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

Minutes of January 9, 2025 Reorganizational Meeting

The annual reorganizational meeting of the Lunenburg County Board of Supervisors was held on Thursday, January 9, 2025 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Greg Currin, Frank W. Bacon, Mike Hankins, Robert Zava, Edward Pennington, County Administrator Tracy M. Gee, Deputy County Administrator Nicole Clark, and County Attorney Frank Rennie.

County Administrator Gee called the reorganizational meeting to order.

Administrator Gee asked for nominations for the position of Chairman.

Supervisor Bacon nominated Alvester Edmonds, and Supervisor Hoover seconded the motion. On a roll call vote, Supervisor Edmonds was nominated as Chairman.

Supervisor Hoover motioned that nominations for Chairman be closed, with Supervisor Hankins making the second, and all present in favor.

On a roll call vote, Supervisor Edmonds was unanimously elected to the position of Chairman.

Administrator Gee presented Chairman Edmonds with the gavel.

Chairman Edmonds asked for nominations for the position of Vice-Chairman.

Supervisor Hankins nominated Frank W. Bacon as Vice-Chairman and Supervisor Hoover seconded the motion. On a roll call vote, Supervisor Bacon was nominated to the position of Vice-Chairman.

Supervisor Hankins motioned that nominations for Vice-Chairman be closed, with Supervisor Zava making the second, and all present in favor.

On a roll call vote, Supervisor Edmonds was unanimously re-elected to the position of Vice-Chairman.

Supervisor Bacon made motion, seconded by Supervisor Hankins and unanimously approved, to adopt the 2024 Invocation and Meeting Schedule and 2025 Holiday Calendar.

Supervisor Hoover made motion, seconded by Supervisor Hankins and unanimously approved, to adopt the Board's Code of Ethics and Procedures.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to adopt Robert's Rules of Order.

Chairman Edmonds called the regular meeting of the Board of Supervisors to order.

Supervisor Zava led the Pledge of Allegiance and gave the invocation.

Chairman Edmonds requested additions to the agenda from the Board and the public. Administrator Gee requested a resolution for ARPA funds be added as 8D. Chairman Edmonds requested that a committee appointment be added as 8E

Chairman Edmonds called for any conflicts of interest from any board members. There were none.

Chairman Edmonds called for anyone wishing to speak under Citizen Comment. There were none.

Supervisor Hankins made motion, seconded by Supervisor Pennington, and unanimously approved, to accept the Consent Agenda to include the minutes of the December 12, 2024 Meeting, the Treasurer's November 2024 reports and the following Warrants for Approval:

December 2024:

Payroll: Direct Deposit	$ 201,987.90
Payroll Check #2081-2085	$ 3,207.36
Payroll Taxes Federal:	$ 65,364.73
Payroll Taxes State:	$ 12,401.19
ACH Payroll Payments:	$ 48,533.25
Accounts Payable ACH payments:	$ 19,997.66
Accounts Payable: #85925-86104	$ 329,130.88
Total:	$ 680,622.97

Mrs. Jessica Nowlin provided the monthly school report. She advised that the ADM remained the same as last month at 1,486 students. She noted that budget preparations for the 2025-2026 school year were underway. She shared that representatives of the school finance department would be meeting with the Finance Committee before the Board meeting in February. Supervisor Zava inquired about the renovations to the bathrooms at Central High School. Mrs. Nowlin replied that the bathrooms had a lot of issues with drainage and pipes, likely due to age. She added that most of the renovation and repairs were completed over the winter break.

Mr. Kevin Smith, of VDOT, provided the monthly report. He noted that crews worked on snow removal with the recent winter storm. He added that crews are prepared to do the same with a predicted storm in the coming days ahead. He stated that primary roads are the main concern, with secondary roads cleared after primary. Mr. Smith advised that a road abandonment request had been received for a portion of Hickory Road. They will ensure a school bus turn around is included at the location of the abandonment. Mr. Smith stated that a public hearing would be held at the next meeting.

Administrator Gee presented the annual agreement between the Virginia Department of Health and the County for funding services of the Lunenburg Health Department. The funding request was in the amount of $85,076 for the fiscal year. Administrator Gee shared that the requested amount was under the amount budgeted and did not require approval.

Supervisor Bacon made motion, seconded by Supervisor Hankins, and unanimously approved, to approve the annual agreement between the Virginia Department of Health and the County for funding services of the Lunenburg Health Department in the amount of $85,076 for the fiscal year.

Administrator Gee shared that the County needed to obligate State and Local Fiscal Recovery Funds (SLFRF) by December 31, 2024 and spend the funds on obligations by December 31, 2026. She stated that the funds would be obligated as follows: the remaining VATI Broadband Grant match $152,449.52, the District Court Restroom Project $143,884.52, and $100,000 dedicated to EMS staffing support and any contingency from the Restroom Project being allocated to EMS staffing. She requested the Board's approval through resolution.

RESOLUTION

Obligation of State and Local Fiscal Recovery Funds

***WHEREAS**, the County of Lunenburg was awarded State and Local Fiscal Recovery Funds (SLFRF), which are monitored by the U.S. Department of Treasury; and*

***WHEREAS,** Lunenburg County was awarded $1,184,465 in August 2021 and a second tranche of $1,184,465 in September 2022; and*

***WHEREAS,** Lunenburg County qualified as a SLFRF Tier 5 reporting entity, defined as a "metropolitan city or county with a population below 250,000 residents and allocation less than $10 million, and NEU allocated less than $10 million in SLFRF funding"; and*

***WHEREAS,** Lunenburg County elected the standard allowance, submitting projects under revenue replacement on an annual basis, reporting annually by April 30th, which does not give option of reporting obligations and expenditures quarterly; and*

***WHEREAS,** all funded entities are required to obligate funds by December 31, 2024 and spend on obligations by December 31, 2026; and*

***WHEREAS,** Lunenburg County has three remaining SLFRF projects that require obligation by December 31, 2024, including: the remaining VATI Broadband Grant match $152,449.52, the District Court Restroom Project $143,884.52, and $100,000 dedicated to EMS staffing support and any contingency from the Restroom Project being allocated to EMS staffing; and*

***NOW, THEREFORE, BE IT RESOLVED,** the Board of Supervisors of Lunenburg County approves the aforementioned projects and amounts as the obligated SLFRF projects as of December 31, 2024, and*

***BE IT FURTHER RESOLVED,** that the Board of Supervisors of Lunenburg County obligates these SLFRF projects to be completed by December 31, 2026, and in accordance with the SLFRF Compliance and Reporting guidelines.*

Supervisor Bacon made motion, seconded by Supervisor Hankins, and unanimously approved, to approve the resolution to obligate State and Local Fiscal Recovery Funds (SLFRF) by December 31, 2024 and spend on obligations by December 31, 2026.

Chairman Edmonds nominated Mrs. Janice Wright of 574 Pleasant Oak Road, Kenbridge, to serve on the Social Services Advisory Board for a term beginning February 1, 2025 through December 31, 2028 and Mr. William "Billy" Coffee of 2055 Fletcher Chapel Road to serve on the Planning Commission for a term beginning February 1, 2025 through December 31, 2028. Both nominees will represent the Hound's Creek District.

Supervisor Bacon made motion, seconded by Supervisor Hoover, and unanimously approved, to appoint Mrs. Janice Wright of 574 Pleasant Oak Road, Kenbridge, to serve on the Social Services Advisory Board for a term beginning February 1, 2025 through December 31, 2028 and Mr. William "Billy" Coffee of 2055 Fletcher Chapel Road to serve on the Planning Commission for a term beginning February 1, 2025 through December 31, 2028, both representing the Hound's Creek District.

Supervisor Bacon made motion, seconded by Supervisor Pennington, and unanimously approved, to enter public hearing regarding CUP 6-24 Double Bridges Cell Tower: Conditional Use Permit for Arcola Towers to construct a 199-foot

monopole-style wireless telecommunication facility on property owned by Timothy and Christopher Dix on tax parcel 017-0A-0-37, 301 Double Bridges Road, Keysville, VA 23947, consisting of 66-acres of which 10,000 sq. ft. is leased in an A-1 Agricultural zone.

Mr. Jonathan Yeatts, representing the applicant, spoke before the Board stating there was a great need in the area for cellular service and their proposal would provide the wireless infrastructure needed to support better service. He advised that construction would take about sixty days to complete and then Verizon would need time to add their equipment to the tower. Mr. Yeatts stated that their proposal would not cause any disturbances to neighboring landowners, as there would be no additional noise, lights, or traffic to the location. Supervisor Hoover questioned if there would be an opportunity for public safety to place equipment on the tower. Mr. Yeatts replied that they would be happy to work with public safety to accomplish any common goals. County Attorney Rennie advised that the Planning Commission had reviewed the application and recommended it with conditions.

Supervisor Bacon made motion, seconded by Supervisor Pennington, and unanimously approved, to exit public hearing.

Supervisor Hoover made motion, seconded by Supervisor Hankins, and unanimously approved, to approve CUP 6-24 Double Bridges Cell Tower: Conditional Use Permit for Arcola Towers to construct a 199-foot monopole-style wireless telecommunication facility on property owned by Timothy and Christopher Dix on tax parcel 017-0A-0-37, 301 Double Bridges Road, Keysville, VA 23947, consisting of 66-acres of which 10,000 sq. ft. is leased in an A-1 Agricultural zone, with conditions as presented in the resolution.

RESOLUTION FOR CONDITIONAL USE PERMIT CASE: 6-24

WHEREAS, Arcola Towers 2 LP, a Virginia limited liability company, its Attorney in Fact Jonathan Yates the "Applicant", has petitioned the Lunenburg County Board of Supervisors to approve CUP 6-24 allowing the Applicant to recertify the cell tower on Parcel Number: 017-0A-0-37 PRN: 1389, which has a utility address of 301 Double Bridges Road, Keysville, VA 23947.

WHEREAS, after appropriate advertisements, the Lunenburg County Planning Commission held a public hearing and duly reviewed and recommended this amended application to the Lunenburg County Board of Supervisors for approval with the following conditions:

1. Comply with all Uniform Building Codes
2. Obtain any necessary building permits as required for construction and any modifications to the Facility.
3. Comply with the County's Wireless Telecommunications Facilities Ordinance.
4. Maintain adequate setbacks, buffering, screening, landscaping, fencing, and signage at the Facility.
5. Adequately maintain all rights of way that provide ingress and egress to the Facility.
6. Grant the County an easement or license to access the Facility for the purposes of inspections and/or emergency services. Said easement or license shall be recorded among the land of records of Lunenburg County.
7. Meet or exceed all current standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and any other agency of the state or federal government with the authority to regulate towers and antennas.
8. Submit a written request for recertification at any time between twelve and six months prior to the five-year anniversary of the effective date of this CUP.
9. Comply with all federal, state, and local laws.
10. Utilize existing vegetation to create and maintain a vegetative buffer.
11. The Conditional Use Permit is limited to the applicant and does not run with the land.

NOW THEREFORE LET IT BE RESOLVED, that the Conditional Use Permit Case 6-24: Arcola Towers 2 LP, a Virginia limited liability company, its Attorney in Fact Jonathan Yates with conditions, is approved to recertify the cell tower on Parcel Number: 017-0A-0-37 PRN: 1389, which has a utility address of 301 Double Bridges Road, Keysville, VA 23947

BE IT FURTHER RESOLVED, this permit is contingent upon the Applicant obtaining and maintaining all necessary permits and licenses and is subject to all State and Local regulations and the Board of Supervisors further empowers the Chairman to certify this document.

Mr. Jimmy Merrick of APEX and the Red Brick Solar Project, approached the Board to introduce Mr. Zack Pearce of AES, who will be the new developer and owner-operator of the project. Mr. Pearce shared that his firm was a leader in

the global energy transition and the company was excited to take over the Red Brick Solar Project. He advised that they plan break ground in the fourth quarter of 2025, with commercial operation beginning in 2027. County Attorney Rennie commented that the Red Brick Solar Project was the first solar project the County approved.

Administrator Gee provided her monthly report. She shared that the Meherrin Fire and Rescue Department annual banquet had been moved to March 8th, due to inclement weather. She added that the Kenbridge Fire Department annual banquet would be held on January 25th. She advised the Board that Supervisor Currin would be participating in the Certified Supervisor Program with VACo, attending several educational sessions over the course of the year in Richmond. Administrator Gee stated that the Joint Comprehensive Plan final draft would be available for public review and comment in the coming weeks. A joint public hearing with the Planning Commission would be held at the March Board of Supervisors' meeting. Administrator Gee introduced Mr. Jonathan Chumney, who began duties as the County Planner on January 7, 2025. Administrator Gee noted that she was continuing to learn more about opioid abatement funds and how those funds could be spent. Supervisor Hoover commented that use of the funds should focus on prevention of opioid use but also to provide aid first responders with treatment needs when on calls. Administrator Gee informed the Board that a budget adjustment may be needed for the worker's comp audit adjustment. She explained that the estimate did not include the full state approved salary increases, as staff was not aware of the increases at the time the estimate was calculated. The estimate also did not include the salary increases implemented for the Sheriff's Office in spring of 2024.

Adminstrator Gee advised that RWGS, LLC submitted a major modification application and a request for a temporary authorization to the Virginia Department of Environmental Quality (DEQ) to increase the daily disposal limit at the Disposal and Recycling Services of Lunenburg facility located in Lunenburg, Virginia. The facility proposes to increase the daily disposal limit to 2,000 tons per day, from the currently permitted intake rate of 1,500 tons per day. The temporary authorization request was submitted in accordance with 9VAC20-8 l-600(F)(4), which requires the permittee to send notice about the temporary authorization request to all persons on the facility mailing list. The increase in daily tonnage is necessary to enable the permittee to respond to increases in waste volume expected to be received at the facility due to the closure of other solid waste facilities within the permittee's service area. County Attorney Rennie shared that the tipping fee increased on December 8, 2024 from $2.40 to $2.55 as of result of the potential increase in tonnage. He added that the Consumer Pricing Index would be increasing effective January 1, 2025, which would also increase tipping fees due to the County.

Administrator Gee shared a letter from the Department of Housing and Community Development stating the County had been approved for a five-year renewal of the current Lunenburg County (Zone 48B) Enterprise Zone. This renewal is effective January 1, 2025 and is set to expire on December 31, 2029. Under current legislation regarding zone expirations, it will automatically renew for another four-years, extending the expiration to December 31, 2033.

County Attorney Rennie shared that the Virginia General Assembly was considering legislation which would allow solar developers to disregard a locality's Comprehensive Plan and solar ordinance, and bypass the locality's Planning Commission and Board of Supervisors in siting their solar facilities. The proposed legislation would create a committee of state employees to advise and instruct localities regarding the siting of utility scale solar projects; and override local comprehensive plans and zoning ordinances in siting solar facilities throughout the Commonwealth. County Attorney Rennie stated that the financial incentives for localities may also go away if this legislation is approved. He recommended that the Board consider sending a resolution to state representatives opposing the proposed legislation.

Supervisor Hoover made motion, seconded by Supervisor Bacon, and unanimously approved, to construct a resolution opposing any legislation which would allow solar developers to disregard a locality's Comprehensive Plan and solar ordinance, and bypass the locality's Planning Commission and Board of Supervisors in siting their solar facilities and forward the resolution to state representatives.

County Attorney Rennie shared that the Virginia General Assembly was also considering legislation (Bill 876) that would require all actionable items to be advertised on an agenda for a public meeting for a specified period of time before the meeting date. Therefore, any actionable items added to an agenda after the advertising deadline, would not be able to be considerd for a vote until the following meeting, after being properly advertised.

Supervisor Zava made motion, seconded by Supervisor Bacon, and unanimously approved, to construct a letter opposing any legislation which would require all actionable items to be advertised on an agenda for a public meeting for a specified period of time before the meeting date.

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

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Tracy M. Gee, Clerk
County Administrator

Alvester L. Edmonds, Chairman
Board of Supervisors