Minutes of November 13, 2014 Meeting

The regular meeting of the Lunenburg County Board of Supervisors was held on Thursday, November 13, 2014 at 6:00 p.m. in the Lunenburg District Courtroom, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Frank Bacon, Alvester Edmonds, Robert Zava, Edward Pennington, David Wingold, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark and County Attorney Frank Rennie. Supervisor Charles R. Slayton was absent.

Chairman Pennington called the meeting to order.

Supervisor Edmonds led the Pledge of Allegiance and gave the invocation.

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

Administrator Gee noted that the Abstract of Votes was added to the Board book after the agenda was created under item 9, County Office and Departments.

Supervisor Wingold made motion, seconded by Supervisor Bacon and unanimously approved, to accept the Consent Agenda to include, the Treasurer’s September 2014 reports, and the following Warrants for Approval:

October 2014:

<table>
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<tr>
<th>Description</th>
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<tr>
<td>Payroll</td>
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<td>Payroll Taxes Federal</td>
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<td>Payroll Taxes State</td>
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<tr>
<td>Payroll ICMA-RC payment</td>
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</tr>
<tr>
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<td><strong>$930,769.81</strong></td>
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</table>

Administrator Gee stated that a change was made to the minutes of the October 9, 2014 Board of Supervisors meeting. The minutes were updated to indicate that Chairman Pennington gave the invocation; the original minutes stated that Pastor Herman Lundy gave the invocation.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the updated minutes of October 9, 2014.

Mr. Billy Smith of VDOT provided the monthly report. He noted that the replacement of the Route 40 Bridge in Victoria is scheduled to begin on January 5, 2014 and is expected to be completed by July 31, 2015. He advised that VDOT is working on plans for Dixie Bridge and they are projecting a January 2016 start date. Mr. Smith stated that VDOT had performed a dry run for snow removal for the upcoming winter season. All equipment has been checked and all supplies are in place. VDOT is looking for additional contract drivers and have received estimates from six vendors for tree removal during inclement weather.

Mr. Lamont Brand of Bethel Church Road asked if there were any plans to widen Nutbush Road where it narrows.
Mr. Smith replied that it was not in the six-year plan at this time.

The monthly school board report was provided. Administrator Gee shared a resolution adopted by the School Board designating December 19, 2014 as an early pay date for December. She requested the Board take action on the resolution.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to adopt the School Board’s resolution designating December 19, 2014 as an early pay date.

Administrator Gee informed the Board that she received two bids for the county owned property on Hardy Road, one for $800 and another for $3,500.

Supervisor Bacon made motion, seconded by Supervisor Wingold and unanimously approved, to accept the bid for $3,500 submitted by David Hite.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to enter into public hearing.

Ms. Nina B. Bridgeforth seeks to amend her exiting Conditional Use Permit to increase the number of adults served from five (5) to six (6). Ms. Bridgeforth has operated Bridgeforth Manor, an adult care residence, at 2683 Washington Avenue Extension, Victoria, VA 23974 since August 2000. The property is identified as Tax Map Number 33A1 ((3)) 4A and is owned by Ms. Bridgeforth.

Ms. Bridgeforth approached the Board noting that she has maintained her business for 14 years and it has been very successful. She added her residents are very happy and she would like to add an additional resident.

Supervisor Zava asked if the housing facility met all the requirements for adding an additional resident.

Ms. Bridgeforth replied yes, regulations allow her to house up to seven residents.

Administrator Gee reminded the Board of the South Central Workforce Investment Board Consortium Agreement that was discussed several months ago. She noted that a few changes to the agreement were suggested by County Attorney Rennie, but the other counties involved did not wish to make those changes. She believes it is in the best interest of the county to move forward and adopt the agreement. Administrator Gee added that most counties have approved the agreement.

County Attorney Rennie stated that the Board was hoping to add a clause allowing a member jurisdiction to withdraw from the agreement with limited indebtedness, however the attempt was unsuccessful. He added that if the Workforce Board incurs long term indebtedness, the county must agree to financially assist the other member jurisdictions. County Attorney Rennie agreed with Administrator Gee that it is in the best interest of the county to move forward with the agreement as-is.

Administrator Gee stated that the county was seeking public comment on the sale of two parcels owned by the county to a private entity.

1) Wards Corner Road, Tax Map # 016 ((OA)) 0 95 and consisting of 14.8 +/- acres and
2) Hardy Road, Tax map # 032 ((OA)) 0 61A and consisting of 3.0 +/- acres.

Supervisor Zava questioned if the county would incur any liabilities from the sale of either of these properties.

County Attorney Rennie stated that any closing costs will be passed to the purchaser.
Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit public hearing.

Supervisor Zava made motion, seconded by Supervisor Bacon and unanimously approved, to approve the CUP amendment for Ms. Nina Bridgeforth of Bridgeforth Manor.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to enter into the South Central Workforce Investment Board Consortium Agreement and authorize the Chairman to sign the agreement.
Article IV - Governance

Section 1. Constitutional Meetings and Officers. The Constitutional Board shall meet as determined by its members. The Constitutional Board shall allow five business days for public notification to serve as a point of discussion and for public testimony. The Constitutional Board (or any other committee appointed by it) shall adopt a schedule for meetings. Such meetings shall be open to the public except for meeting closed in accordance with the next paragraph.

Section 2. Constitutional Board By-Laws. The Constitutional Board shall adopt and administer by-laws and rules of procedure. The by-laws shall be subject to review by the members of the Constitutional Board. If the Constitutional Board finds that any by-law is not consistent with the purposes of the Constitutional Board, the Constitutional Board by a majority vote may amend the by-laws.

Section 3. Quorum. A quorum for the Constitutional Board shall consist of at least two of the members of the Constitutional Board.

Section 4. Voting. Each member of the Constitutional Board shall vote in accordance with the majority of the members of the Constitutional Board.

Section 5. Questions. Any question before the Constitutional Board shall be open to public inspection.

Section 6. Quorum. A quorum for the Constitutional Board shall consist of at least two of the members of the Constitutional Board.

Section 7. Conferences. The Constitutional Board shall hold conferences as and when necessary.

Section 8. Public Meetings. All public meetings of the Constitutional Board shall be open to the public except for meeting closed in accordance with the next paragraph.

Section 9. Quorum. A quorum for the Constitutional Board shall consist of at least two of the members of the Constitutional Board.

Article V - Local Workforce Investment Area Board

Section 1. Membership. The Local Workforce Investment Area Board shall consist of not less than three members and not more than five members. Each member of the Local Workforce Investment Area Board shall be a resident of the county in which the work area is located and shall be a representative of a public agency, a private agency, or a non-profit organization.

Section 2. Terms of Office. Each member of the Local Workforce Investment Area Board shall serve for a term of three years.

Section 3. Removal. Any member of the Local Workforce Investment Area Board may be removed by the Constitutional Board for cause.

Article VI - Local Workforce Investment Area Board

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Section 2. Terms of Office. Each member of the Local Workforce Investment Area Board shall serve for a term of three years.

Section 3. Removal. Any member of the Local Workforce Investment Area Board may be removed by the Constitutional Board for cause.

Article VII - Local Workforce Investment Area Board

Section 1. Membership. The Local Workforce Investment Area Board shall consist of not less than three members and not more than five members. Each member of the Local Workforce Investment Area Board shall be a resident of the county in which the work area is located and shall be a representative of a public agency, a private agency, or a non-profit organization.

Section 2. Terms of Office. Each member of the Local Workforce Investment Area Board shall serve for a term of three years.

Section 3. Removal. Any member of the Local Workforce Investment Area Board may be removed by the Constitutional Board for cause.

Article VIII - Amendment of By-Laws

Section 1. Adoption of Amendments. The Constitutional Board shall adopt amendments to this Constitution as determined by its members. The Constitutional Board shall provide public notice of proposed amendments at least 30 days before the adoption of the amendments.

Section 2. Ratification by Members. The Constitutional Board shall ratify this Constitution by a majority vote of the members of the Constitutional Board.

Section 3. Effective Date. This Constitution shall take effect on the date of adoption by the Constitutional Board.

Article IX - Amendments

Section 1. Adoption of Amendments. The Constitutional Board shall adopt amendments to this Constitution as determined by its members. The Constitutional Board shall provide public notice of proposed amendments at least 30 days before the adoption of the amendments.

Section 2. Ratification by Members. The Constitutional Board shall ratify this Constitution by a majority vote of the members of the Constitutional Board.

Section 3. Effective Date. This Constitution shall take effect on the date of adoption by the Constitutional Board.
Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize the sale of two parcels owned by the county on Wards Corner Road and Hardy Road to Mr. David Hite.

Administrator Gee requested that the Board approve early pay dates of November 25, 2014 and December 19, 2014 to coincide with the Lunenburg Public Schools pay dates. She also advised that the Governor added January 2, 2015 to the Commonwealth Holiday and Pay Calendar. That date falls prior to the regularly scheduled meeting on January 8, 2015 and therefore Administrator Gee is requesting approval from the Board.

Supervisor Edmonds made motion, seconded by Supervisor Hoover and unanimously approved, to approve early pay dates for November and December.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to approve the additional holiday of January 2, 2015 to the County Holiday Calendar.
Supervisor Edmonds made motion, seconded by Supervisor Hoover and unanimously approved, to approve and accept the below Abstract of Votes from the General Election held on November 4, 2014.

**Supervisor Edmonds** made motion, seconded by Supervisor Bacon and unanimously approved, to approve the Volunteer Fire and Rescue Departments Eligibility for LODA Benefits Resolution.

**WHEREAS**, the County of Lunenburg wishes to comply with the State Code 9.1-400 recognizing local emergency departments; and

**WHEREAS**, the County of Lunenburg recognizes four departments, namely Kenbridge Emergency Squad, Kenbridge Fire Department, Meherrin Fire & Rescue and Victoria Fire & Rescue; and
WHEREAS, the Board of Supervisors, the governing body of Lunenburg, have for many years recognized the existence of all four volunteer organizations but have never formally adopted a resolution; and

WHEREAS, for such fire and rescue departments to be eligible for benefits of the “Line of Duty Act” a resolution must be approved by the governing body; and

NOW, THEREFORE, BE IT RESOLVED, that on November 13, 2014 the Lunenburg County Board of Supervisors voted to recognize the afore mentioned fire and rescue departments as emergency responders for the citizens of Lunenburg; and

BE IT FURTHER RESOLVED that the County of Lunenburg acknowledges the important contribution made by the members of each fire and rescue department to the County and wishes to make available the benefits of the “Line of Duty Act”.

Signed by Chairman Edward W. Pennington

Supervisor Hoover inquired when the Emergency Services Advisory Committee would be meeting. He has a concern involving the protocol for dispatching Med Flight services. He stated that the county contributes funding to the state Med Flight service. Therefore, citizens are not charged when the state Med Flight services are used. Supervisor Hoover added that some private Med Flight services charge up to $20,000. He would like to have a protocol established for dispatcher to contact the state Med Flight service first. If they are not available, then the dispatcher should contact the private service.

Victoria Fire and Rescue Chief, Rodney Newton stated that he would organize an Emergency Services Advisory Committee meeting and discuss establishing a protocol for dispatching Med Flight.

Administrator Gee shared a letter from the Department of Motor Vehicles regarding proceeds from Animal-Friendly License Plate sales in Lunenburg County. The total proceeds this year are $135. Administrator Gee stated that in the past the Board has forwarded the proceeds to the Southside SPCA to be used for dog and cat sterilization.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to accept the funds of $135 and authorize payment to the Southside SPCA to be used for dog and cat sterilization.

Administrator Gee shared a listing of year-end Audit and budget adjustments needing to be made for FY14. She added that once the adjustments are approved she will discuss the updated report with the auditors and the Board. The following is a listing of adjustments for approval.

USE OF GENERAL FUND BALANCE

Decrease GF reserve to fund Increase in Juvenile Detention expenses: $14,863.90/$14,863.90
(increased expense due to add’l housing for juveniles toward year-end)

Decrease GF reserve and increase expense of local portion of CSA: $75,500/$75,500
(this transfer from GF reserve is $62,000 less than FY2013)

Decrease GF reserve and increase expense for Airport maintenance: $4,529.62/$4,529.62
(add’l maintenance needed per DOAV, no transfer was budgeted as was in the past)

Decrease GF reserve and increase expense of Data Processing: $46,110.33/$46,110.33
(the Board originally approved $67,375 from reserve, this amount is less & calls for a reduction)

ADJUSTMENTS TO BALANCE REVENUES/EXPENDITURES:

Increase revenue – CSA State funds $225,000.00
Increase revenue – CSA Federal $24,000.00
Increase transfer from General Fund $75,500.00
Increase expense for CSA Fund $324,500.00
Additional 911 Communications Tax revenue and expense 911 maintenance $10,000/$10,000
Add GF Transfer to Airport and increase expense for maintenance $4,529.62/$4,529.62  
Use of School Const. Fund Bal. and School Construction Expenses $48,000/$48,000  
Increase Cell Tower Revenue and Cell Tower Escrow Expense $34,000/$34,000  
Increase CH Security Revenue and expense for security labor $1,157.07/$1,157.07

PREVIOUS USE OF FUND BALANCE (ALREADY APPROVED):
Regional Jail use of fund balance $ 99,236.90  
Disposition of body – ME case $   1,000.00

Supervisor Zava explained that the finance committee met and reviewed these adjustments. He noted that some of these items such as the CSA fund and Jail fund are difficult to project a budgeted amount. In addition, state budget cuts impact the county budget. Supervisor Zava stated that the finance committee works very hard to control the expenses that it can.

Supervisor Bacon reiterated that state budget cuts and items such as the jail and CSA have always been difficult to predict. Supervisor Zava noted that the Piedmont Regional Jail’s per diem rate decreased over the fiscal year from approximately $30 to $19. This decrease resulted in considerable saving to the county.

Supervisor Hoover commented that the above mentioned adjustments will allow for the FY14 budget to be finalized. He added that one of the reasons for hiring Shelia Minor and her firm is to assist with adjustments such as these.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to approve the requested budget/audit adjustments for Fiscal Year 2014.

Supervisor Zava stated that he is concerned about a situation that has been occurring in other counties. Some of the community organizations that received county funding are experiencing questionable financial issues. Supervisor Zava noted that the Board may want to consider requesting financial audits, reports or documents from these organizations before contributing funds. He believes this would provide a check and balance for the county and the organization.

Supervisor Bacon stated that the cost of an audit for some of the smaller organizations may be an issue. He suggested talking with Paul Lee to get his thoughts and a possible suggestion.

Mrs. Beverley Hawthorne commented that she is the Chairperson of Virginia’s Retreat. She explained that Dinwiddie and Amelia counties require them to complete a designated form. The form asks for the organization’s budget request amount and asks few other budgeting questions. Mrs. Hawthorne stated that the form is simple; however, the questions require budgeting knowledge.

Mr. Rodney Newton, Victoria Fire and Rescue Chief, addressed the Board with a concern for his organization. He stated that they had contacted Robinson Farmer Cox about performing an audit on the Fire and Rescue Squad. The estimate was between $4,000-6,000 per year. Mr. Newton stated that neither his organization nor any small organization could possible afford that price. The Victoria Fire and Rescue currently doesn’t have an external audit. They have considered asking the Town of Victoria or the County to have their finance committee review the books annually.

Supervisor Hoover stated that the Board is not suggesting any local organizations have questionable operations. There have been cases in other counties and he would like to see the Board be proactive and have a check and balance system in place.

Mr. Newton stated that he understood and would like the Board to entertain the idea of reviewing their books annually.
Supervisor Bacon wondered if the County’s audit firm or consultant would review the documentations for the local organizations for a nominal fee.

County Attorney Rennie stated that the county should not need the backing of an audit firm for these purposes. A method of checks and balances would suffice.

Mr. Newton commented that he and his organization are willing to do what the county thinks is best and the Board’s support is always appreciated.

Supervisor Zava suggested that methods be researched and he would like to see something in place for budget request time in the spring.

Mrs. Beverley Hawthorne, Landfill Liaison, provided her monthly report. She stated that the dump sites known as Blacks and Bethel Church have been closed down. The work crew is still checking these two sites for the time being as residents get familiar with other dump sites. Mrs. Hawthorne reported electrical problems have been occurring with the switch on one compactor at the Nutbush convenience site. This compactor is still under warranty and may need to be replaced. She stated that she is meeting with Mr. Jeff Robinson in the next week to discuss plans for a new site on Courthouse Road. Mrs. Hawthorne stated that a Landfill Committee meeting needs to be held soon to discuss numerous topics. Mrs. Hawthorne reported that the trash count was lower the past month.

Supervisor Zava noted that he was pleased to ride by the Bethel Church site and not see trash everywhere. He stated that he has received complaints about the manned sites and the set hours. He said however residents need to understand the cost to the county and taxpayers to maintain the trash sites. He explained that the county is guaranteed $150,000 in tipping fees, therefore this is the figure budgeted for part-time employee wages. Supervisor Zava calculated the cost for part-time people to be employed to pick up trash behind county residents at 7 sites, for 7 days a week, 12 hours per day, at $10 per hour, would total over $300,000. That figure would require a 13% increase in taxes to pay employees to clean and pick up trash after county residents.

Supervisor Zava commented that the two new convenience centers looked very nice and he has heard numerous compliments about them.

Supervisor Edmonds applauded the trash collection crew for the great job they are doing. He stated that he was recently at one of the sites and a citizen attempted to dump a couch on the ground. The county’s trash collection worker told the citizen he wasn’t allowed to dump the couch on the ground and if he did his license plate number would be turned into the county. The citizen promptly placed the couch in the large dumpster. Supervisor Edmonds stated that he believes manned sites will be an asset to the county.

Mrs. Beverley Hawthorne, Community Development Director, provided her report to the Board. She reported that she has developed four requests for proposals for potential prospects in the past six weeks. She notified the Board that Old Dominion RC&D would be holding meetings in each of the participating localities. Lunenburg’s will be held the following Thursday at the Kenbridge Town Hall. Mrs. Hawthorne shared a press release from Virginia’s Growth Alliance. In the release, Governor Terry McAuliffe announced $300,000 in Community Development Block Grant Local Innovation funding through Mecklenburg County. The grant will be used to develop several new programs for youth, new businesses and established businesses through the VGA’s region to spur small business development and create jobs.

Mrs. Hawthorne advised the Board that the natural gas line discussed in recent months will not run through Lunenburg. However, Lunenburg will have opportunities to tap on to the line and could
potentially receive funding assistance. Mrs. Hawthorne noted that the gas line is getting some resistance from the western counties. The Board has already approved a resolution of support for the gas line.

Mr. Matt Fitch, owner of No Limits Sky Diving, was present and approached the Board. He stated that they have been in operation for about 5 years. He added that between 1200-1300 people visit them at the county airport each year. He stated that majority of the visitors are not from Lunenburg, they bring in many tourists. Mr. Fitch informed the Board that they have a second location in West Point, VA near Williamsburg.

Supervisor Hoover asked how many jumps they perform each year at the county airport.

Mr. Fitch replied around 2,000. He thanked the Board for their continued support.

Administrator Gee directed the Board to the monthly Piedmont Regional Jail reports. She noted that the jail’s superintendent is sending updates through weekly reports. She will forward them via email to any supervisor that requested them. Supervisors Zava and Hoover both requested the correspondence.

Administrator Gee provided her monthly report. She reminded the Board of the Town and County Dinner on Friday, November 21st at the Victoria Golf County. She needs RVSP’s from all supervisors at the end of the meeting. She shared that the Extension Office would be holding interviews for the 4-H Agent and they would like to have a supervisor on the interview panel. Supervisor Wingold volunteered to sit on the interview panel.

Administrator Gee shared the Zoning Administrator section of the county code (Division 1, Section 7). The code reads “The provisions of this ordinance shall be administered and enforced by the zoning administrator...” Administrator Gee stated that there has been some confusion regarding this verbiage as Mr. Jamie Tuck is currently the Zoning Administrator.

County Attorney Rennie suggested changing the language to include the zoning administrator or his/her designee.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to hold a public hearing at the next set public hearing date to change the verbiage of the ordinance to include the zoning administrator or his/her designee.

Administrator Gee reported that she, Chairman Pennington, and Supervisor Wingold attended the VACo conference. They all benefited from the conference as it was a good learning experience.

County Attorney Rennie stated that he and Administrator Gee have been working to get the airport into compliance. The surveyor experienced a personal accident that temporally slowed the process; however they are hoping to have everything finalized in the coming weeks.

Chairman Pennington asked for prayers for the Queen family in the recent untimely passing of Darius Queen, a former Lunenburg Deputy and Kenbridge Police Officer.

Supervisor Hoover stated that Darius Queen was a very active public safety figure as a police officer and volunteer fire & rescue member. He asked that the Queen family be kept in everyone’s prayer as well as the emergency responders who assisted Mr. Queen.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel, §2.2-3711A3 Public
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 Edmonds
Supervisor Pennington
Supervisor Hoover
Supervisor Wingold
Supervisor Zava

VOTING NO

ABSENT
Supervisor Slayton

Supervisor Wingold made motion, seconded by Supervisor Zava and unanimously approved, to return to Open Session.

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

______________________________  ________________________________
Tracy M. Gee, Clerk                   Edward W. Pennington, Chairman
County Administrator                   Board of Supervisors