

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

Minutes of January 7, 2016 Reorganizational Meeting

The annual reorganizational meeting of the Lunenburg County Board of Supervisors was held on Thursday, January 7, 2016 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.

County Administrator Gee called the meeting to order.

Circuit Court Clerk Gordon Erby administered the oath of office to re-elected Supervisors David Wingold, Edward Pennington, Alvester Edmonds, and Charles R. Slayton.

Administrator Gee thanked Clerk Erby for his attendance, then asked the Board for nominations for the position of Chairman.

Supervisor Bacon nominated David Wingold; Supervisor Edmonds seconded the motion. Supervisor Bacon moved that nominations be closed with Supervisor Hoover making the second. On a roll call vote, Supervisor Wingold was unanimously re-elected to the position of Chairman.

Chairman Wingold asked for nominations for the position of Vice-Chairman.

Supervisor Bacon nominated Charles R. Slayton for Vice-Chairman; Supervisor Edmonds seconded the motion. Supervisor Hoover moved that nominations be closed with Supervisor Edmonds making the second. On a roll call vote, Supervisor Slayton was unanimously re-elected to the position of Vice-Chairman.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved to adopt the 2016 Invocation and Meeting Schedule and 2016 Holiday Calendar.

Chairman Wingold called the regular meeting of the Board of Supervisors to order.

Supervisor Zava led the Pledge of Allegiance and asked Pastor Earl Pinchbeck of the Victoria Christian Church to give the invocation.

Mr. Rob Guidry, Mr. Tim Webb and Ms. Sandy Cothran of Container First Services were in attendance to present annual donations to community organizations. Mr. Guidry noted that CFS has been donating \$50,000 to local organizations over the past few years. The annual donations are given to schools, public safety organizations, community and youth organizations. This year's donation was split between six organizations.

Mr. Guidry presented \$10,000 to Lunenburg County Public Library System, with half of the donation going to each branch for the purchase of children's books. Mrs. Karen Scales, Chairman of LCPLS accepted the donation in appreciation.

Mr. Guidry presented \$15,000 to Lunenburg County Health Service. The donation is to assist with facility improvements for better patient access. Mr. Larry Roach accepted the donation.

Mr. Guidry presented \$5,000 to Lunenburg Youth Sports, Inc. Mr. and Mrs. Mooch Johnson accepted the donation to assist with youth soccer and basketball programs.

Mr. Guidry presented \$5,000 to Victoria Elementary School for new playground equipment. Principal Dawn Bacon accepted the donation.

Mr. Guidry presented \$5,000 to Kenbridge Elementary School also for new playground equipment. Principal Kathleen Rainey accepted the donation.

Mr. Guidry presented \$10,000 to Lunenburg Middle School. The donation will purchase and install a new girls' softball scoreboard, like the ones established at the high school. Principal Sharon Stanislas accepted the donation.

School Superintendent Charles Berkley thanked Mr. Guidry for all the donations given to the schools. He added that he and his staff try to meet the needs of the whole child and they appreciate the donations to assist in that goal.

In closing Mr. Guidry thanked the county officials stating that he works with numerous communities and he is glad to see Lunenburg support the children and the public every year.

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

Public Hearing Notices were added as 8A, on request by Supervisor Hoover.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the minutes of the December 10, 2015 meeting, the Treasurer's November 2015 reports and the following Warrants for Approval:

December 2015:	Payroll: Direct Deposit	\$ 114,289.39
	Payroll Taxes Federal:	\$ 39,063.85
	Payroll Taxes State:	\$ 6,951.30
	Payroll VRS payment:	\$ 31,377.82
	Payroll ICMA-RC payment:	\$ 214.71
	Accounts Payable: #51964-52076	<u>\$ 302,637.68</u>
	Total:	\$ 494,534.75

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to enter into public hearing concerning a Conditional Use Permit for Daniel L. Hanks, trading as Hanks Refrigeration Services, Inc.

Daniel L. Hanks, trading as Hanks Refrigeration Services, Inc., is requesting a Conditional Use Permit to continue to operate a retail business of general merchandise, and to add a retail operation for the sale and manufacture of firearms and ammunition. The business will have regular hours and will be located on property currently owned by Thomas L. Hanks, know as Hanks Store located at 8557 Lunenburg County Road, Keysville, VA 23947. This property is identified by tax map number 17 ((A)) 54.

Mrs. Beverley Hawthorne, Clerk to the Planning Commission, stated the CUP request was heard by the Planning Commission and all the requirements from the ATF and Firearms Marshall had been met. The Planning Commission recommended approval of the CUP to the Board of Supervisors.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit public hearing concerning a Conditional Use Permit for Daniel L. Hanks, trading as Hanks Refrigeration Services, Inc.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Conditional Use Permit for Daniel L. Hanks, trading as Hanks Refrigeration Services, Inc.

Supervisor Hoover stated that a local newspaper, the Southside Messenger, has increased circulation within the county. He suggested advertising notices and public hearings in both the Southside Messenger and the KV Dispatch.

County Attorney Rennie commented that the requirement to advertise includes one newspaper of general circulation; therefore, one newspaper in the county with general circulation would suffice.

Supervisor Hoover reiterated that he would like the County to advertise in both papers as each paper is about fifty percent divided between Lunenburg readers now.

Supervisor Wingold questioned the cost of each advertisement.

Administrator Gee commented that the cost of advertising the agenda each month was about \$75.

Mrs. Beverley Hawthorne added that Planning Commission meeting notices must be advertised for two weeks. Each advertisement is between \$70 and \$90. She added that the fee collected for CUP applications barely covers the cost of required mailings.

County Attorney Rennie stated that his advertisements sometimes cost up to \$300.

Supervisor Zava noted that if advertising was a budgeting issue then perhaps the County should bid it out and see which newspaper can provide the lowest cost or both papers could achieve a cost that would accommodate advertising in both.

Supervisor Hoover agreed that bidding out the lowest price was a good idea, adding that accepting bids now would allow for more accurate budgeting for FY 2016-17.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize Administrator Gee to request bids for County advertising needs.

Mr. Billy Smith of VDOT provided the monthly report. He noted that due to the amount of rain in the recent weeks several roads had washed out, as well as numerous potholes had developed. VDOT is working to repair both. Mr. Smith advised that the Lee's Mill Road Bridge will be closed beginning on Monday, January 11, 2016 for replacement. They expect construction to be completed in August. Mr. Smith commented that the Board requested a speed limit study when entering Kenbridge town limits at the last Board meeting. Mr. Smith stated that the study was conducted near the emergency squad building on Route 138, South Hill Road. The Board had requested the town entrance near the elementary school on Route 653, Poorhouse Road. VDOT will conduct the study again in the correct location.

Supervisor Pennington advised that trash pickup needs to occur on Mecklenburg Avenue again. Administrator Gee added that pickup was needed on Route 138 again near the county line.

Supervisor Slayton questioned the age of the Davis Lowground Bridge.

Mr. Smith responded that he wasn't sure of the exact age; however the bridge is still in good condition and is inspected regularly. He added that the bridge is very low and if it is replaced VDOT would look into raising it. Mr. Smith noted that unfortunately the amount of flooding that occurs on a bridge doesn't affect the replacement of the bridge; the regular inspections determine replacement.

Mr. Charles Berkley, School Superintendent, provided his monthly report. He stated that the School Board would be holding a budget public hearing the following Monday. They would like to hold a joint meeting on Thursday, March 31, 2016 to present the budget to the Supervisors. Mr. Berkley reported that 86 days remain in the school year. He added that the budget is on target. Mr. Berkley advised that Lunenburg County Public Schools were named one of the up and coming schools in the state and the country. He stated that test scores are up and he attributes that to the hard work of the teachers and administrators in the schools.

Supervisor Wingold noted that Lunenburg County Public Schools were named tenth in the country and first in the state of up and coming schools. He congratulated Mr. Berkley.

Mr. Berkley thanked Supervisor Wingold and said he has many dedicated staff and wonderful students.

Administrator Gee shared a letter from the Auditor of Public Accounts. The letter stated the Commonwealth collections and remittances of the Treasurer, Commissioner of the Revenue, and Sherriff have been reviewed and all officers have complied.

Administrator Gee provided a copy of the Lunenburg County Health Department 2016 Local Agreement. She recommended that the Board approve the agreement, noting that the dollar figures are below the budgeted amount for FY16.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve the Lunenburg County Health Department 2016 Local Agreement.

Mrs. Beverley Hawthorne, Landfill Liaison, provided her monthly report. She stated that the newest convenience center, Rocky Mill is in operation and seems to be doing well. Currently the site is manned during all hours of operation to determine the high traffic times of day. Mrs. Hawthorne advised that there may be a need to hire an additional part-time employee that resides closer to the

site. She noted that the interior of the building at the site will be completed soon. Mrs. Hawthorne is actively looking for new sites for the south and east portions of the county.

Supervisor Pennington commented that the Oral Oaks site is looking good, but he questioned how the recycling was going.

Mrs. Hawthorne replied that recycling is going well and CFS is reporting the amount each month, however, the county is not receiving much money from recycling as the counts are still very low.

Supervisor Slayton asked if there had been any complaints about the operating hours at the new site.

Mrs. Hawthorne stated that the number of operating hours is the same as those at the Nutbush and Owl Creek site. She added that she usually hears complaints at first, but citizens adjust to the hours in a few weeks.

Supervisor Hoover commented that there once were 53 dump sites throughout the county. He inquired how many were remaining.

Mrs. Hawthorne replied there are 13 dump sites, 5 convenience centers and one site at the Courthouse Complex. She thanked the trash cleanup crew and the staff that work the convenience centers for their performance in keeping the sites maintained.

Administrator Gee advised that Container First Services requested a letter of support to DEQ in order to extend the life of the existing landfill to December 31, 2018. The County and CFS received extensions in the past.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize the Chairman to sign a letter of support to DEQ for CFS's request to extend of the life of the current landfill cell.

Mrs. Beverley Hawthorne, Community Development Director, provided her monthly report. She advised that no work has begun at the Verizon Mill Pond Cell Tower site. She reminded the Board that in October 2015 they extended the Conditional Use Permit with the understanding that the permit would be rescinded if construction did not begin by December 31, 2015.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to rescind the CUP for the Verizon Mill Pond Cell Tower Site.

Mrs. Hawthorne commented that she has been in touch with a different company that has built cell towers before. She is also trying to determine the time frame for the removal of this cell tower from the map that details all cell towers.

Mrs. Hawthorne shared a letter of support of Dominion Virginia Power's application for a certificate of public convenience for the proposed Greenville Power Station. She requested approval from the board for the Chairman to sign the letter.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to authorize the Chairman to sign a letter of support of Dominion Power's application related to the Greenville Power Station.

Administrator Gee stated that she received the third quarter invoice from Piedmont Regional Jail. The amount was approximately \$104,000, which keeps the jail on budget for the fiscal year thus far. The monthly reports were provided.

Administrator Gee explained that Sussex County is requesting the collective efforts of all localities with State Correction facilities that lost the Payment in Lieu of Taxes (PILT) program payment with State budget cuts to support an effort to regain this funding from the Commonwealth.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to support an effort to regain funding from the Commonwealth by reinstating the PILT program payments.

Administrator Gee stated that Wythe County has requested support of other localities in the State to allow them the ability to tax cigarettes if they so choose.

Chairman Wingold commented that he was not in favor of supporting the ability to tax cigarettes. Other Supervisors also declined to support the initiative.

Administrator Gee advised that she had spoken with Senator Frank Ruff. They discussed a potential legislation that may help the County if it is approved. The legislation would allow local government employees to enroll in state health insurance programs. However, each locality would have only one chance to opt in. If the locality chooses to opt out, they will not be allowed to opt in at a later date. Administrator Gee plans to bid out again this year for health insurance quotes.

Administrator Gee will be attending the first Virginia Center for Behavioral Rehabilitation (VCBR) meeting the following week. She would also like to schedule a Finance Committee Meeting in the next week, so that budget figures may be sent out to the offices soon.

County Attorney Rennie stated that the Board had asked him to research the implementation and effectiveness of a new noise ordinance. He added that the issue in the past has been enforcing the ordinance in court. County Attorney Rennie met with the Commonwealth's Attorney Robert Clement, who in turn met with the Sheriff and Judge. Clement indicated that the Judge stated the noise would need to be measured in decibels to be enforceable in court. Per Clement, the Sheriff agreed and stated that his office might be able to purchase a couple decibel meters for deputies to use.

County Attorney Rennie added that when prosecuting cases its crucial to have evidence in hand to show at court. This is why placing cameras at convenience centers may be a good idea. Then there would be evidence when illegal dumping or damage occurs at the centers or on containers.

Supervisor Hoover commented that County Attorney Rennie and the Board has been working on the potential noise ordinance for quite some time now. He noted that law enforcement, the Judge and Prosecutor are suggesting what is needed to enforce the ordinance. He suggested that the Board move forward; adjustments can be made a later date if needed.

Supervisor Edmonds agreed.

Supervisor Hoover made motion, seconded by Supervisor Slayton and unanimously approved, to hold a public hearing at the next meeting on the proposed noise ordinance.

Supervisor Zava asked the cost of the proposal that Supervisor Hoover obtained to place cameras at the convenience centers.

Supervisor Hoover replied \$1,000 per site.

Supervisor Zava stated that he would be in favor of testing cameras at one or two sites, but not all the sites until they are deemed beneficial.

Supervisor Bacon questioned the cost to build a convenience center.

Administrator Gee replied around \$200,000.

Supervisor Bacon commented that \$1,000 per site for a camera system seemed like a small price to pay to protect the County's investment in the sites.

Supervisor Hoover noted that simply placing signs notifying the public that cameras are present, may deter some negative behavior.

Supervisor Hoover made motion, seconded by Supervisor Bacon and with Supervisor Edmonds voting no, approved, to place cameras at two sites on a trial basis.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to enter Closed Session citing Virginia Code Section §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 Edmonds

Supervisor Pennington

Supervisor Bacon

VOTING NO

ABSENT

Supervisor Slayton
Supervisor Zava
Supervisor Wingold

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

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

Tracy M. Gee, Clerk
County Administrator

David E. Wingold Sr., Chairman
Board of Supervisors