

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

**Minutes of December 13, 2018 Meeting**

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, December 13, 2018 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors Edward Pennington, Frank Bacon, Charles R. Slayton, Mike Hankins, Alvester Edmonds, Robert Zava, County Administrator Tracy M. Gee, Deputy County Administrator Nicole Clark, and County Attorney Frank Rennie.

Chairman Slayton called the meeting to order.

Chairman Slayton asked County Attorney Rennie to give the invocation and led the pledge of allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. Supervisor Pennington was added as 6A regarding speed limits on Oral Oaks Road (Route 635) and as 6B regarding VDOT snow clearing. Administrator Gee requested that the CRIEHT grant be added as 12A.

Supervisor Pennington made motion, seconded by Supervisor Hankins and unanimously approved, to accept the Consent Agenda to include the Minutes of the November 8, 2018 meeting, the Treasurer's October 2018 reports and the following Warrants for Approval:

November 2018:

Payroll Direct Deposit:	\$ 132,194.45
Payroll Taxes Federal:	\$ 41,113.29
Payroll Taxes State:	\$ 7,405.31
Payroll VRS payment:	\$ 26,275.46
Payroll ICMA-RC payment:	\$ 332.18
Payroll Health Savings Deposits:	\$ 6,482.59
<i>Debt Service wire payments</i>	\$ 240,821.25
Accounts Payable: #56792-56961	\$ 164,351.80
Total:	\$ 618,976.33

Supervisor Pennington stated that he has received multiple reports of large logging trucks speeding down Oral Oaks Road. He commented that it was a very narrow road and suggested reducing the speed limit to 35 MPH. Supervisor Zava noted that a good portion of the roads in the county were very narrow and the speed limit is 55 MPH. He added that VDOT did widen a portion of Oral Oaks Road and lowered the speed limit to 45 MPH near the landfill. Supervisor Hankins suggested that having Sheriff's Deputies patrol the area for a while may help. Major DJ Penland was present and agreed to have deputies monitor the area. Supervisor Pennington commented that he had also received complaints in regards to snow removal. He said that VDOT forces had plowed the roads of snow and residents cleared their driveways. Then VDOT forces plowed the roads a second time and residents had to clear their driveways again. Supervisor Edmonds stated that his understanding is that the 2<sup>nd</sup> pass is to get the snow further out of the roadway. This helps to prevent some of the water, from melting snow, stay out of the roadway as well as widens the road to help prevent accidents.

School Superintendent Charles Berkley provided his monthly report. He advised that school will reopen for students the following day after being closed for the recent snow storm. He noted that students have missed a total of 10 days thus far in the school year due to hurricanes, power outages, and the snow storm. He stated that due to additional instructional time built into the school day they will not be required to make up any days at this point. Mr. Berkley advised that enrollment is holding steady and is actually growing each week due to transfers from other school divisions. He noted that the School Board's reorganizational meeting and public hearing for the 2019-2020 budget will

be held on January 14<sup>th</sup>. They plan to have a proposed budget to the Board of Supervisors by March 29, 2019. Assistant Superintendent and Finance Director James Abernathy presented the financial report. He explained that the sales tax revenue ballooned in November due to funds that were expected in August finally arriving. He added that revenue from Federal funds was slightly down, however, he expects those funds will arrive in January. Mr. Abernathy noted that total revenues and expenditures are up 0.5% from the previous year.

Administrator Gee directed the Board to the monthly Landfill Reports. She stated that some issues occurred over the past month to include roofing nails in the road near the landfill and trash falling out of a CFS dump truck into the road. She advised that both issues were resolved quickly once county and CFS staff were made aware of the issues. She also noted that CFS shut down the landfill several days for inclement weather.

Commissioner of the Revenue Liz Hamlett approached the Board to explain that in November, Arrowhead Gun Club, Inc. informed her office that they are a 501 (C) (3) organization and therefore exempt from taxation. Commissioner Hamlett advised that the Code of Virginia only permits correction of erroneously assessed taxes for the current and previous three years as well as interest. She requested a refund for the principle amount of \$6,614.09 and interest of \$1,396.75 for a total of \$8,010.84 be issued to Arrowhead Gun Club, Inc.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to issue a refund for the principle amount of \$6,614.09 and interest of \$1,396.75 for a total of \$8,010.84 be issued to Arrowhead Gun Club, Inc due to their tax exempt status.

Supervisor Hoover questioned if Mr. Charles Johnson's issue from last month had been resolved. Commissioner Hamlett replied that she had been in contact with Mr. Johnson several times. She has requested a refund for the current year plus the previous three years. She added that a court order must be issued for any additional refunds.

Administrator Gee stated that the Sheriff's Office has received a check from Karobway Discount Furniture in the amount of \$25.00. The donation is from a promotion the store held in which the store gives a donation per the customer's request. One customer selected Lunenburg Sheriff's Office for their donation. The Sheriff's Office is requesting that the Board accept the funds and place it in their uniforms line item.

Supervisor Bacon made a motion, seconded by Supervisor Hankins and unanimously approved, to accept the funds from Karobway Discount Furniture and place the funds in the Sherriff's Office uniforms line item.

Ms. Stephanie McGuffin with the VITA 9-1-1 Services Board presented a migration and deployment proposal for next generation 9-1-1 services. She advised that the current 9-1-1 system is based on an analog network that is over 40 years old. She added that upgrades are needed to reach more coverage area and to accept more 9-1-1 notifications via text message. Ms. McGuffin explained that the new system would work on a digital network dedicated to 9-1-1 services. She noted that the migration process has already begun in Northern Virginia; they have contracted with AT&T ESInet solution. The VITA 9-1-1 Services Board is recommending the same network to other localities, as currently there are nine different networks within the state. Ms. McGuffin noted that the ability of a 9-1-1 center to accept text messages will be state mandated very soon. She also expects that the ability to send videos and pictures will be required down the road. She stated that the state is paying portions of the migration and deployment costs for each locality. They hope to deploy in this region between January 2020 and July 2020. Ms. McGuffin commented that once a locality makes a decision on a service provider it takes about one year to reach deployment of the new system. The 9-1-1 Services Board has committed to funding the NG9-1-1 transitional cost for each locality. The monthly recurring cost for the AT&T solution is \$3,990.61. The monthly recurring cost for the current system is \$2,164.83. Therefore, the monthly increase for the locality after deployment is \$1,825.78. Supervisor Hoover questioned how many other localities were waiting to see if any additional providers will bid on the project. Ms. McGuffin replied several, as any new bids could include updated technology since AT&T's contract is about one year old at this point. Supervisor Hoover asked if VITA and the 9-1-1 Services Board would still provide funding assistance to localities if they chose a provider other than AT&T. Ms. McGuffin stated that funding assistance will still be available with other providers. Supervisor Hoover suggested that the Board consider waiting a few months before making a decision to see if a better option comes in from a different provider. He added that since funding assistance will still be available, he doesn't think the Board should rush into a

final decision at this point. He has heard that the city of Virginia Beach is working on a RFP for next generation 9-1-1 services and believes the Board should await those results.

Mr. Taylor Stover of Robinson, Farmer, Cox provided the report of the FY2018 Annual Audit. Mr. Stover advised that the audit packet is a little thicker this year due to additional requirements by the state. He advised that the school's deficit is a larger figure due to their high pension. Mr. Stover advised that the unassigned General Fund Balance was about 28% of the total revenue. He added that Lunenburg aligns with other counties in the acceptable range for financial standing. Mr. Stover noted that a Management Letter was issued this year due to a penalty assessed on late payment for a Social Services 941 tax payment during the medical leave of an administrative employee.

Supervisor Hankins made a motion, seconded by Supervisor Bacon and unanimously approved, to approve the FY2018 Annual Audit conducted by Robinson, Farmer, Cox.

Mr. Buck Tharpe presented the annual report from the Southside Soil and Water Conservation District. He noted that the organizations goal was to educate the public by providing resources to improve the environment and promote agriculture and commerce. He discussed many of the programs held over the past year within the school system as well as a camp held over the summer. He thanked the Board for their support over the years and requested their continued support in the upcoming fiscal year.

