

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

**Minutes of September 13, 2018 Meeting**

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, September 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. Supervisor T. Wayne Hoover was absent.

Chairman Slayton called the meeting to order.

Supervisor Pennington gave the invocation and led the pledge of allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. Mr. Richard Watson was added as 9C regarding the noise ordinance. Mrs. Abigail Barnes was added as 9D regarding Madeline's House. Mr. Donald Gee was added as 10 regarding the Weaver landfill.

Supervisor Bacon made motion, seconded by Supervisor Hankins and unanimously approved, to approve the below resolution of Achievement for the Lunenburg Dixie Youth AA All-Stars.

**RESOLUTION OF ACHIEVEMENT**

***WHEREAS**, the Lunenburg Dixie Youth AA All-Stars had a very successful 2018 season representing the machine-pitch division; and*

***WHEREAS**, the Lunenburg Dixie Youth AA All-Stars were undefeated, with a 5-0 record, and won the District Championship held at Neblett Field in Lunenburg, VA; and*

***WHEREAS**, the Lunenburg Dixie Youth AA All-Stars, with another undefeated record, became Virginia State Champions by winning the State Tournament held at Parker Park in South Hill, VA; and*

***WHEREAS**, the Lunenburg Dixie Youth AA All-Stars represented Virginia in the World Series in Lumberton, NC, finishing in 3<sup>rd</sup> place, competing against 11 other teams and tying the record for the highest finish in the World Series for a Virginia team; and*

***WHEREAS**, the Lunenburg Dixie Youth AA All-Stars were led by Manager Brian Nowlin, Coaches David Clark, Joey Mattox, and Jeff Parks, and team members Cohyn Parsons, Gage Parks, Chad Mattox, Colt Camp, Jack Bender, Amarae Jones, Evan Powell, Zach Lafoon, Jacob Seamans, Vaden Lyles, Christopher Walker and Kolby Powers with added support from dedicated parents and family of the team members; and*

***WHEREAS**, the Lunenburg Dixie Youth AA All-Star team represented the County with athleticism and good sportsmanship; and*

***NOW, THEREFORE, BE IT RESOLVED**, that the Lunenburg County Board of Supervisors congratulates the Lunenburg Dixie Youth AA All-Stars on their outstanding accomplishments during the 2018 season.*

***BE IT FURTHER RESOLVED**, that the Lunenburg County Board of Supervisors wishes the team and coaches future success next season and in all endeavors.*

*Adopted this 13<sup>th</sup> day of September 2018.*

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the Minutes of the August 9, 2018 meeting, the Treasurer's July 2018 reports and the following Warrants for Approval:

Additions for June 2018 printed in August 2018:  
(for inclusion in FY18 expenses)

	Accounts Payable: #56502-56508	\$	40,309.10
August 2018:	Payroll: Direct Deposit	\$	127,592.77
	Payroll Taxes Federal:	\$	39,243.77

Payroll Taxes State:	\$ 6,989.75
Payroll VRS payment:	\$ 24,939.11
Payroll ICMA-RC payment:	\$ 398.38
<i>Debt Service wire payments (interest):</i>	\$ 24,444.00
Accounts Payable: #56437-56555	<u>\$ 374,637.90</u>
August Total:	\$ 598,245.68

Kenbridge Fire Chief Richard “Dicky” Harris requested the Board’s consideration in supporting a resolution to allow billing for emergency services provided for motor vehicle accidents, structure fires and other incidents. Chief Harris noted that the department used to rely on donations; however, they no longer receive large donations. He advised that the majority of bills could be turned into either home or auto insurance companies.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve the resolution to allow billing for emergency services provided for motor vehicle accidents, structure fires and other incidents.

School Superintendent, Charles Berkley, provided the monthly School Board report. He stated that they have completed 3 weeks of the new school year successfully. There have been a few issues with buses breaking down and HVAC units which they are working to correct. Superintendent Berkley noted that enrollment is currently higher than their projections; they will have a more definite number next month. Assistant Superintendent, James Abernathy, provided the monthly financial reports. He explained that \$39,000 was moved from the textbook fund to the general fund, as they have not received all of the revenue from the state sales tax. Mr. Abernathy advised that the county has held a separate checking account for textbooks for many years. He continued that with the current Open RDA financial accounting system used by the schools, there is no longer a need for the additional checking account. He requested the Board’s approval to close the textbook checking account.

Supervisor Bacon made a motion, seconded by Supervisor Hankins and unanimously approved, to allow the school systems to close the textbook checking account due to sufficient record keeping on the Open RDA financial accounting system.

Mr. Abernathy requested approval of a resolution transferring \$180,000 from the appropriated FY19 School fund to the FY19 Textbook fund to be spent during the fiscal year 2019.

Supervisor Bacon made a motion, seconded by Supervisor Hankins and unanimously approved, to adopt the following resolution transferring \$180,000 from the appropriated FY19 School fund to the FY19 Textbook fund to be spent during the fiscal year 2019:

On motion by Beverley Hawthorne, and seconded by Kathy Coffee the following Textbook Appropriation Request was passed. Motion was to have the chairman sign the request as presented.

### Resolution

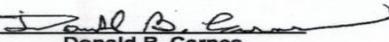
**WHEREAS, the Lunenburg County School Board manages a School Textbook Fund solely for the purchase of textbooks and workbooks for the students of Lunenburg; and**

**WHEREAS, the balance of this fund comes from the free textbook initiative of the state of Virginia;**

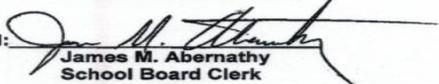
**NOW THEREFORE BE IT RESOLVED, that the Lunenburg County School Board requests the Lunenburg County Board of Supervisors approve a transfer from the Appropriated FY19 School Fund 250, to FY19 Textbook Fund 253, in the amount of \$180,000.00 to be spent during fiscal year 2019.**

**PASSED AND ADOPTED this thirteenth day of August 2018.**

Attest:

Signed:   
Donald B. Carnes  
School Board Chairman

Signed:   
Charles M. Berkley, Jr.  
Division Superintendent

Signed:   
James M. Abernathy  
School Board Clerk

Administrator Gee explained that part-time hours for the Registrar's Office had greatly increased and she was concerned the office will exceed its budget. Mr. Ollie Wright, Secretary for the Electoral Board, advised that the State Board of Elections requires the office be open and trained staff available to assist the public. With the untimely passing of the previous part-time assistant and recent health issues of the Registrar, there has been an increased need for a part-time worker. Training new staff is intensive and requires a lot of time. Once trained, the new part-time assistant will be needed in the office at least two days a week. Mr. Wright noted that the Electoral Board requested additional funds for the part-time line item; however, he understands the county must operate within its financial means. He added that the Electoral Board may need to request an increase at a later point in the fiscal year. Supervisor Edmonds asked for a time frame of when the new part-time assistant would be fully trained. Mr. Wright stated he believed she should be fully trained by the end of the calendar year.

Administrator Gee shared a request form Circuit Court Clerk Gordon Erby to accept \$9,555 in grant funds from the Virginia Circuit Court Records Preservation Program and increase revenue and expenditures in the Circuit Court Clerk's budget.

Supervisor Bacon made a motion, seconded by Supervisor Hankins and unanimously approved, to accept \$9,555 in grant funds from the Virginia Circuit Court Records Preservation Program into the Circuit Court Clerk's budget.

Mr. Richard Watson of 934 Modest Creek Road approached the Board regarding the county's noise ordinance. He is concerned with the time limitations, between the hours of 10 p.m. and 7 a.m., in which the ordinance can be enforced by local law enforcement. He recently experienced hearing very loud music at his home. He discovered that an event was being held about 2 miles away. He contacted the Sheriff's Department; they explained the local ordinance. They were unable to assist Mr. Watson because the noise was not within the restricted time frame. He asked the Board to please consider removing the time restraints so that the ordinance could be enforced at any hour.

Ms. Abby Barnes of Madeline's House approached the Board to thank them for the donations thus far in the fiscal year. She advised that client related expenses are paid by locality donations and would not be possible without such donations.

Administrator Gee explained that she had learned from concerned citizens about a letter to adjoining landowners regarding action between DEQ, and engineers and owners of Weaver Industrial Waste Landfill located at 576 Shelburne Lane, Victoria, VA. The letter suggests terminating post-closure landfill monitoring of Weaver Landfill. Administrator Gee commented that the Weaver Industrial Waste Landfill is a privately owned landfill. The Board of Supervisors became involved in 2000 as the company operating the landfill was not following zoning procedures and violated several ordinances. At the time, the company was planning to expand the landfill; however, the county's involvement led to closure due to non-compliance with zoning ordinances. Administrator Gee added that if post-closure monitoring is eliminated, landowners will be responsible for their own water monitoring, which can be expensive.

Mr. Donald Gee, an attorney based in Richmond who grew up in Lunenburg, spoke on behalf of all the concerned citizens. He explained that the residents of Shelburne Lane began to notice problems with their water within the first year or two after the landfill was in operation. Over time the problems have increased. He requested the Board's support in asking DEQ not to permit the engineers and owners of Weaver Landfill, LLC to terminate post-closure monitoring. The Board agreed to send correspondence in opposition of the termination of post-closure monitoring. County Attorney Rennie commented that the Board may support the landowners, but ultimately the Board has no authority, and requests to continue monitoring must come from the landowners.

Mrs. Justine Young, Executive Director of Piedmont Senior Resources, thanked the board for their support over the years. She explained that the organization is consistently growing and expanding. She continued to discuss some of the programs they have in place in Lunenburg. Mrs. Young advised that each member locality has two seats on the Board. Currently, Lunenburg has one seat vacant and one seat occupied by Social Services Director Dotty Newcomb that needs reappointment. Mrs. Newcomb's term for reappointment is 10/11/16 through 10/11/19. Mrs. Young requested that the Board consider appointing a second Board member. They currently meet on the 3<sup>rd</sup> Tuesday of the month and must have at least 6 meetings per year.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to re-appoint Mrs. Dotty Newcomb to the Piedmont Senior Resources Board for the remainder of the term, upon this appointment until 10/11/19.

The 2010 Commonwealth Regional Council Bicycle Plan was presented to the Board with a request for formal adoption.

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to approve 2010 Commonwealth Regional Council Bicycle Plan.

Administrator Gee provided her monthly report. She reminded the Board of the upcoming VACo conference at the Homestead. Currently, Chairman Slayton and Vice-Chairman Bacon are scheduled to attend. She advised that Piedmont Regional Jail is bidding out for medical services in hopes to reduce the costs. Administrator Gee stated that October's meeting would include a joint meeting with the Planning Commissions, Victoria Town Council and the Kenbridge Town Council regarding updates to the Joint Comprehensive Plan.

Supervisor Bacon 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 regarding the disposition of county property and the specific advice of Counsel regarding Social Services.

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 Pennington  
Supervisor Slayton  
Supervisor Zava

VOTING NO

ABSENT

Supervisor Hoover

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

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

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Tracy M. Gee, Clerk  
County Administrator

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Charles R. Slayton, Chairman  
Board of Supervisors