

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

Minutes of June 14, 2018 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, June 14, 2018 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Charles R. Slayton, Mike Hankins, Alvester Edmonds, Robert Zava, Deputy County Administrator Nicole Clark, Executive Assistant Gail Gregoric and County Attorney Frank Rennie. Supervisor Edward Pennington, Supervisor Frank Bacon and County Administrator Tracy M. Gee were absent.

Chairman Slayton called the meeting to order.

Chairman Slayton gave the invocation and led the pledge of allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. Chairman Slayton added Ms. Nancy King as 6C and VDOT as 6D. Deputy Administrator Clark requested that a transfer of funds for the Sheriff's Office be added as 8B, a transfer of funds for the Commissioner of the Revenue's Office be added as 8C, the Abstract of Votes be added as 8D, and a request for a Fireworks Permit be added as 8E.

Supervisor Edmonds made motion, seconded by Supervisor Hankins and unanimously approved, to accept the Consent Agenda to include the Minutes of the May 3rd, 2018 and May 10th, 2018 meetings, the Treasurer's April 2018 reports and the following Warrants for Approval:

May 2018:	Payroll: Direct Deposit	\$ 123,597.05
	Payroll Taxes Federal:	\$ 38,325.26
	Payroll Taxes State:	\$ 6,873.20
	Payroll VRS payment:	\$ 27,624.34
	Payroll ICMA-RC payment:	\$ 385.68
	<i>Debt Service wire payments:</i>	<i>\$ 155,821.25</i>
	Accounts Payable: #55954-56084	<u>\$ 299,414.51</u>
	Total:	\$ 652,041.29

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to enter into Public Hearing for Conditional Use Permit Applications for George Whittaker to operate a Personal Services Facility and Cynthia Cappabianca DBA Let R Buck, LLC to operate a bull breeding and training facility.

Mr. Glenn Millican, County Planner, discussed the proposed CUP's. Mr. George Whittaker (lessee) requested a permit to operate a Personal Services Facility on property owned by Precision Pipes, Inc. (lessor) at 11944 Courthouse Road, Victoria, VA 23974. This property is 5+/- acres and identified as tax map # 032-0A-0-72C. This property was previously operated as a church, and is now requested to become a personal services facility for rental with less than 100 guests per event. Mr. Whittaker explained that each event serving alcoholic beverages will be required to obtain an ABC license. Mr. Millican suggested some conditions be attached to the permit. They must operate in accordance with local ordinances, operational hours will conclude at 1:00 a.m. and trash and solid waste should be promptly contained and removed from the property. There was no public comment regarding Mr. Whittaker's CUP application.

Ms. Cynthia Cappabianca DBA Let R Buck, LLC applied for a conditional use permit to operate a bull breeding and training facility for cattle used for rodeo-style bucking-bull riding classes held by appointment-only at her residence

at 521 Mountain Road, Victoria, VA 23974. This property is approximately 45 acres and identified as tax map # 067-04-0-2B. Mr. Millican suggested the following conditions be attached to the permit:

- File a certificate of liability insurance of at least \$500,000 with the county within 30 days
- Construct and maintain high tensile strength fences to contain resident livestock
- Conduct riding training only, no public or group events
- File documents provided by a licensed veterinarian stating the health condition of livestock used for training and medical attention at no less than yearly intervals which shall become part of the public file
- Review and reauthorization of the CUP every three years during which the school is in operation

Mr. Mike Champion of 1244 Red Level Lane, stated that he had visited the property and was very impressed with the operations. He added that he is a member of the Chamber of Commerce and fully supports new business in the county. Mr. Anthony Wengraitis of 329 Mountain Road, noted that he is an adjacent landowner and has never had a problem with the neighboring facility. He added that they are very professional and the animals are well cared for. Mr. Eric Garris of 4400 Traffic Road, Ms. Kathleen Gayeski of 418 Mountain Road and Ms. Alicia Hilliard of 249 Gilbert Lane all spoke in favor of the facility as well. Mr. JW Gowan, CEO of Let R Buck, LLC spoke before the Board stating that they have enjoyed Lunenburg County and look forward to growing the business upon approval of the permit. Mr. Cynthia Cappabianca, owner and operator thanked the speakers for the overwhelming support. She commented that she also hoped to grow the business and appreciates the sense of community they have felt in Lunenburg. Mr. Lamont Brand questioned the care of the animals. Mr. Gowan replied that the care of their animals is the highest priority.

Mr. Millican reported that the Planning Commission recommended both applications for approval. Planning Commission Chairman Buck Tharpe added that the requested permits would be attached to the individual operating the business and not the property itself.

Supervisor Zava made a motion, seconded by Supervisor Edmonds and unanimously approved, to exit Public Hearing for Conditional Use Permit Applications for George Whittaker to operate a Personal Services Facility and Cynthia Cappabianca DBA Let R Buck, LLC to operate a bull breeding and training facility.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Conditional Use Permit for George Whittaker to operate a Personal Services Facility with the following conditions, each event will be limited to no more than 100 people, operate in accordance with local ordinances, operational hours will conclude at 1:00 a.m. and trash and solid waste will be promptly contained and removed from the property.

Supervisor Zava made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Conditional Use Permit for Cynthia Cappabianca DBA Let R Buck, LLC to operate a bull breeding and training facility with the conditions outlined above.

Ms. Nancy King of 2420 KV Road discussed with the Board the events leading up to the county obtaining an easement on her property related to the Lunenburg County Airport. Her current concern is the debris and logs remaining on her property after the county cut tree tops along the easement. Deputy Administrator Clark will follow up with Edmonds Tree Service who was contracted to cut the trees and remove the debris.

The monthly school board report was provided.

Mr. Tommy Johnson, VDOT Assistant Residency Administrator, presented the monthly VDOT report. He advised that due to the recent heavy rains, VDOT had been cleaning up downed trees, repairing washed places on various routes, and cleaning leaves from various entrances and cross pipes. VDOT has also added the slogan "Don't Drown, Turn Around" to their code red alert system due to the recent flooding. Mr. Brian Currin, Maintenance Operations Manager, spoke regarding proposed locations, costs, and display of signs directing vehicles to the landfill. His recommendation includes 12 signs at a total cost of \$576. Supervisor Hoover volunteered to discuss the purchase of the signs with Container First Services. Mr. Johnson agreed that VDOT forces would install the signs if purchased by CFS.

Deputy Administrator Clark directed the Board to the proposed Vehicle Use Policy that was previously reviewed. She asked for approval of the policy if there were no questions or concerns from the Board.

Supervisor Hoover made a motion, seconded by Supervisor Hankins and unanimously approved, to adopt the presented Vehicle Use Policy.

Deputy Administrator Clark shared a letter from Sheriff Arthur Townsend. Sheriff Townsend requested the Board accept a transfer of funds from the Compensation Board in the amount of \$16,432.36. He advised that the funds would be used to purchase recordable DVD's, latex gloves, tasers, flashlights, evidence bags, a drone, docking station and camera for the parking lot. The remaining amount would be used to offset the salary of the administrative assistant position.

Supervisor Zava made a motion, seconded by Supervisor Hankins and unanimously approved, to accept a transfer of funds from the Compensation Board in the amount of \$16,432.36 into the Sheriff's Department budget.

Deputy Administrator Clark advised the Commissioner of the Revenue Liz Hamlett requested a reallocation of funds in her FY18 budget. Commissioner Hamlett requested \$2,500 be transferred from Part-time Wages to Office Supplies and \$700 transferred from Telephone to Office Supplies. She plans to use the funds for office upgrades and basic office supplies.

Supervisor Edmonds made a motion, seconded by Supervisor Hankins and unanimously approved, to transfer \$2,500 from Part-time Wages to Office Supplies and \$700 from Telephone to Office Supplies within the Commissioner of Revenues budget.

Supervisor Edmonds made a motion, seconded by Supervisor Hankins and unanimously approved, to accept into the minutes the Abstract of Votes from the 2018 June Republican Primary Election held on June 12, 2018 for United States Senate.

ABSTRACT of VOTES
Cast in LUNENBURG COUNTY, VIRGINIA
at the 2018 June Republican Primary Election held on June 12, 2018 for
United States Senate

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Nick A. Freitas - Republican	275
Conny A. Stewart - Republican	117
E. W. Jackson - Republican	37
Total Write-In votes (From Write-In Certifications) (Grand Totals = Grand Write-In + Total Write-In Votes)	0
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 12, 2018, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the United States Senate.

Nick A. Freitas - Republican

Given under our hands this 13th day of June, 2018

Nancy Polyzou, Chairman
Cheryl A. Wright III, Vice Chairman
Cheryl A. Wright III, Secretary
Cheryl A. Wright III, Secretary, Electoral Board

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve a Fireworks Display Permit for Meherrin Volunteer Fire & Rescue, Inc. to display fireworks during the annual Independence Day celebration scheduled for July 7, 2018.

The monthly Landfill Liaison report was provided. Deputy Administrator Clark shared a copy of the 2018 Animal Shelter Inspection held on May 30, 2018. There were no significant findings in the inspection. The Board complimented Animal Control Officer, Ray Elliott and Deputy Officer, Noyse King for their hard work at the shelter.

Deputy Administrator Clark noted a few adjustments to be made to the FY2019 county budget. The first adjustment includes a decrease in the school fund for a reduction estimate of Federal revenue/grants and expenditures

of -\$66,512. The second adjustment is an increase of \$85,000 to debt service fund balance transfer and debt service expenditures for the school's principal payment. The last adjustment is an increase in state funds of \$87,311 for the school fund. The three adjustments make a net total budget increase of \$105,799. Deputy Administrator Clark requested the Board's approval of the adjustments and the appropriation of funds for the FY2019 county budget.

Supervisor Hoover made a motion, seconded by Supervisor Hankins and unanimously approved, to approve the three revisions above with a net total budget increase of \$105,799 and appropriate the funds for the FY2019 Fiscal Year Budget for Lunenburg County.

Supervisor Edmonds made a motion, seconded by Supervisor Hankins and unanimously approved, to approve the following nominations and appointments:

- Mrs. Phyllis A. Palmore to the Lunenburg Public Library System Board of Trustees-District #2
- Ms. Claudia Daniel to replace Mrs. Wanda Rich-Morrison on the Planning Commission-District #2
- Mr. Glenn Millican, Jr. to serve as the Clerk to the Planning Commission
- Chairman C. Randy Slayton reappointment to the Heartland Regional Industrial Facility Authority Board
- Mr. Glenn Millican, Jr. as the alternate representative for the Commonwealth Regional Council
- Mr. Kevin Hodges reappointment to the Board of Zoning Appeals-District #5-term 07/01/18-06/30/23
- Mr. Anthony Ehman reappointment to the Board of Zoning Appeals-District #7-term 07/01/18-06/30/23

Supervisor Zava made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve payment to the Lunenburg County Industrial Development Authority in the amount of \$32,348.95 for 2017 tax year Enterprise Zone Incentives.

Summary of Activity	
Enterprise Zone Incentives Payable	
Tax year 2017	
Company	Amount
ABC Recycling	\$4,209.77
Bryson and Bryson	\$272.99
Coast to Coast	\$6,842.88
Data Care	\$260.51
Global Refining	\$13,926.89
Lignetics	\$5,355.82
Pennington Seed	\$434.63
New Victoria Place	\$1,045.46
Total	\$32,348.95

Supervisor Hankins 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 and 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 Hoover
Supervisor Hankins
Supervisor Slayton
Supervisor Zava

VOTING NO

ABSENT

Supervisor Bacon
Supervisor Pennington

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

Supervisor Zava made a motion, seconded by Supervisor Hoover and unanimously approved, to provide a monthly stipend in the amount of \$1,000 to Deputy Administrator Nicole Clark and \$500 to Executive Assistant Gail Gregoric for each month of Administrator Gee’s maternity leave, up to three months.

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

Nicole A. Clark, Assistant to the Clerk
Deputy County Administrator

Charles R. Slayton, Chairman
Board of Supervisors