

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

Minutes of July 14, 2016 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, July 14, 2016 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, Edward Pennington, Charles R. Slayton, Alvester Edmonds, David Wingold, Robert Zava, County Administrator Tracy M. Gee, Assistant to the Administrator Nicole Clark, and County Attorney Frank Rennie.

Chairman Wingold called the meeting to order.

Mr. James Tharpe, Chairman of the Planning Commission called the Planning Commission meeting to order.

Supervisor Zava requested that County Attorney Rennie give the invocation and led the pledge of allegiance.

Chairman Wingold requested additions to the agenda from the Board and the public. There were no additions.

Supervisor Edmonds made motion, seconded by Supervisor Slayton and unanimously approved, to accept the Consent Agenda to include the Minutes of the June 9, 2016 meeting, the Treasurer's May 2016 reports and the following Warrants for Approval:

June 2016:

Payroll: Direct Deposit	\$ 111,451.13
Payroll Taxes Federal:	\$ 37,456.78
Payroll Taxes State:	\$ 6,206.44
Payroll VRS payment:	\$ 29,881.84
Payroll ICMA-RC payment:	\$ 214.74
Accounts Payable: #52755-52910	\$ <u>395,205.29</u>
Total:	\$ 580,416.22

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to enter public hearing regarding a Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr.

Commissioner Hart made motion, seconded by Commissioner Shell and unanimously approved, to enter public hearing regarding a Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr.

The following are the conditions for the Verizon Wireless to construct the tower.

1. The owner of the tower shall provide, at no cost to the County, space on the tower and ground space for installation of County components used solely for the purpose of public safety and emergency services, 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. The centerline for one County whip antenna will be no less than 274 feet (A.G.L.), and the mounting height for the County's additional antenna and microwave dish will be no less than 260 feet (A.G.L.). The land space for ground equipment will not exceed 60 square feet, plus non-exclusive ground space for the County's ice-bridge. The County's use of the tower shall be in accordance with the Verizon Wireless

Collocation Guidelines. The County shall enter into a non-transferable "no rent" agreement with the tower owner allowing non-commercial use for emergency communication services of the tower location and the related ground space for the County. The County's right to use space on the tower is subject to the emergency services equipment not causing radio frequency interference to any other equipment on the tower. The County shall be responsible for providing its own equipment and installation and service personnel; provided that if the County is prepared to install its initial County Tower Equipment (defined below) at the same time that the tower owner initially installs its equipment, the tower owner shall install the County Tower Equipment at no charge to the County. The County must have the County Tower Equipment on site prior to tower-owner's start of installation of its equipment so as not to delay the tower owner's contractor in any way. The defined term "County Tower Equipment" shall mean the initial County antenna and mount, coax cabling, wave guide and ice bridge as more particularly described on the equipment list attached hereto. In the future, the County may replace the County Tower Equipment in accordance with the terms of the "no-rent" agreement and Verizon Wireless Collocation Guidelines.

2. Verizon Wireless is required to submit the Geotechnical Evaluation report prior to the issuance of the Building Permit.
3. Lighting: Since the Verizon Wireless 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, Verizon Wireless shall minimize the light being seen from the ground to the maximum extent possible by using a design incorporating upward reflection, to the extent compliant with FAA regulations.
4. The 295' self-support tower shall have a finished height of no more than 295' above pre-construction grade.
5. The self-support tower shall be completely constructed, equipment installed, and fully operational for its intended purposes no later than July 1, 2017.
6. Once Verizon Wireless 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.
7. 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.
8. Upon passing the final inspection, a recommendation to issue a Certificate of Completion shall be made.
9. 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.

Mr. Shawn Hicks of Verizon Wireless approached the Board and the Commission requesting an extension of their previously approved Conditional Use Permit. He noted that the County would have rights to the top two spots on the tower to place emergency communications equipment and Verizon would install the equipment at no charge. Mr. Hicks stated that Verizon now has the funding in hand for construction of the tower and is ready to begin construction.

Supervisor Edmonds asked for an expected completion date.

Mr. Hicks replied that a completion date is difficult to determine as construction is dependent on weather.

Supervisor Bacon questioned if completion would be this year or the next.

Mr. Hicks stated that the goal was to have the tower completed within a year and added that they would like to begin moving forward as soon as possible.

Commissioner Tharpe, Supervisor Bacon and Edmonds expressed their concern as Verizon Wireless has applied for a CUP and an extension before the tower was never constructed. They noted the importance of a tower in this specific area as it is a dead zone for the County.

Mr. Hicks stated that Verizon Wireless is ready to move forward. He added that the delays in the past were due to budgetary constraints; that is no longer an issue.

Mr. Drew Patterson of Verizon Wireless commented that he appreciated the Board's concern. He noted that Verizon has the building permit and workers were on the site in recent days for a bid walk. They have regulatory deadlines they must meet and they hope to have the tower completed in less than a year.

Mr. Rodney Newton advised that the initial cost of the equipment would be \$10,231 and the site work would cost \$15,697. He added that this tower would allow for emergency and radio communications in 90% of the county and would improve communications with Community Memorial Hospital, South Hill.

Administrator Gee stated the total cost to the County would be \$26,000 which would have to come from the 911 fund balance.

Commissioner Hart made motion, seconded by Commissioner Shell and unanimously approved, to exit public hearing regarding a Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit public hearing regarding a Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr.

Commissioner Thompson made motion, seconded by Commissioner Jennings and unanimously approved, to recommend to the Board of Supervisors that the Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr be approved with the conditions as presented in the Letter of Recommendation from The Center for Municipal Solutions.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Conditional Use Permit for Verizon Wireless to construct a communications tower at 1315 Mill Pond Road, Dundas, Virginia owned by E.C. Foster Jr.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to approve that the funds for the equipment and the site work come from the 911 fund.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to approve and have the Chairman sign the license and lease agreement for the Verizon Wireless tower.

Commissioner Hart made motion, seconded by Commissioner Shell and unanimously approved, to adjourn.

Mr. Charles Berkley, School Superintendent, presented his monthly report to the Board. He introduced the recently appointed Assistant Superintendent/Director of Finance, Mr. James Abernathy. Mr. Berkley advised that all personnel were in place for the upcoming school year. He commented that the School Board and Finance Committee are working to finalize numbers and he will come back to the Supervisors with more accurate figures at the next meeting.

Supervisor Edmonds asked how many new employees they would have in the upcoming year.

Mr. Berkley replied 8 ½ teachers and 21 other personnel. He noted the turnover rate would continue to increase as more baby boomers retire.

Supervisor Zava commented that the School Board's and Board of Supervisors' Finance Committees had met to discuss the school's FY16 year-end deficit. He requested that Mr. Berkley discuss the deficit with the entire Board of Supervisors.

Mr. Berkley deferred to Mr. Abernathy. Mr. Abernathy explained that the previous Finance Director had retired and they hired a Financial Consultant during the transition. He stated that the biggest reason for the deficit was a 40 student shortfall. They are trying to find funds to put toward the \$317,000 debt service payment due to the County. Mr. Berkley added that one student is equal to about \$10,200.

Supervisor Hoover questioned if they would still be giving personnel the 2% raise since the state was no longer funding it. Mr. Berkley replied no, unless they hear different from the state.

The monthly VDOT report was provided.

Administrator Gee explained that Sheriff Townsend requested the final vacancy savings from the Comp Board be put towards Office Expenses. The amount for May is \$4,778.62 for a total amount of \$33,625.43. The Sheriff is also requesting the acceptance of the Byrne Grant which is an annual Justice Assistance grant. The grant funds of \$1,707, with a local match of \$190, will be used for ammunition.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to move \$4,778.62 from Sheriff wages to office expense for FY16 and to accept Byrne Grant funds of \$1,707, with a \$190 local match for FY17.

