

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

Minutes of February 18, 2014 Meeting

The rescheduled regular meeting of the Lunenburg County Board of Supervisors was held on Tuesday, February 18, 2014 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.

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

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

A resolution for local government was added as 5A on request by Supervisor Hoover.

A Zoning Board of Appeals appointment was added as 14C on request by Administrator Gee.

Karen Scales, Carolyn Hite and Ollie Wright were added as 12A regarding the Southside Regional Library.

Supervisor Wingold made motion, seconded by Supervisor Bacon and unanimously approved, to approve the below retirement resolution in honor of Michael Landry.

**RESOLUTION**

**WHEREAS**, Michael Landry, Lieutenant in the Lunenburg County Sheriff's Office, retired on January 1, 2014, after fifteen years of outstanding and meritorious service to the Lunenburg County Sheriff's Office; and

**WHEREAS**, Michael began his career in Law-enforcement with the East Baton Rouge County Sheriff's Office, moved on to the Alexandria County Sheriff's office and later to the Blackstone Police Department until coming to the County of Lunenburg. His Law-enforcement tenure excluding Lunenburg was sixteen and a half years; and

**WHEREAS**, he has performed his duties throughout his years of service in a conscientious and responsible manner; and

**WHEREAS**, he has consistently responded with ingenuity, imagination and foresight to the duties of investigator for the Lunenburg County Sheriff's Office, and

**WHEREAS**, Michael has set an example of dedication to the principles which has been an inspiration to his fellow co-workers, and

**NOW, THEREFORE, BE IT RESOLVED**, he, in all his endeavors has reflected great credit upon the County of Lunenburg.

**BE IT FURTHER RESOLVED**, the Lunenburg County Board of Supervisors does hereby extend to Michael Landry our sincere and grateful appreciation for his dedicated service to the Lunenburg County Sheriff's Office and the County of Lunenburg and congratulate Michael Landry on his well-earned retirement.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to approve the below Lunenburg Girls Softball resolutions.

**RESOLUTION**

**WHEREAS**, the Lunenburg County Dixie Girls Angels (ages 9 and 10) All-Star Team won the District tournament in Clarksville, Virginia; and

**WHEREAS**, the Lunenburg County Dixie Girls Angels All-Star Team went on to represent the County in the State Championship Tournament in Amherst, Virginia; and

**WHEREAS**, the Lunenburg County Dixie Girls Angels All-Star Team was managed by Tim Fowler and coached by Jamie Nash and Lee Scott with the added support of the dedicated parents and family of the team members; and

**WHEREAS**, the Lunenburg County Dixie Girls Angels All-Star Team represented the County and District with athleticism and good sportsmanship; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Lunenburg County Board of Supervisors congratulates the team members, managers and coaches of the Lunenburg County Dixie Girls Angels All-Star Team on their exemplary performance and accomplishments in the 2013 tournament season.

RESOLUTION

**WHEREAS**, the Lunenburg County Dixie Girls Belles (ages 13 through 15) All-Star Team won the District tournament; and

**WHEREAS**, the Lunenburg County Dixie Girls Belles All-Star Team went on to represent the County in the State Championship Tournament in Lunenburg, Virginia, finishing in second place; and

**WHEREAS**, the Lunenburg County Dixie Girls Belles All-Star Team is managed by Jimmy Ray Dalton and is coached by Nick Daniel and Angie Johnson with the added support of the dedicated parents and family of the team members; and

**WHEREAS**, the Lunenburg County Dixie Girls Belles All-Star Team represented the County and District with athleticism and good sportsmanship; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Lunenburg County Board of Supervisors congratulates the team members, managers and parents of the Lunenburg County Dixie Girls Belles All-Star Team on their exemplary performance and accomplishments in the 2013 tournament season.

RESOLUTION

**WHEREAS**, the Lunenburg County Dixie Girls Debs (ages 16 through 18) All-Star Team won the District tournament; and

**WHEREAS**, the Lunenburg County Dixie Girls Debs All-Star Team went on to represent the County in the State Championship Tournament in Goochland, Virginia, finishing in second place; and

**WHEREAS**, the Lunenburg County Dixie Girls Debs All-Star Team is managed by Tony Matthews and is coached by Dwayne Hawthorne and Scott Marker with the added support of the dedicated parents and family of the team members; and

**WHEREAS**, the Lunenburg County Dixie Girls Debs All-Star Team represented the County and District with athleticism and good sportsmanship; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Lunenburg County Board of Supervisors congratulates the team members, managers and coaches of the Lunenburg County Dixie Girls Debs All-Star Team on their exemplary performance and accomplishments in the 2013 tournament season.

Supervisor Hoover suggested that the Board present a resolution to Mr. Richard "Dicky" Harris upon his retirement as the Mayor of Kenbridge and service of the past years to the town of Kenbridge and the County.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to prepare a resolution in honor of Mr. Richard "Dicky" Harris and present it at the next Board meeting.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the minutes of the January 9, 2014 Board of Supervisors meeting, the Treasurer's December 2013 reports, and the following Warrants for Approval:

January 2014:	Payroll:	Direct Deposit	\$ 103,344.08
	Payroll Taxes Federal:		\$ 35,093.82
	Payroll Taxes State:		\$ 5,919.15
	Payroll VRS payment:		\$ 21,196.12
	Accounts Payable:	#48705-48818	<u>\$ 1,104,810.52</u>
	Total:		\$ 1,270,363.69

Mr. Billy Smith of VDOT provided the monthly report. He noted that VDOT has spent a lot of time on snow removal in the past month. He added that another big storm is expected around the 25<sup>th</sup> or 26<sup>th</sup> of February. He provided an updated on the secondary six year plan, noting that no changes

would occur to lack of funding. He stated that a public hearing would be needed, but a work session was not necessary unless the Board requested it.

Supervisor Zava stated that he doesn't believe a work session is necessary if there will be no changes.

The Board agreed not to hold a work session and to schedule a public hearing for the March or April Board meeting.

Chairman Pennington thanked Mr. Smith and his team for their hard work in snow removal efforts.

The School Revenue/Expenditure report was provided to the Board.

Mrs. Mary Hickman, President and CEO of the Commonwealth Regional Council presented their annual report. The annual report covers the period of July 1, 2012 through June 30, 2013. Mrs. Hickman stated that the purpose of the CRC is to serve its members in development of economic and financial needs as well as regional planning. The CRC consists of five counties, Buckingham, Prince Edward, Charlotte, Amelia, and Lunenburg. Supervisor Wingold serves as Lunenburg's representative and was the secretary during this fiscal year. Mrs. Hickman acknowledged Supervisor Wingold and Mrs. Beverley Hawthorne for their contributions to the CRC. Mrs. Hickman noted several activities the CRC assisted Lunenburg with during the fiscal year to include safe routes to school project in Kenbridge and Victoria, VDCR Recreational Trails Grant Application in Victoria, and VDOT Enhancement Streetscape Project in Victoria. Mrs. Hickman stated that she and her team are very excited about the new website that was launched for the CRC. She added that a CRC rural transportation program was underway. Supervisor Edmonds and Administrator Gee are serving on this committee. Mrs. Hickman thanked the Board for participating as member over the past several years.

Administrator Gee informed the Board that Mrs. Beverley Hawthorne has been assisting Timmons Group with obtaining a grant for \$82,000 for Lunenburg County to upgrade the existing GIS capabilities. Currently, only the 911 center has the information and it only shows roads in the county. The upgrades would show the mapping of all the tax maps in Lunenburg and integrate with the new CAMA system being installed by Concise Systems, LLC at virtually no cost to the county.

Administrator Gee stated that there is a remaining revenue amount of prior year Aid-To-Locality grant funds from the Department of Fire Programs in the amount of \$3,752 that was not put in the FY14 budget. Administrator Gee requested that the Board make the motion to roll the carryover revenue funds into the FY14 Fire Grants funds and increase the expenditure by \$3,752 to allow for the distribution of equal amounts to all three fire departments.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to roll the carryover revenue funds into the FY14 Fire Grants funds and increase the expenditure by \$3,752 to allow for the distribution of equal amounts to all three fire departments.

Mr. Paul Lee with Robinson, Farmer, Cox Associates was present to share information about the annual audit. He provided a memo to the Board to easily highlight areas of interest. He noted that a management letter was not issued because they were able to post all accruals. Mr. Lee reminded the Board that last year, the tax collect percentage was very low because the county had switched to twice a year billing. As he advised the percentage is back up to 98% because it includes both billing cycles. Mr. Lee added that the Bright System has also improved the county's figures.

Supervisor Bacon asked Mr. Lee how he would rate Lunenburg with other counties in the area.

Mr. Lee replied very well for a county that doesn't have a power plant or public service avenue for revenue.

Supervisor Zava added that it was a very good sign that Lunenburg didn't get a management letter this year.

Supervisor Hoover thanked Mr. Lee for the memo which provided a simpler format for Board members to review. He recognized the offices of the Treasurer, Commissioner of Revenue, and the Administrator's office for their hard work in avoiding a management letter. He also thanked Shelia Minor, of Minor and Associates for their work with the county this year. He added that the benefits of the new software program are very visible.

Administrator Gee stated that the Department of Social Services and the Schools should be commended as they are part of the audit as well.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the FY2013 Annual Audit Report.

Administrator Gee stated she had attended the latest Southside Regional Library Board of Trustees meeting. The question arose as to how to handle disposing of surplus property. Administrator Gee shared with the Board of Trustees the method in which the county handles disposal.

County Attorney Rennie updated the Board on the two items he was asked to research in regards to the Southside Regional Library. He noted that a county may withdraw from the regional system with a two year notice or sooner with the permission of the other county. He also stated that his research showed that SRL is the owner of any property inside its libraries.

Mrs. Karen Scales, Board of Trustee member, provided the Board with information and documentation on why she believes the county should withdraw from SRL. She thanked the many county residents that attended the Board of Supervisors meeting in support of her request to withdraw.

Mrs. Carolyn Hite, President of the Ripberger Library Friends group, stated that she is very concerned over the actions taken place in the library over the past year. At the January Friends meeting, it was decided to ask the Board of Supervisors to withdrawal from the regional library system. The Ripberger Friends ask for support from the Board of Supervisors.

Mr. Ollie Wright, Vice-President of the Victoria Library Friends group, stated that they agreed the county should withdraw from the regional system. He added that the Friends have discussed withdrawal at length and believe the Lunenburg libraries would be better managed by the Friends groups.

Supervisor Hoover stated that many citizens had expressed their concerns to him as well. He asked Mrs. Scales if both libraries could be operated with the funds that were currently provided by the county. He also questioned if the Friends group's had discussed a secondary or back up plan for funding.

Mrs. Scales replied that grant opportunities have been considered and numerous patrons have volunteered to help. State aid would be available as well.

Mr. Wright stated that the Victoria Friends group is prepared to commit their entire treasury to running the library system on its own.

Supervisor Hoover asked if they were prepared to set up officers and perhaps an LLC to oversee the Lunenburg libraries.

Mrs. Scales replies that setting up a Board has been considered. They would like to have a Board with people from different points of view. However, the biggest concern is administering payroll. They may ask for the county guidance or ask the county to oversee payroll and benefits administration. Mrs. Scales added that a full time person would be needed at both locations to supervise scheduling, ordering, etc. Other employees would be part time. Both Friends groups understand it will take a lot of work, but they are ready to proceed.

Supervisor Hoover stated that he was contacted by the Town of Victoria. They are willing to support whatever decision the Board of Supervisors determines.

Supervisor Wingold stated that the Town of Kenbridge also agrees to support the decision of the Board of Supervisors.

Supervisor Zava explained that he is not in favor of Lunenburg County taking over the fiscal agent responsibilities or benefits management of the Lunenburg libraries. He suggested that there have been problems between the Ripberger and Victoria libraries in the past. Supervisor Zava said that the issues brought up by the Friends groups are not decisions to be made by the Board of Supervisors. The Board of Supervisors simply provides financial support. All other decisions are made by the Board of Trustees.

Mrs. Scales disagreed, stating that since part of the funding comes from Lunenburg, the Board of Supervisors should have some control. She noted that she is shocked by the disregard of library staff to stop "weeding" books, after she as a Board member and numerous Friends have begged staff to stop. Mrs. Scales shared that the two Friends groups have been working together over the past four weeks discussing plans, options, and the lack of respect shown by the current Lunenburg libraries supervisor. She feels that they are desperate at this point. Shelves in both libraries are bare. She advised the Supervisors to visit their local library to see for themselves.

Supervisor Hoover questioned if the Board of Trustees has asked the SRL director to stop the weeding.

Mrs. Scales replied that she was unable to attend the Board of Trustees meeting held in January. But she has made several requests for the weeding to stop at both branches.

Chairman Pennington asked Mrs. Leigh Lambert, SRL Director to speak.

Mrs. Lambert stated that she is not surprised that Lunenburg Friends are requesting to withdraw. She stated that weeding has been more progressive recently with her support. She believes the weeding process should have begun many years ago in the Lunenburg libraries. She is aware of the concerns of the Friends groups and has tried to accommodate their requests.

Supervisor Bacon asked how many books had been weeded from Mecklenburg libraries.

Mrs. Lambert replied less weeding was performed in those branches but she unsure of an exact number.

Supervisor Hoover said he wanted to be clear that no more weeding was to be performed at either Lunenburg library immediately. He continued to say that he understands removing outdated books that are factually incorrect. However, no other books should be removed unless they are in very poor condition. He believes every time problems with the regional system are resolved more issues arise. He is beginning to lose hope that the regional system can last.

Supervisor Bacon stated that he doesn't think the Board of Trustees is managing the SRL Director properly. He doesn't believe the county has any other choice but to withdraw. He suggested a committee be formed to research the options of withdraw.

Supervisor Zava commented that first it must be determined if Mecklenburg will allow Lunenburg to withdraw immediately or if they will require the two year notice as stated in the contract. He also suggested that a backup plan needed to be researched.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to allow Administrator Gee to contact the Mecklenburg Administrator regarding withdrawal and to allow Administrator Gee to work with leaders of the Friends groups to develop a potential transitional model for the Lunenburg libraries and report back to the Board of Supervisors.

Administrator Gee asked the SRL Director, Leigh Lambert, to allow Lunenburg to be the first to contact Mecklenburg regarding this matter.

Mrs. Beverley Hawthorne, Landfill Liaison, provided her monthly report. She noted that three engineering firms were interviewed for Convenience Site Development and she shared the ranking sheet completed by the committee. Jeff Robinson & Associates of Emporia, VA was rated as the highest. Mrs. Hawthorne stated that experience was a major factor.

Mrs. Hawthorne is currently researching other potential locations for Convenience Sites to be constructed. She will provide additional information as it is available.

Mrs. Hawthorne provided her monthly Community Development report. She shared that Lignetics will host an open house and job fair on February 11<sup>th</sup>. She updated the Board of the Victoria IDA Roof Project, noting that as of February 7<sup>th</sup>, 20% of the roof replacement was completed and 40% of the drain repair is complete.

Mrs. Hawthorne informed the Board of the federal tax credit program associated with Victoria Place and Village Estates. She will send a letter of support verifying that the buildings are in the Enterprise Zone. Both entities must pay their county tax but will receive credits against improvements made over several years. This credit enables them to be in line with the federal tax credit program.

Mrs. Hawthorne proposed a change to the zoning ordinance. Under Article 4 District Regulations, Division 1. A-1 Agricultural District, Section 4-10 intent of the District, the proposed wording or something very close to it would be added to the end of the section:

"If a use is presented that does not fall into a use that is currently listed or defined in this ordinance, the citizen requesting this use must meet with the zoning administrator. The zoning administrator will then call for a ruling by the Board of Zoning Appeals, call for a conditional use permit to be heard by the Planning commission, or rule that the use is by right."

Mrs. Hawthorne noted that the ordinance cannot name every instance; therefore this provision would give guidance for situations not already detailed. She requested the Board hold a Public Hearing at the next meeting in order to change the ordinance.

Supervisor Bacon made motion, seconded by Supervisor Zava and unanimously approved, to hold a Public Hearing regarding the above mentioned change to the zoning ordinance.

Administrator Gee stated that with the passing of Mr. William Howard Gatling, there is now a vacancy on the Board of Zoning Appeals. She needs a nomination as soon as possible due to an upcoming cell tower proposal.

Piedmont Regional Jail reports were provided to the Board. Administrator Gee advised that she had been added to the personnel manual committee. She updated the Board on inmates' availability to work in the county. PRJ is now basing work days per quarter on the percentage of inmates from each county. Lunenburg will now have the inmates six days per quarter.

Administrator Gee reminded the Board that trees need to be removed at the airport. She originally had an agreement with the landowner; however, the land owner has now demanded additional conditions before permission is granted. She wants signs regarding noise abatement to be placed. Administrator Gee has requested a quote on the signage. She will attend the Department of Aviation Board meeting on February 20, 2014 to request an extension.

Supervisor Edmonds inquired about grass cutting at the airport.

Administrator Gee replied that Mr. Jeff Parrish agreed to cut the grass for no charge.

Administrator Gee shared her monthly report.

County Attorney Rennie advised that new legislation will change the upcoming Stormwater Management ordinance. He will continue to monitor the changes and how it will affect Lunenburg. He will provide an update at the next meeting.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel, §2.2-3711A3 Public Property, §2.2-3711A5 Prospective Business and Section §2.2-3711-A7 Consult with 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 Zava made motion, seconded by Supervisor Wingold and unanimously approved, to return to Open Session.

County Attorney Rennie advised that it is his understanding that the Town of Kenbridge signed the Lunenburg Commercentre Protective Covenants. He plans to have the documents at the next meeting for signatures.

Supervisor Zava nominated Mr. Anthony Ehman of Meadows Drive, Meherrin to serve on the Board of Zoning Appeals.

Supervisor Zava made motion, seconded by Supervisor Bacon and unanimously approved, to appoint Mr. Anthony Ehman to the Board of Zoning Appeals.

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

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Tracy M. Gee, Clerk  
County Administrator

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Edward W. Pennington, Chairman  
Board of Supervisors