

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

**Minutes of the October 13, 2022 Meeting**

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, October 13, 2022 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.

Chairman Slayton called the meeting to order.

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

Chairman Slayton requested additions to the agenda from the Board and the public. There were none.

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

Chairman Slayton called for any citizen comments. There were none.

Administrator Gee requested that the second edition of the Treasurer's June 2022 Report be removed from the Consent Agenda as the report has not been finalized for the end of the fiscal year yet due to the audit fieldwork being incomplete.

Supervisor Hankins made motion, seconded by Supervisor Bacon and unanimously approved, to accept the Consent Agenda to include the September 8, 2022 meeting minutes and the following Warrants for Approval:

Additions for June 2022 printed in September 2022:  
(for inclusion in FY22 expenses)

Accounts Payable: #81518-81536	\$ 34,427.38
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September 2022:

Payroll: Direct Deposit	\$ 165,380.34
Payroll Check #2012	\$ 1,127.16
Payroll Taxes Federal:	\$ 54,143.21
Payroll Taxes State:	\$ 9,765.13
Payroll VRS payment:	\$ 36,644.99
Payroll ICMA-RC payment:	\$ 1,630.67
Payroll Health Savings Deposits:	\$ 4,097.62
WIRE (Radio System)	\$ 85,206.26
Accounts Payable: #81537-81593	\$ <u>186,514.83</u>

Total:	\$ 544,510.21
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Assistant Superintendent and Finance Director James Abernathy presented the monthly school board report. He provided the Superintendent's report, noting that the end of the first nine-week session of school

was in sight. He advised that the school system had received the final report on their academic progress during the previous school year and they are very pleased with the current standings of all schools. Mr. Abernathy announced that "Take your Legislator to School Day" would be held on November 10<sup>th</sup> starting at Lunenburg Middle School at 9:30 a.m. He added that supervisors should expect to receive personal invitations. Mr. Abernathy provided the financial reports. He advised that the state projected an ADM of 1528 for the FY2022-23 school year, they budgeted for an ADM of 1520 and enrollment was currently at 1486. Mr. Abernathy continued that 117 students were being home schooled and several students had moved to another county, thus decreasing enrollment. He shared that the HVAC replacement projects were complete and he was awaiting the final invoice. Mr. Abernathy noted that the School Board is in the process of reviewing a list of capital improvements and ranking them by importance and time sensitivity. Mr. Abernathy advised that the auditors with Robinson, Farmer, Cox recommended that ESSER funds in the amount of \$2,044,160, paid to Trane, be accrued back to FY2021-2022 as they were completed in June 2022 for updates to the HVAC system. Administrator Gee advised that this would result in a change to both the school budget and the county budget for both FY2021-2022 and FY2022-2023. She also noted that a public hearing would be required.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to hold a public hearing regarding a change to both the school budget and the county budget for fiscal years 2021-2022 and 2022-2023 due to ESSER funds in the amount of \$2,044,160 expensed in June 2022.

Mr. Kevin Smith provided the monthly VDOT report. Mr. Smith advised that mowing on secondary roads had been completed county wide. He added that Colony Construction is working on various paving projects in the county. Crews are also working on the curbing, gutters and drainage near the Food Lion in Victoria. This work is in preparation for the paving project scheduled in 2023 that will impact Main Street in Victoria from Dollar General to Subway.

Administrator Gee shared two grant funding initiatives for the Sheriff's Office with the Board. The county has been awarded \$8,800 in grant funding for the Selective Enforcement-Alcohol project and \$16,000 for the Selective Enforcement-Police Traffic Services project. Administrator Gee requested the Board accept and appropriate the funds.

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to accept and appropriate \$24,800 in Selective Enforcement grant funds for alcohol and speeding initiatives for the Sheriff's Office.

Administrator Gee advised that she had been contacted by representatives of Benchmark Community Bank regarding the possibility of using Meridian Waste community donation funds to assist with roof repairs at the Senior Citizen Center in Victoria. She noted that the roof is in desperate need of some costly repairs and Benchmark is planning a donation. Administrator Gee stated that the Finance Committee met and recommended a donation of \$5,000 using the annual Meridian Waste community donation funds. She advised that she had also received a request from the Kenbridge Community Center for a donation. Administrator Gee advised that the Kenbridge Community Center receives an annual county appropriation of \$500, whereas the Senior Citizen Center has not been funded in the past. Ms. Gee recommended that the community center annual funding amount be reviewed at budget time.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to award \$5,000 in community donation funding from Meridian Waste to the Senior Citizen Center to assist with needed roof repairs.

Administrator Gee shared a request from Circuit Court Clerk Gordon Erby to accept and appropriate \$104,223 in funding for the Clerk's Technology Trust Fund through the Compensation Board.

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to accept and appropriate \$104,223 in funding for the Circuit Clerk's Technology Trust Fund through the Compensation Board.

Administrator Gee provided a follow up on the previous month's presentation regarding the capital improvement projects at the Piedmont Juvenile Detention Center. She noted that she recently received a report from JLARC with a recommendation to close some state-funded detention facilities for cost savings. At this time, she is unsure if PRJDC will be one of the centers in jeopardy. Administrator Gee advised that the commission is addressing these concerns with legislators. She recommends no action on the capital improvement projects until there is more certainty of the facility's future.

Administrator Gee shared a request from Meridian Waste regarding their Mitigation Fund Performance/Payment Bond. They would like to reduce the amount of the bond from \$525,000 to \$117,000 and to reduce the bond annual by \$50,000 upon the faithful payment of \$50,000 to the Mitigation Fund until the \$525,000 bond threshold has been met. The request continued to explain that the Host agreement is silent as to the specific amount of the Performance/Payment Bond. At the time of privatization of the landfill, the bond amount was set at \$525,000. Since that time, an annual cash amount has been contributed towards the Mitigation Fund and the balance is currently at \$408,000. The reduction to a bond amount of \$117,000 reflects the difference between the cash balance and the original bond amount. Supervisor Zava recommended no change in the bonding requirement because the cash account was originally requested to be \$1.5million and reducing the bond would leave less funding available for mitigation. The matter can be revisited when the combination of the two amounts equals \$1.5million. The remainder of the Board agreed to leave it as-is.

Administrator Gee stated that the Commonwealth Regional Council had worked on an RFP for a Regional Reassessment procurement. She added that three firms responded, only two were recommended for interviews. Of the remaining two firms, both are within the same or similar price structures. However, one is not able to add any assessments until 2024, and Lunenburg work must take place in 2023. Pearson's Appraisal, Inc. has been selected and she requested that the Board allow she and Attorney Rennie to work on finalizing a contract.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to accept the proposal from Pearson's Appraisal, Inc. and allow Administrator Gee to continue negotiations to finalize the contract for the 2023 reassessment process.

Administrator Gee advised that Director of Community and Economic Development Taylor Newton was out of town for a conference. Ms. Newton's reports were provided. Administrator Gee commented that two members for the IDA are still needed in districts 1 and 6. She requested that the board forward \$70,752.83 in rebates for 2021 and \$8,683.68 for prior years to the Lunenburg County IDA for Enterprise Zone Tax rebates due to Global Refining Group, the only business who currently has assets eligible for rebate.

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to forward \$70,752.83 in rebates for 2021 and \$8,683.68 for prior years to the Lunenburg County IDA for Enterprise Zone Tax rebates due to Global Refining Group.

Administrator Gee provided her monthly report. She advised that the location of the December Board of Supervisors' meeting may need to be moved due to an upcoming jury trial. She is looking at the Kenbridge Town Hall, as the Victoria Community Centre is not available. Administrator Gee noted that she is still recruiting for a Deputy Animal Control Officer. She informed the Board that Director of Community and Economic

Development Taylor Newton passed her Zoning Administrator certification. Administrator Gee requested the Board appoint her as the Zoning Administrator and Clerk to the Board of Zoning.

Supervisor Edmonds made motion, seconded by Supervisor Pennington and unanimously approved, to appoint Director of Community and Economic Development Taylor Newton as the Zoning Administrator and Clerk to the Board of Zoning.

Supervisor Hankins explained that early voting had begun and the Registrar's Office is now considered a polling place. He added that there is no policy in place regarding campaign signs on County property. Supervisor Hankins suggested the Board approve a policy that does not allow for any campaign signs on the property of the courthouse and the removal of any that are placed on the courthouse grounds.

Supervisor Edmonds made motion, seconded by Supervisor Hankins and unanimously approved, to adopt a policy that no campaign signs are allowed on County property.

Administrator Gee advised that the County and Meridian Waste are planning a Tire Drop-Off Day to be held at the Lunenburg Landfill on Saturday, November 12<sup>th</sup>, from the hours of 8:00 a.m. to noon. Residents would be able to drop up to four passenger tires at the landfill. Emanuel Tire would be recycling the tires at the expense of the county. However, Meridian staff would be operating the event. Administrator Gee noted that if the event is successful, it may turn into an annual event. Administrator Gee advised that the Board would need to select voting members for the annual VACo meeting in early November. She added that the voting member would need to stay overnight as they are required to vote the following day.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and unanimously approved, to appoint Supervisor Hankins as the voting member for the 2022 VACo annual meeting and Supervisor Hoover as the alternate.

County Attorney Rennie advised that the County would be receiving funds from the National Opioid Settlement. The first payment had been received at the Treasurer's Office. He advised that a separate line item had been setup for the funding and the county will need to follow the guidance on how the funds may be used. He stated that the funds must be used to mitigate the abuse and consequences of opioids. He added that some localities are helping their local first responders and medical services.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A7 Legal Consult regarding possible litigation in reference to the Red Brick Solar Project.

#### 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 Hankins made motion, seconded by Supervisor Bacon, and unanimously approved, to return to Open Session.

Administrator Gee advised that she received the billing for the first annual maintenance in over a decade for the battery backup for the network operations center and E911 system. She noted that the first review of the current system shows an urgent need to replace and update the batteries as well as other hardware. The estimate is currently \$27,000 which is not a part of her capital budget. She advised she may be able to use some ARPA funds. The Board suggested review of financing options and requested Administrator Gee proceed with the best use of available funds.

Supervisor Edmonds made motion, seconded by Supervisor Hankins 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