

**LUNENBURG COUNTY BOARD OF SUPERVISORS
GENERAL DISTRICT COURTROOM
LUNENBURG COURTS BUILDING
LUNENBURG, VIRGINIA**

Minutes of October 8, 2015 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, October 8, 2015 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Frank Bacon, Edward Pennington, Charles R. Slayton, Alvester Edmonds, Robert Zava, David Wingold, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark, and County Attorney Frank Rennie.

Chairman Wingold called the meeting to order.

Supervisor Slayton gave the invocation and led the pledge of allegiance.

Chairman Wingold requested additions to the agenda from the Board and the public.

Administrator Gee requested the following additions; CRC Charter Amendment as 11A, Kenbridge Commercentre Deed of Easement as 11B, and Stormwater Opt-Out Resolution as 13B.

Mr. Jacob McCann, Community Relations Coordinator for Southside Electric Cooperative requested to speak before the Board. Chairman Wingold added Mr. McCann as 7A.

Supervisor Edmonds made motion, seconded by Supervisor Slayton and unanimously approved, to accept the Consent Agenda to include the Minutes of the September 10th and 21st, 2015 meetings, the Treasurer's August 2015 reports and the following Warrants for Approval:

September 2015:	Payroll: Direct Deposit	\$ 117,505.29
	Payroll: #17210	\$ 1,521.53
	Payroll Taxes Federal:	\$ 39,990.86
	Payroll Taxes State:	\$ 6,700.30
	Payroll VRS payment:	\$ 31,351.56
	Payroll ICMA-RC payment:	\$ 173.20
	Accounts Payable: #51518-51642	<u>\$ 338,303.58</u>
	Total:	\$ 535,546.32

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to approve and present the following resolution to Mr. Charles "Donnie" Neblett, whom retired from his position as Town Manager of Kenbridge.

RESOLUTION

WHEREAS, Charles D. Neblett, Jr. retired from his position as the Kenbridge Town Manager; and

WHEREAS, Mr. Neblett served at the pleasure of the Kenbridge Town Council from January 1, 2008 to June 30, 2015; and

WHEREAS, Mr. Neblett was instrumental in starting the Farmer's Market in 2010 and hosting the 2008 Centennial Celebration for the Town of Kenbridge; and

***WHEREAS**, Mr. Neblett worked diligently to secure funds and oversee the planning and construction of a \$5.3 million water system and other water and wastewater system upgrades; and*

***WHEREAS**, Mr. Neblett managed integral projects for the Town including the Town Park, implementation of a Class I Water System Operator position, and assisted in development of the upcoming sewer pump station project; and*

***WHEREAS**, Mr. Neblett served the Town of Kenbridge with devotion and distinction for nearly eight years prior to retirement.*

***NOW, THEREFORE, BE IT RESOLVED**, the Lunenburg County Board of Supervisors commends Charles D. Neblett, Jr. for his years of dedicated service and commitment to the Town of Kenbridge, the County and the citizens thereof.*

***BE IT FURTHER RESOLVED**, the Lunenburg County Board of Supervisors does hereby wish Charles "Donnie" Neblett, Jr. a long, fulfilling retirement and success in all future endeavors.*

Adopted this 8th day of October 2015.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to approve and present the following resolution to Mr. Kenneth Patterson, whom retired from his position as Town Manager of Victoria.

RESOLUTION

***WHEREAS**, Kenneth D. Patterson retired from his position as the Victoria Town Manager; and*

***WHEREAS**, Mr. Patterson served the Town of Victoria as a police officer starting in May 2001, and later as Assistant Chief of Police until June 2007; and*

***WHEREAS**, Mr. Patterson then served at the pleasure of the Victoria Town Council as Town Manager from July 2007 to August 2015; and*

***WHEREAS**, Mr. Patterson was instrumental in the development and continued improvements of the Victoria Railroad Park and Trails; and*

***WHEREAS**, Mr. Patterson was actively involved in establishing several Town events including National Cowboy Day, Small Town Christmas, and the 2009 Centennial Celebration; and*

***WHEREAS**, Mr. Patterson worked diligently to secure funds and oversee infrastructure projects totaling over \$8 million that have enhanced living in this rural community; and*

***WHEREAS**, Mr. Patterson was very progressive in economic development projects for the Town and County; and*

***WHEREAS**, Mr. Patterson served the Town of Victoria with devotion and distinction for fourteen years prior to his retirement.*

***NOW, THEREFORE, BE IT RESOLVED**, the Lunenburg County Board of Supervisors commends Ken Patterson for his years of dedicated service and commitment to the Town of Victoria, the County and the citizens thereof.*

***BE IT FURTHER RESOLVED**, the Lunenburg County Board of Supervisors does hereby wish Mr. Kenneth Patterson a long, fulfilling retirement and success in all future endeavors.*

Adopted this 8th day of October 2015.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to enter Public Hearing regarding an extension of time for two Conditional Use Permits for Verizon Cell Towers, one located on Mill Pond Road and the other on Rocky Mill Road.

Administrator Gee read aloud the public speaking ordinance and directed the Board to the below information regarding the extension of time for the two Conditional Use Permits.

1. Verizon Wireless requests an **extension of time** to their existing Conditional Use Permit,

approved on November 14, 2013 for the construction of a 310 foot tall communications tower at 1878 Rocky Mill Road, Victoria, VA 23974 on property currently owned by Ruby Payne. The property on which the tower will be located is identified by tax map number 53 ((2)) 10.

2. Verizon Wireless requests an **extension of time** to their existing Conditional Use Permit, approved on November 14, 2013 for the construction of a 295 foot tall communications tower at 1315 Mill Pond Drive, Dundas, VA 23938 on property currently owned by E. C. Foster, Jr. The property on which the tower will be located is identified by tax map numbers 62 ((A)) 38 and 14.

Excerpt from the September 15, 2015 Planning Commission Meeting minutes:

"Commissioner Tharpe made the motion to recommend to the Board of Supervisors that an extension be granted for both Conditional Use Permits as the Board suggested:

1. Rocky Mill Road- construction must be started prior to December 31, 2015 and this tower is to be operational prior to April 30, 2016.
2. Mill Pond Drive- construction must be started prior to December 31, 2015 and this tower is to be operational prior to June 30, 2016.

Both or either Conditional Use Permits can be revoked if construction is not started prior to December 31, 2015. Commissioner Shell seconded the motion and it passed unanimously."

There was no public comment.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to exit Public Hearing regarding an extension of time for two Conditional Use Permits for Verizon Cell Towers, one located on Mill Pond Road and the other on Rocky Mill Road.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to an extension of time for two Conditional Use Permits for Verizon Cell Towers, one located on Mill Pond Road and the other on Rocky Mill Road.

The monthly VDOT report was provided. Administrator Gee directed the Board to resolution in support of an application for funding from the HB2 program offered by VDOT for the Route 675 Hardy Road Improvements Project. She requested the Boards approval.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the resolution supporting an application for funding from the HB2 program offered by VDOT for the Route 675 Hardy Road Improvements Project.



RESOLUTION
Route 675 Hardy Road Improvements Project
HB2 Application

WHEREAS, Loudoun County citizens are concerned that the section of Route 675 between Route 61 and Route 675 has a dangerous curve close to the intersection of Route 675 and

WHEREAS, this section of road has been the site of several fatalities and many other accidents in the past, and

WHEREAS, this section of road has seen an increase in the traffic on Route 675 due to the growing Loudoun Operations on Route 675, and

WHEREAS, Loudoun County is submitting a HB2 Application to Realize the Curve and Intersection to improve the road.

NOW THEREFORE BE IT RESOLVED, the Loudoun County Board of Supervisors requires the application for funding from the HB2 Program offered by VDOT for the Route 675 Hardy Road Improvements Project.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Loudoun County Board of Supervisors at its regular meeting on September 15, 2015, at which a quorum was present and that same was passed by a vote of 12-0, in favor and 0-0, opposed, on the 15th day of October, Two Thousand Fifteen.

[Signature]
David W. Hester
County Administrator

[Signature]
Chris M. Edmonds
County Supervisor

Mr. Jacob McCann, Community Relations Coordinator for Southside Electric Cooperative introduced himself to the Board. He stated that he has been visiting all the local communities working with the Board of Supervisors, local chambers and school systems. His job is to be the liaison between SEC and the community. He asked the Board to contact him with any comments, concerns, and requests.

Supervisor Bacon, who also serves as the Chairman of the SEC Board, added that SEC as expanded their communications department and community involvement.

Supervisor Hoover thanked SEC for their assistance with the new score boards at the high school. He noted that SEC went above and beyond with the project.

Mr. Charles Berkley, School Superintendent, provided a monthly report. Mr. Berkley advised that the school system as received grants for in the areas of school security, robotics and mathematics. He stated that Lunenburg County Schools are currently fully staffed. Also they have added an additional Reading Specialist and increased their ESL teachers to meet the needs of the students. Mr. Berkley commented that October was National Bullying Prevention Monday as well as Internet Safety Month. Mr. Berkley requested approval to appropriate \$85,000 from the School Textbook Fund to be spent during the 2015-2016 fiscal year.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to appropriate \$85,000 from the School Textbook Fund to be spent during the 2015-2016 fiscal year.

Supervisor Bacon commented that Southside Electric Cooperative has a Day in the Life of a Lineman program for high school students. Supervisor Bacon inquired whether any Lunenburg students have attended the program.

Mr. Berkley replied yes; Lunenburg sends around 7 to 8 students each spring. He added that 2 graduates are attending Lineman School in Georgia now as a result of the programs.

Supervisor Bacon stated that there will be a shortage of linemen in the next few years. He noted that the Day in the Life of a Lineman program is designed expose students to the job and increase interest. He added that a Lineman school is in the development stage to be administered by SVCC and located at Fort Pickett in Nottoway County.

Mr. Berkley commented that 2 to 5 students attend the school in Georgia each year. He added that most of them come back to Virginia to work.

Supervisor Pennington thanked Mr. Berkley for allowing the Lunenburg High School Alumni Association to use school buses for transportation during the Dedication and Unveiling Ceremony of the Historical Highway Marker.

Supervisor Hoover questioned how many extra days were built into the school year that don't require make up days.

Mr. Berkley replied that 995 hours are required for the school year. Lunenburg schedule includes over 1200 hours. Also in the case of a declaration of a State of Emergency, schools are not required to make up days.

Administrator Gee advised that the County is in receipt of \$3,500 in State reimbursement toward the new voting machines. She reminded the Board that they agreed to use those funds towards the purchase of a new copier/scanner for the Electoral Board and Registrar. Administrator Gee stated that the invoice in the amount of \$120,010 for the new voting machines has arrived. She recommended that the Board pay the entire invoice this year instead of waiting to pay the remaining \$78,562 out of the General Fund reserve to avoid paying interest over the next year in the amount of \$2,371.

Supervisor Zava made a motion, seconded by Supervisor Bacon and unanimously approved, to proceed with paying the entire invoice in the amount of \$120,010.

Administrator Gee requested nominations for the credentialed voting attendee for the annual VACo meeting during the annual conference. Supervisors Slayton, Hoover, and Bacon are attending the conference.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to nominate Supervisor Slayton as the voting attendee and Supervisor Hoover as the alternate.

Administrator Gee explained that Landfill Liaison, Mrs. Beverley Hawthorne was out of town. Administrator Gee stated that construction of the Rock Mill Road Convenience site was progress as weather permitted. She noted that payments from CFS were up to date. Administrator Gee advised that signs indicating "no tire dumping" have been placed at the sites. She added that tires may be taken to the landfill; CFS is collecting \$3.00 per tire. Administrator Gee stated that the County has two large containers that have been filled with tire which were already at the sites. Each container costs the County \$1,000. If tire dumping at the sites continues, those costs may have to be passed to the public.

Supervisor Pennington added that citizens are dumping the tires when the sites are unmanned.

Administrator Gee stated that the sites may have to close when they are unmanned if the tire dumping continues.

Supervisor Hoover suggested that security system be installed at the sites to assist in monitoring what is dumped. He added that camera would record those individuals dumping illegally and the County could prosecute those individuals.

County Attorney Rennie stated that perhaps a sign stating "you are on camera" would deter some of the problem.

Supervisor Bacon commented that the technology of the cameras has increased greatly and the cost has decreased since the Board last looked into purchasing the cameras.

Supervisor Edmonds noted that he has received numerous comments that the sites are looking much better and cleaner.

The Community Development report was provided to the Board. Administrator Gee shared a proposed amendment to the Charter Agreement of the Commonwealth Regional Council. She requested the Board review the changes. Chairman Wingold, also Chairman of the Council, stated that the CRC is updating its by-laws as well.

Supervisor Bacon commented that he was glad to see that the CRC is requiring dues of the colleges now as well.

Administrator Gee noted that the CRC's office is currently located in Prince Edward County; however, if they were to find cheaper office space in another member county, they would consider a move. Chairman Wingold added that the by-laws would need to be updated at that time as well.

Supervisor Hoover made a motion, seconded by Supervisor Pennington and unanimously approved, to approve the proposed amendment to the Charter Agreement of the Commonwealth Regional Council and adopt the below resolution.

**Resolution of the Board of Supervisors
of
Lunenburg County, Virginia**

WHEREAS, the County of *Lunenburg* is a current member of good standing of the Commonwealth Regional Council, and

WHEREAS, the Commonwealth Regional Council has been discussing an overall review of the current Charter for the Council to reflect the current position of the Council; and

WHEREAS, the Commonwealth Regional Council has authorized a proposed Charter Amendment for presentation to current members in good standing relating to Article III (Principal Office), Article IV (Members), Article V (Dues), Article VI (Officers), Article VIII (Amendments), Article IX (Addition or Withdrawal of Localities or Institutions of Higher Education), and Article X (Dissolution); and

WHEREAS, the Commonwealth Regional Council has presented current members of good standing with a Charter Amendment which would amend the above the sections of the existing Charter.

NOW, THEREFORE BE IT RESOLVED, that having reviewed the proposed Charter Amendment, copy attached, and having no objections thereto, the Board of Supervisors of the County of *Lunenburg* recommends, and deems it to be in the best interest of the Council and its Members, and

FURTHERMORE, BE IT RESOLVED, as a current Commonwealth Regional Council Charter Member in good standing, hereby directs or authorizes its representative to the Commonwealth Regional Council to adopt the Bylaws accordingly to reflect these Amendments.

This resolution was adopted at a regular meeting of the Lunenburg County Board of Supervisors held on October 8, 2015 on a vote of 7 in favor and 0 opposed.

Administrator Gee stated that she was contacted by Mr. Cal Spencer, Town Attorney for the Town of Kenbridge regarding the Kenbridge Commerce Center Deed of Easement. The Town of Kenbridge is working to upgrade the sewer system and discovered the property is partly owned by the County. The Town is requesting permission to access the pump stations via a deed of easement.

County Attorney Rennie commented that the Town probably discovered the County's partial ownership during the title research of the property. He added that a public hearing was not needed.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to grant permission to access the pump stations via a deed of easement and allow the Chairman to sign the deed.

Administrator Gee shared the monthly Piedmont Regional Jail reports. Also included was a letter from the Department of Justice Monitor regarding substantial progress with the items outlined in the Settlement Agreement between the Department of Justice and Piedmont Regional Jail. Administrator Gee advised that the quarterly invoice arrived and the total is \$87,621.25, which includes an adjustment of -\$12,965.16 for the last quarter. The PRJ Finance Committee agreed that a 12 month assessment of inmate per diem and budgetary items is more appropriate than a quarterly assessment. They believe this will keep the payment at a more level rate based on income/expenses and average per diems.

Administrator Gee noted that the check for the repayment of construction funds to the six member localities in equal distribution of \$20,000 arrived from Piedmont Juvenile Detention Center. The other five localities are using the funds to purchase the adjacent property. Administrator Gee recommended the funds either be placed in Debt Service for later use or place the funds in the General Fund to use toward capital improvements and increase the budget.

Supervisor Bacon made a motion, seconded by Supervisor Zava and unanimously approved, to place the funds in the General Fund to use toward capital improvements and increase the budget.

Administrator Gee provided her monthly report. She advised that Airport Manager, Leroy Baker would be out of work for six weeks due to a recent surgery. She noted that he will be greatly missed as he is an invaluable asset at the airport. Administrator Gee stated that Animal Control Officer, Ray Elliott attended a free training session with VACA and will attend the annual conference later in October. She advised the Board that the Board of Zoning Appeals currently has two vacancies and needs at least 5 members to hold a meeting. She requested nominations for the next meeting. Also the Social Services Advisory Board is in need of one representative from Districts #2 and #3. Administrator Gee shared that the Commissioner of Revenue's office is still experiencing drainage issues and leaking due to heavy rains. The overgrown bushes in the front of the building will be removed, grade of the dirt and patching of the sidewalk will occur in the coming weeks until more work can be bid out and scheduled. Administrator Gee stated that the Courthouse septic system is under review by the Department of Health. They believe the County will have to install a system rated for more gallons per day. Administrator Gee reminded the Board of two upcoming events, Autumn Day on Saturday, October 17th and the Annual Farm Bureau Dinner on October 21st.

Administrator Gee shared a Letter of Recognition for the New Grove Baptist Church signed by Chairman Wingold. She asked if any Board member would be attending their services to present the letter. Supervisor Edmonds stated that he would attend.

Administrator Gee advised that the State is making efforts to shift responsibility back to the opt-out localities for Stormwater Permitting. She added that other localities are planning to send resolutions to the State explaining that they cannot afford another state mandate.

Supervisor Hoover made a motion, seconded by Supervisor Pennington and unanimously approved, to send a resolution to the State to request that the State not eliminate a locality's ability to opt-out.

Administrator Gee advised that she sent a letter of support on behalf of the Board of Supervisors supporting a STEPS' application to occupy the Watkins K. Abbitt Federal Building in Farmville, VA. If successful, STEPS intends to move its corporate offices to the Abbitt Building and use their existing building to aid those experiencing homelessness in their Community Action Agency endeavor.

County Attorney Rennie stated that he received a request from a local attorney to obtain funds that were deposited by the County from a tax sale several years ago. He added that at the time of the sale the heirs could not be determined. In such a case, if the sale is more than what is owed then the amount is given to the heirs. If the heirs are not located, the funds are deposited into the county coffers. County Attorney Rennie continued that the heirs of this property have now been discovered and are requesting to receive the surplus of funds in the amount of \$18,959.32. He stated that if the Board wishes to refund the surplus, he suggested the County issue the amount after the deduction of expenses for court costs and public hearing ads.

Supervisor Hoover suggested that the board agree to refund the net funds after expenses are paid.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to refund the net funds after expenses are paid pending a public hearing at the next meeting.

Supervisor Hoover commented that Mr. Brian Nowlin is now working for the Southside Messenger and they have added a Lunenburg section.

Mr. Nowlin spoke before the Board. He noted that the Southside Messenger will be opening a small office for him in the County and he will be covering local news and events as he did before. He thanked the Board for their continued support.

Supervisor Hoover made a motion, seconded by Supervisor Bacon and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A29 Contract Bargaining Position.

CERTIFICATION OF CLOSED SESSION MEETING

WHEREAS, the Board of Supervisors of Lunenburg County, Virginia ("Board") convened a Closed Session Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section §2.2-3712 of the Code of Virginia, 1950, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

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

VOTING YES

Supervisor Bacon
Supervisor Hoover
Supervisor Edmonds
Supervisor Pennington
Supervisor Slayton
Supervisor Zava
Supervisor Wingold

VOTING NO

ABSENT

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to return to Open Session.

Supervisor Edmonds made a motion, seconded by Supervisor Bacon and unanimously approved, to adjourn.

Tracy M. Gee, Clerk
County Administrator

David E. Wingold Sr., Chairman
Board of Supervisors