

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

Minutes of December 14, 2023 Meeting

The regularly-scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, December 14, 2023 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, T. Wayne Hoover, Edward Pennington, Charles R. Slayton, Robert Zava, County Administrator Tracy M. Gee, Deputy Administrator Nicole A. Clark, and County Attorney Frank Rennie.

Chairman Slayton called the meeting to order.

Supervisor Hoover 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 log trucks on Mecklenburg Avenue be added as 9B1. Supervisor Hoover requested that Lunenburg Lightning Athletics be added as 6A. County Attorney Rennie requested that an update on the recount of votes for the Office of Sheriff be added as 9A. Administrator Gee requested that the revised minutes from the October 12, 2023 meeting, to include the School Board resolutions, be added to the Consent Agenda as 7B.

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

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to approve and present Resolutions of Achievement to the James River Southside Youth Football League-Lunenburg Flag Division, Minor Division, JV Division and Varsity Division teams.

RESOLUTION OF ACHIEVEMENT

WHEREAS, the James River Southside Youth Football League-Lunenburg Flag Division had a very successful 2023 season; and

WHEREAS, the James River Southside Youth Football League-Lunenburg Flag Division, referred to as the Lunenburg Lightning Flag Football Team, won the regular season championship for the Southside Division; and

WHEREAS, the Lunenburg Lightning Flag Football Team completed an undefeated season, scoring a total of 224 points, only allowing 26 points to be scored against them; and

WHEREAS, the Lunenburg Lightning Flag Football Team won the Southside Division playoffs; and

WHEREAS, the Lunenburg Lightning Flag Football Team continued to win the James River Southside Youth Football League Super Bowl; and

WHEREAS, the Lunenburg Lightning Flag Football Team was awarded the Sportsmanship Award; and

WHEREAS, the Lunenburg Lightning Flag Football Team was led by Coaches Ryan Parrish, JP Sweitzer, Jim Morris, Chris Garrett, Jeramiah Fix, Willie Jeter and Drake Armstrong, and team members Brayden Adams, Hudson Armstrong, Jaxson Atkins, Liam Bacon, Preston Bacon, Khalil Brogdon, Logan Brooks, Coda Buchanan, Cash Clark, Layton Fix, Declan Garrett, Daine Jeter, Chandler Jones, Akeem Lewis, Kendrick Logan, Wyatt Long, James Morris, Heath Myers, Jeter Parrish, Luke Peebles, Kamori Petis, Tanner Powers, Kyrie Smith, Marlin Smith, Marshaun Smith, Kyrie Suarez, Henry Sweitzer, Nehemiah Taylor, Zacharias Taylor, Ryan Van Der Merwe, Jacahri Wiley, and with added support from the Lightning Flag Cheer Squad and dedicated parents and family of the team members; and

WHEREAS, the Lunenburg Lightning Flag Football 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 Lightning Flag Football Team on their outstanding accomplishments during the 2023 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 14th day of December 2023.

RESOLUTION OF ACHIEVEMENT

WHEREAS, the James River Southside Youth Football League-Lunenburg Minor Division had a very successful 2023 season; and

WHEREAS, the James River Southside Youth Football League-Lunenburg Minor Division, referred to as the Lunenburg Lightning Minor Football Team, won the regular season championship for the Southside Division; and

WHEREAS, the Lunenburg Lightning Minor Football Team completed an undefeated season, scoring a total of 200 points, only allowing 50 points to be scored against them; and

WHEREAS, the Lunenburg Lightning Minor Football Team won the Southside Division playoffs; and

WHEREAS, the Lunenburg Lightning Minor Football Team continued to win the James River Southside Youth Football League Super Bowl; and

WHEREAS, the Lunenburg Lightning Minor Football Team was awarded the Sportsmanship Award; and

WHEREAS, the Lunenburg Lightning Minor Football Team was led by Coaches Chris Bacon, Chip Parrish, Drew Shepherd, John Shepherd, Demetrie Coles, Justin Beagle and Paul Smith, and team members Haskins Bacon, Wells Bacon, Camden Barnes, Jayce Beagle, Jeb Bolling, Dixon Brooks, Darrell Burger, McCoy Clark, Chase Dalton, Terrance Davis, Spiro Garrett, Jamaree Ghee, Future Hendricks, Hylton Hite, Anthony Johnson, DaMontaye Lee, Colby Liles, TC Meadows, Trevor Meadows, Bryant Moore, Jekeil Orban, Channing Parrish, Malcolm Reese, Bohdi Shelton, JW Shepherd, Trip Shepherd, Noah Simon, Brayden Smith, Whitt Taylor, Alex Townsend, Andre Wilson, and with added support from the Lightning Minor Cheer Squad and dedicated parents and family of the team members; and

WHEREAS, the Lunenburg Lightning Minor Football 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 Lightning Minor Football Team on their outstanding accomplishments during the 2023 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 14th day of December 2023.

RESOLUTION OF ACHIEVEMENT

WHEREAS, the James River Southside Youth Football League-Lunenburg JV Division had a very successful 2023 season; and

WHEREAS, the James River Southside Youth Football League-Lunenburg JV Division, referred to as the Lunenburg Lightning JV Football Team, won the regular season championship for the Southside Division; and

WHEREAS, the Lunenburg Lightning JV Football Team completed an undefeated season, scoring a total of 128 points, only allowing 50 points to be scored against them; and

WHEREAS, the Lunenburg Lightning JV Football Team won the Southside Division playoffs; and

WHEREAS, the Lunenburg Lightning JV Football Team continued to win the James River Southside Youth Football League Super Bowl; and

WHEREAS, the Lunenburg Lightning JV Football Team was led by Coaches Chris Hurt, Moe Moe Morrison, Bryant Moore, Josh Parrish and Eddie Jeter, and team members Malachi Bland, Eli Bolling, Ah'Mir Crowley, Kihran Edmonds, Zha'Ky Elder, Jahleek Ghee, Cayden Hazelwood, Dallas Hurt, Kavion Jones, Damauri Lee, James Levine, Artavius Lewis, Hugh Lynch, Willie Lynch, Jett McDaniel, Maxwell Parrish, Cole Quinn, Nicholas Rhodes, Jai'Mere Roberts, Ja'Bari Smith, Logan Smith, Gael Vargas, Markee Walton, Stephfone Williams, Dhamoni Woods, and with added support from the Lightning JV Cheer Squad and dedicated parents and family of the team members; and

***WHEREAS**, the Lunenburg Lightning JV Football 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 Lightning JV Football Team on their outstanding accomplishments during the 2023 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 14th day of December 2023.

RESOLUTION OF ACHIEVEMENT

***WHEREAS**, the James River Southside Youth Football League-Lunenburg Varsity Division had a very successful 2023 season; and*

***WHEREAS**, the James River Southside Youth Football League-Lunenburg Varsity Division, referred to as the Lunenburg Lightning Varsity Football Team, won the regular season championship for the Southside Division; and*

***WHEREAS**, the Lunenburg Lightning Varsity Football Team completed an undefeated season, scoring a total of 156 points, only allowing 42 points to be scored against them; and*

***WHEREAS**, the Lunenburg Lightning Varsity Football Team won the Southside Division playoffs; and*

***WHEREAS**, the Lunenburg Lightning Varsity Football Team continued to win the James River Southside Youth Football League Super Bowl; and*

***WHEREAS**, the Lunenburg Lightning Varsity Football Team was led by Coaches Kenny Evans, Damion Jennings and Antwon Streat, and team members Aiden Allen, Xavier Batts, Colt Camp, Wyatt Camp, Zah'mar Glasgow, Joseph Gustaf, Zamontae Hendricks, Jayden Jackson, Shakur Jones, Brody King, Vaden Liles, Elvis Lopez-Rodrigues, Kenyah Mitchener, Evan Powell, Antwon Streat, Zachary Touart, Jeremiah Wilson-Gee, and with added support from the Lightning Varsity Cheer Squad and dedicated parents and family of the team members; and*

***WHEREAS**, the Lunenburg Lightning Varsity Football 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 Lightning Varsity Football Team on their outstanding accomplishments during the 2023 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 14th day of December 2023.

Supervisor Hoover commented that the James River Southside Youth Football League Divisions, also known as Lunenburg Lightning, had an impressive season and the league was trying to obtain awards and shirts for the teams. He reminded the Board of their donation of \$3,000 to the All-Star Baseball & Softball teams earlier in the year and he requested the Board consider providing \$3,000, in funds provided by Meridian Waste for annual donations, to the Lunenburg Lightning teams as well.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to approve providing \$3,000, in funds provided by Meridian Waste for annual donations, to the Lunenburg Lightning teams to assist in their efforts to purchase awards and t-shirts.

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to accept the Consent Agenda to include the November 9, 2023 meeting minutes, the revised October 12, 2023 minutes that now include the School resolutions, the revised July 2023 Treasurer's Collection Reports, and the following Warrants for Approval:

November 2023:

Payroll: Direct Deposit	\$ 190,421.47
Payroll Check #2028	\$ 1,008.63

Payroll Taxes Federal:	\$ 62,369.13
Payroll Taxes State:	\$ 11,507.52
ACH Payroll Payments:	\$ 46,879.34
ACH AP Payments:	\$ 836,123.96
WIRE TRANSFERS (School Debt Payments)	\$ 190,821.25
Accounts Payable: #83859-83967	<u>\$ 360,682.98</u>

Total: \$1,699,814.28

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to enter public hearing regarding the following:

- a. County Ordinance Sec. 73-4. –Reimbursement of expenses incurred in responding to DUI/Impaired Driving and other traffic accidents and incidents.
- b. CUP 5-23: Conditional Use Permit for Parrish View Farms to operate an Event Venue.
- c. CUP 7-23: Conditional Use Permit for Justin Clement—Impact Arms, LLC to operate a Retail Store and Shop, and Personal Service Business.
- d. CUP 9-23: Conditional Use Permit for Jonathan and Jessica Shelton to construct and operate a Retail Store and Shop, and Personal Service Business.

County Attorney Rennie shared the proposed ordinance on Reimbursement of expenses incurred in responding to DUI/Impaired Driving and other traffic accidents and incidents. There was no public comment. County Attorney Rennie shared that, if adopted, he had prepared a resolution for adoption. He also had a resolution for County Ordinance Sec. 73-3 Vehicle Exhaust/Excessive Noise Ordinance that was adopted in November.

Sec. 73-4. – Reimbursement of expenses incurred in responding to DUI/Impaired Driving and other traffic accidents and incidents, and in issuing certain arrest warrants and summonses.

- (a) Any person convicted of violating any of the following provisions of the Code of Virginia, or any similar ordinances in the County Code, shall, at the time of sentencing or in a separate civil action, be liable to the County, including the Sheriff's Office, or to any responding volunteer fire or rescue squad, or both, for restitution of reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue and emergency services, including those incurred by the sheriff's office, or by any volunteer fire or rescue squad, or by any combination of the foregoing, when providing an appropriate emergency response to any accident or incident related to such violation. Further, any person convicted of violating any of the following provisions of the Code of Virginia, or any similar ordinances in the County Code, shall, at the time of sentencing or in a separate civil action, also be liable to the county for restitution of reasonable expenses incurred by the County when issuing any related arrest warrant or summons, including the expenses incurred by the sheriff's office. Persons convicted of violating the following provisions or of violating any similar County ordinances shall be liable for restitution under this section:
 - (1) The provisions of Code of Virginia §§ 18.2-36.1, 18.2-51.4, 18.2-266.1, 29.1-738, 29.1-738.02, or 46.2-341.24, or similar ordinance, when such operation of a motor vehicle, engine, train or watercraft while so impaired is the proximate cause of the accident or incident;
 - (2) The provisions of Code of Virginia art. 7 (§ 46.2-852 et seq.) of Chapter 8 of Title 46.2, relating to reckless driving, when such reckless driving is the proximate cause of the accident or incident;
 - (3) The provisions of Code of Virginia Article 1 (§ 46.2-300 et seq.) of Chapter 3 of Title 46.2, relating to driving without a license or driving with a suspended or revoked license; and
 - (4) The provisions of Code of Virginia § 46.2-894, relating to improperly leaving the scene of an accident
- (b) Personal liability for reasonable expenses of an appropriate emergency response pursuant to subsection (a) shall not exceed \$1,000.00 in the aggregate for a particular accident, arrest, or incident occurring in the country.
- (c) In determining the "reasonable expenses," a flat fee of \$350.00 may be billed or a minute-by-minute accounting of the actual costs incurred may be billed. The county may bill and recover fees or costs on behalf of the volunteer fire and rescue squads, or the volunteer fire and rescue squads may bill and recover their own fees and costs.

- (d) As used in this section “appropriate emergency response” includes all costs of providing law enforcement, firefighting, rescue, and emergency medical services.
- (e) The court may order as restitution the reasonable expenses incurred by the county for responding law enforcement, firefighting, rescue, and emergency medical services.
- (f) In the event a person convicted of any of the afore-mentioned violations is not ordered to pay restitution or does not pay as restitution the full amount billed pursuant to subsection (c), then the County or volunteer fire or rescue squad should have a separate civil action against such person to recover any unpaid portion of the bill issued pursuant to subsection (c).
- (g) The provisions of Code of Virginia § 15.2-1716 and the provisions of this Section 306 shall not preempt or limit any remedy available to the Commonwealth, to the county, or to any volunteer fire or rescue squad to recover the reasonable expenses of an emergency response to an accident or incident not involving impaired driving, operation of a vehicle or other conduct as set forth herein, nor shall they preempt or limit the ability of a volunteer rescue squad to charge and recover fees for its services, including without limitation fees associated with transporting individuals to a hospital or other health care provider.

Mr. Jeff Parrish spoke before the Board, on behalf of Parrish View Farms regarding their request and application for Conditional Use Permit for CUP 5-23 to operate an Event Venue on tax parcels 049-0A-0-68 and 049-0A-0-69A, 2571 Dundas Road, Kenbridge, VA 23944, consisting of 73.06 acres in an A-1 Agricultural zone. Mr. Parrish explained that they have been using their venue for community events and have recently expanded into hosting weddings. They have been working closely with the neighbors and have not received any complaints. They would like to ensure a permit is in place with the county. Director of Economic Development Taylor King advised that the Planning Commission was in support of approving the application with the proposed conditions from the Planning Commission with an additional request for a one-hour extension to allow operation to midnight with another hour for cleaning.

Mr. Justin Clement spoke before the Board, requesting approval of an application for CUP 7/23, to operate a Retail Store and Shops, and Personal Service Business (mainly web-based and mail-order sales of firearms and ammunition, manufacturing/gunsmithing, cerakoting/hydrographic design for firearms and other items per customer request, and ATF Federally Licensed Firearms Licensee) on tax parcel 022-0A-0-20, 3028 Poorhouse Road, Victoria, VA 23974. Mrs. King advised that the Planning Commission was in support of approving the application with the proposed conditions.

Mrs. King advised that the application for CUP 9-23: Conditional Use Permit for Jonathan and Jessica Shelton to construct and operate a Retail Store and Shop, and Personal Service Business had been withdrawn prior to the meeting.

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

Supervisor Hoover made motion, seconded by Supervisor Edmonds and unanimously approved, to adopt the County Ordinance Sec. 73-4. –Reimbursement of expenses incurred in responding to DUI/Impaired Driving and other traffic accidents and incidents.

RESOLUTION OF LUNENBURG COUNTY
BOARD OF SUPERVISORS
REGARDING ADOPTION OF LUNENBURG COUNTY CODE §73-4

WHEREAS, the Lunenburg County Board of Supervisors observed a need in Lunenburg County regarding adoption of Lunenburg County Code 73-4, reimbursement of expense incurred in responding to DUI/impaired driving and other traffic accidents and incidents, and in issuing certain arrest warrants and summonses; and

WHEREAS, the Board of Supervisors conducted a public hearing on December 14, 2023 at their monthly meeting; and

WHEREAS, Board of Supervisors approved and adopted the Lunenburg County Ordinance Code 73-4, regarding reimbursement of expenses incurred in responding to DUI/impaired driving and other traffic accidents and incidents, and in issuing certain arrest warrants and summonses by a vote of 7 to 0.

NOW, THEREFORE, the Lunenburg County Board of Supervisors does hereby resolve that the Lunenburg County Code §73-4 regarding reimbursement of expenses incurred in responding to DUI/impaired driving and other traffic accidents and incidents, and in issuing certain arrest warrants and summonses, is hereby approved and adopted this 14th day of December, 2023.



Chairman, Lunenburg Board of Supervisors

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

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to adopt resolutions for County Ordinance Sec. 73-4. –Reimbursement of expenses incurred in responding to DUI/Impaired Driving and other traffic accidents and incidents and Sec. 73-3 Vehicle Exhaust/Excessive Noise Ordinance that was adopted in November.

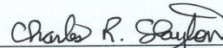
RESOLUTION OF LUNENBURG COUNTY
BOARD OF SUPERVISORS
REGARDING ADOPTION OF LUNENBURG COUNTY CODE §73-3,
VEHICLE EXHAUST/EXCESSIVE NOISE ORDINANCE

WHEREAS, the Lunenburg County Board of Supervisors observed a need in Lunenburg County regarding adoption of Lunenburg County Code §73-3, Vehicle Exhaust/Excessive Noise; and

WHEREAS, the Board of Supervisors conducted a public hearing on ~~December 14, 2023~~ ^{November 9, 2023} at their monthly meeting; and

WHEREAS, the Board of Supervisors approved and adopted the Lunenburg County Code §73-3, regarding vehicle exhaust and excessive noise, by a vote of 7 to 0.

NOW, THEREFORE, the Lunenburg County Board of Supervisors does hereby resolve that the Lunenburg County Code §73-3 regarding Vehicle Exhaust/Excessive Noise is hereby approved and adopted this 14th day of December, 2023, retroactive to November 9, 2023.



Chairman, Lunenburg Board of Supervisors

	<u>AYE</u>	<u>NAY</u>
Dr. Bacon	✓	_____
Mr. Edmonds	✓	_____
Mr. Hankins	✓	_____
Mr. Hoover	✓	_____
Mr. Pennington	✓	_____
Mr. Slayton	✓	_____
Mr. Zava	✓	_____

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the applications with conditions for CUP 5-23 for Parrish View Farms to operate an Event Venue and CUP 7-23 for Justin Clement to operate Impact Arms, LLC.

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

WHEREAS, Parrish View Farms has petitioned the Lunenburg County Board of Supervisors to operate an **Event Venue** on tax parcels 049-0A-0-68 and 049-0A-0-69A, 2571 Dundas Road, Kenbridge, VA 23944, consisting of 73.06 acres in an A-1 Agricultural zone.

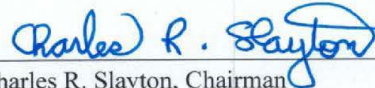
WHEREAS, after appropriate advertisements, the Lunenburg County Planning Commission held a public hearing and duly reviewed and recommended this application to the Lunenburg County Board of Supervisors for approval with the following conditions:

1. Provide adequate room for fire, EMS, and law enforcement to make entrance to the parking area, residence, "Fancy Barn", silos, "Log Barn", and ceremony area on the parcel and can exit the location. Also, allowing access to any adjacent properties.
2. Obtain Event Permits/Event Venue License through the Lunenburg County Administration Office.
3. Comply with VDH rules and regulations and pass their inspection for the preparation and service of food from the facility.
4. Hours of operation for the **Event Venue** shall comply with the regulations set forth in the Event Venue Ordinance except in the event that a New Year's Eve Event is held where the venue is permitted to operate until 12 a.m. with clean up following 1-hour after.
5. No event shall last longer than two (2) days, not including set-up and take-down.
6. An annual Event Management Plan be provided to the Department of Planning and Zoning Development.
7. No overnight accommodations.
8. Must adhere to the Lunenburg County Noise Ordinance (Section 58-79).
9. Adhere to the County's Event Permit/Event Venue Ordinance.
10. Adhere to the County's A-1 District Sign Regulations.
11. Comply with the County and Virginia ABC requirements and regulations.
12. Comply with the Virginia Department of Health's requirements and regulations.
13. Report all tangible property to the Commissioner of Revenue no later than the 31st of January of each year.
14. Agrees to host no more than twelve (12) general admission events per year; however, if more are hosted, then the applicant agrees to obtain Event Permits for any general admission outside of the twelve (12) permitted by the ordinance.

15. Agrees to provide a potable domestic water supply on-site sewage disposal or sewer service connection necessary to accommodate all events to the satisfaction of the Virginia Health Department.
16. Comply with all federal, state, and local regulations.
17. The Conditional Use Permit is limited to the applicant and does not run with the property.

NOW THEREFORE LET IT BE RESOLVED, that the Conditional Use Permit for to operate an **Event Venue** on tax parcels 049-0A-0-68 and 049-0A-0-69A, 2571 Dundas Road, Kenbridge, VA 23944, in accordance with the recommendation of the Lunenburg County Planning Commission contingent upon your obtaining and maintaining all necessary permits and licenses and subject to all State and Local regulations and empowers the Chairman of said Board to sign this document.

DATED: December 14, 2023



Charles R. Slayton, Chairman
Lunenburg County Board of Supervisors

BOARD OF SUPERVISORS

Charles R. Slayton, CHAIRMAN
Election District 4

Frank W. Bacon, VICE-CHAIRMAN
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Lunenburg County Administration
11413 Courthouse Road
Lunenburg, VA 23952

Tracy M. Gee
County Administrator

Telephone: (434) 696-2142
Facsimile: (434) 696-1798

WHEREAS, Justin Clement has petitioned the Lunenburg County Board of Supervisors to operate a Retail Store and Shops, and Personal Service Business (mainly web-based and mail-order sales of firearms and ammunition, manufacturing/gunsmithing, cerakoting/hydrographic design for firearms and other items per customer request, and ATF Federally Licensed Firearms Licensee) on tax parcel 022-0A-0-20, 3028 Poorhouse Road, Victoria, VA 23974, consisting of 17.819 acres in an A-1 Agricultural zone.


