

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

Minutes of July 8, 2021 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, July 8, 2021 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors Frank Bacon, T. Wayne Hoover, Alvester Edmonds, Mike Hankins, Edward Pennington, Charles R. Slayton, Robert Zava, County Administrator Tracy M. Gee and Deputy Administrator Nicole A. Clark. County Attorney Frank Rennie 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 Zava provided the invocation and led the Pledge of Allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. Administrator Gee requested that surplus property for the District Court Clerk's Office be added as 8D and Abstract of Votes be added as 8E. Chairman Slayton asked if any Board Member had a conflict of interest with any topic on the agenda. There were none. Chairman Slayton requested any discussion for the Citizen Comment Period. There was none.

Administrator Gee shared the below resolution, prepared by County Attorney Rennie, to rescind the emergency operation procedures and end the county's state of emergency.

**LUNENBURG COUNTY, VIRGINIA
A RESOLUTION TO REPEAL THE STATE OF EMERGENCY
DECLARED MARCH 13, 2020 DUE TO COVID-19**

WHEREAS, on March 12, 2020, the Governor of the Commonwealth of Virginia declared a state of emergency in the Commonwealth of Virginia in response to the spread of the virus that remains in effect unless amended or rescinded; and

WHEREAS, on March 13, 2020, the Board of Supervisors of Lunenburg County (the "Board") declared a state of emergency in Lunenburg County thereby putting into effect the powers, functions and duties for Lunenburg County government, prescribed by state law, local ordinances and resolution including the emergency operations plan for Lunenburg County; and

WHEREAS, on June 10, 2021, the Governor of Virginia's office announced the 15-month state of emergency in the Commonwealth of Virginia will come to an end June 30, 2021 based on a decline in coronavirus infections; and

WHEREAS, the Board finds that emergency measures implemented in Lunenburg County necessary to mitigate the ongoing emergency and disaster occurring in the County to protect the health, safety, and welfare of the citizens were successful; and

WHEREAS, the Board has decided to end the state of emergency in Lunenburg County effective June 30, 2021; and

NOW, THEREFORE, BE IT RESOLVED that the Lunenburg County Board of Supervisors on the 8th day of July, 2021, does hereby declare an end to the State of Emergency declared March 12, 2020 due to COVID-19 effective June 30, 2021.

I, Tracy M. Gee, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Lunenburg County, Virginia, by a vote of 7 to 0, as recorded below, at a regular meeting held on July 8, 2021.

Tracy M. Gee
Clerk, Board of County Supervisors

	Aye	Nay		Aye	Nay
Dr. Bacon	✓	—		✓	—
Mr. Edmonds	✓	—		✓	—
Mr. Hankins	✓	—		✓	—
Mr. Hoover	✓	—		✓	—
			Mr. Pennington	✓	—
			Mr. Slayton	✓	—
			Mr. Zava	✓	—

Supervisor Hankins made motion, seconded by Supervisor Edmonds and approved by roll call vote, with all Supervisors voting yes, and none voting no, to approve the resolution to rescind the Emergency Operation Procedures and end the County’s State of Emergency.

Supervisor Pennington made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the Consent Agenda to include the Minutes of the June 3rd and June 10th, 2021 meetings, the Treasurer’s May reports and the following Warrants for Approval:

June 2021:	Payroll: Direct Deposit	\$ 148,129.15
	Payroll Check #17232	\$ 703.78
	Payroll Taxes Federal:	\$ 47,857.92
	Payroll Taxes State:	\$ 8,483.31
	Payroll VRS payment:	\$ 30,505.28
	Payroll ICMA-RC payment:	\$ 981.74
	Payroll Health Savings Deposits:	\$ 4,191.96
	Accounts Payable: #61105-61327	<u>\$ 699,753.94</u>
	Total:	\$ 940,607.08

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to enter into public hearing regarding the Solid Waste Management Plan for Lunenburg County and Towns of Kenbridge and Victoria in accordance with Title 9 of the Virginia Administrative Code (VAC), Agency 20, Chapter 130, Solid Waste Planning and Recycling Regulations.

Mr. Bob Pfister of Meridian Waste introduced himself as the new area president for Meridian’s Virginia area. He commented that the Solid Waste Management Plan must be updated every five years, although the plan covers a twenty year period. He noted that the updated plan would need to be approved via resolution by the Board.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to exit public hearing regarding the Solid Waste Management Plan for Lunenburg County and Towns of Kenbridge and Victoria in accordance with Title 9 of the Virginia Administrative Code (VAC), Agency 20, Chapter 130, Solid Waste Planning and Recycling Regulations.

Supervisor Bacon made motion, seconded by Supervisor Hankins and on a 7 in favor, 0 opposed vote, approved the the June 2021 revised Solid Waste Management Plan for Lunenburg County and Towns of Kenbridge and Victoria in accordance with Title 9 of the Virginia Administrative Code (VAC), Agency 20, Chapter 130, Solid Waste Planning and Recycling Regulations.