Supervisor Edmonds, Chairman of the Piedmont Court Services Board reviewed their annual report. He stated that Piedmont Court Services aids Circuit, General District and Juvenile and domestic Relations Courts in the communities of Amelia, Appomattox, Buckingham, Charlotte, Cumberland, Lunenburg, Nottoway, Powhatan and Prince Edward. He explained that through this program \$8,291.36 in restitution had been collected and 15,940 hours of community service were performed by offenders in FY2017-2018. Supervisor Edmonds advised that through this agency, seventy-three percent of all offenders exiting the program in FY2017-2018 successfully completed all of the court-ordered and program obligations. He added that this is a very beneficial agency to the member communities and thanked the Board for their continued support.

County Planner Glenn Millican provided his monthly report. He requested the Board consider a public hearing in February to consider adding "Group Homes" as a conditional use in A-1 Agricultural District. He added that the Planning Commission intends to hold a public hearing at its January meeting. Mr. Millican noted that he, County Attorney Rennie and Planning Commission Chairman Buck Tharpe have been working on language to include solar facilities in the ordinance as well. Mr. Millican stated that he is in the process of working on a long term community development plan for the county. He plans to present it along with associated costs in the upcoming months. He advised that associates of the Discovery Channel will be in the county over the weekend for a program they are working on titled "Whiskey Business". He is hopeful this will provide some positive promotion for Lunenburg.

Supervisor Hankins made a motion, seconded by Supervisor Pennington and unanimously approved, to support a public hearing in February to consider adding "Group Homes" as a conditional use in A-1 Agricultural District.

Administrator Gee provided her monthly report. She commented that she, Supervisor Edmonds, Supervisor Pennington, and Chairman Slayton recently participated as panelists in interviews with high school students. She stated that it was a very rewarding experience to work with the students. Administrator Gee stated that the County had received its non-provisional license for the Airport. Also, the Virginia Aviation board approved the funding plan for the Rural Runway Rehabilitation funding. She advised that the next step will be to apply for funds and request engineering services to start the construction planning for the project. Administrator Gee stated that the Piedmont Regional Jail Authority is still negotiating the medical contract cost with a new provider and there will be significant increases in the annual contribution due to the changes. Administrator Gee noted that the Civil Rights in Education Heritage Trail (CRIEHT) signage is in disrepair after 20+ years of exposure to the elements and is in need of updating. Virginia's Crossroads (formerly Virginia's Retreat) is requesting a resolution of support from member localities to fund a local share of preliminary engineering, right-of-way, and construction. She advised that they intend to use VDOT forces which will help reduce the costs. Administrator Gee requested that the Board authorize her to execute any agreements and commit to local funding, which is paid by Lunenburg upfront and reimbursed by VA's Crossroads, for the project.

Supervisor Bacon made a motion, seconded by Supervisor Hankins and unanimously approved, to authorize Administrator Gee to execute any agreements and commit to the "local" funding, which is reimbursed by VA's Crossroads, to update the Civil Rights in Education Heritage Trail (CRIEHT) signage.

County Attorney Rennie reminded the Board of discussion at the previous meeting to update host fees from CFS to correlate with increases they've made to their tipping fees since the purchase of the landfill. He read a letter he drafted advising that fees due to the county should be raised to \$1.14 per ton and requested permission to forward the letter to CFS.

Supervisor Bacon made a motion, seconded by Supervisor Hoover and unanimously approved, to forward the letter to CFS advising that fees due to the county should be raised to \$1.14 per ton.

County Attorney Rennie advised that there has been increased interest in solar facilities in Lunenburg County. Discussions continue on solid conditions that should be included in Conditional Use Permits for such facilities. He noted that CFS is now owned by Meridian Waste. He and Administrator Gee will be meeting with representatives of Meridian soon to discuss the county's agreement and conditional use permit with the new owners.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A1 Personnel to discuss a performance evaluation and rates of pay, §2.2-3711A11 Contract Discussions and §2.2-3711A7 Legal Consult regarding the specific advice of Counsel.

#### 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 Edmonds  
Supervisor Hankins  
Supervisor Bacon  
Supervisor Hoover  
Supervisor Pennington  
Supervisor Slayton  
Supervisor Zava

#### VOTING NO

#### ABSENT

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

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

---

Tracy M. Gee, Clerk  
County Administrator

---

Charles R. Slayton, Chairman  
Board of Supervisors