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

1. Adhere to the fire code maximum occupancy of the building.
2. Provide adequate room for fire, EMS, and law enforcement to make entrance to the parking area, building, and surrounding areas on the parcel and can exit the location.
3. Comply with ATF rules and regulations for the sale of firearms and ammunition, manufacturing/gunsmithing, cerakoting/hydrographic design for firearms.
4. Maintain licensure through the ATF. Display license as required by the ATF.
5. Comply with all Uniform Building Codes
6. Receive a Certificate of Occupancy/Final Inspection from the County of Lunenburg prior to the operation of the shop.
7. Contact the Commissioner of Revenues office within thirty (30) days prior to operation to notify of the new business and complete any requirements of their office.
8. Comply with the County's Noise Ordinance and be permitted to start firearm testing no earlier than 9:00 a.m. and complete testing no later than 8:00 p.m.
9. Comply with all federal, state, and local regulations.
10. 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 for to operate a Retail Store and Shops, and Personal Service Business (mainly web-based and mail-order sales of firearms and ammunition, manufacturing/gunsmithing, cerakoting/hydrographic design for firearms and other items per customer request, and ATF Federally Licensed Firearms Licensee) on tax parcel 022-0A-0-20, 3028 Poorhouse Road, Victoria, VA 23974, in accordance with the recommendation of the Lunenburg County Planning Commission contingent upon your

obtaining and maintaining all necessary permits and licenses and subject to all State and Local regulations and empowers the Chairman of said Board to sign this document.

DATED: December 14, 2023


Charles R. Slayton, Chairman
Lunenburg County Board of Supervisors

Mrs. Jamyce Watson, Director of Finance for Lunenburg Schools, provided the financial report for September 2023. She advised that the current daily membership is 1,485. Mrs. Watson noted that the revised budget report was based on the current ADM. However, the school system requested that the Board maintain the proposed local appropriation amount, as the funds would enable them to provide local match for the two (2) percent cost-of-living increase for all staff without asking for additional local funds. Mrs. Watson stated that they also predict that they will not need to request further funds for needs that may arise later in the year, as the December membership has risen to 1497. Supervisor Zava stated that since the actual membership total is not at the projected number, and the Board funded the first six months based on the higher number, he recommended that the request tabled until the two Finance Committees are able to meet and recommend a funding plan for the remainder of the fiscal year. Supervisor Zava suggested that the Board fund January for the school system as previously budgeted and the two committees will meet prior to the January Board of Supervisors meeting.

Supervisor Zava made motion, seconded by Supervisor Bacon and unanimously approved, to approve funding to the school system for January 2024 as previously budgeted, allowing the School Finance Committee and the Board Finance Committee to meet to determine funding for the remainder of the fiscal year.

Mrs. Watson provided a copy of a resolution adopted by the School Board to allow for early pay in December, with all teachers, bus drivers, janitors, maintenance workers, and school board members to receive pay on December 21, 2023.

Supervisor Pennington made motion, seconded by Supervisor Bacon and unanimously approved, to approve the resolution adopted by the School Board to allow for early pay on December 21, 2023.

Mr. Kevin Smith of VDOT provided the monthly report. He advised that all mowing had been completed on primary and secondary roads. He noted that they were about halfway through their litter cleanup efforts. Mr. Smith commented that crews are prepared for winter weather. Supervisor Pennington shared his concern for the traffic on Mecklenburg Avenue in Victoria. Mr. Smith noted that VDOT has spoken with the Virginia State Police and they are monitoring the area. Administrator Gee added that VDOT representatives have advised to share any information residents may see on the trucks so that they can reach out to the company directly.

Director of Planning and Economic Development Taylor King provided her monthly report. She advised that the Planning Commission heard a request for a Conditional Use Permit from a new owner of the Stagecoach Stop. She also provided a schedule of the 2024 Planning Commission meetings. She shared that the Love's Mill cell tower is now live and operational. Mrs. King noted that she and Building Official Jamie Tuck have enrolled in a drone operators' course. Supervisor Hankins reviewed the Commonwealth Regional Council report.

Animal Control Officer Ray Elliott provided an update on recent events for the Animal Shelter. He stated that his Ruff-N-It fundraiser just saw its eighth year. He shared that when he first started as Animal Control Officer, many animals were being euthanized. He wanted to find a way to reduce that number and help with the overpopulation issue in the county. Therefore, he created a campaign in which he stays in a dog kennel at the animal shelter for twelve hours on Thanksgiving Day without food and only one bottle of water. Officer Elliott shared that in the first seven years of his campaign, he has raised over \$107,000 which is donated to the Southside SPCA to assist with spay and neutering of Lunenburg animals. Officer Elliott shared that his shelter handled three-hundred thirty-six animals the previous year, two-hundred ninety of them were spayed or neutered. He shared that his shelter was awarded the 2022 No-kill Shelter Award for reaching a ninety-percent no-kill rate. Supervisor Hoover congratulated Officer Elliott on another state inspection with no findings.

Administrator Gee shared a request from the Social Services Office to close their current credit card through Benchmark Community Bank in the name of the Director, who is retiring January 1st, and authorize the application for a new county credit card in the name of the Office Manager, Lisa Nagorsky. The limit on the card would remain the same at \$5,000.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize an application for a new county credit card for the Social Services Office in the name of the Office Manager, Lisa Nagorsky, with a limit of \$5,000.

County Attorney Rennie provided an update on the recount of votes requested by one of the candidates for Sheriff. He detailed the process for the recount and stated the date has been set for December 19th. He added that he has been impressed with the Electoral Board and their professionalism throughout the process. Supervisor Edmonds questioned how many voting machines would be used in the recount. County Attorney Rennie replied that two machines would be used. One would count the in-person ballots from Election Day and one would count all mail in, absentee, and early voting ballots. He suggested that the Board table the Sheriff's election results when approving the Abstract of Votes from the November 7, 2023 election. Supervisor Hoover questioned where the ballots were being stored. County Attorney Rennie replied that the ballots were being stored in a locked location at the Circuit Clerk's Office. Supervisor Zava asked who would be responsible for the cost of the recount. County Attorney Rennie advised that the person who filed the petition for the recount would be responsible for certain costs, if the recount proves the same result.

Administrator Gee requested the County follow the same early pay date of December 21st as the school system, the same as years past.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to approve an early pay date of December 21st for all County payroll recipients.

Administrator Gee pointed out that many County and Court offices are scheduled to be closed on December 26th as an extension of the Christmas holiday.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to add December 26th to the 2023 Holiday Schedule, allowing all county offices to remain closed.

Administrator Gee shared a request from the Sheriff's Office to transfer \$3,835.74 from Compensation Board Vacancy Savings to Police Supplies.

Supervisor Pennington made motion, seconded by Supervisor Edmonds and unanimously approved, to approve the request from the Sheriff's Office to transfer \$3,835.74 from Compensation Board Vacancy Savings to Police Supplies.

Administrator Gee shared a letter from the Department of Criminal Justice Services notifying her that the County has been awarded an additional \$25,000 to the original \$259,000 ARPA Law Enforcement Equipment Grant for a new total of \$284,000. She explained that the grant did not require any local match and requested the Board appropriate the revenue and expenditure.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to accept and appropriate the additional \$25,000 in ARPA Law Enforcement Equipment Grant funds.

Administrator Gee advised the Board that the County financial package IBM hardware is due for an upgrade, as IBM Corp will no longer provide support for the current system mid-year 2024. She shared an agreement from CAS Severn, who sells and maintains the IBM product. The agreement outlines the equipment, software, and maintenance that the IBM Power10 System upgrade will include, with a total cost of approximately \$58,000 if paid in full as a one-time payment. Administrator Gee stated that she would like to utilize capital funds for the entire expense, therefore, avoiding interest expenses if financed.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize Administrator Gee to sign the agreement from CAS Severn for the IBM Power10 System upgrade with a one-time payment of approximately \$58,000.

Administrator Gee advised the Board that she and Commissioner of the Revenue Liz Hamlett met with representatives of the Southside Planning District Commission (SPDC) regarding online GIS mapping services and related technical assistance. The SPDC has agreed to provide these services to the County at a cost of \$400 per month. Administrator Gee and Commissioner Hamlett believe the services provided by the SPDC will be more informative for users, less costly than Timmons Group, recommend entering the Memorandum of Understanding.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and unanimously approved, to authorize Administrator Gee to sign the Memorandum of Understanding with the Southside Planning District Commission (SPDC) to provide online GIS mapping services and related technical assistance at a cost of \$400 per month.

Mr. Jay Sanudo of Robinson, Farmer, Cox Associates presented the FY22/23 Annual Audit review. He noted that the audit showed no findings. He advised that the County has a healthy fund balance and again seems to be in a good financial state. He thanked all those in the County offices, Social Services and School Board Office that assisted auditors during the process. Supervisor Hoover commented that the annual audit was completed without any management concerns for twelve years. He commended Administrator Gee, her staff, the Treasurer's Office, School Board Office, and Social Services for their hard work. Administrator Gee thanked the Finance Committee as well.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the FY22/23 Annual Audit Robinson, Farmer, Cox Associates.

Administrator Gee provided an update on the facilities proposal from ABM. She noted that the Historic Courthouse roof project had been estimated at \$200,000, the bathroom for the District Court Clerk's Office was estimated at \$95,000 and energy-efficient lighting upgrades in the new courthouse would be an additional

\$225,000. Administrator Gee said that she had received additional bids on the roof project, with estimates coming in between \$75,000 and \$125,000. After discussions with ABM, and considering they would likely be awarded only the bathroom project, both parties agreed to not engage in further project discussions, with ABM forgoing the penalty assessed if the County did not proceed with any projects.

Supervisor Hoover made motion, seconded by Supervisor Bacon and unanimously approved, to terminate the agreement with ABM, with ABM forgoing the audit fee assessed if the County did not proceed with any projects.

Administrator Gee discussed the Declaration of Local Emergency to ban all open-air fires and outdoor burning in the county that was issued on November 16th via telephone roll-call vote from Supervisors. The below notice was posted and Administrator Gee asked the Board for a vote to record in the minutes.

The LUNENBURG COUNTY BOARD OF SUPERVISORS ISSUES A DECLARATION OF LOCAL EMERGENCY due to dry conditions, in accordance with Section 44-146.21 and 15.2-922.1 of the Code of Virginia, and hereby establishes an emergency ordinance to BAN ALL OPEN-AIR FIRES AND OUTDOOR BURNING for the entirety of the County of Lunenburg, including the Town of Victoria and Town of Kenbridge, UNTIL FURTHER NOTICE. The Declaration of Local Emergency puts on alert all County fire response agencies, should emergency response be required.

The ban on open-air fires and outdoor burning applied to all public and private property. The ban includes and applies to: burning associated with construction, earth-moving and demolition operations, burning associated with all agricultural and silvicultural activities, home burn barrels, fire pits or equivalents, campfires on public and private property, and all other open-air and outdoor fires. *The ban will remain in effect until Lunenburg County received sufficient precipitation to reduce the fire danger.*

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to issue a Declaration of Local Emergency to ban all open-air fires and outdoor burning in the county, issued on November 16, 2023 and ending December 7, 2023.

Administrator Gee provided her monthly report. She advised that due to the upcoming retirement for Treasurer Amona Currin and tax payment deadlines, the Treasurer's Office had hired Mrs. Janice Green on a consulting basis. Administrator Gee shared that the Electoral Board had selected a new Registrar to replace retiring Registrar Carolyn Parsons. She added that Director of Social Services Dorothy Newcomb would be retiring on January 1st. She recommended the Board consider Resolutions of Retirement for all three retirees.

Supervisor Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to prepare Resolutions of Retirement to be presented to Treasurer Amona Currin, Registrar Carolyn Parsons and Director of Social Services Dorothy Newcomb at a future meeting.

Administrator Gee shared Change Order 04 from L3Harris regarding the Emergency Services Radio Communications System. Mr. Rodney Newton advised that the changes were due to delays for the Stars Tower. He added that all associated costs, in the amount of \$29,271.68, would be covered by the State Homeland Security Program grant, with no expense to the county.

Supervisor Hankins made motion, seconded by Supervisor Bacon and unanimously approved, to approve Change Order 04 from L3Harris regarding the Emergency Services Radio Communications System.

County Attorney Rennie shared that one of the candidates for Sheriff had also filed a petition in the Circuit Clerk's Office contesting the election. County Attorney Rennie advised that this case does not involve the

County, only the three candidates in the race. He added that the same three judges will preside over the case that are presiding over the recount. He will update the Board on both items at the January meeting.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and unanimously approved, to adjourn.

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors