

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

Minutes of January 11, 2018 Meeting

The annual reorganizational meeting of the Lunenburg County Board of Supervisors was held on Thursday, January 11, 2018 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 W. Bacon, Mike Hankins, Robert Zava, Edward Pennington, County Administrator Tracy M. Gee, Deputy County Administrator Nicole Clark, and County Attorney Frank Rennie.

Deputy Circuit Court Clerk Sonya Ragsdale administered the oath of office to re-elected Supervisors Frank W. Bacon and Robert Zava prior to the start of the reorganizational meeting. Clerk Ragsdale then administered the oath of office to T. Wayne Hoover at 6:30pm when he arrived at the meeting.

County Administrator Gee called the meeting to order.

Administrator Gee asked for nominations for the position of Chairman.

Supervisor Bacon nominated Charles R. Slayton; Supervisor Pennington seconded the motion. Supervisor Bacon moved that nominations be closed with Supervisor Edmonds making the second, and all present in favor. On a roll call vote, Supervisor Slayton was unanimously re-elected to the position of Chairman. Administrator Gee presented Chairman Slayton with the gavel.

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

Supervisor Zava nominated Frank W. Bacon for Vice-Chairman; Supervisor Pennington seconded the motion. Supervisor Hoover moved that nominations be closed with Supervisor Edmonds making the second, and all present in favor. On a roll call vote, Supervisor Bacon was unanimously re-elected to the position of Vice-Chairman.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to adopt the 2018 Invocation and Meeting Schedule and 2018 Holiday Calendar.

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

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

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

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the minutes of the December 14, 2017 meeting, the Treasurer's November 2017 reports and the following Warrants for Approval:

December 2017:	Payroll:	Direct Deposit	\$ 110,638.35
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Payroll Taxes Federal:	\$ 38,679.32
Payroll Taxes State:	\$ 6,377.24
Payroll VRS payment:	\$ 26,770.16
Payroll ICMA-RC payment:	\$ 350.86
Accounts Payable: #55379-55467	<u>\$ 209,677.79</u>
 Total:	 \$ 392,493.72

Supervisor Zava made motion, seconded by Supervisor Edmonds and unanimously approved, to enter into public hearing regarding the abandonment of Route 770 (Landfill Road), a Conditional Use Permit for Mr. Timothy Dow and a Conditional Use Permit for Mr. Ralph Forehand, Jr.

Administrator Gee advised that it was the intention of the Board and VDOT to abandon a section of Route 770 (Landfill Rd.). The total length of the abandonment will be 0.19 mile in length. The proposed abandonment will begin at Route 659 (Old Mansion Rd) to 0.19 miles South of Route 659. This matter is being considered due to this segment of road consisting of 0.19 miles, currently serving no public necessity and is no longer necessary as a part of the secondary system of state highways. There was no public comment.

Mr. Timothy P. Dow (lessee) applied for a Conditional Use Permit Application to operate an Adult Living Facility on property owned by Ulysses A. Jones (lessor) at 143 Unity Rd., Kenbridge, VA 23944. This property is 29.86 acres and identified as tax map # 058-0A-0-51. This property was previously operated as an Adult Living Facility, transitioned to a Youth Facility by the lessee, and is now requested to become an Adult Living Facility by the lessee, Mr. Dow. Administrator Gee advised that the Planning Commission voted to recommend approval of the CUP to the Board of Supervisors. Mr. Clyde Morgan was present to represent Mr. Dow. Mr. Morgan will be the onsite manager of the facility.

Supervisor Zava asked Mr. Morgan how many adults would be housed in the facility and how they would ensure the adults stayed in the facility. Mr. Morgan replied that the facility will house ten adults. He stated that the building has security features at each door to enter or exit the facility. He added that they are working with Veteran's Affairs (VA) to obtain residents.

Mr. Ralph Forehand, Jr. applied for a Conditional Use Permit Application to operate a primarily online and mail-order business of manufacturing and sales of firearms, and gunsmithing at his residence at 4302 Reedy Creek Rd., Lunenburg, VA 23952. This property is approximately 55 acres and identified as tax map # 044-02-0-5. Administrator Gee advised that she received one phone call from an adjacent property owner from out of state, with concerns, however, the property owner was satisfied with the information provided after the Planning Commission meeting per staff member, Gail Gregoric.

Mr. Patrick Williams of 3208 Sheltons Road spoke in favor of Mr. Forehand's CUP. He stated that a good gunsmith in the area is a valuable service. He raises poultry on his property and firearms are used very much as a tool on his property. He added as with any tool, it should be operated safely and correctly. A local gunsmith can help to ensure guns are safe and operating properly. Mr. Tom Essex of 2079 Marshalltown Road also spoke in favor of Mr. Forehand's CUP, reiterating Mr. Williams support.

Supervisor Hankins questions if test firing would be performed on the property. Mr. Forehand replied yes, but it would be contained in a 15 ft by 15 ft barrel. Supervisor Edmonds asked where the firearms would be sold. Mr. Forehand replied that most sales would be online, with only a few being local. He noted that once he is cleared by the ATF, all clients purchasing firearms must go through the same background check process as any other firearm seller. Supervisor Pennington questioned how

many guns would he have on hand at any given time. Mr. Forehand replied two and all firearms would be stored in a building away from the house with 24 hour surveillance.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit public hearing regarding the abandonment of Route 770 (Landfill Road), a Conditional Use Permit for Mr. Timothy Dow and a Conditional Use Permit for Mr. Ralph Forehand, Jr.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to adopt the following resolution for the abandonment of Route 770 (Landfill Road):

"WHEREAS, a public notice was posted as prescribed under §33.2-909, Code of Virginia, announcing a public hearing to receive comments concerning abandoning the section of road described below and in the VDOT Form AM-4.3 from the secondary system of state highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road, and

WHEREAS, after considering all evidence available, this Board is satisfied that no public necessity exists for the continuance of the section of Secondary Route 770, Landfill Rd., from Rte. 659, Old Mansion Rd., to Dead End of Rte. 770, Landfill Rd., a distance of 0.19 miles, and hereby deems that section of road is no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described section of road and removes it from the secondary system of state highways, pursuant to §33.2-909, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

*Moved By: Supervisor Bacon
Seconded By: Supervisor Edmonds
Yeas: Six
Nays: None"*

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve a Conditional Use Permit for Mr. Timothy Dow to operate an Adult Living Facility on property owned by Ulysses A. Jones (lessor) at 143 Unity Rd., Kenbridge, VA 23944 and a Conditional Use Permit for Mr. Ralph Forehand, Jr. to operate a primarily online and mail-order business of manufacturing and sales of firearms, and gunsmithing at his residence at 4302 Reedy Creek Rd., Lunenburg, VA 23952.

Supervisor Hoover arrived at 6:20 p.m.

The monthly school reports were provided. No school staff was present. Administrator Gee advised that last month Mr. James Abernathy requested the Board consider use of County capital expense funds for some unforeseeable bus repairs, which is not a typical use of capital expense fund. Administrator Gee advised that she recently received the invoices the school was hoping to pay with the capital expense funds. The total of the invoices was around \$57,000, not the \$25,000 that was requested the previous month. She recommended that the invoices not be paid from the capital expense funds at this time, so those funds may be used for their intended purpose of capital purchases when necessary. Administrator Gee noted that on the schools finance report, only 32% of the

transportation budget is spent by mid-year. She suggested the schools utilize the transportation fund to satisfy the invoices. If the school is short on funding for a new bus or other capital needs at the end of the year, perhaps the capital expense funds may be used to fund those items. The Board agreed.

Landfill reports were provided. County Attorney Rennie stated that as of January 15th the annual tipping fees from Container First Services should be assessed and an invoice should be sent to CFS for the balance of the annual amount due of \$150,000 by March 31.

Supervisor Hoover advised that he will have a nomination for the Industrial Development Authority at the next meeting.

Mrs. Melody Foster, Executive Director of the Commonwealth Regional Council, presented a proposal for increase in annual membership dues. The proposal increases membership dues from \$15,700 to \$19,000 annually. With the increase in dues, the CRC will provide grant writing services to each of the member counties at no charge, including every government entity within the member county and non-profits (501C3). Any grants written by the CRC will also be administered by the CRC (at their regular fee for administration). The CRC proposal also states that at the end of each fiscal year, if the CRC audited Cash Fund Balance is in excess of \$500,000 the dollar amount over this amount will be divided and returned to the member counties. Mrs. Foster noted that in order for the proposal to go into effect, all member counties' Board of Supervisors must approve of the changes. She added that 3 of the 5 member Boards have approved the change. Supervisor Hoover stated that he has been in favor of non-profits with the in county receiving free grant writing services for a very long time and has voiced his opinion several time. He noted that he is in full support of the proposal and thanked Supervisor Hankins for his help in suggesting this change to the CRC.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to accept the proposal to include an increase in CRC membership dues from \$15,700 to \$19,000 annually and accept the CRC providing grant writing services to each of the member counties at no charge, including every government entity within the member county and non-profits (501C3), as approved by the CRC staff.

Supervisor Hankins stated that the CRC will be requesting three appointments to the Comprehensive Economic Development Strategy (CEDS) committee. He added that one position should be an elected official, one from the private sector and one from the Administration Office. He volunteered to be the elected official and suggested James Abernathy from the school system and Kenbridge Town Manager Robyn Fowler as a Chamber of Commerce representative.

Supervisor Hankins made motion, seconded by Supervisor Bacon and unanimously approved, to appoint Supervisor Hankins as the Board representative, Mrs. Tracy Gee as the Administrative representative, Mr. James Abernathy as the education representative, and Mrs. Robyn Fowler as a Chamber of Commerce representative to the Comprehensive Economic Development Strategy (CEDS) committee.

Administrator Gee provided her monthly report. She advised that the Finance Committee and the School's Finance Committee will meet before the February Board meeting. She noted that the Community Meeting for the Lunenburg/Kenbridge/Victoria Comprehensive Plan Update would be held on Tuesday, January 30, 2018 at 6:30 PM, at Central High School of Lunenburg (Room 104). Administrator Gee shared a quote in the amount of \$4,977.91 from DataCare to include the Cooperative Extension Office in the new telephone system. She noted that the County has realized great savings in the phone service costs of the office that have migrated to the new system. Supervisor Hoover

questioned if the additional cost would still keep the project within the budgeted amount. Administrator Gee replied that she has the funds available in the budget.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to approve quote in the amount of \$4,977.91 from DataCare to include the Cooperative Extension Office in the new telephone system.

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

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors