

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

Minutes of the October 14, 2021 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, October 14, 2021 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors Frank Bacon, Alvester Edmonds, Mike Hankins, Edward Pennington, Charles R. Slayton, Robert Zava, County Administrator Tracy M. Gee, Deputy Administrator Nicole A. Clark and County Attorney Frank Rennie. Supervisor T. Wayne Hoover was absent.

Due to the COVID-19 pandemic, guests, Supervisors and staff adhered to social distancing and wearing masks per the CDC guidelines.

Chairman Slayton called the meeting to order.

Supervisor Bacon provided the invocation and led the Pledge of Allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. Supervisor Pennington requested that trucks carrying solid waste to and from the Lunenburg Landfill along Mecklenburg Avenue in Victoria be added as 7B. County Attorney Rennie requested that participation in the National Opioid Settlement be added as 13A.

Chairman Slayton called for any wishing to speak under Citizen Comment. Attorney Jonathan Puvak of Gentry Lock Attorneys, representing Red Brick Solar and Mr. Jeff Hammond of Apex spoke in regard to the Conditional Use Permit Application for the Red Brick Solar project. They indicated that with the Planning Commission's recommendation to settle the land use, they are anxious to get the siting agreement to the Board for review and move forward with approval of their C.U.P. application at a meeting in the near future.

County Attorney Rennie advised that Supervisor Hoover had contacted him regarding an error in the minutes of the September 9, 2021 minutes as listed in the consent agenda. Supervisor Hoover had advised that the following motion:

Supervisor Zava made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all five present Supervisors voting yes, two absent, and none voting no, to table further discussion and defer approval of the Red Brick Solar, LLC CUP application based on ongoing negotiations of the siting agreement.

should be revised to read as was stated during the meeting:

Supervisor Zava made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all five present Supervisors voting yes, two absent, and none voting no, to remove from the table any further consideration of the Red Brick solar application to allow further discussion of a siting agreement with Red Brick solar.

Supervisor Zava made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to revise the September 9, 2021 minutes to replace the stated motion in the draft minutes with what was actually stated at the September 9, 2021 meeting.

Supervisor Hankins advised of another update to the September 9, 2021 meeting. He advised that Mr. Todd Fortune of the Commonwealth Regional Council spoke to the Board regarding the potential construction of

the Lunenburg County Route 635 (Oral Oaks road) Bicycle Lane Project. The minutes state that the opportunity will not be available for another “twenty years”, however, that should be revised to read “two years”.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to revise the September 9, 2021 minutes to replace “twenty years” with “two years” in regards to the discussion of the the potenial construction of the Lunenburg County Route 635 (Oral Oaks road) Bicycle Lane Project.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to accept the remaining portions of the Consent Agenda to include the Treasurer’s finalinized June reports, the July and August reports and the following Warrants for Approval:

September 2021:	Payroll: Direct Deposit	\$ 148,489.27
	Payroll Check #17235	\$ 745.29
	Payroll Taxes Federal:	\$ 48,763.77
	Payroll Taxes State:	\$ 8,601.50
	Payroll VRS payment:	\$ 32,738.48
	Payroll ICMA-RC payment:	\$ 1,000.41
	Payroll Health Savings Deposits:	\$ 3,675.28
	Accounts Payable: #61590-61693	<u>\$ 206,855.41</u>
	Total:	\$ 450,869.41

Assistant School Superintendent and Finance Director James Abernathy provided the monthly school reports. He advised that there had been changes in two of the revenue categories for the fiscal year. Federal Funds increased to \$2,152,598 and Other Funds increased to \$211,130, resulting in a total budget amount of \$20,999,457. Mr. Abernathy advised that they also anticipate utilizing upspent previously awarded CARES Funds and a portion of newly awarded ESSER III Grant for HVAC replacement projects. The amounts are as follows:

CARES SET-ASIDE	\$ 86,623
ESSER II	\$299,269
ESSER III	<u>\$200,000</u>
TOTAL	\$585,892

Mr. Abernathy requested the Board appropriate the additional \$585,892 to the FY2022 School Board Budget, revising the total budget to \$21,585,349.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to allocate and appropriate an increase in Federal Funds to \$2,152,598 and Other Funds to \$211,130, resulting in a total budget amount of \$20,999,457.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to allocate and appropriate CARES SET-ASIDE funds of \$86,623, ESSER II funds of \$299,269 and ESSER III funds of \$200,000 for a total of \$585,892 in additional funds, increasing the total budget to \$21,585,349.

Mr. Abernathy noted that enrollment numbers were currently down about one hundred students from the projected enrollment. He added the number of students choosing to be home schooled doubled from previous estimates. Supervisor Zava asked if they are adjusting the budget to account for the reduction in funding if the enrollment number does not increase. Mr. Abernathy replied they are reviewing the budget and looking at possible reductions. Administrator Gee commented that November 11th was scheduled as “Take Your Legislator to School” day and shared an invitation for Board members to attend.

Kevin Smith of VDOT presented the monthly report. He advised that the right-of-way along all primary roadways was about fifty percent cut and they have started on secondary roadways. He noted that VDOT crews picked up trash along forty-five acres near roadways during the past month. Mr. Smith commented that a public hearing was scheduled for the November meeting to receive input on the abandonment of a portion of Secondary School Route 9924 and a portion of Secondary School Route 9446. Mr. Smith reminded the Board of his request last month that the Board consider using available funds to replace a single lane wooden bridge on Wattsboro Circle Road. Wattsboro Circle Road has two single-lane wooden bridges and the bridge needing replacement is the one closest to Rt 671 (Reedy Creek Road). VDOT would like to replace this bridge with a single lane concrete bridge. This project would be performed by state forces with a price tag under \$600,000. The Board postponed discussion at the September meeting, to allow for Supervisor Bacon's input as the bridge is located within district three, Beaver Creek. Supervisor Bacon, with support from the present Board members, advised to proceed with the bridge replacement as recommended.

Mr. Smith shared the preliminary results of the traffic study, requested by the Board and the Town Council of Victoria, on Mecklenburg Avenue and Mecklenburg Street. The study was conducted over a seven-day period between September 7th and 14th. Results showed only two percent of the traffic was commercial. Mr. Smith advised that the study determined some of the truck route directional signs were a bit misleading and they have been updated. He added that the traffic study is still being analyzed and he is awaiting the results of the finalized report. Supervisor Pennington commented that there is still a major problem with large trucks driving down Mecklenburg Avenue, a highly residential road in town. He noted that he had spoken with management at the Lunenburg Landfill who advised they provide information to each driver as to which routes are allowed for trucks. Trucks are advised to use route 635, however, they continue to use and to speed on Mecklenburg Avenue. Supervisor Pennington would like to see this become a restricted route for trucks. Mr. Smith responded that he will pursue any request made by the county, however, there is a process for designating a restricted route. Mr. Tommy Johnson, Residency Administrator, added that the process can take up to nine months and goes to the State Board of Transportation for review. He noted that VDOT can perform traffic studies and make recommendations to improve the safety, however, local authorities must also enforce the safety requirements. Supervisor Zava noted that the traffic study counted six transfer trucks in an eight-day period. He doesn't feel that is enough truck traffic to request a restricted route. The Board will continue discussions once the study is finalized.

Administrator Gee requested the board appoint, as voting delegates, two members of board attending the 2021 Annual VACo Meeting.

Supervisor Pennington made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to appoint Chairman Slayton and Vice-Chairman Bacon as the two voting delegates for the 2021 Annual VACo Meeting.

Administrator Gee advised that Animal Control Officer Ray Elliott would like to repurpose a portion of the donations for the generator, since the CARES funds covered it, to send \$2,500 to the Southside SPCA for spaying and neutering stray animals in the county. She requested approval to appropriate these funds and allocate them to the Southside SPCA.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to reappropriate \$2,500 in donations to send to the Southside SPCA to assist in spaying and neutering stray animals in the county.

County Attorney Rennie shared an opinion letter regarding the use of ARPA funds for emergency radio communication systems' upgrades throughout the county since the County's current systems are failing. Per the opinion letter, this use of ARPA funds appears to be warranted under ARPA Interim Final Rules Section 35.6.

Mrs. Cheryl Giggetts, with CTA, the consulting firm assisting the county with the new emergency radio communication systems, provided an update on the Microwave Network Proposal Evaluations. She noted that four firms submitted proposals in response to the County's RFP. CTA evaluated each of the proposals and scored them based on pricing and technical merit. None of the bids came in at the exact price points as expected. Mrs. Giggetts noted that they would like to notify each firm that the monopoly would be covered with CARES funds at no more than \$225,000 and her firm would like to continue negotiations to ensure the system is structured and priced according to Lunenburg's needs, at no more than \$500,000 for the system.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to allow county staff and CTA to continue negotiations with the firms and agree to a contract with no more than \$500,000 for the microwave network and no more than \$225,000 in CARES funds for the monopoly to be used with the microwave system.

Administrator Gee advised that the Department of Elections awarded the Registrar's Office an Early Voting Grant in the amount of \$1,600 for additional personnel costs due to additional hours for the Deputy Registrar and three Officers of Election, as well as \$2,500 for use in signage, media advertisement, additional ballots and cleaning services that may be needed for early voting and Sunday voting. Administrator Gee requested the Board accept and appropriate the grant funds.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to accept and appropriate the Early Voting Grant in the amount of \$1,600 for additional personnel costs due to additional hours for the Deputy Registrar and three Officers of Election, as well as \$2,500 for use in signage, media advertisement, additional ballots and cleaning services that may be needed for early voting and Sunday voting.

Administrator Gee advised that the Circuit Clerk's Office received notice that they were approved a total of \$50,109 in Technology Trust grant funds. Funds include \$10,000 in equipment, \$10,109 in system maintenance, and \$30,000 in backscanning. She requested the Board accept and appropriate the grant funds.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to accept and appropriate the total of \$50,109 in Technology Trust grant funds for the Circuit Clerk's Office.

Administrator Gee shared a memorandum from the Compensation Board in regards to FY22 ARPA Bonuses for Sworn Sheriffs, Sheriffs' Deputies and Regional Jail officers. The Compensation Board will be funding a one-time \$3,000 bonus payment for Compensation Board-funded sworn positions in the sheriffs' office. The bonuses must be paid by November 30, 2021. Administrator Gee shared that Sheriff Arthur Townsend would like to provide bonuses to those of his staff that are sworn, but not Compensation Board-funded. He also requested bonuses for non-sworn staff, but five out of the six surrounding localities are not offering additional due to equity among all other offices. She explained that Sheriff Townsend has vacancy savings in his budget to account for the non-funded sworn officer bonuses. Administrator Gee and Sheriff Townsend are still determining the amount of the bonus for the non-funded officers. She requested Board approval to use vacancy savings of up to \$9,000 of local funds in the Sheriff's Office salaries budget to fund those bonuses.

Supervisor Bacon made motion, seconded by Supervisor Pennington, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to allow the use of up to \$9,000 of vacancy savings in the Sheriff's Office salaries budget to fund bonuses for the non-funded staff in the Sheriff's Office.

Administrator Gee requested the Board accept and appropriate grant funds awarded for the Highway Safety, Selective Enforcement Grant. Lunenburg was awarded \$14,000 for Alcohol Enforcement and \$20,932 for Speed Enforcement.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to accept and appropriate the Highway Safety, Selective Enforcement Grant in the amounts of \$14,000 for Alcohol Enforcement and \$20,932 for Speed Enforcement.

Administrator Gee advised that the Department of Aviation completed their annual inspection and found a number of trees encroaching in the aviation easement at each runway approach. She noted that the County has advertised for a tree service to remove the obstructions and is awaiting bids. She must also submit a corrective action plan for the obstructions to be mitigated by the December DOAV Board meeting or the Airport will be issued a Day/Visual Flight Restrictions Provisional License.

Community and Economic Development Director Taylor Newton provided her monthly report. She noted that she and Planning Commission Chairman, Buck Tharpe, recently attended the Rural Planning Causus Conference and obtained a lot of valuable information. She advised that demolition of the Old Middle School is finally complete. Ms. Newton noted that the September Planning Commission meeting was canceled due to late payment of third-party fees allowing insufficient time to advertise for the Borrego project. She added that the Administration Office has since received payment and will hold a public hearing on the Borrego CUP application at the November Planning Commission meeting.

Administrator Gee provided her monthly report. She advised that auditors with Robinson, Farmer, Cox had been in the county a various offices all week performing the annual audit. She commented that the tree removal at the front of the Courthouse Complex had been completed, with two additional trees needing removal due to split trunks. Administration filed an insurance claim, but it was denied. Administrator Gee reported that the HVAC unit for the main courtroom had failed and replacement costs were estimated at \$17,000.

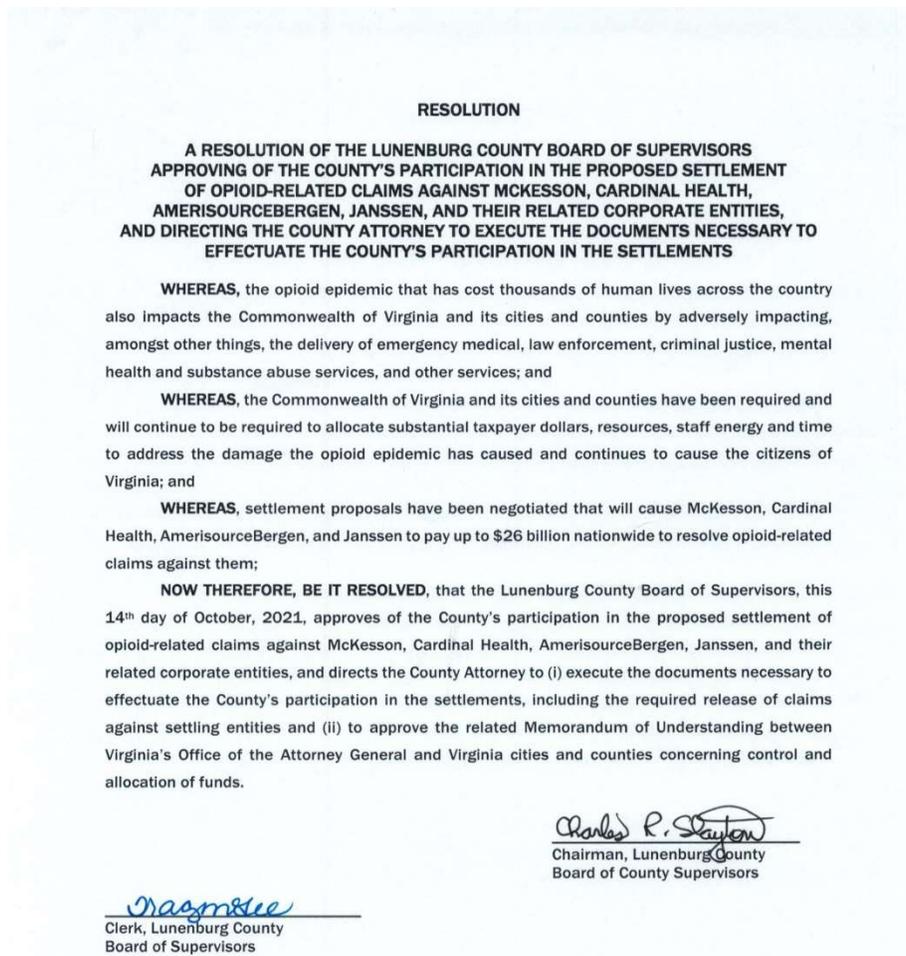
Administrator Gee advised that proposals had been requested for installation of a fiber optic cable between Lunenburg Courthouse and the Town of Victoria to connect the two E911 centers. The County's local radio and emergency management consultant, Rodney Newton, shared that this connection would allow the county and emergency centers to operate on a faster and less expensive fiber connection. He noted that the project included up to 22,000 feet of fiber, with the fiber being above ground from the county offices to the water tower in Victoria, then underground from the water tower to the fire house. They estimate the fiber and installation to cost about \$145,000 and the back up equipment to cost about \$25,000, for a total estimated one-time cost of \$175,000. The county is able to use CARES funds for the project if it can be completed by December 31, 2021. Mr. Newton advised that two bids had been received, however, they would like additional time to negotiate further and better understand the differences between the two bids. Administrator Gee requested the Board's approval to continue negotiations with the two companies and authorize the use of no more than \$175,000 in CARES fund for the project.

Supervisor Edmonds made motion, seconded by Supervisor Pennington, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, allow Administrator Gee and Mr. Rodney Newton to continue negotiations with the two bidders and authorize the use of up to \$175,000 in CARES fund for the project.

County Attorney Rennie advised that the 2020 Census numbers had been finalized and would soon be available to the localities. He advised that Lunenburg’s population total would be lowered as prison population numbers would now be removed from the County’s total population count. He noted that once the numbers were received, district lines would need to be adjusted accordingly. County Attorney Rennie stated that he plans to have a proposal for the Board’s review and approval at the December meeting.

County Attorney Rennie shared a notice from the state notifying local political subdivisions of the national opioid settlement and the option for them to participate in an action to request settlement benefits. He provided a sample resolution for the County to request participation per the Board’s approval.

Supervisor Edmonds made motion, seconded by Supervisor Pennington, approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to adopt the below resolution to participate in an action to request settlement benefits in the national opioid settlement.



Supervisor Edmonds made motion, seconded by Supervisor Hankins and approved by roll call vote, with all six present Supervisors voting yes, one absent, and none voting no, to adjourn.

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors