

LUNENBURG COUNTY BOARD OF SUPERVISORS  
CENTRAL HIGH SCHOOL, ROOM 104  
VICTORIA, VIRGINIA

Minutes of May 8, 2014 Meeting

The regular meeting of the Lunenburg County Board of Supervisors was held on Thursday, May 8, 2014 at 10:00 a.m. in Room 104, Central High School, Victoria, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Frank Bacon, Charles R. Slayton, Robert Zava, Edward Pennington, David Wingold, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark, and County Attorney Frank Rennie.

Chairman Pennington thanked the School for their hospitality and the students and faculty for their participation and interest in local government. The students spent the day with Supervisors and other County staff the preceding month and conducted themselves in a professional manner, well-representing the high school and school staff.

Chairman Pennington called the meeting to order.

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

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

There were no requests from the Board or the public.

Supervisor Edmonds made motion, seconded by Supervisor Slayton and unanimously approved, to accept the Consent Agenda to include the minutes of the April 10<sup>th</sup>, and 17<sup>th</sup>, 2014 Board of Supervisors meetings, the Treasurer's March 2014 report and the following Warrants for Approval:

April 2014:	Payroll:	Direct Deposit	\$ 107,683.96
	Payroll Taxes Federal:		\$ 36,227.12
	Payroll Taxes State:		\$ 6,062.33
	Payroll VRS payment:		\$ 21,684.87
	Payroll ICMA-RC payment:		\$ 115.52
	Accounts Payable:	#49079-49212	<u>\$ 505,401.33</u>
	Grand Total:		\$ 677,175.13

Mrs. Beverley Hawthorne, Community Development Director explained three Conditional Use Permits applications before the Board.

Wilbur and Delores Joyner to locate a family cemetery on property they own which is located at 965 Red Level Lane, South Hill, VA 23970. This parcel is identified as tax map number 70((4))18.

American Tower Company proposes to construct a 295 foot tall communications town at 3729 Rehobeth Road, Victoria, VA 23974 on property currently owned by Danny Newcomb. The property on which the tower will be located is identified by tax map number 54((A))71.

AT&T proposes to co-locate on a 295 foot tall communications town constructed by ATC at 3729 Rehoboth Road, Victoria, VA 23974 on property owned by Danny Newcomb. The property on which the tower will be located is identified by tax map number 54((A))71.

Mrs. Hawthorne noted that the Planning Commission had met and approved to recommend all three conditional use permit applications to the Board. She added that no complaints were received and all zoning requirements would be met.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to close the public hearing regarding the three conditional use permit applications.

County Attorney Rennie asked if any Board member had a conflict of interest in regards to any of the applications. There were none.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the conditional use permit application for Wilbur and Delores Joyner to locate a family cemetery on their property.

Supervisor Hoover questioned if emergency services would be leased space on the tower, if they provided their own cable and hardware. If so he would like to be sure it was addressed in the contract.

Mr. Hawthorne replied yes.

County Attorney Rennie advised that the Board's motion should include that verbiage and the zoning conditions provided below.

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March 31, 2014  
Sent via E-Mail this Date

Re: American Tower Corporation application to construct a new 295' ft. self-support tower located at 3729 Rebooth Road Victoria in Lunenburg County, VA "Rebooth-#281384". Tax Map Pin # 054-(0A)-0-71.

Beverly P. Hawthorne  
Community Development Director  
11413 Courthouse Road  
Lunenburg, VA 23956

Subject: Recommendation Report

Dear Ms. Hawthorne:

American Tower Corporation has submitted an application (prepared by Kelly Williams) requesting to construct a new two hundred & ninety-five (295) foot tall self-support tower, including a five (5) foot lighting rod attached, located at 3729 Rebooth Road, Victoria in Lunenburg County, VA "Rebooth-#281384". Tax Map Pin # 054-(0A)-0-71. The tower is intended to enable AT&T to fill a substantial gap in service and to accommodate, if needed, County Emergency Services equipment.

We have reviewed the application and, while taller than the maximum height allowed by the County's ordinance, in all other respects the application complies with the ordinance and thus recommend that American Tower Corporation be granted a Conditional Use Permit with the following considerations and conditions, including granting a waiver from the maximum height limit contained in the County's ordinance, as such is deemed to be in the best interest of the public health, safety and welfare of the County and its residents:

1. The owner of the tower shall lease to the County the next highest available space on the tower for emergency services communications for no rent; provided however, that the County shall be responsible for any additional expense for structural modifications required to the tower or modifications to the compound to accommodate the County's equipment.
2. American Tower Corporation is required to submit a Performance Security Bond in the amount of \$75,000.00 (Section 22-101) prior to the issuance of the Building Permit.
3. American Tower Corporation is required to submit a Certificate of Insurance (Section 22-104) prior to the issuance of the Building Permit.

4. Lighting: Since the American Tower Corporation proposed tower will be more than 199' in height, it will require lighting. To mitigate the effects of otherwise unnecessary and preventable "ground scatter" effect of lighting, American Tower Corporation shall minimize the light being seen from the ground to the maximum extent possible by using a design incorporating upward reflection and eliminating any ground scatter effect, to the extent not prohibited by FAA regulations.
5. The 295' self-support tower shall have a finished height of no more than 295' above pre-construction grade.
6. A Building Permit shall be applied for no later than sixty (60) days from the date of the issuance of the Conditional Use Permit.
7. The self-support tower shall be completely constructed and ready for use no later than 24 months from the date of the Conditional Use Permit or the Permit shall be deemed to have expired and of no use or effect.
8. Once American Tower Corporation has met all the conditions of the building permit and all requirements of the Lunenburg County's Ordinance and a building permit is issued, they must notify the County's consultant if an inspection is required which is not performed by the County.
9. At the completion of construction the Applicant must notify the County's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection a recommendation to issue a Certificate of Completion shall be made.
10. Upon passing the final inspection, a recommendation to issue a Certificate of Completion shall be made.
11. The Applicant shall have sufficient funds in the account with the County to pay all expenses related to the application review and the issuance of permits.

This constitutes our recommendation to the County as regards the issuance of a Conditional Use Permit, including conditions, to American Tower Corporation for this proposed site. If you have questions, please contact Jackie Hicks at (919) 622-5448 or me at (919) 266-5965.

Sincerely,

L.S. Monroe

cc: Ms. Jackie Hicks, Director, Mid-Atlantic Region

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the conditional use permit application for the Joyner family cemetery.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the conditional use permit for ATC to construct a tower at 3729 Rebooth Road with the above listed conditions.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the conditional use permit for AT&T to co-locate a tower at 3729 Rehoboth Road with the above listed conditions.

The monthly VDOT report was provided to the Board.

Chairman Pennington thanked VDOT for the efforts of trash removal along Mecklenburg Avenue in Victoria.

Mrs. Dora Wynn, School Superintendent welcomed the Board to Central High School. She introduced members of the School Board and Rotary Club that were in attendance.

Mrs. Wynn shared a resolution adopted by the School Board which requests an increase the Fiscal Year 2013-2014 Anticipated Revenue by \$494,044 as follows:

State Funds	\$282,106
Federal Funds	\$181,938
Other Local Funds	\$ 30,000

And increase the Expenditure Appropriation by \$494,044 as follows:

Instruction Category	\$354,044
Maintenance and Operation	\$140,000.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the School Board's resolution and adjust the revenue and expenditures.

Mrs. Wynn asked Government Teacher, Mr. Derek Burke, to introduce the students who participated in local government day and share experiences from the day.

Chairman Pennington thanked the students for their participation.

Administrator Gee shared a memo from Mary Hickman with the Commonwealth Regional Council. The CRC is preparing for the next update of the Regional Hazard Mitigation Plan to occur in spring of 2017. The decision to proceed with the review and update of the plan will depend heavily on the level of interest and support among the localities covered under the current plan. For those localities that would like to participate, it is requested to return an intent form to the CRC.

Supervisor Zava made motion, seconded by Supervisor Bacon and unanimously approved, to agree to participate in the next review and update of the Regional Hazard Mitigation Plan.

Administrator Gee shared a letter from Mr. Richard "Dicky" Harris, Chief of Kenbridge Fire Department. He is requesting that each dry hydrant site in the county be assigned a 911 address and sign in order for the dry hydrants to be more easily located. A 911 address and sign at each site would not only help the local departments, but also the neighboring county departments when they are called upon to assist in Lunenburg fires. Administrator Gee added that 30 hydrants would cost around \$2,500. She stated that the cost could be spread over two or three years. Funding for the hydrants could be drawn from the 911 fund.

Supervisor Hoover asked if the signs would be similar to what Nottoway County already has in place.

Administrator Gee replied yes. The signs are blue.

Supervisor Zava stated that he would prefer to order and install all the signs now instead of drawing it out over two or three years. It would be impossible to determine which sites got the first signs.

Supervisor Hoover inquired as to who was coordinating the project.

Administrator Gee stated that Jamie Tuck, Building Inspector, would be ordering the signs with assistance from emergency services.

Supervisor Wingold questioned who would be installing the signs.

Administrator Gee commented that the trash collection workers could install them during their regular working hours.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to approve the purchase and installation of the dry hydrant signs for all locations, with funding from the 911 fund.

Administrator Gee shared the annual agreement between the Virginia Department of Health and Lunenburg County for fiscal year 2014. Every year the agreement is renewed in the fourth quarter. Administrator Gee recommended that the Board approve the agreement. This year the agreement states that the Virginia Department of Health, over the course of one fiscal year, will pay an amount not to exceed \$245,307 from the state general fund to support the cooperative budget in accordance with appropriations by the General Assembly, and the Board of Supervisors of Lunenburg County will provide by appropriation and in equal quarterly payments a sum of no more than \$89,405 local matching funds. Administrator Gee advised that this was a lesser amount than was budgeted.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to sign the agreement between the Virginia Department of Health and Lunenburg County for Fiscal Year 2014.

Administrator Gee directed the Board to a purchase order for three portable radios and supplies needed to accompany them. The radios will be purchased from Harris Corporation and funded through the DHS Grant for the Radiocache. The purchase is fully reimbursed. Administrator Gee needs approval from the Board as the purchase order is over \$10,000.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to approve the P.O. to Harris Corporation in the amount of \$17,678.60 for three radios using Radio Cache funds.

Administrator Gee reported that a meeting is scheduled the following week with representatives from Lunenburg and Mecklenburg to discuss withdrawal from the Southside Regional Library. She will provide an update at the next Board meeting.

Mrs. Beverley Hawthorne, Landfill Liaison, provided her monthly report. She noted that she had received several complaints of inadequate dumping of containers around the county. She has addressed this with CFS management. Mr. Jimmie Crowder has returned to work. Mrs. Hawthorne plans to have two teams running when a second truck is available. She reported that EF Brown Construction was the lowest bidder for the Owl Creek Road site. The total for the site was around \$180,000.

Supervisor Zava questioned why the bid was so high. He asked if it included pavement or gravel. He added that he has not seen the plans, but when talking with other counties, the price has been closer to \$80,000.

Mrs. Hawthorne responded that she is aware that Greenville County is constructing numerous sites at once, reducing the cost. She added that some other sites don't have compactors, this one will which increases the cost. Also the site is on a corner lot; therefore two entrances will be needed, also increasing the cost.

Supervisor Zava asked if the bid included the compactors.

Mrs. Hawthorne replied yes, two compactors.

Supervisor Slayton asked if the site would be fully paved.

Mrs. Hawthorne stated that only the entrances and the land in front of the compactors would be paved. If approved, construction will begin the end of May.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to award the bid to EF Brown Construction.

Mrs. Hawthorne provided her monthly Community Development report. She stated that Nottoway County has announced that the FASTC facility is coming to the Fort Pickett area. She added that the facility would bring around 1,500 jobs to the area and some of those employees may decide to reside in Lunenburg. She advised the Board that the county may wish to review the current subdivision ordinance in preparation. Also she noted that Charlotte County has announced that the Corsi Group will be locating in the Charlotte County Industrial park. They will be hiring around 110 employees and manufacture high grade European style cabinets. Mrs. Hawthorne advised that a Planning Commission meeting was not held this month as the two conditional use permit applications that were expected, did not arrive on time.

Piedmont Regional Jail reports were provided to the Board. Administrator Gee noted that she has budgeted \$400,000 for PRJ in the proposed FY15 budget. She has attended a PRJ budget committee meeting, so far their budget looks conservative.

Supervisor Bacon questioned if Administrator Gee had researched the cost of other jails.

Administrator Gee replied yes, she is still researching. She has learned that the membership in the Meherrin River Regional Jail in Brunswick is more costly than PRJ.

Administrator Gee updated the Board of the FY 2014-2015 proposed budget. She noted that the county expects an increase in real estate revenue of around \$100,000. However, the trend during recent years is to expect a reduction in personal property revenue. She plans to meet with the finance committee for further discussion soon. Administrator Gee noted that she would like to have another meeting regarding the budget once the finance committee meets. She requested a meeting be scheduled for Thursday, May 22<sup>nd</sup>.

Supervisor Hoover commented that about 75% of the funds allocated for Animal Control upgrades and training has been spent. He expects to be within budget once all items and training have been purchased.

Administrator Gee provided her monthly report. She stated that the county's health insurance is out for bid. Proposals are due back on May 19<sup>th</sup> and she plans to have additional information at the May 22<sup>nd</sup> meeting. She reported that the "Noise Abatement" signs for the Airport have arrived and will be installed the first week of May. Administrator Gee informed the Board that the new Animal Control truck and equipment has been ordered. The truck should be ready by the end of June. Administrator Gee noted that the new Compensation Plan for Lunenburg Department of Social Services has been submitted to the state and was approved.

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 Acquisition or Disposition of publicly held real property, §2.2-3711A5 Prospective Business, and §2.2-3711A7 Legal Consult.

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

#### VOTING NO

#### ABSENT

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

Supervisor Zava thanked Mr. Burke and the Rotary Club for their sponsorship of the meeting and lunch. Administrator Gee also thanked Mr. Burke, the Rotary Club and the students. She encouraged them to consider public service and community involvement.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to continue the meeting to Thursday, May 22, 2014.

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Tracy M. Gee, Clerk  
County Administrator

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Edward W. Pennington, Chairman  
Board of Supervisors