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// A regular meeting of the Council of the City of Lynchburg was held on the 27th day of May, 2008, at 5:00 P.M. in the Council Chamber, City Hall, Joan F. Foster, President, presiding. Council Member Garrett gave the Invocation, followed by the Pledge of Allegiance. The following Members were present:

Present: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Absent: 0

// City Manager Kimball Payne recognized Director of Utilities Tim Mitchell regarding his Department's recent receipt of three awards for the City's water system and commended Mr. Mitchell on his leadership of the Utilities Department.

// Copies of the minutes of the May 13, 2008 meeting, having been previously furnished Council, reading was dispensed with, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote approved the minutes as presented:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Commonwealth Attorney, Resolution #R-08-047 amending the City/Federal/State Aid Fund budget and appropriating \$400,000, fully reimbursable, to continue the Domestic Violence Prosecution Unit program, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Resolution:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of Budget FY 2008, Ordinance #O-08-054 amending the FY 2008 Budgets to implement the Third Quarter budget adjustments and appropriating funds to implement revenue, expenditure and transfer adjustments for the General Fund Operating, City/Federal/State Aid, Asset Forfeiture, Regional Airport, Airport Capital Projects, Fleet Services, Solid Waste Management, Solid Waste Capital, Water Operating, Water Capital Projects, Sewer Operating, Sewer Capital Projects, School Operating, School Capital Projects, Regional Juvenile Detention, City Capital Projects and Comprehensive Services Act Funds, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-059 adopting the FY 2009 Mandated and Contractual External Service Providers Budget and appropriating \$6,505,875 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

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// In the matter of FY2009 Budget, Budget Ordinance #O-08-060 adopting the FY 2009 Central Virginia Area Agency on Aging Budget and appropriating \$15,000 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-061 adopting the FY 2009 Central Virginia Community College Board and Related Operations Budget and appropriating \$1,834 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-062 adopting the FY 2009 Court Appointed Special Advocate Budget and appropriating \$12,000 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-063 adopting the FY 2009 Dr. Martin Luther King, Jr./Lynchburg Community Council Budget and appropriating \$5,000 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-064 adopting the FY 2009 Region 2000 Economic Development Council Budget and appropriating \$82,250 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-065 adopting the FY 2009 Robert E. Lee Soil & Water Conservation District Budget and appropriating \$10,000 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-066 adopting the FY 2009 Virginia Legal Aid Society Budget and appropriating \$10,000 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-068 adopting the FY2009 Greater Lynchburg Transit Budget and appropriating \$6,268,268 for this budget, laid over from the May 13, 2008 meeting, was again presented and read. In response to Council questioning, City Manager Kimball Payne stated that this budget ordinance will need to be amended once City Council has reached a decision regarding the additional \$376,907 that GLTC will receive in State funding. On motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-069 adopting all other FY 2009 Operating Fund Budgets and appropriating the sums for each fund, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-071 adopting the FY 2009 Capital Budget and appropriating \$27,881,658 for the City Capital Projects Fund; \$1,478,520 for the Schools Capital Projects Fund; \$1,300,000 for the Airport Capital Projects Fund; \$6,972,000 for the Water Capital Projects Fund; and \$18,225,000 for the Sewer Capital Projects Fund, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-072 approving the payment of monetary incentives, awards and bonuses to City employees under certain circumstances, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// In the matter of FY2009 Budget, Budget Ordinance #O-08-073 to set the personal property tax relief rate for the fiscal year beginning July 1, 2008 through June 30, 2009 at 52.94%, laid over from the May 13,

2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

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Noes:

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// In the matter of Schools – Board of Trustees, a second public hearing was held to receive input from citizens regarding appointments (or reappointments) to vacancies that will exist June 30 in each of the three (3) School Board representational districts. Mayor Foster announced that no new names have been received by the Clerk of Council since the May 13 public hearing. There was no one present who wished to speak to this item, and the public hearing was closed. Mayor Foster announced that interviews with selected candidates are scheduled for May 31.

// In the matter of Public Works - Refuse, a public hearing was held regarding City Council Report #18 regarding adopting a Resolution approving the revised Region 2000 Member Use Agreement for the Region 2000 Services Authority. Public Works Director Dave Owen along with Region 2000 Regional Service Authority Director Clark Gibson provided a brief summary regarding the request. There was no one else present who wished to speak to this item, and the public hearing was closed. On motion of Council Member Gillette, seconded by Council Member Garrett, Council by the following recorded vote adopted Resolution #R-08-079, as presented, approving the revised Region 2000 Member Use Agreement for the Region 2000 Services Authority by incorporating references to add the County of Appomattox as a member of the Authority and incorporating other minor changes:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster

7

Noes:

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// In the matter of FY2009 Budget, Budget Ordinance #O-08-058 adopting the FY 2009 General Fund Operating Budget (excluding External Service Provider expenditures) and appropriating \$138,217,888 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Seiffert, seconded by Council Member Gillette, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster

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Noes: Helgeson

1

// In the matter of FY2009 Budget, Budget Ordinance #O-08-067 adopting the FY 2009 School Operating Budget and appropriating \$94,773,891 for this budget, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of Council Member Johnson, seconded by Council Member Gillette, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Johnson, Foster

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Noes: Helgeson, Seiffert

2

// In the matter of FY2009 Budget, Ordinance #O-08-070 adopting the FY 2009-2013 Capital Improvement Program, laid over from the May 13, 2008 meeting, was again presented and read, and on motion of

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Council Member Gillette, seconded by Council Member Johnson, Council by the following recorded vote adopted the Ordinance:

Ayes: Dodson, Garrett, Gillette, Johnson, Seiffert, Foster 6

Noes: Helgeson 1

// On motion of Council Member Gillette, seconded by Council Member Seiffert, Council by the following recorded vote elected to hold a closed meeting to consider appointments to Council-appointed Boards and Commission, i.e., School Board, pursuant to Section 2.2-3711(A)(1), Code of Virginia (1950), as amended:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// The meeting was re-opened to the public.

// Council Member Johnson made the following motion:

WHEREAS, the Council of the City of Lynchburg has convened a closed meeting on this date, pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by City Council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lynchburg certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by Council.

The Motion was seconded by Council Member Seiffert, and Council by the following recorded vote adopted the motion:

Ayes: Dodson, Garrett, Gillette, Helgeson, Johnson, Seiffert, Foster 7

Noes: 0

// The meeting was recessed at 6:05 P.M. to Saturday, May 31, at 12:30 P.M., to conduct interviews with School Board candidates.

Clerk of Council