**Civil Defense**

Original Budget-	\$79,751
Projected Expenditures-	\$80,500

Reasons:

Due to employee selecting the higher priced insurance plan.

After discussion, the civil defense budget will be combined with the Emergency Services budget for the FY18 budget.

**Solid Waste Management**

Original Budget-	\$575,600
Projected Expenditures-	\$610,500

Reasons:

Expenses for trash services were \$53,000 over budget. As the economy continues to improve, trash expenses will continue to increase. The approved FY17 budget accounts for larger trash expenses.

**General Properties**

Original Budget-	\$312,308
Projected Expenditures-	\$330,000

Reasons:

The primary reason for the over expenditures to the General Properties budget is repairs and maintenance. About \$9,000 was spent at the new Ag. Extension Building to demolish the two trailers and clean up the site, as well as repair the chimney on the Extension Building and another \$9,000 was spent on the emergency replacement of two heat pumps, one for the Circuit Court Building and the other for the Extension Office.

**Comprehensive Services Act**

Original Budget -	\$337,500
Projected Expenditures-	\$400,000

Reasons:

As we always discuss during budget times, the CSA Budget is always a budget that is impossible to project. Our expenses are what our expenses are and the FAPT team and CPMT team which are responsible for these funds work very hard to make sure the Children needing them, are getting them appropriately. This budget covers children in need of services, which could mean foster care, or private placement at a home due to behavioral issues. The people that make up these teams come from County Administration, Social Services, Health Department, Community Services Board and Court Services. The last two years have been great for us, coming in under \$300,000; however this year will end up being over budget. We will continue to work hard to ensure these dollars are spent appropriately for the Children and the County.

**Family Development Center**

Original Budget -	\$189,957
Projected Expenditure-	\$190,411

Reasons:

The overage is due to gas purchased which will be reimbursed to us by the FDC. This budget consists of \$143,000 in grant money and \$46,000 in local contribution from Richmond County.

**Richmond County Museum**

Original Budget-	\$18,129
Projected Expenditure-	\$19,226

Reasons:

Richmond County handles payroll and benefits for the Museum, and the Museum reimburses the County. The County yearly gives the Museum a \$4,000 contribution, the other \$15,000 is reimbursed back to the County.

**Summary**

Year end projections show a yearly deficit of (-\$45,592). There can be any number of reasons for this but just to recap some of our larger, unbudgeted and unexpected expenses:

- County Attorney expenses due to ongoing litigation - \$100,000
- Treasurer's Office – Turnover Audit- \$6,000
- Tornado Expenses- \$40,000
- CSA Expenses (Above Budget)- \$75,000
- Replace Heat Pumps- \$10,000
- Solid Waste (Above Budget)- \$35,000
- Vacation Pay Outs (Constitutional Officers)- \$50,000

*“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the final budget for FY16 of \$24,180,367.00.”*

**OTHER BUSINESS**

Mr. Sanders presented the Board with a letter explaining the Virginia World War I and World War II Commemorative Commission. Each locality is being asked to appoint an individual or committee to work with the Commission. The first meeting is July 7<sup>th</sup> at the Capital. Mr. Quicke will attend the meeting along with Mr. Parr.

Adopted this 9<sup>th</sup> day of June, 2016.

---

F. Lee Sanders, Chairman  
Richmond County Board of Supervisors

---

R. Morgan Quicke, Clerk  
Richmond County Board of Supervisors

**ADJOURNMENT**

After no further business, Chairman Sanders adjourned the meeting.

---

F. Lee Sanders, Chairman  
Richmond County Board of Supervisors