

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

Minutes of September 12, 2013 Meeting

The regular meeting of the Lunenburg County Board of Supervisors was held on Thursday, September 12, 2013 at 6:00 p.m. in the Lunenburg District Courtroom, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Charles R. Slayton, Robert Zava, Edward Pennington, Frank Bacon, David Wingold, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark and County Attorney Frank Rennie.

Chairman Pennington called the meeting to order.

Chairman Pennington called for a moment of silence in reflection of September 11th and in honor of missing person Mrs. Virginia Edmonds.

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

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

The cell tower balloon test was added as 13A and Planning Commission appointments were added as 13B on request by Community Development Director Beverley Hawthorne.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the minutes of the August 8, 2013 Board of Supervisors meetings, the Treasurer's July 2013 report and the following Warrants for Approval:

Additions for June 2013 printed in August 2013:

(for inclusion in FY13 expenses)

	Accounts Payable:	#48053-48064	\$ <u>40,132.56</u>
August 2013:	Payroll:	Direct Deposit	\$ 100,855.74
	Payroll Taxes Federal:		\$ 36,382.79
	Payroll Taxes State:		\$ 6,066.57
	Accounts Payable:	#47987-48122	\$ <u>199,136.68</u>
	August Total:		\$ 342,411.78

Tommy Johnson of VDOT presented the monthly report. He noted that mowing on secondary roads was ongoing as well as cutting of tree limbs that overhang the road. Mr. Johnson added that a traffic study was being performed on Route 635 as requested by Chairman Pennington.

Chairman Pennington commented that traffic has increased since the sale of the landfill. He has seen traffic speeding over the posted limit. He is concerned about safety issues now that school buses are traveling and children are waiting for the bus. He added that VDOT may want to work with police to ensure drivers are abiding by the law.

School Superintendent, Dora Wynn, provided the school's monthly expense report to the Board. She thanked the Board for their referral to Container First Services for consideration of a donation. CFS awarded the school system with \$30,000 to be used for bathroom upgrades.

Administrator Gee shared a letter of support for the schools in regards to the Race to the Top program, *The Rural Route to Postsecondary Education*. The purpose of the initiative is to create opportunities for students to identify and pursue areas of personal academic interest—all while ensuring that each student masters critical areas identified in college and career-ready standards or college and career-ready high school graduation requirements.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to allow the Chairman to sign the letter of support to Lunenburg County Public Schools.

By resolution, the School Board requested the Board to appropriate \$85,000 from the School Textbook Fund to be spent during the 2013-2014 fiscal year.

Supervisor Edmonds made motion, seconded by Supervisor Slayton and unanimously approved, to appropriate \$85,000 from the School Textbook Fund for the 2013-2014 fiscal year.

Administrator Gee shared a letter from Sheriff, Arthur Townsend requesting the profit from the sale of three Chevrolet Impala vehicles in the amount of \$4,717.50 be placed in the Sheriff's Office budget under police supplies line item.

Supervisor Zava stated that the budget was adopted as flat funded for every office. He questioned if the profit was placed in supplies would that change the line item for the next fiscal year.

Administrator Gee stated that the amount would be entered as a budget supplement and not affect the following year's fiscal budget.

Supervisor Bacon noted that in the past the funds have been placed in the general fund and requests for additional funds are made on a case by case basis.

Supervisor Hoover agreed and added that the monies could be moved as needed.

Administrator Gee shared a notice she received from the Sheriff's office advising that the local Dollar General stores have applied to sell beer and wine.

Administrator Gee notified the Board that the Clerk of the Court has signed an engagement letter with Robinson, Farmer, Cox Associates for the FY13 audit year. Previously the audit was performed by the Department of Public Accounts.

Supervisor Bacon inquired as to why the Clerk was moving to a private firm. He wondered in the audits performed by the Department of Public Accounts were free.

Administrator Gee replied no; the Department of Public Accounts also charged a fee.

Administrator Gee noted that the Commissioner of Revenue has submitted her notification of retirement effective September 30, 2013. The Board of Supervisors needs to determine the timing of the Special Election to fill the vacancy for the unexpired term. Commissioner Adams' regular term will expire on December 31, 2015.

County Attorney Rennie presented two petitions for the court. The first is to fill the Commissioner of Revenue position. According to Virginia Code, the person in the Chief Deputy position will become the Commissioner until a special election is held. The second petition is to determine the date of the special election. Due to the date of Commissioner Adams retirement the election cannot be

held in November 2013. There must be ninety days notice before the election date. Therefore, a November 2014 date is suggested.

Supervisor Bacon questioned if the election could legally be held any sooner.

County Attorney Rennie replied that because of the size of the county, the federal and state election times should be followed.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to allow County Attorney to petition the court to promote the Chief Deputy to Commissioner and hold a special election for Commissioner in November 2014.

Administrator Gee stated that the Commissioner of Revenue has submitted a proposed RFP for a new CAMA "Computer Assisted Mass Appraisal" package for the office. Following the untimely death of the founder of DataSync, the Commissioner's Office is unable to process mass appraisal data in their system.

Supervisor Hoover asked if the new software would interact with the Bright software used by others in the county.

Commissioner Adams replied affirmatively, as a new system will be more up to date and will enable assessment cards to be available online.

Supervisor Edmonds questioned how quickly the new software would be in place.

Commissioner Adams stated that once she has the Board's permission to move forward with the RFP and receive bids, she will have a better idea of the time frame of implementation.

Supervisor Hoover commented on the Southside Regional Library Stakeholders Meeting held on August 15, 2013. He shared handouts from the meeting with the Board. He stated that two representatives from the Library of Virginia attended in order to facilitate the meeting. The meeting was termed a "fact finding work-session". Ground rules were provided so that attendees would work together in a positive manner. Roles for each group were discussed as well as the correct chain of command. Supervisor Hoover was very pleased with meeting and the outcome.

Supervisor Bacon inquired as to whether a librarian has been hired for the county yet.

Administrator Gee stated that applications have been received, but a selection has not been made.

Victoria Fire and Rescue Chief, Rodney Newton made several expense requests. The first request was to spend up to \$4,500 of capital improvement funds to replace the HVAC system in the downstairs of the fire station. The existing system is beyond repair and due to a Freon issue, replacement of the entire system is necessary. The part of the building covered by this system also serves as one of the emergency shelters for the county. There is a possibility that this repair may be covered by insurance due to a lightning strike. Chief Newton would like approval in the case that insurance does not cover the cost.

Supervisor Zava made motion, seconded by Supervisor Wingold and unanimously approved, to allow for the spending of up to \$4,500 of capital improvement funds to replace the HVAC system in the downstairs of the fire station.

Chief Newton's second request was to spend \$13,97.50 for a 800 MHz tactical repeater for the communications cache. This item is available for purchase off an existing King and Queen County contract. The third request is to spend \$13,269.28 for an incident Commander's Radio Interface and associated equipment and is available for purchase through GSA. The fourth request was to spend \$4,900 to send 4 communications personnel to Codan Electronics technician training. All three of these requests are 100% reimbursed by the VDEM State Homeland Security Grant.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to allow for the spending of the three requests, 100% reimbursed by the VDEM State Homeland Security Grant.

Supervisor Zava asked about the time frame to receive the reimbursement.

Chief Newton replied usually 30-45 days.

Administrator Gee noted that September is National Preparedness Month. She shared a news release from VDEM with information on preparing for emergencies. She also shared a notice of The Great ShakeOut to be held on October 17, 2013. She added that the Administration Office will participate in the multi-state earthquake drill at 10:17 a.m.

Administrator Gee shared a letter from Commonwealth Regional Council President, Mary Hickman. The letter discusses the Council's adoption of a resolution to support the Governor's proclamation for a "Day to Serve" this coming September 15-29, 2013. The event is being sponsored by the Governors of Virginia, Maryland, West Virginia and the Mayor of Washington DC. The CRC Council encourages all of its current member jurisdictions, including Lunenburg, to adopt similar resolutions in their communities.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to adopt the following resolution.

<p>BOARD OF SUPERVISORS Edward Pennington, CHAIRMAN Elector District 1 Charles N. Steyn, VICE-CHAIRMAN Elector District 4 T. Wayne Hoover Elector District 1 David E. Wingo, Sr. Elector District 2 Frank W. Bacon Elector District 3 Alexander L. Edmonds Elector District 5 Robert G. Zava Elector District 7</p>		<p>Lunenburg County Administration 11413 Courthouse Road Lunenburg, VA 22902</p> <p>Tracy M. Gee County Administrator</p> <p>Telephone: (434) 896-2142 Facsimile: (434) 896-1788</p>
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**Resolution of Support
"Day to Serve"**

WHEREAS, the governors of Virginia, Maryland and West Virginia and the mayor of Washington D.C., have come together to support "Day to Serve"; and

WHEREAS, "Day to Serve" is a unique event that has inspired a diverse group of people of our larger region to set aside their political, religious and cultural differences to strengthen our collective communities by coming together to "feed the hungry, protect and enhance the environment, as well as strengthening our communities"; and

WHEREAS, the governor of Virginia has issued a proclamation encouraging all citizens of Virginia to participate in a Day of Service, between September 15-29, 2013; and

WHEREAS, since the inaugural "Day to Serve" in 2012, this remarkable an unprecedented event swept from the state capital to local churches, schools, neighborhoods and families and resulted in over 750 community events with more than 14,000 volunteers, culminating in 26,000 hours of service rendered, resulting in over 600,000 pounds of food being donated to local food banks; and

WHEREAS, these events also helped to improve the environment through planting trees, cleaning up parks and streams, and "adopt a road" campaigns; and

WHEREAS, the governor of Virginia has requested Virginia re-double our efforts for 2013;

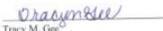
THEREFORE BE IT RESOLVED, the Lunenburg County Board of Supervisors supports the governor on this observance to call upon all faith based organizations, community organizations and Virginia residents to participate in a "Day to Service" in their communities;

BE IT FURTHER RESOLVED, that the Lunenburg County Board of Supervisors encourages all of its neighboring counties to adopt similar resolutions in their communities.

CERTIFICATION

I hereby certify that the foregoing resolution was duly considered by the Lunenburg County Board of Supervisors at a Regular Board meeting in Lunenburg, Virginia, at which a quorum was present and that same was passed by a vote of 7 in favor and 0 opposed, this 12th day of September, Two Thousand Thirteen.


Edward W. Pennington
Chairman


Tracy M. Gee
Clerk to the Board

Mrs. Beverley Hawthorne, Landfill Liaison, provided the monthly report. She noted that there seems to be a buzzard issue at the landfill which requires attention. She stated that no hiring for Site Clean-up Personnel would occur at this time as a community service worker is currently assisting personnel. Mrs. Hawthorne updated the Board on convenience center development. The basic survey is complete for the Happy Jack's site. As soon as she has copies, she plans to work with Draper Aden to develop the site. Supervisor Zava negotiated a price for the entire 7.10 acres at the Nutbush and Double Bridges Road site. CFS will be removing the building at the Bus Shop site on September 6 & 7. The oil tanks have been removed and fencing has been temporarily moved.

Supervisor Zava explained that CFS has purchased Arena Trucking, therefore more of Arena's trucks will be seen in the area. He noted that this will also increase local trash and tonnage, increasing the fee amount owed to the county. Supervisor Zava thanked the KV Dispatch for two articles in the recent paper. One discussed trash at dump sites and informed citizens how to properly dispose of trash. The second highlighted a recent donation to the local schools from CFS. Supervisor Zava advised that the landfill will now be open from 8:00 a.m. to 12:00 p.m. on Saturdays. He stated that the bus shop convenience center was progressing well. He added that it is not ready for the recycling project. Supervisor Zava questioned why the county was spending money on hiring an engineering firm for design of the recycling project. He believes it can be designed without their assistance.

Supervisor Bacon agreed and said if the work can be done without the engineering firm, that's the method he prefers.

Chairman Pennington suggested reaching out to other counties to determine how they designed recycling centers.

County Attorney Rennie stated that his concern would be staying within the guidelines set forth by DEQ and other regulatory agencies. If the project can be completed without an engineer, that would be great for the county. However, the county shouldn't increase its own liability. He noted that he and county staff would research to determine the requirements and proceed from there.

Administrator Gee also expressed concern. She will discuss potential Stormwater and Erosion and Sediment Control concerns with the Building Inspector and report back to the Board.

Administrator Gee commented that less than half of the 27 dump sites are now owned by the county. Of those not owned by the county, only one has a lease agreement. She and the County Attorney are working on drafting agreements for the other sites.

Mrs. Beverley Hawthorne, Community Development Director, gave her monthly report. She noted that her summer intern, assisted in developing a working spreadsheet for amending the Enterprise Zone and the development of new maps. She advised that Kenbridge Youth Academy currently have 4 residents, 8 day students and 50 employees. They are pleased with their growth at this point. Mrs. Hawthorne informed that she has the agreement for the design work for the grant project of renovation and addition to the STEPS Building in Victoria. Drawings should be available by October 31st. Mrs. Hawthorne stated that potential sites for Blueways Trails in Lunenburg are dependent upon VDOT bridge work and will be developed at a later time.

Mrs. Hawthorne shared a letter on behalf of Verizon Wireless regarding two balloon tests within the County. Public notices were placed in the KV dispatch with testing to occur on September 28, 2013 between approximately 8:00 a.m. and 4:00 p.m. Verizon Wireless proposes to construct a 295-foot tall lattice type tower at 1315 Mill Pond Road, Dundas, VA and a 310-foot tall lattice-type tower located at 1878 Rocky Mill Road, Victoria, VA. Mrs. Hawthorne noted that she has not experienced the construction of a new tower before. She will update the Board as she learns more.

Mrs. Hawthorne advised that the Planning Commission member in the Brown's Store district no longer lives in the County, therefore a nomination is needed for that district. Also a nomination is needed for the Meherrin River district.

Administrator Gee advised that the minutes from the Piedmont Regional Jail board meeting were included in the Board packet. She informed the Board that interviews for the Superintendent position would be held soon. She stated that three proposals were submitted following the medical RFP. She added that the localities' annual cost increases due to a higher rate. However, the monthly payment is based on population, therefore it could fluctuate. She stated that all participating jurisdictions are unhappy with the increase, however, it was the best deal for the jail while still meeting the requirements.

Administrator Gee updated the Board on the recent animal shelter inspection. The findings from the inspection have been reviewed by the State Veterinary Program Manager. The County has received a response from VDACS assessing a \$500 penalty and requesting written animal care, sanitation and written bookkeeping/disposition corrective action plans. Mr. Ronnie Long, Animal Control Officer, is aware that the \$500 penalty will come out of his budget. Mr. Long has attended a three day Basic Animal Care Course and has implemented some recommended methods of maintenance to assist with compliance. An assistant is needed for kennel care on a weekly basis when Mr. Long's call volume is busy and for weekend coverage when Mr. Long needs to take leave. The Southside SPCA and the Prince Edward County Animal Control Office have both been integral in assisting while Mr. Long was at the training course. Mr. Long has been advised of how he is expected to overcome the deficiencies noted on the report.

Administrator Gee provided an update on the AWOS at the airport. Construction is scheduled to begin on November 4, 2013. The trees needing to be cut will be down before November 4th. She also noted that the Virginia Aviation Board adopted a policy change that increases the state's funding portion of AWOS installations, upgrades, and maintenance for sponsor-owned systems from 80 percent to 95 percent.

Administrator Gee gave her monthly report on the daily operations within the county for the month of August, including an update that the door at the Registrar's Office has been repaired and is satisfactory.

Chairman Pennington thanked Administrator Gee for her report.

County Attorney Rennie shared that all outstanding amounts due from landfill scale tickets have been satisfied for Arena Trucking.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel, §2.2-3711A3 Acquisition or Disposition of Publicly Held Property and §2.2-3711A7 Legal Counsel.

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

VOTING NO

ABSENT

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

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

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to authorize signature of a purchase agreement for the County to purchase the property described as 2 acres (+ or -) located at the Northeast corner of the intersection of Lunenburg County Road and Owl Creek Road in Lunenburg County owned by Ms. Lois Gonzales for the amount of \$5,000 per acre for a convenience center.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to authorize signature of a purchase agreement for the County to purchase the property described as a 7.10 acre parcel on Nutbush Road, tax map number 11 ((A)) 19 in Lunenburg County, VA currently owned by Mr. James T. Fattaleh and Ms. Patricia A. Phillips for the amount of \$28,000 for a convenience center.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to sign a Performance Agreement for ABC recycling for a TROF Grant in the amount of \$45,000.

Supervisor Wingold made motion, seconded by Supervisor Bacon and unanimously approved, to sign, as part of the sale agreement, a Performance Bond for CFS in the amount of \$525,000 plus an additional \$50,000 a year starting 1/1/16. The County currently also retains an amount of \$250,000 in escrow account.

Supervisor Zava made motion, seconded by Supervisor Bacon and unanimously approved, with Supervisor Hoover abstaining, to relinquish landfill equipment to CFS, as part of the original sale agreement, at the fair market value of \$80,000.

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

Tracy M. Gee, Clerk
County Administrator

Edward W. Pennington, Chairman
Board of Supervisors