

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

Minutes of July 9, 2015 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, July 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, Frank Bacon, Alvester Edmonds, Edward Pennington, Charles R. Slayton, Robert Zava, 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 Hoover gave the invocation and led the pledge of allegiance.

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

Administrator Gee requested that the CODERED Agreement be added as 8D.

Supervisor Hoover was added as 16A regarding the Public Safety Committee.

Chairman Wingold added Mr. Greg Marston as 8C, if he attended the meeting.

Mrs. Karen Scales was added as 8D regarding the Lunenburg County Public Library System.

Supervisor Hoover stated that he had personal interest in Agenda Item #9, Fire & Rescue Financials-Update. The personal interest is that he is a part-time employee of Kenbridge Fire Department. Therefore, he is a member of a profession, occupation, or group of members that is affected by the agenda item. However, he is able to participate in the matter fairly, objectively, and in the public interest.

Administrator Gee requested the extraction of the June 11, 2015 meeting minutes from the Consent Agenda, due to a necessary correction.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to accept the Consent Agenda to include the June 4, 2015 minutes, the Treasurer's May 2015 reports and the following Warrants for Approval:

June 2015:	Payroll:	Direct Deposit	\$ 109,437.45
	Payroll Taxes Federal:		\$ 36,370.49
	Payroll Taxes State:		\$ 6,113.45
	Payroll VRS payment:		\$ 29,143.75
	Payroll ICMA-RC payment:		\$ 210.52
	Accounts Payable: #51079-51227		<u>\$ 348,373.81</u>
	Total:		\$ 529,649.47

Administrator Gee stated that the June 11, 2015 minutes are updated to include the adopted FY 2015-16 budget line by line. She requested that the Board approve the updated minutes.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the updated June 11, 2015 minutes.

Mr. Billy Smith provided the month VDOT report. He reported that the Route 40 bridge in Victoria was completed ahead of schedule and under budget. He advised that the bridge replacement scheduled for Route 631 would include two lanes. VDOT plans to start in January 2016 and finish in August. Mr. Smith added that the replacement bridge would be the same approach and elevation as the current bridge. However, VDOT will be widening the road to match the bridge width.

Supervisor Bacon asked if VDOT is using the same contractors to cut the grass along the road ways as they used a few years ago.

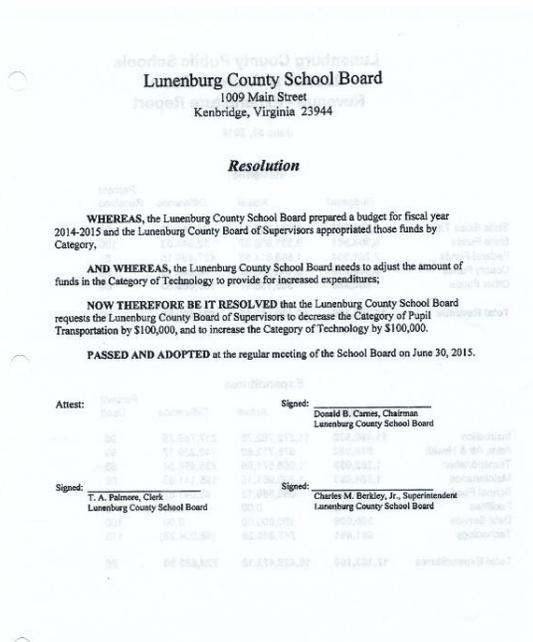
Mr. Smith replied yes.

Supervisor Hoover inquired if there was any chance state forces could be used, as they did a much better job than the contractors.

Mr. Smith stated that VDOT's current focus is on roads and bridges. If the budget gets tight, they will again use state forces for grass cutting. Mr. Smith explained that the contractors perform the minimum amount of cutting per the contract. He added that if there are issues in a particular area, inform VDOT.

Mr. Charles Berkley, School Superintendent, approached the Board to request approval of a resolution passed by the School Board on June 30, 2015 regarding a funds transfer.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to approve the below resolution allowing the School Board to decrease the category of Pupil Transportation by \$100,000 and to increase the category of Technology by \$100,000.



Mr. Berkley noted that the School Board incurred close to \$125,000 in savings for FY15. He would like to put those savings in capital outlay.

Administrator Gee questioned putting the saving in capital outlay versus debt service payment.

Mr. Berkley confirmed and stated they would make the debt service payment in full.

Supervisor Zava pondered the benefit of using the funds in capital outlay versus debt service. He stated that he would prefer the savings be used for debt service and that either way, it will save the school money.

Mr. Berkley stated that the HVAC systems at the two elementary schools need to be replaced soon and he was hoping to use the savings to purchase them.

Supervisor Hoover noted that there has always been a gentleman's agreement that if the schools are fiscally conservative and realize savings, those savings will be rolled over to pay debt service.

Mr. Berkley acknowledged the request and advised that he should have the exact figure of savings at the next meeting. He invited the Board to attend the convocation luncheon at 11:30 a.m. on August 4, 2015 at the Middle School.

Administrator Gee shared a proposed Vehicle Use Policy. She stated that she plans to share with the staff members that use county vehicles and get feedback over the next month. She requested feedback from the Board as well.

Chairman Wingold suggested that the word "gas" be changed to "fuel" throughout the document.

Administrator Gee indicated the CODERED warning system contract was in need of renewal. The CODERED system is used as a notification system for emergency situations within the County. Administrator Gee noted that CODERED is requesting a three year agreement. Payments would be due in annual installments of \$11,225. This amount is \$1,100 more per year than the previous contract. The updated contract will allow for additional lines for the school system to use. She noted that the majority of this service is covered by the Local Emergency Management Planning Grant, which is a 50/50 match up to \$15,000 total.

Mr. Rodney Newton stated that he had spoken with the school administrators and they are currently using a system called PowerSchool. The CODERED system will allow for them to leave messages as well as target specific areas in the county when an issue is concentrated in one area.

Chairman Wingold questioned if the same alerts would be issued for the county system and the school system.

Mr. Newton responded no, each will have different lists. He added that the CODERED system updates once a year when the 911 system is updated.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the three year agreement with CODERED.

Mrs. Karen Scales, Chairman of the Lunenburg County Public Library System Board, updated the Supervisors on their recent grand opening. She stated that 750 library cards had been issued thus far. She added that the cards had received many compliments. Mrs. Scales provided one to each Supervisor. She advised that all the new systems are up and running well. They have received approval from the state to receive \$41,160 in funding. They are requesting flat funding from the County. She thanked Mrs. Donna Pulliam for the time and efforts she devoted to ensuring the conversion to LCPLS went smoothly.

Supervisor Bacon thanked all the members of the LCPLS Board for the superb job in developing the new library system.

Supervisor Hoover noted that a final Board of Trustees meeting was scheduled for Southside Regional Library. He asked Mrs. Scales what would be discussed in the final meeting.

Mrs. Scales replied that they needed to approve the minutes from the most recent regional meeting. She noted that her biggest concern was the carryover funds. She stated that the auditor has taken numbers from the accountant of SRL. Ms. Scales believes these numbers should be reviewed by another outside party.

Administrator Gee questioned if anyone from the LCPLS Board would be attending.

Mrs. Scales replied that she would attend if the Board would like.

Administrator Gee advised that she forwarded a letter, on request by the Public Safety Committee, to the fire and rescue entities that receive funding for operations and capital. The letter requested several items from each entity. She noted that the Public Safety Committee, consisting of Supervisors Hoover and Bacon, met before the Board meeting to review the submissions.

Supervisor Hoover stated that after the items from each entity were reviewed, the Public Safety Committee recommended releasing the appropriated funds to Kenbridge Fire Department, Victoria Fire & Rescue, and Meherrin Volunteer Fire & Rescue Department.

Mr. Michael Gee, of the Kenbridge Rescue Squad, questioned why their appropriated funds were not recommended to be released.

Supervisor Hoover responded that all the requested documentation was not provided. Once it is provided and reviewed, the Public Safety Committee will make a recommendation on the release of the funds.

Supervisor Hoover made a motion, seconded by Supervisor Pennington and unanimously approved, to release the appropriated funds to Kenbridge Fire Department, Victoria Fire & Rescue, and Meherrin Volunteer Fire & Rescue Department.

Administrator Gee shared a letter from the Commonwealth Regional Council in response to the Board's request regarding 501(C)3 organizations within member localities paying for services. The letter states that while the CRC understands the Board's concerns, the CRC must recover cost for its efforts in an equitable manner to provide funding for its operations and keep membership dues at a minimum.

Supervisor Bacon stated that he expected this as a response.

Supervisor Hoover commented that the CRC increased member localities dues and 501(C)3 organizations must still pay for services. He added that the dues are appropriated for FY2016. He suggested that this topic be discussed again during budget conversations for FY2017.

Administrator Gee directed the Board to the audit engagement letter from Robinson Farmer Cox Associates. She requested that the Board approve the engagement letter and authorize the Chairman and herself to sign the letter.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Robinson Farmer Cox Associates audit engagement letter and authorize the Chairman and Ms. Gee to sign the letter.

Administrator Gee directed the Board to a letter from the Virginia E-911 Services Board. The letter was to inform Major DJ Penland that his request for the FY16 PSAP Grant Program was approved. The department

was awarded \$37,000 and does not require a local fund match. Administrator Gee recommended that the Board accept and appropriate the grant funds in the amount of \$37,000 for the 911 fund for FY16.

Supervisor Bacon made a motion, seconded by Supervisor Pennington and unanimously approved, to accept and appropriate the grant funds in the amount of \$37,000 for the 911 fund.

Mrs. Beverley Hawthorne, Landfill Liaison provided her monthly report. She stated that the County hired two additional employees to work with the trash cleanup crew and at the convenience centers. She has created a new schedule for summer hours. Mrs. Hawthorne advised that she has received several compliments on the convenience center sites. However, the employees working at the sites have informed Mrs. Hawthorne that some citizens are taking advantage of the sites when they are not manned. Mrs. Hawthorne provided a summary of a meeting held between her, Administrator Gee, the Landfill Committee, Rob Guidry and Tim Webb of CFS. She advised that CFS will try to run two trucks for two months in Lunenburg to see if that helps with containers being dumped more frequently. Mrs. Hawthorne stated that she and County Attorney Rennie are negotiating with Mr. Steven A. Bailey to purchase a 5+ acre parcel on Rocky Mill Road in order to construct another convenience center site. The County has agreed to pay no more than \$3,810 per acre and half of the closing costs. Mr. Bailey will pay the other half of the closing costs and the boundary survey.

Supervisor Bacon made a motion, seconded by Supervisor Slayton and unanimously approved, to allow the Chairman to sign the deed to purchase 5+ acres from Mr. Steven A. Bailey for no more than \$3,810 per acre and pay half of the closing costs.

Mrs. Hawthorne advised that Container First Services has requested an amendment to their CUP. They have acquired companies in New Jersey, Pennsylvania and Delaware. They would like to haul some of the trash from these states to their facility in Lunenburg. Mrs. Hawthorne noted that the request must first go to the Planning Commission. She advertised for the Planning Commission meeting and sent the required notification letter to the adjacent landowners. She will update the Board on the Planning Commission meeting at the August Board meeting.

County Attorney Rennie stated the Landfill Committee suggested that if the permit is modified in favor of CFS, then the County should also request some beneficial amendments, such as additional compensation and penalties for late payments.

Mrs. Hawthorne stated that she and Administrator Gee understood the amendments would be made in the host agreement not the CUP. Also, she didn't advertise for such changes.

Supervisor Bacon stated that he thought the amendments would be stronger in the CUP. Supervisor Zava agreed.

Mrs. Hawthorne stated that she would re-advertise, if necessary.

Mrs. Beverley Hawthorne, Community Development Director, provided the monthly report. She noted that she has been working with the consultant to find out the progress on two Verizon Cell Towers that were approved about 20 months ago. The company must obtain a CUP and these two are about to expire. Verizon has requested an extension. Mrs. Hawthorne explained that once CUPs for towers are approved by the Board, the company erecting the tower turns the location into the federal government. The location is placed on a map as an erected tower and no other companies look to that location for new towers. Mrs. Hawthorne advised that sometimes this practice is used by cell companies to deter competitors from reserving a location, even though the cell company has no intention of erecting the tower. She will discuss this with the Planning Commission and bring their recommendation back to the Board. However, the consultant has advised her not to extend the CUP.

Supervisor Edmonds stated that citizens have been asking him when the tower for the Mill Pond Road location would be erected and that service providers are also looking for information on construction timelines.

Supervisor Bacon reiterated that the cell companies are claiming the territory but never plan to use it.

Mrs. Hawthorne stated that she has attended several meetings organized by the Commonwealth Regional Council regarding VDOT and how funding of road improvements will be determined in the next few years. She added that a designated growth area along the highway must be stated in the locality's comprehensive plan. If not designated, funding will not be available. Mrs. Hawthorne is researching the possibility of designating the two towns as they would cover most of the major highways in the County.

Mrs. Hawthorne asked the Board to consider the formation of an Agriculture Board for the County. She noted that agriculture is the largest sector of business in the County and she believes an Agriculture Board would be able to discuss many of the new aspects in the County. Also, there are new grant opportunities that may not be available to local producers without a recognized board.

The monthly Piedmont Regional Jail reports were provided. Administrator Gee noted that she received the first quarter invoice. The amount was a little over \$123,000. Administrator Gee stated that the first quarter is typically a higher amount due to annual invoices that must be paid at the beginning of the fiscal year.

Administrator Gee requested approval of the below 2015 Budget Adjustments.

ADJUSTMENTS TO BALANCE REVENUES/EXPENDITURES:

INTERDEPARTMENTAL TRANSFERS for FY15

Treasurer - move \$3,000 from Part-time Wages (1303) to Office Supplies (6001)

Administration - move \$1,000 from Dues (5810) to Office Supplies (6001)

TRANSFERS FROM FY15 to FY16

Victoria Fire and Rescue Capital funds carryover balance of \$25,487 to FY16

Capital Improvement Funds (in the GF) carryover balance of \$15,000 to FY16

EXPENDITURE AND CLOSE-OUT OF FUNDS

Issue check to Tobacco Commission for final payment re: Safety Technologies in amount of \$80,000 from Econ Dev holding fund and close fund with balance of \$79,925.29. Pull \$74.71 from GF.

Transfer \$311,081 to the General Fund for operations and remaining balance of \$548,372 from fund 136 Solid Waste Construction (old Closure fund) to Fund 137 Solid Waste Sites for disposal site construction. This will exhaust the 136 fund balance of \$859,453 and we will close the fund.

Supervisor Zava made a motion, seconded by Supervisor Bacon and unanimously approved, to approve the requested 2015 budget adjustments listed above.

Administrator Gee provided her monthly report. She stated that she secured reservations for the annual VACo conference in November for Chairman Wingold, Vice-Chairman Slayton, and Mrs. Gee. Chairman Wingold noted that he is unable to attend. Supervisor Bacon would like to attend in his place. Supervisors Hoover and Edmonds would like to attend if additional spots become available.

Administrator Gee stated that Mr. Danny Lacks was bush hogging at the courthouse property and at the airport. He is not charging the County for the service. However, he would like to enter a cooperative agreement to grow hay and harvest it as the crops are poor. Administrator Gee noted that Mr. Lacks has been unable to produce any yield, therefore, he would like to add product to the fields. Due to the cost, he would like a formal agreement to maintain the fields for a certain length of time.

Supervisor Bacon questioned if a contract was necessary since Mr. Lacks is not being paid.

County Attorney Rennie stated that he and Administrator Gee would discuss it further and determine if there was a need for an RFP.

Administrator Gee stated that she reviewed the contract with Election Systems & Software for the purchase of the new voting machines. She noticed some additional fees in the contract for warranties, including fees for a post warranty period after the first year.

Mr. Ollie Wright, Secretary of the Electoral Board, commented that they would wait until the end of the first year when they have a better idea of how the machines work. At that point, they can determine which level of service or warranty they need.

Administrator Gee shared a cash close-out document for the Old Dominion RC&D. Lunenburg's portion is \$3,068.87. She recommended the Board make a motion to accept the payment from Old Dominion RC&D.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to accept the close-out payment of \$3,068.87 from Old Dominion RC&D and place it in the miscellaneous revenue line item.

Administrator Gee updated the Board on CSA Reimbursement for DMAS payments that were withheld in error by Medicaid. She added that the Department of Medical Assistance Service is working on clearing up reimbursement withholding from CSA expenditures. Lunenburg County should receive thousands of dollars in corrected payments, which will offset use of local match funds.

Supervisor Edmonds commented that the Courthouse Complex needs some maintenance. He suggested removing spider webs, placing mulch in flower beds, painting and power washing.

Administrator Gee agreed but stated the issue is funding. She recently learned the AC unit at Commissioner of Revenue's Office may have to be replaced and that affects other project funding.

Supervisor Hoover noted that the Sheriff in Brunswick County uses inmates to do all kinds of work around their facilities. He would like for inmates to perform more work at the Lunenburg Courthouse Complex, especially since the quarterly invoice paid to PRJ has continues to increase.

Supervisor Pennington, a member of the PRJ Board, stated that the jail is short staffed at the present and therefore does not have the staff to supervise the inmate work crews.

Supervisor Hoover suggested discussing the possibility of training his deputies to supervise inmate work crews.

Supervisor Edmonds made a motion, seconded by Supervisor Pennington and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel, §2.2-3711A3 Acquisition or Disposition, §2.2-3711A4 Protection of the Privacy of Individuals, §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 Bacon
Supervisor Hoover
Supervisor Edmonds
Supervisor Pennington
Supervisor Slayton
Supervisor Zava
Supervisor Wingold

VOTING NO

ABSENT

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

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

Tracy M. Gee, Clerk
County Administrator

David E. Wingold Sr., Chairman
Board of Supervisors