

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

Minutes of April 9, 2015 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, April 9, 2015 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Charles R. Slayton, Frank Bacon, Robert Zava, Edward Pennington, David Wingold, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark, and County Attorney Frank Rennie.

Chairman Wingold called the meeting to order.

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

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

Mr. Stephen Flippen was added as 7A regarding industrial hemp.

Supervisor Edmonds made motion, seconded by Supervisor Slayton and unanimously approved, to accept the Consent Agenda to include the minutes of the March 12, March 23 and March 26, 2015 meetings, the Treasurer's February 2015 reports and the following Warrants for Approval:

March 2015:	Payroll:	Direct Deposit	\$ 111,671.78
	Payroll Taxes Federal:		\$ 37,428.94
	Payroll Taxes State:		\$ 6,332.03
	Payroll VRS payment:		\$ 30,400.40
	Payroll ICMA-RC payment:		\$ 251.24
	Accounts Payable: #50652-50757		<u>\$ 254,020.79</u>
	Total:		\$ 440,105.18

The monthly VDOT report was provided. Mr. Billy Smith was present to discuss the 2016-2021 Secondary Six Year Plan. He discussed four rural rustic candidates, which included route 1137 (Old Plank Road), route 1009 (Twin Cemetery Road), route 721 (Battes Road) and route 639 (Red Level Lane). Mr. Smith noted that these roads were recommended by VDOT, however, the Board of Supervisors may make adjustments. Any road included in the Secondary Six Year Plan must have a traffic count of at least 50 vehicles per day.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to accept the recommendations as presented by VDOT and move forward with a public hearing at the May 14th Board meeting.

Supervisor Hoover stated that the spring season was upcoming and he questioned if state forces would again be cutting the right of ways.

Mr. Smith replied that state forces would be cutting on the primary roads, however they would contract out the secondary roads. He added that the state had limited man power and had to contract out some of the work.

Supervisor Hoover commented that in the past the state forces did a much better job than the contractors.

Mr. Stephen Flippen approached the Board to discuss industrial hemp. He noted that the governor had signed the bill in support of industrial hemp and plans to move into the research and development phase are underway. Mr. Flippen stated that it would take 1-2 years before the general public could begin growing hemp. He requested that the Board of Supervisors adopt a resolution of support as well. He stated that several surrounding counties and towns had also adopted a resolution of support.

The Board did not take any action on a hemp resolution.

Administrator Gee explained that the county has received the 1/3 share of revenue from the sale of a surplus bus for the Town & County Bus system in March 2014 in the amount of \$1,000. The Bus system is preparing to purchase a new bus and is requesting the two Towns and County return the funds for the purchase of a new bus. Administrator Gee requested that the Board increase the appropriation for the Town & County bus to include \$1,000 for the next billing cycle.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to increase the appropriation for the Town & County bus to include \$1,000 for the next billing cycle.

Administrator Gee stated that per Shelia Minor, a budget entry to move the expense for the Sheriff's 2014 vehicle purchase from the Town of Kenbridge in FY14 requires the vehicle purchase line item be increased by \$4,525 to allow for the remaining expense to show in 2015. The insurance money of \$4,475 was moved to FY15 and the full expense should have taken place in June 2014, but the expense to match it took place in August 2014 (FY15) with the intent of adjusting it back to FY14. Ms. Minor suggested that fixed asset expenditures be handled within one fiscal year and not spread across two fiscal years in the future. Administrator Gee requested that the Board increase the expenditure for a one-time adjustment of \$4,525 to account for the budget entry for the Sheriff's Department vehicle purchase line item.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to increase the expenditure for a one-time adjustment of \$4,525 to account for the budget entry for the Sheriff's Department vehicle purchase line item.

Administrator Gee directed the Board to the Statement of Agreement between the Virginia Department of Health and Lunenburg County for Fiscal Year 2015. She requested permission from the Board to sign the agreement and return it to VDH. Ms. Gee noted that the total final expenditure would be nearly \$22,000 less than the budget appropriation.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to authorize the County Administrator to sign the Statement of Agreement.

Administrator Gee shared a letter from Commissioner of the Revenue Liz Hamlett regarding the new CAMA system. She noted that Concise Systems has finished installation and requested authorization to make the final payment for retainage of 20%.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to authorize payment for retainage of 20% to Concise Systems.

Administrator Gee began budget discussions by sharing a tax rate and collection comparison that she compiled. She also advised the Board of several upcoming project and budgetary needs. She added that a budget worksession would need to be held in April.

Mrs. Beverley Hawthorne, Community Development Director, stated that community organizations would be making their FY16 budget requests.

Mr. David Neumeyer of Virginia Legal Aid Society provided a brief overview of his organization. He stated that VLAS had closed 44 cases for residents of Lunenburg in the last fiscal year. They are requesting \$4,902 for FY16.

Ms. Sharon Harrup of STEPS, Inc requested level funding of \$18,000 for her Workforce Development program. She noted that the Victoria Plant has 34 workers currently. She thanked the Board for their continued support and for the use of the local Victoria plant.

Ms. Harrup made a second request for the Community Action Agency. She stated that the \$16,474 amount is based on poverty level of each community. She noted that they will be hiring a Community Developer to assess the community needs throughout the six counties. Ms. Harrup advised that once the assessment is complete, they will have a better idea of what types of programs are needed in each county. Ms. Harrup requested the Board appoint a Lunenburg resident to serve on the Community Action Agency Board.

Linda Satkowski of Piedmont Senior Resources stated that she had been with the organization about three years and she is very pleased with the services they provide. They are requesting an increased amount of \$1,722 for FY16. Ms. Satkowski stated that Lunenburg has a large number of elderly and this budget request equals about \$1 per senior.

Ms. Mary Hickman of the Commonwealth Regional Council requested an increase for FY16. She stated that this is the first increase since the CRC was chartered in 2005. Ms. Hickman said that without membership in the CRC the county and towns would need to hire a consultant at a higher rate. She listed several projects her organization has provided assistance with, to include grant writing, the Regional Hazardous Mitigation Plan, every 10 years they provide redistricting services and they have created maps for the county and towns. Ms. Hickman added that the CRC is also a regional forum for localities to discuss regional issues.

Mrs. Carol Watson, Victoria Mayor, advised that the town is in support of the CRC and appreciates the county's membership which includes the towns.

Supervisor Hoover commented that he understands and supports the CRC's mission. However, he has a difficult time understanding why the local non-profits are also required to pay for CRC services when the locality has already paid a membership fee.

Ms. Hickman replied that member jurisdictions are the CRC and direct the mission and the scope. If there are questions or concerns, they should be directed to the CRC Board. Ms. Hickman added that if the Board believes an adjustment to the policy is needed, to please voice that opinion to the CRC Board via letter.

Chairman Wingold, a CRC Board member, requested that Ms. Hickman add Supervisor Hoover's concern to the agenda at the next CRC Board meeting.

Ms. Sheri McGuire of the Longwood Small Business Development Center thanked the Board for their continued partnership and investment. Her organization is requesting level funding. She discussed the successful expansion of local business Uptown Café. LSBDC worked with Uptown Café owners to expand into the Farmville location.

Mrs. Tessie Bacon, board member for Madeline's House was present along with board member Abbey Barnes. They requested an increase of \$5,500. Mrs. Bacon stated that this request was to assist in opening satellite offices throughout the region. She stated that over the past year, Madeline's house has housed 24 Lunenburg residents, assisted with 85 crisis situations, and 90 hotline calls from Lunenburg.

Supervisor Bacon asked how many employees Madeline's House employs.

Mrs. Bacon replied 4 employees plus the director. She added that Madeline's House has a new shelter and a separate office building.

Supervisor Hoover questioned the difference between residents and crisis situations.

Mrs. Bacon noted that residents are housed at their shelter for a period of time whereas crisis situations involve phone calls and counseling and/or home visits.

Mrs. Hawthorne advised that all the presenters had spoken before the board. She welcomed questions on any of the budget requests that did not have presenters. There were none.

Ms. Mary Hickman of the Commonwealth Regional Council was present to discuss an amendment to the CRC Charter. She advised that the CRC is proposing removing the following sentence from the Charter. "Article V – Dues: In no event, except as otherwise provided herein, shall any locality or institution be required to pay annual dues in an amount greater than any other member locality or institution." Ms. Hickman added that removing this sentence would allow for more flexibility in dues structure as well as the potential to have participation by all eligible members and future partners located within the region. Ms. Hickman noted that Virginia Code currently only allows for localities to be a member. A change is expected to occur to allow for different types of entities to become a member as well.

Supervisor Bacon questioned if the dues would be based on population if additional members were added.

Ms. Hickman replied no, as the CRC was formed they decided to base dues at a flat rate for all members.

Supervisor Pennington asked if the CRC had other entities in mind for membership once the code is changed.

Ms. Hickman responded that the CRC would welcome entities with similar regional issues. She added that Longwood University and Hampton Sydney College have shown interest.

Supervisor Zava asked if there would be different standards for different members.

Ms. Hickman stated not for government entities. However other entities may have a different dues structure if they are using different services of the CRC.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to adopt the following resolution in support of the resolution allowing the CRC to update the Charter.



Administrator Gee provided an update on the airport. She noted that the conditional license expired on March 31, 2015. As there are still a few limbs in the approach, per the Department of Aviation, the Airport is now on a Day Use/Visual Flight Restriction license. She will be meeting with the Department of Aviation, the surveyors, and the tree service to determine which limbs should be removed and ensure everyone is in agreement.

County Attorney Rennie added that a tree may be outside of the easement but if the limbs hang within the easement, they must be removed. He stated that this information was not originally shared by DOA.

Supervisor Edmonds asked if any additional easements would be needed.

County Attorney Rennie replied no. He commented that he had the documents prepared for the easement of the Sweitzer property. He will be asking the Chairman to sign them and then get the documents recorded.

Administrator Gee advised that about \$14,000 had been spent thus far in tree removal and easement costs on the King property. She has submitted that figure to DOA for maintenance reimbursement. Reimbursement should be 85%.

Administrator Gee noted that the first year of maintenance for the Automated Weather Observation System (AWOS) will end on May 14, 2015. DOAV requires the County to contract with a maintenance vendor that specializes in AWOS to conduct annual maintenance. Administrator Gee received two bids, one from RCS Communications and one from Austin Electrical Construction. She advised that RCS Communications was the lowest bidder with a yearly rate of \$2,775 and repair parts at cost including shipping, plus 25%. She requested that the Board grant approval to contract with RCS Communications.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to enter into contract with RCS Communications as the maintenance vendor for the AWOS.

Mrs. Beverley Hawthorne, Landfill Liaison provided her monthly report. She noted that February payments from CFS were made. She added that the host fee payment is due by April 14th.

Supervisor Hoover asked if April 14th was passed the due date for the host fee payment.

County Attorney Rennie stated that he had mailed a letter to CFS on March 13, 2015 requesting payment within 30 days.

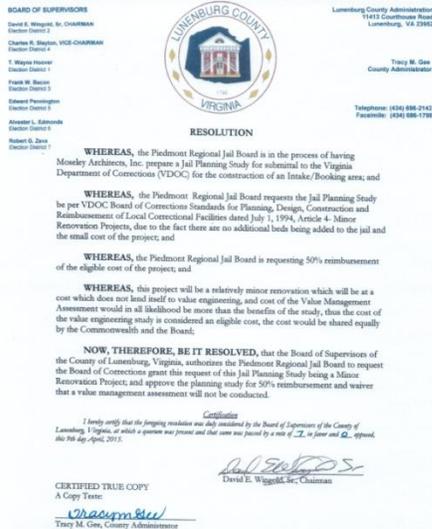
Mrs. Hawthorne stated that she has received several complaints regarding trash overflowing at and around the dumpsites. She noted that CFS has been having trouble with their trucks and recently haven't had a truck running everyday to pickup dumpsters. Mr. Tim Webb of CFS has advised that they are planning to have additional help from their Rice location to assist in Lunenburg on Mondays and Fridays until the problem is corrected.

Mrs. Hawthorne stated that the Switchback Convenience Site is under construction. There are two dumpsters at the bottom of the site for use while under construction, however, they are filling up quickly. Mrs. Hawthorne stated that the sheds built by the students at the high school for each convenience center were completed and installed, except for the Switchback site. That shed should be completed around the same time the site is complete. Mrs. Hawthorne requested that the Landfill committee schedule a meeting in the near future.

Mrs. Beverley Hawthorne, Community Development Director, provided her reports. She stated that she has been busy this month with Tobacco Commission Grants.

Administrator Gee explained that the Piedmont Regional Jail Board is requesting the member jurisdictions approve the resolution regarding the reimbursement of the booking area study.

Supervisor Edmonds made a motion, seconded by Supervisor Pennington and unanimously approved, to approve the below resolution.



Administrator Gee stated that the PRJ board is requesting the member jurisdictions allow the Jail Board Chairman to make an offer to the adjoining property owner, of 31 acres, at a reduced figure indicated by a private appraiser. This property would allow for future expansion of PRJ and the Juvenile Detention Center. Both boards have agreed to use surplus funds from the Juvenile Detention Center to fund the purchase of the property.

Supervisor Hoover questioned surplus funds when the PRJ quarterly bill is continuously increasing.

Administrator Gee advised that the surplus funds were from the Juvenile Detention Center and not PRJ.

County Attorney Rennie asked if Administrator Gee had a copy of the appraisal.

Administrator Gee replied yes, however, the information was not public as of yet.

Supervisor Zava requested a closed session to review the appraisal.

Administrator Gee noted that Lunenburg has seen a sudden rise in housing juvenile offenders at Piedmont Juvenile Detention Center. She stated that the adopted budget for FY15 is \$30,000. Billing thus far has been \$44,100. Administrator Gee explained that a budget appropriation increase would be necessary and she requested the Board wait until the end of the fiscal year to make the appropriation.

Administrator Gee provided her monthly report. She stated that the Lunenburg County Public Library System has requested that the Mrs. Donna Pulliam be made a county employee effective July 1, 2015 in order for her to continue receiving VRS and health insurance benefits. LCPLS will reimburse the county 100% for the personnel expenses for Ms. Pulliam. The agreement is only for Ms. Pulliam and not any other employees, now or in the future.

Supervisor Bacon made a motion, seconded by Supervisor Hoover and unanimously approved, to make Mrs. Donna Pulliam a county employee effective July 1, 2015 with LCPLS reimbursing the county 100% for the expenses.

Supervisor Hoover stated that he formally requested that Sheriff Arthur Townsend attend the board meeting, however, he is not present. Supervisor Hoover continued that he, the Sheriff and the Major met on March 3, 2014 to discuss the Animal Control position. They talked about the ACO reporting to the Sheriff instead of the County Administrator, as this would provide the Sheriff additional staff and another vehicle. The county would pay for the ACO's training and vehicle. On March 12, 2014 the group met again and the Sheriff advised Supervisor Hoover that he would need an additional \$15,000 to take over the ACO position. Supervisor Hoover stated that there wasn't funding in the budget for this type of increase, therefore the ACO position would remain under the supervision of the County Administrator. He would like to discuss the Sheriff signing a SCOP application for the ACO, as the Sheriff has declined in past. Supervisor Hoover again formally requested that the Sheriff attend a board meeting so that the issue may be discussed further.

Supervisor Bacon made a 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, §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 Edmonds
Supervisor Pennington
Supervisor Bacon
Supervisor Slayton
Supervisor Zava
Supervisor Wingold

VOTING NO

ABSENT

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

The Board unanimously agreed to take no action on the PRJ request to make an offer on the adjoining property at reduced figures indicated by a private appraiser.

Supervisor Bacon made a motion, seconded by Supervisor Zava and unanimously approved, to request that the County Administrator, in conjunction with the County Attorney, investigate the liability and exposure

that the county may face with actions taken by the Sheriff in transporting unauthorized persons in county vehicles and the subsequent accident involving one of those vehicles.

Supervisor Edmonds made a motion, seconded by Supervisor Pennington and unanimously approved, to continue until April 30, 2015 for a budget worksession.

Tracy M. Gee, Clerk
County Administrator

David E. Wingold Sr., Chairman
Board of Supervisors