Kevin Smith of VDOT presented their monthly report. He advised that the first round of mowing for the season is complete. He provided a report of litter clean-up along the roadways in Lunenburg County. He stated that five-hundred and ninety bags of litter were collected during spring. He added that large items were not included in that count. Mr. Smith noted that a second clean-up effort would take place in autumn. He advised that \$31,962 was spent on litter clean up in Lunenburg County in 2020. Administrator Gee questioned if that figure was higher than previous years or other localities. Mr. Smith replied that the figure was a bit higher, however, they have been unable to use inmate forces due to the pandemic.

Supervisor Pennington discussed the increase in traffic on Mecklenburg Avenue and Mecklenburg Street thought to be from big trucks traveling to the landfill. He questioned if additional signage may help slow the traffic down. He suggested a “Children at Play” sign as an example. Mr. Smith advised that VDOT does not post “Children at Play” signs. Those are usually posted by the towns and counties. He added that VDOT is able to

perform a traffic study to determine if traffic has increased and what type of vehicles are traveling through the area. He stated the last traffic study on that road was in 2019 and only one percent was determined to be commercial traffic. Ms. Patricia Harper-Tunley of 2509 Unity Road, Kenbridge, VA shared a letter, a petition and photographs with the Board regarding concerns of the increased traffic and speed of vehicles on Mecklenburg Avenue and Mecklenburg Street. She expressed concerns about safety as well as the deterioration of the road due to frequent oversized vehicles. Ms. Harper-Tunley requested a traffic study and a thorough traffic restriction be placed in the area. Supervisor Hankins noted that he supported an updated traffic study and would support a resolution limiting truck traffic if the study proves that it is the problem.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to request VDOT perform an updated traffic study on Mecklenburg Avenue in Victoria and outside of town limits to Mecklenburg Street in the County.

Assistant School Superintendent and Finance Director James Abernathy provided the monthly school reports. He advised that they are still in the process of finalizing the balance sheet for the 2020-2021 fiscal year. He advised that an increase in state funds was due to several grants. Also, there is a large increase in federal funds due to free lunches at all schools and COVID funds. Mr. Abernathy commented that some of the COVID funds were designated for the purpose of loss in revenue for school sporting events. The lights and poles at the Central High School football field are over fifty years old, therefore, some of the funds are being used to replace the poles and install LED lighting at the field. They have also resurfaced gym floors at all schools, purchased playground equipment and school buses with these funds.

Administrator Gee shared a request to declare items as surplus property. The Circuit Court Clerk has a broken copier and the District Court Clerk has a flimsy mail divider filing cabinet they would like declared as surplus and removed from their offices.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to declare the broken copier at the Circuit Court Clerk's Office and filing cabinet at the District Court Clerk's Office as surplus property for disposal.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the Abstract of Votes from the 2021 June Democratic Primary Election held on June 8, 2021.

ABSTRACT of VOTES
 Cast in LUNENBURG COUNTY, VIRGINIA
 at the 2021 June Democratic Primary Election held on June 08, 2021 for:
Governor

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Terry R. McAuliffe	387
Jennifer D. Carroll Foy	105
Jennifer L. McClellan	54
Justin E. Fairfax	41
Lee J. Carter	13
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 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Governor.

Given under our hands this 11TH day of JUNE, 2021

 Stephen J. Slagter, Chairman
Patricia R. Bacon, Vice Chairman
Oliver J. Wright III, Secretary
Oliver J. Wright III, Acting Secretary

ABSTRACT of VOTES
 Cast in LUNENBURG COUNTY, VIRGINIA
 at the 2021 June Democratic Primary Election held on June 08, 2021 for:
Attorney General

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Jerrauld C. "Jay" Jones	310
Mark R. Herring	284

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 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Attorney General.

Given under our hands this 11TH day of JUNE, 2021

 Stephen J. Slagter, Chairman
Patricia R. Bacon, Vice Chairman
Oliver J. Wright III, Secretary
Oliver J. Wright III, Acting Secretary

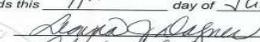
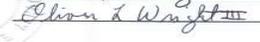
ABSTRACT of VOTES

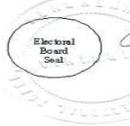
Cast in LUNENBURG COUNTY, VIRGINIA
at the 2021 June Democratic Primary Election held on June 08, 2021 for,
Lieutenant Governor

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Hala S. Ayala	301
S. "Sam" Rasoul	110
Andria P. McClellan	61
Mark H. Levine	42
Xavier JaMar Warren	27
Sean A. Perryman	26
Elizabeth R. Guzman	19

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 08, 2021, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Lieutenant Governor.

Given under our hands this 11TH day of JUNE, 2021

	Chairman
	Vice Chairman
	Secretary
	Acting Secretary



Supervisor Hankins shared information from a recent Commonwealth Regional Council meeting involving a regional tobacco tax board. Starting July 1st, changes to state law allows for counties to assess a tax on tobacco of up to forty cents per pack. Managing the new tax could prove difficult on smaller localities with limited staff. Therefore, localities have the option of managing the tax on their own or joining a regional group. A tax board would be staffed and have the authority to implement the program and enforce assessment/collection of the tax. Participating localities would contribute to the regional tax board and tax would be prorated based on how many packs of tobacco each locality sells. Supervisor Hankins stated that he brought this for Board consideration and added that the attorney presenting information to the CRC was willing to visit localities for further discussion as well. Supervisor Hankins asked the Board if they would like to have the attorney come to a Board meeting to further discuss participation in a regional tobacco tax board. Supervisor Zava and Bacon stated that they were not in favor of a tobacco tax in the county, however, they were open to information. Commissioner of the Revenue Liz Hamlett advised that legal sales of marijuana will begin in 2023 and the Board may want to consider taxing those sales, as well.

Supervisor Hoover, who serves on the Crossroads Community Service Board, provided an update on the organization. He noted that several months ago the executive director was released of her duties. He added that they have contracted the firm Baker Tilley to recruit a new director. Supervisor Hoover advised that the CCSB recently requested a three-year forensic audit of fiscal records. Some of the member localities are withholding funding until the audit is complete. Supervisor Hoover noted that he is in favor of a forensic audit as there are many areas that need improvement, but only if it is done responsibly with regard to funding and findings. He added that he voted "no" during a motion regarding the audit at the most recent CCSB meeting. However, his vote was not against the audit but rather he wanted to issue a request for proposals from auditing firms to get the best price for services.

Supervisor Hoover commented on the County-wide radio system project, noting that contract negotiations were extensive, however, CTA Consultants had been instrumental in the entire process. He and Administrator Gee indicated that CTA Consultants had proposed Change Order 4 (Implementation Services) of the Consulting Agreement for review and approval. This change order directs CTA to provide planning and oversight for the entire implementation process of the new public safety radio system. The anticipated schedule is twenty months and compensation will be paid to CTA at the rate of \$15,000 per month. He stated that the County would need to cover these costs with the radio system debt service application.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to approved the CTA Change Order 4 (Implementation Services) of the Consulting Agreement for an anticipated twenty months at \$15,000 per month.

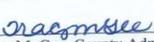
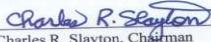
Administrator Gee advised that, per the L3Harris contract the first payment of \$350,000 would be due in forty-five days. She suggested that reserve funds be used for the payment and once debt service is issued the reserve funds will be reimbursed. She is currently working with Davenport on options for debt service.

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to appropriate funds in the amount of \$345,000 for the first payment due to L3Harris for the County-wide radio system.

Administrator Gee advised that she will use of \$180,000-\$200,000 in CARES Act funds to secure radio system compliance at the alternate E911 center at the Victoria Fire and Rescue station as part of the agreement with L3Harris. Administrator Gee then shared the proposed Ordinance for Solar Energy Facilities in Lunenburg County. She added that county staff have been working with the Berkley Group to make adjustments. The ordinance has been advertised to be discussed by the Planning Commission at their July 20th meeting.

Planning and Community Development Director Taylor Newton provided her monthly report. She shared a resolution requesting to designate Lunenburg as a Destination Marketing Organization (DMO) within the State of Virginia, increasing tourism through qualifying partner opportunities and grant applications only available to DMO's.

Supervisor Hankins made motion, seconded by Supervisor Bacon and unanimously approved, to approve a resolution designating Lunenburg as a Destination Marketing Organization (DMO) within the State of Virginia.

BOARD OF SUPERVISORS Charles R. Slayton, CHAIRMAN Election District 4 Frank W. Bacon, VICE-CHAIRMAN Election District 3 T. Wayne Hoover Election District 1 Mike Hankins Election District 2 Edward Pennington Election District 5 Alvester L. Edmonds Election District 6 Robert G. Zava Election District 7		Lunenburg County Administration 11413 Courthouse Road Lunenburg, VA 23952 Tracy M. Gee County Administrator Telephone: (434) 696-2142 Facsimile: (434) 696-1798
VIRGINIA DESTINATION MARKETING ORGANIZATION RESOLUTION July, 2021		
<p>WHEREAS, the County of Lunenburg wishes to increase tourism opportunities;</p> <p>WHEREAS, the State of Virginia's Tourism Cooperation coordinated marketing activities solely with Destination Marketing Organizations within the state to market the Commonwealth as a premier travel destination;</p> <p>WHEREAS, the advantage of being a Destination Marketing Organization within the State of Virginia would allow for partner opportunities and grant applications;</p> <p>WHEREAS, increasing tourism to the County of Lunenburg would serve to increase business, in turn increasing tax revenue to the County and surrounding area;</p> <p>NOW, THEREFORE, BE IT RESOLVED by the Lunenburg County Board of Supervisors this 8th day of July:</p> <p><i>The County of Lunenburg will petition Virginia Tourism Cooperation (VTC) to recognize the County as a Destination Marketing Organization (DMO).</i></p> <p>BE IT STILL FURTHER RESOLVED that the Director of Planning and Economic Development, or their designee be, and hereby is authorized and directed to act as chief liaison for the DMO.</p> <p><i>The foregoing Resolution was adopted by the County of Lunenburg Board of Supervisors at its regular meeting held, <u>July 8th</u>, in Lunenburg, Virginia.</i></p>		
<p>Attest:</p> <p> Tracy M. Gee, County Administrator Clerk of the Board of Supervisors</p> <p> Charles R. Slayton, Chairman</p>		

Administrator Gee provided her monthly report. She noted that she recently advertised for a timber cruise for the timber located on the animal shelter property on Old Mansion Road. She reported that there were currently zero active COVID cases in the county. She reminded the Board of a tax exemption request from Southern Dominion Health Systems. After careful review, it was determined that they do not meet the qualifications to be tax exempt. Administrator Gee shared the below Remote Participation and Electronic Meeting Policy, prepared by County Attorney. She requested the Board review for approval.

**LUNENBURG COUNTY, VIRGINIA
A RESOLUTION TO ADOPT REMOTE PARTICIPATION
AND ELECTRONIC MEETING POLICY**

WHEREAS, the Lunenburg County Board of Supervisors desires to adopt a Remote Participation and Electronic Meeting Policy;

NOW THEREFORE, the Lunenburg Board of Supervisors resolves that the attached Remote Participation and Electronic Meeting Policy is hereby approved and adopted this 8th day of July, 2021.

I, Tracy M. Gee, do hereby certify that the foregoing writing is a true, correct copy of a Resolution duly adopted by the Board of Supervisors of Lunenburg County, Virginia, by a vote of 7 to 0, as recorded below, at a regular meeting held on July 8, 2021.

Tracy M. Gee
Clerk, Board of County Supervisors

	<u>Aye</u>	<u>Nay</u>
Dr. Bacon	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Edmonds	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Hankins	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Hoover	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Pennington	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Slayton	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mr. Zava	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Lunenburg County Board of Supervisors
Remote Participation and Electronic Meeting Policy

I. Remote Participation When Quorum Physically Assembled:

It is the policy of the Lunenburg County Board of Supervisors that individual members of the Board may, with the approval of a quorum that is physically assembled, participate in meetings of the governing body by electronic communications means as permitted by Virginia Code § 2.2-3708.2.

A Board member who seeks to participate electronically must notify the Chair on or before the day of the meeting that:

1 - The member is unable to attend the meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance (medical condition or disability need not be identified) or a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance; or

2 - The member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this provision is limited to each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

If a participation by a member through electronic communication means is approved by a vote of the quorum that is physically assembled, the minutes will record the remote location from which the member participated. The remote location need not be open to the public.

If electronic participation is approved, the minutes must reflect that the member participated through electronic communication means due to a temporary or permanent disability or other medical condition, or due to a family member's medical condition that required the member to provide care for such family member, which prevented the member's physical attendance. If the member participates electronically because of a personal reason, the minutes must reflect the specific nature of the personal matter cited by the member.

Whenever an individual member participates from a remote location that is open to the public there must be arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location.

If a member's participation from a remote location is disapproved because such participation would violate this policy, then such disapproval shall be recorded in the minutes with specificity.

II. Emergency Meetings Without Quorum Physically Assembled (Virginia Code §2.2-3708.2(A)(3)):

The Board may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency pursuant to Virginia Code § 44-146.17, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to address the emergency.

In so convening a public meeting the Board shall:

1 - Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the public body conducting the meeting; and

2 - Make arrangements for public access to such meeting [through electronic communication means, including videoconferencing];

The nature of the emergency, the fact that the meeting was held by electronic means, and the type of electronic communications means by which the meeting was held shall be stated in the minutes.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve the Remote Participation and Electronic Meeting Policy.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A29 Contract discussion for on public property.

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

VOTING NO

ABSENT

Supervisor Hoover
Supervisor Pennington
Supervisor Slayton
Supervisor Zava

Supervisor Hoover made motion, seconded by Supervisor Bacon, and approved by roll call vote, with all seven Supervisors voting yes, and none voting no, to return to Open Session.

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

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors