

LUNENBURG COUNTY BOARD OF SUPERVISORS
CENTRAL HIGH SCHOOL, GYMNASIUM
131 K-V ROAD
VICTORIA, VIRGINIA

Minutes of April 14, 2016 Meeting

The regular meeting of the Lunenburg County Board of Supervisors was held on Thursday, April 14, 2016 at 10:00 a.m. in the Gymnasium of Central High School, Victoria, Virginia in honor of Student Government Week. 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 Wingold called the meeting to order.

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

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

Mr. Robert "Bob" Foley of Courthouse Road, Lunenburg was added as 14A regarding the Lunenburg Landfill.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the minutes of the March 10, and 24, 2015 Board of Supervisors meetings, the Treasurer's February 2016 report and the following Warrants for Approval:

March 2016:	Payroll:	Direct Deposit	\$ 111,992.11
	Payroll Taxes Federal:		\$ 38,201.01
	Payroll Taxes State:		\$ 6,683.14
	Payroll VRS payment:		\$ 30,340.85
	Payroll ICMA-RC payment:		\$ 173.20
	Accounts Payable:	#52340-52500	<u>\$ 317,043.04</u>
	Grand Total:		\$ 504,433.35

Mr. Fred Davis, Key Accounts Representative of Southside Electric Cooperative, addressed the Board. He noted that he has been with SEC for 14 years and focuses on community relations. He advised that SEC has been in operation since 1937 and provides power to rural areas in 18 counties. The cooperative is member-owned and profits are returned to members. They currently serve 3,800 homes in Lunenburg County. SEC will be providing power to the new hospital in South Hill and the FASTC facility at Fort Pickett in Nottoway County. He continued to say that SEC has developed a youth program in which they select high school students and travel to Washington DC to tour the governmental offices. They have established a scholarship program that is funded by rental fees for cooperative-owned Hooper Park; 8-10 \$1,000 scholarships are awarded each year. Mr. Davis explained that SVCC, partnering with SEC, has developed a lineman school on the property of Fort Pickett. SEC partnered locally with the Town of Victoria to assist in installing new emergency sirens. They are also assisting the Lunenburg Chamber by sponsoring the Little Roy and Lizzie Concert. Mr. Davis advised that he was a resource for the Board members and County. He asked them to contact him with any questions or concerns.

Supervisor Hoover thanked Mr. Davis and SEC for their assistance in erecting the new score boards at the schools. He noted that several companies were contacted and SEC responded quickly and was happy to assist.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to enter public hearing regarding a Conditional Use Permit for Mr. Joseph Kellum to operate a towing business and establish an impound lot.

Mr. Joseph Kellum applied for a CUP to operate a towing business and establish an impound lot on the property owned by Melissa Archer. The lot will be located near 396 Willow Bottom Road, Keysville, VA 23947. This property is identified by tax map number 017 ((02)) 13.

Mrs. Beverley Hawthorne, Clerk to the Planning Commission, explained that the Planning Commission reviewed that application and approved it, with the following conditions.

1. Abide by the Virginia State Police guidelines with regard to fencing and signage with posted hours,
2. Fence in an area no larger than 70 feet by 70 feet,
3. Maintain the road in an acceptable condition, and
4. Understand that this CUP will be monitored on a regular basis.

Mr. Kellum approached the Board, stating he would be storing vehicles temporarily at the impound lot, adding that no vehicles would remain there for an extended period of time. He will install a simple gate with a lock.

Supervisor Slayton questioned how many vehicles would be store at any given time.

Mr. Kellum replied that the maximum number of vehicles would be 20, however, he hopes not to have that many at one time.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit the public hearing regarding a Conditional Use Permit for Mr. Joseph Kellum to operate a towing business and establish an impound lot.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Conditional Use Permit for Mr. Joseph Kellum to operate a towing business and establish an impound lot located near 396 Willow Bottom Road, Keysville, VA 23947 with the conditions as set by the Planning Commission.

Mr. James "Buck" Tharpe, Chairman of the Planning Commission, approached the Board to discuss Conditional Use Permit Fees and the Joint Comprehensive Plan. Mr. Tharpe commented that the current cost for the permit application is \$100. This amount barely covers the cost of mailing required documents to three adjoining landowners. Usually, there are more than three adjoining landowners. Additionally, there are high costs of advertising and operational costs of Planning Commission meetings. Mr. Tharpe asked the Board to consider raising the fee to \$250. Mr. Tharpe then discussed the County and towns' Joint Comprehensive Plan. He noted that it is outdated and lacks wording necessary for some laws. He added that the Planning Commission has come across several situations which the Comprehensive Plan did not address. Mr. Tharpe added that one reason the County didn't score well for the HB2 grant funding is due to the lack of detail in the Comprehensive Plan. He stated that developing a new plan would cost in the range of \$22,000-60,000 and he requested the Board consider this request when discussing the budget. Mr. Tharpe also added that the subdivision ordinance lacked

zoning specifics and requirements for development. He requested funding to rewrite the ordinance, estimating the cost at \$3,000.

Supervisor Bacon suggested that Mr. Tharpe and the Board talk with the Commonwealth Regional Council regarding the Joint Comprehensive Plan as they assisted in developing the last one.

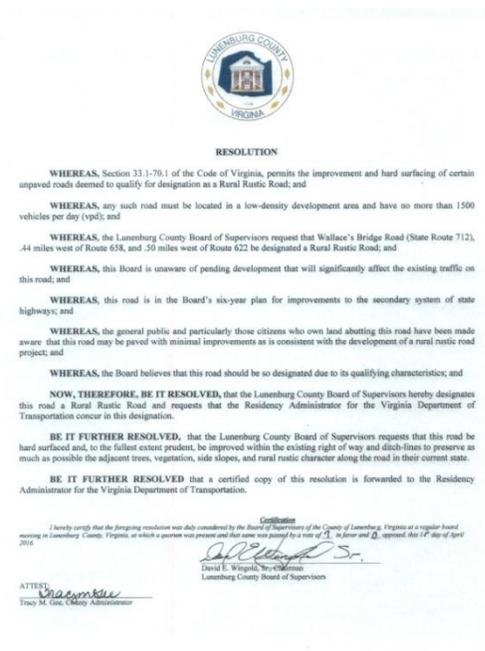
County Attorney Rennie advised that legal input would be needed on any changes to the ordinance.

Mr. Billy Smith of VDOT provided his monthly report. He noted that the highway construction season was under way. He added that the current week was “work zone week” to honor the 273 people that have been killed while working construction on the highways in Virginia. Mr. Smith advised that Wallace Bridge replacement has been completed ahead of schedule. He noted that Route 712 will be paved over the summer months. He added that bids for the Dixie’s Bridge were received. It will be a \$1.2 million contract and should be completed by April 2017. Mr. Smith commented that he had not received the budget for the Secondary Six Year plan yet. However, no new roads had been added to the plan. He would like for the Board to hold a public hearing at the next board meeting.

Chairman Wingold inquired about the results of the test near the entrance of the Town of Kenbridge close to the Kenbridge Elementary School.

Mr. Smith replied that the test was complete and he is still awaiting the results.

Mr. Smith requested approval of the below resolution regarding the Rural Rustic funding of Route 712, Wallace Bridge Road.



Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve the above resolution regarding Wallace Bridge Road to be designated as a rural rustic road.

Mr. Charles Berkley, School Superintendent, approached the Board. He advised that instead of presenting his monthly report, he was turning over his time to Mr. Mark Bailey and the Portable

Chargers. Mr. Bailey introduced his team of students, the Portable Chargers. The team is sponsored by Mid-Atlantic Broadband and allows students to learn about robotics. On January 9th, they were given a kit of materials and expected to build a working robot. The team had nine weeks to perform research and build the robot before the first competition. Their first competition was in Blacksburg. Out of 34 teams they placed 27th and learned a great deal. The next competition was held in Hampton Roads and they placed 11th. Mr. Bailey commented that the team has learned numerous skills during the process and he is very proud of them. They demonstrated the operations of their robot to the Board and the audience, followed by a round of applause.

Commissioner of the Revenue Liz Hamlett requested a re-allocation of funds in her budget. She requested a transfer of \$1,000 from Postage to Travel and \$1,500 from Office Supplies to Travel. Commissioner Hamlett stated that the transferred funds would be used for her deputies to take Career Development classes to work towards master certifications and the registration fee for the 97th Annual Commissioners of the Revenue Association Annual Conference.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to transfer \$1,000 from Commissioner's Postage to Travel line item and \$1,500 from Office Supplies to Travel line item, both within the Commissioner's budget.

Administrator Gee discussed the FY2016-17 proposed budget. She shared a Real Estate Tax comparison of several surrounding counties; Lunenburg's rate being the lowest. She added that Lunenburg has not changed its rate since FY13. She suggested that the Board consider raising the tax rate. She noted that any tax increase would be based on a calendar year, therefore only half of an increase would be realized over a fiscal year. Administrator Gee shared a listing of projects and budgetary needs. She noted that the Finance Committee suggested an additional \$50,000 in new funding for the School Board as well as the use of their carryover. Administrator Gee increased the reassessment fund by \$50,000 as another reassessment will commence during the upcoming fiscal year.

Administrator Gee advised that the use of surplus funds would be needed due to several factors. The Electoral Board will need additional funding for the increased cost of printing with the new voting machines and additional funding for election workers. Additional costs will be associated with the GIS and CAMA systems maintenance, as well as a new phone system. Administrator Gee proposed an increase for the Deputy Animal Control Officer as he will soon be certified. Also a request was made for an increase in the appropriation to Kenbridge Emergency Squad. Administrator Gee noted that savings would be realized in the Building and Grounds line item and the Cooperative Extension line item as both departments had been reduced by one position.

Supervisor Bacon made motion, seconded by Supervisor Slayton and unanimously approved, to advertise the proposed budget as presented.

Supervisor Hoover thanked Administrator Gee for her hard work on the proposed budget. Supervisor Bacon agreed, noting that the presented budget was a conservative approach.

Mrs. Beverley Hawthorne, Community Development Director, presented her monthly report. She noted that she would be working on several Tobacco Commission grants over the next few months. She noted that a proposed event permit information and application was included in the board packet. She asked the Board to review and share any comments or questions.

Mrs. Hawthorne, Landfill Liaison, provided the monthly report. She noted that she received comments regarding the smell at the landfill and the trash not being covered at the close of business. She learned from Container First Services that their equipment was broken down and had to be fixed

before the trash could be covered. She advised that operating hours at the Rocky Mill convenience center would be changing May 1st and the site did not have as much traffic as was anticipated. The County will be hiring additional workers soon as well.

Supervisor Hoover commented that the security system had been installed at both the Oral Oaks and Switchback locations. If the Board would like additional sites to have security systems, he would need a motion to do so. Mrs. Hawthorne noted that the cameras have assisted in a criminal situation involving tires at one of the sites. She is seeking assistance from law enforcement.

Mr. Robert "Bob" Foley, of Courthouse Road, Lunenburg, approached the Board regarding the landfill. He again expressed his concerns about the manner in which Container First Services is managing the landfill. He believes they are not in compliance with regulatory agencies and strongly suggests the County hire a landfill liaison that does not have to concentrate on any other duties.

Administrator Gee advised that she and the finance committee allowed \$30,000 in the proposed FY17 budget for a part-time landfill liaison position. The position will be advertised prior to July 1st and will require solid waste/landfill experience.

Administrator Gee provided her monthly report. She noted that discussions between VDOT, state police and the Sheriff's office are still underway regarding the VDOT permit for the August 13, 2016 Re-enactment Walk. She advised that a recent pavement report by the Department of Aviation was not favorable and paving will need to be completed at the airport soon. Administrator Gee requested a budget adjustment for carryover grant funds for the 911 GIS Grant with Timmons Group. The amount currently due for reimbursement is \$23,275.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve a budget adjustment for carryover grant funds in the amount of \$23,275 for the 911 GIS Grant with Timmons Group.

Administrator Gee requested the Board appropriate the insurance funds received for the total loss of two Sheriff's deputies' vehicles in the amount of \$24,000 so that another vehicle may be purchased.

Supervisor Bacon made motion, seconded by Supervisor Zava and unanimously approved, to appropriate the funds for the purchase of another vehicle.

Supervisor Hoover made 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 of Real Property, §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	VOTING NO	ABSENT
Supervisor Hoover		
Supervisor Bacon		
Supervisor Edmonds		
Supervisor Pennington		
Supervisor Slayton		
Supervisor Wingold		
Supervisor Zava		

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

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to recess for lunch at 12:15pm.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to reconvene at 12:55pm.

Supervisor Hoover suggested that the Board hold a public hearing regarding the FY17 Budget at the regularly scheduled May 12th meeting and plan for a formal vote on said budget at the June meeting.

Supervisor Slayton made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the below Enterprise Zone Incentives for the tax year of 2015:

EZ Tax Incentives - Tax Year 2015							
Company	Tax Type	Program Year	Year Add. Assets	Assessed Value Add. Assets	Taxes Paid 2014	%	Incentive This Year
Existing Programs							
Lignetics	RE, MT	completed 2014					
Pennington Seed	RE, MT	completed 2014					
Current Programs							
Realty Income Properties 22 LLC	RE	5	2010, 2011	\$379,200.00	\$1,440.96	20%	\$288.18
ABC Recycling	MT	5	2010	\$167,900.00	\$3,022.20	20%	\$604.44
	PP	5	2010	\$22,110.00	\$795.96	20%	\$159.19
Pennington Seed	MT	5	2010	\$96,151.00	\$1,730.72	20%	\$346.14
Lignetics	MT	3	2012	\$90,600.00	\$1,630.80	60%	\$978.48
Pennington Seed	RE	3	2011 (asd 12)	\$153,700.00	\$584.06	60%	\$350.44
Bryson & Bryson Enterprises LLC	RE	3	2012	\$359,200.00	\$1,364.96	60%	\$818.98
DataCare/Rob Williams	RE	2	2013	\$100,100.00	\$380.38	80%	\$304.30
	PP	2	2013	\$7,525.00	\$270.90	80%	\$216.72
ABC Recycling - Bailer	MT	2	2013	\$407,449.00	\$7,334.08	80%	\$5,867.26
Pennington Seed	MT	2	2013/14	\$44,142.00	\$794.55	80%	\$635.64
ABC Recycling	RE	1	2014	\$163,000.00	\$619.40	100%	\$619.40
	MT	1	2014	\$83,750.00	\$1,507.50	100%	\$1,507.50
Coast to Coast	PP	1	2014	\$73,054.00	\$2,629.94	100%	\$2,629.94
	MT	1	2014	\$339,958.00	\$6,119.24	100%	\$6,119.24
							\$21,445.85

Mrs. Mary Hickman, Executive Director of the Commonwealth Regional Council, spoke before the Board. She stated that she and her team have been visiting each member locality to get feedback on the needs in the region. She discussed several of the projects that had occurred in the County over the past years.

Supervisor Hoover directed Mrs. Hickman to Mr. Buck Tharpe of the Planning Commission. Mr. Tharpe reiterated what he discussed earlier in the meeting regarding the Joint Comprehensive Plan and the zoning ordinance needing updating.

Mrs. Hickman stated that the first step would be for the interested parties to review what was currently in place and determine some of the specifics of the needed updates. She suggested getting citizen involvement also. Mrs. Hickman added that once a plan and determination of resources needed was finalized, a contract would be drawn up between the CRC and the County.

Supervisor Hoover suggested that Mr. Tharpe serve as the County's point of contact for this project. Administrator Gee requested that the two towns be included as well. Supervisor Hoover questioned if there would be any cost involved.

Mrs. Hickman replied yes, but only for the direct costs of the project. All planning and staff time is included in Lunenburg's membership.

Mrs. Hawthorne noted that the new plan would need to be specific with the growth area in the County as the current description is too broad. She also suggested developing a comprehensive plan summary report that could be easily used on a daily basis and have more detailed information in the full plan.

Supervisor Bacon inquired about the current exposure for the County. Mr. Tharpe stated that lawsuits could arise since the current plan is not up to Code.

Mrs. Hawthorne commented that a larger number of people are moving into the County from larger cities and they are more accustomed to a more detailed plan. She believes too much is left for the Planning Commission to determine with the current plan; more specifics are needed.

Mrs. Hickman noted that the zoning and subdivision ordinances are the tools to be used and the comprehensive plan is the vision of the County. She added that the Virginia code stated that the plan should be updated every 5 years.

Supervisor Bacon said that the CRC looked into appraisal services for its member localities in the past. He questioned what became of that research.

Mrs. Hickman stated that the research only progressed to the thought of a regional RFP. She noted that there were several indirect costs such as software expenses that would need to be absorbed. She said that her team would look into appraisal services again.

Supervisor Hoover advised that in 2008 the CRC voted to begin charging for grant services. He has issue with them charging non-profit organizations such as Fire and Rescue Squads for these services. Mrs. Hickman responded that she would take this concern to the council.

Supervisor Zava made motion, seconded by Supervisor Pennington and unanimously approved, to adjourn.

Tracy M. Gee, Clerk
County Administrator

David E. Wingold, Sr., Chairman
Board of Supervisors