Administrator Gee informed the Board that Animal Control Officer Ray Elliott is obtaining the necessary approvals for the use of Chemical Capture and recently completed a drill exercise with the local veterinarian's office. Supervisor Hoover commented that this process uses similar medicines to those used in the medical field.

Administrator Gee shared a quote she obtained from Newcomb Custom Cabinets to install 4 counter units in efforts to increase security for staff at the Clerk's Office. She also researched installing bulletproof glass, however, it was very costly. She requested feedback from the Board. Chairman Wingold questioned if she'd spoken with Benchmark Community Bank as they are remodeling some branches and may have some counters that may be used. Administrator Gee replied that she has been in contact with Benchmark and they will contact her when the counters are available to see if they will suit our needs. Supervisor Edmonds noted that the Treasurer's Office also needs additional security.

Mrs. Karen B. Scales, Chairman of the Board of Trustees for the Lunenburg County Public Library System, requested the appointment of two new trustees due to vacancies. She requested that Nancy Hawthorne of 1547 Hardy Road, Lunenburg and Dorothee Maxie of 968 Switch Back Road, Kenbridge be appointed to the Board.

Supervisor Pennington made a motion, seconded by Supervisor Bacon and unanimously approved, to appoint Nancy Hawthorne and Dorothee Maxie to the Lunenburg County Public Library System Board of Trustees.

Mrs. Scales introduced Ms. Alicia Hilliard, the new LCPLS Director. Mrs. Scales noted that the summer reading programs have been very successful and they plan to hold more programs during the school year.

Administrator Gee noted that she received notice from the Friends of the Victoria Public Library that they are rescinding their decision to dissolve.

Administrator Gee stated that she received two bids in response to the RFP for the courthouse septic system. The lowest bidder was Precision Pipes, Inc. in the amount of \$29,115, the second bid was from Ratcliff Construction at \$31,200. The contractor will be required to work with Southern Soil Consultants, LLC and the Lunenburg Health Department to ensure compliance. Administrator Gee requested approval of the lowest bid using funds from the Capital Improvement fund and carryover from the previous year.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the bid from Precision Pipes, Inc. in the amount of \$29,115 using funds from the Capital Improvement fund and carryover from the previous year.

Administrator Gee shared a letter from a concerned citizen as well as Zoning Administrator, Jamie Tuck, regarding the property located at 186 Rehoboth Road. Numerous complaints have been received regarding this property as it is in violation of county ordinance and poses health concerns due to old tires, old appliances, uninhabitable mobile homes, unlicensed vehicles and other items on the property. If the items are not removed within 30 days, the County will proceed with court action to remove the items. Administrator Gee noted that this could be very costly for the County.

Supervisor Pennington noted that he has been receiving complaints on this property for quite a while. He believes action needs to be taken quickly.

Mr. Tuck stated that the property owner began cleaning up the property the first time he was contacted but then stopped. The property owner has an attorney and communicated with the County over a year ago, stating that he did not feel his collection was a hazard.

County Attorney Rennie advised that when the 30 day period is over, Mr. Tuck should take pictures of the property. At that point, County Attorney Rennie will begin the process with the court.

Administrator Gee requested permission to send a letter of support regarding the 2017-2019 Service Area Competition Grant for Southern Dominion Health System, Inc.

Supervisor Pennington made a motion, seconded by Supervisor Bacon and unanimously approved, to have the Chairman sign a letter of support regarding the 2017-2019 Service Area Competition Grant for Southern Dominion Health System, Inc.



July 18, 2016

Re: Southern Dominion Health System, Inc.—2017-2019 Service Area Competition Grant

Jill Seamans, Interim Chief Executive Officer
Southern Dominion Health System, Inc.
1508 K-Y Road
P.O. Box 70
Victoria, VA 23974

Dear Mrs. Seamans,

Lunenburg County is in full support of Southern Dominion Health System's grant application for the 2017-2019 Service Area Competition Grant. Southern Dominion plays a critical role in serving the primary health care needs of a large medically underserved region in the Central Piedmont region of Virginia. In addition, Southern Dominion with its medical, dental and behavioral health clinics brings access to specialized care through a well-developed and active referral system. Without these medical centers in our area, our citizens would be denied access to these vital services.

We are pleased to provide this letter of support for the 2017-2019 Service Area Competition Grant Application and look forward to the continuation of the quality medical services provided in our part of the state of Virginia. Any questions may be directed to my attention.

Sincerely,


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

Administrator Gee stated that she needed permission from the Board to move forward with an application for grant funding to update the Joint Comprehensive Plan. She added that no funds would be assigned at this point. However, the agreement with the Commonwealth Regional Council will need to be approved to move forward. Once grant funding is determined, she will discuss with the Board again.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to apply for grant funding to update the Joint Comprehensive Plan and approve the agreement between the CRC, the County and the two Towns.

The Community Development and Landfill Liaison report was provided. Administrator Gee stated that interviews for the Part-time Landfill Liaison position were held the previous day.

Administrator Gee advised that a meeting was scheduled for the six counties of the Piedmont Regional Jail for July 18th at 7:00 p.m. at the Camp Pickett Officer's Club to discuss the proposed Regional Jail Authority. The meeting is designed to be a worksession for Board member to ask questions and make suggestions. She asked the Board member if anyone could attend to support Lunenburg's assets. Chairman Wingold and Supervisor Hoover will attend. Administrator Gee then shared a letter from The Board of Corrections noting that the jail was approved for unconditional certification based upon an excellent performance level of 100% compliance.

Administrator Gee provided her monthly report. She commented that the Fairy "tails" and Fur program at the Animal Shelter is still going well and they added an additional hour for adults with disabilities. Administrator Gee advised that CAS Severn, the IBM server maintenance provider, has stated that the server is in need of a system update at a cost of about \$3,600. She will be discussing the update with Bright, the accounting software provider, before moving forward. Administrator Gee has received only one bid for the painting at the courthouse RFP. The bid is \$46,800 for phase 1 which includes both Courthouse facilities and the generator building. She would like to seek other options because of the cost, however, some painting must occur before the reenactment event in August.

Supervisor Zava stated that the school has a permanent painter. He suggested that the county consider hiring a part-time painter to paint year-round.

Supervisor Edmonds said he doesn't believe that one person would be able to handle the needs of the County, as large equipment would be needed. He added that the buildings are deteriorating and are in desperate need of maintenance. He doesn't want to see the tax payers building going to waste. Supervisor Edmonds noted that he is a firm believer in preventative maintenance.

Supervisor Bacon and Hoover, of the Finance Committee, agreed but advised the funding must be available first.

Supervisor Zava stated that there was a painting company in Nottoway County that may be interested in placing a bid. Administrator Gee commented that she reached out to them; however, they did not return a bid.

Inspector Tuck did some research this week and stated that the average cost of painting is \$3.00 per square foot which includes prepping the building and renting the necessary equipment. While researching option, Administrator Gee will have the inmates power wash the buildings to remove mildew and cobwebs to improve building appearance.

Supervisor Slayton made a motion, seconded by Supervisor Edmonds and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel 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 Wingold
Supervisor Zava

VOTING NO

ABSENT

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

Supervisor Zava recalled the citizens at the last Board meeting concerned about the construction of a convenience center on Red Level Lane. He spoke with VDOT and they indicated that Red Level Lane would not continue to be included on the Secondary Six Year Plan if there are no plans for a convenience center. He suggested the Board set sights on other potential sites in that area. Supervisor Edmonds agreed and reminded that Board that the citizens agreed to assist in finding a location in their area for the convenience center, but none have contacted the County yet.

Supervisor Slayton 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