

LUNENBURG COUNTY BOARD OF SUPERVISORS
****KENBRIDGE TOWN HALL****
511 EAST 5TH AVENUE
ROOM 200 (COUNCIL CHAMBERS)
KENBRIDGE, VIRGINIA 23944

Minutes of the December 8, 2022 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, December 8, 2022 at 6:00 pm in the Kenbridge Town Hall, 511 East 5th Avenue, Kenbridge, Virginia due to a previously-scheduled court proceeding taking precedence in the Lunenburg County General District Courtroom. 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 Bacon 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.

Supervisor Pennington made motion, seconded by Supervisor Bacon, and unanimously approved, to accept the Consent Agenda to include the November 10, 2022 meeting minutes, the Treasurer’s August reports and the following Warrants for Approval:

November 2022:

Payroll: Direct Deposit	\$ 170,892.95
Payroll Check #2014-15	\$ 1,364.36
Payroll Taxes Federal:	\$ 55,445.26
Payroll Taxes State:	\$ 10,027.94
Payroll VRS payment:	\$ 36,657.64
Payroll ICMA-RC payment:	\$ 1,797.01
Payroll Health Savings Deposits:	\$ 4,097.62
<i>WIRE (Bond Payments)</i>	<i>\$ 185,821.25</i>
Accounts Payable: #81848-82013	<u>\$ 531,656.22</u>
Total:	\$ 997,760.25

Supervisor Bacon made motion, seconded by Supervisor Edmonds, and unanimously approved, to enter public hearing regarding **CUP 4-22: Conditional Use Permit** for SBA Communications to recertify and alter the existing 250-foot Wireless Telecommunication facility on tax parcel 085-0A-0-5, 871 Longview Drive, Brodnax, VA 23920, consisting of 0.23 acres in an A-1 Agricultural zone.

Director of Planning and Economic Development, Taylor Newton, provided a report from the Planning Commission. She advised that the Planning Commission recommended approval of the request from SBA Communications at their November meeting. CTA Consultants, who reviewed the recertification application,

reported that all aspects complied, except that the certification had expired. Supervisor Hoover questioned if the request included the ability for local emergency services to use space on the tower for emergency communications at no cost. Ms. Newton and Administrator Gee replied that localities are no longer permitted to make a condition for space for emergency communication, per State Code. County Attorney Rennie advised that it can not be a condition of the permit certification, however, tower owners have been willing to allow for such space at no cost. Mr. Luke Vinciguerra of SBA Communications, requested approval of the permit recertification, however, he noted that he must get approval from his superiors to provide space on the tower for emergency services equipment.

Supervisor Bacon made motion, seconded by Supervisor Edmonds, and unanimously approved, to exit public hearing regarding **CUP 4-22: Conditional Use Permit** for SBA Communications to recertify and alter the existing 250-foot Wireless Telecommunication facility on tax parcel 085-0A-0-5, 871 Long View Drive, Brodnax, VA 23920, consisting of 0.23 acres in an A-1 Agricultural zone.

Supervisor Hoover commented that the County has been able to partner with tower companies in the past in order to ensure public safety space is available on towers within the county at no cost. He suggested that a decision on the recertification be tabled until the following month after Mr. Vinciguerra of SBA Communications can further discuss with his superiors. County Attorney Rennie advised that multiple concerns have developed in the past concerning cell towers, including the space for public safety equipment. He added that the cell tower ordinance has not been updated since 2001 and recommended formation of a working group to review the ordinance and propose an update. County Attorney Rennie suggested the committee be comprised of Mr. Rodney Newton for his emergency services knowledge, a member from the Planning Commission, Supervisor Hankins, Ms. Taylor Newton, and Assistant County Attorney Drew DiStanislao. He recommended the committee work on updates in the coming months and then provide a proposal to the Planning Commission and Board of Supervisors.

Lunenburg County Schools Assistant Superintendent and Finance Director James Abernathy presented the monthly school system report. He noted that the ADM was currently at 1,486 students, which was thirty-four students below the number used for the budget. He added that the trend is down, but they expect several students to return after the holidays. Mr. Abernathy noted that they are actively looking at their budget and how it may be adjusted if the ADM does not return to projected enrollment figures. They have a few teaching positions and a full-time office staff position that will not be filled. They will also be holding off on purchasing a school bus. Supervisor Edmonds questioned if they had looked at electric buses. Mr. Abernathy responded that upon research, there are too many unknown issues with electric buses. The electric bus can only run a short period of time before charging; therefore, it is not ideal for the rural area where bus routes may take hours to complete. Supervisor Edmonds asked how many students are currently being home schooled. Mr. Abernathy replied around 117. Supervisor Hoover commented that he has heard the school system may need to move from an A status to an AA status for sports purposes, however, the ADM is decreasing. Mr. Abernathy advised that sports classifications are based on the population of the high school. He added that they have a very large 8th and 9th grade class, which may require a move up to the AA classification while these two groups are in high school and then move back down upon their graduation.

Supervisor Hankins recommended the Board adopt and present Resolutions of Achievement for the Varsity football team and the cheerleading squad for their accomplishments during their season. Administrator Gee advised that the golf team had also performed outstanding during their season, advancing to the State Tournament. Supervisor Bacon recommended one for the Lunenburg Lightning Football Super Bowl Champions.

Mr. Kevin Smith provided the monthly VDOT report. He advised mowing had been completed on primary roads. He added that litter pick up for the Victoria side of the County had been completed and pick up on the Kenbridge side would begin in the coming weeks. Mr. Smith advised that tree-cutting for the Hardy Road

project would begin very soon and would need to be completed quickly. He noted that crews may be cutting on weekends to include Sundays and could possibly start as early as the upcoming weekend.

Administrator Gee shared a request from the Sheriff's Office to transfer \$4,982.82 from vacancy savings, with \$2500 transferred to the training line item and \$2,482.82 transferred to the office supplies line item.

Supervisor Pennington made motion, seconded by Supervisor Bacon, and unanimously approved, to approve the request from the Sheriff's Office to transfer \$4,982.82 from vacancy savings, with \$2500 transferred to the training line item and \$2,482.82 transferred to the office supplies line item.

Supervisor Edmonds made motion, seconded by Supervisor Bacon, and unanimously approved, to record the following Abstract of Votes from the 2022 November General Election held on November 8, 2022.

ABSTRACT of VOTES

Cast in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Member House of Representatives

District: 05

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Robert G. "Bob" Good - Republican	2658
Joshua M. Throneburg - Democratic	1440
Total Write-In votes (From Write-Ins Certifications)	2
[Valid Write-Ins + Invalid Write_Ins = Total Write In Votes]	
Total Number of Overvotes for Office	1

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Representatives.

ABSTRACT of VOTES

Cast in the Town of KENBRIDGE in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Mayor - Kenbridge

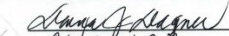
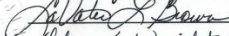
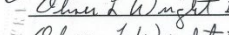
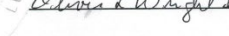
District: KENBRIDGE

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Wanda G. Morrison	334
Total Write-In votes (From Write-Ins Certifications)	13
[Valid Write-Ins + Invalid Write_Ins = Total Write In Votes]	
Total Number of Overvotes for Office	0


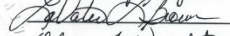
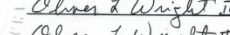
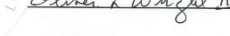
We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Mayor - Kenbridge.

Wanda G. Morrison

Given under our hands this 22nd day of November, 2022

 , Chairman
 , Vice Chairman
 , Secretary
 , Acting Secretary

Given under our hands this 22nd day of November, 2022

 , Chairman
 , Vice Chairman
 , Secretary
 , Acting Secretary

ABSTRACT of VOTES

Cast in the Town of KENBRIDGE in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Member Town Council


District: KENBRIDGE

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Michael R. Bender	206
David Lee Haywood Sr.	193
W. D. "Doug" Aubel	173
Alan J. Hershberger	164
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes]	13
Total Number of Overvotes for Office	3

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council.

1. Michael R. Bender
2. David Lee Haywood Sr.
3. W. D. "Doug" Aubel

Given under our hands this 22nd day of November, 2022



Anna J. Adams, Chairman
Salvatore J. Brown, Vice Chairman
Oliver J. Wright III, Secretary
Oliver J. Wright III, Acting Secretary

ABSTRACT of VOTES

Cast in the Town of KENBRIDGE in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Member Town Council - Special

District: KENBRIDGE

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
No Candidates on Ballot	0
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes] ** Please submit a Write-Ins Certification **	25
Total Number of Overvotes for Office	68


We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Special.

No Candidates on Ballot

Winner by lot drawing

Dawn Moody

Given under our hands this 22nd day of November, 2022



Anna J. Adams, Chairman
Salvatore J. Brown, Vice Chairman
Oliver J. Wright III, Secretary
Oliver J. Wright III, Acting Secretary



* VIRGINIA * DEPARTMENT of ELECTIONS

WRITE-INS CERTIFICATION
VA. CODE § 24.2-675

Complete this form ONLY if (i) the total number of write-ins is 10% or more of the total number of votes cast for the office (for a cross-jurisdictional office, the total number across all jurisdictions), OR (ii) a write-in candidate was elected to the office.

Locality: Lunenburg Election Date: 11/08/22 Clerk Election Type(s): General Special Primary
 Office: Member Town Council Town Of Kenbridge District (if applicable): Page 1 of 2

WRITE-INS - SUMMARY

	Total Votes Received (In Figures)
1. Invalid Write-Ins	8
2. Valid Write-Ins	17
3. Total Write-Ins [*Total Write-Ins* must match the "Total Write-In Votes" line on the Abstract for this office.]	25

VALID WRITE-INS - DETAIL

List valid write-ins in alphabetical order below and on continuation pages, as needed. All valid write-ins when added together must equal total entered on line 2 above.


	Total Valid Votes Received (In Figures)
W. D. "Doug" Aubel	1
Michael R. B	1
Michael Behovr	1

Continued on pages 2 through 2

We, the undersigned Electoral Board members, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on 11/08/22 do hereby certify that, with the continuation pages indicated, the above is a true and correct certification of the write-in votes cast at said election for the office indicated above.

Given under our hands this 14th day of November, 2022

Any note:



Anna J. Adams, Chairman
Salvatore J. Brown, Vice Chairman
Oliver J. Wright III, Secretary
Oliver J. Wright III, Acting Secretary

ELECT-675

Rev. 7/12/2018



* VIRGINIA * DEPARTMENT of ELECTIONS

WRITE-INS CERTIFICATION
CONTINUATION
VA. CODE § 24.2-675

Locality: Lunenburg Election Date: 11/08/22 Clerk Election Type(s): General Special Primary
 Office: Member Town Council Town of Kenbridge District (if applicable): Page 2 of 2

VALID WRITE-INS - DETAIL (continued)

Continue to list valid write-ins in alphabetical order below and on additional continuation pages, as needed. All valid write-ins when added together must equal total entered on line 2 of page 1.

	Total Valid Votes Received (In Figures)
Charles Berkley	1
Jim Duffy	1
Neal Fogg	1
Joyce Booker Haron	1
Richard W. Harris	1
David Lee Hay	1
David Lee Haywo	1
John B. Hite	1
John Lewis	1
Troy Mayton	1
Dawn Moody	1
Kelley Osborne	1
Tiffany Slaughter	1
Len Williams	1

ELECT-675

Rev. 7/12/2018

ABSTRACT of VOTES

Cast in the Town of VICTORIA in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Mayor - Victoria
District: VICTORIA

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Allen D. Smith	426
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_Ins = Total Write In Votes]	10
Total Number of Overvotes for Office	13

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Mayor - Victoria.

Allen D. Smith

ABSTRACT of VOTES

Cast in the Town of VICTORIA in LUNENBURG COUNTY, VIRGINIA at the 2022 November General Election held on November 08, 2022 for,

Member Town Council - Victoria
District: VICTORIA

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Christopher T. Garrett	291
James G. "Greg" Elam Jr.	255
Johnnie W. Brame	252
Jeremiah D. Fix	219
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write_Ins = Total Write In Votes]	8
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 November 08, 2022, do hereby certify that the above is a true and correct Abstract of Votes at the said election and do, therefore, determine and declare that the following person(s) has received the greatest number of votes cast for the Member Town Council - Victoria.

1. Christopher T. Garrett
2. James G. "Greg" Elam Jr.
3. Johnnie W. Brame

Given under our hands this 22nd day of November, 2022

Anna J. Adams, Chairman
Salvatore R. Bacon, Vice Chairman
Charles L. Wright III, Secretary
Charles L. Wright III, Acting Secretary

Given under our hands this 22nd day of November, 2022

Anna J. Adams, Chairman
Salvatore R. Bacon, Vice Chairman
Charles L. Wright III, Secretary
Charles L. Wright III, Acting Secretary

Mr. Paul Lee of Robinson, Farmer, Cox Associates presented the FY21/22 Annual Audit review. He advised that they were now required to review lease agreements as a part their review. He noted that the County had only one lease agreement that qualified for review per the new guidelines and it only affected the balance sheet by \$77. Mr. Lee advised that his team also carefully reviewed the use of ESSER funds by the school system and no issues were discovered. 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 had been completed without any management concerns for the past eleven 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 and stated the main goal is to keep costs low for the tax payers.

Mr. Matthew Gooch of Apex Clean Energy advised that his company has found a buyer for the Dogwood Lane Solar Project. Apex plans to sell to Dimension Renewable Energy, who would assume all obligations under the previously-approved Siting Agreement and CUP conditions for the project. Mr. Gooch introduced Mr. Bo McGee of Dimension Renewable Energy. Mr. McGee provided an overview of his company, plans for the project, and requested that the Board approve the sale and transfer of the project. Supervisor Hankins recommended that representatives of Dimension visit neighboring properties and apprise them of the upcoming construction phases and answer any questions. Supervisor Zava, as a member of the Solar Committee, stated that throughout months of the permitting process with Apex regarding the Dogwood Solar project, the committee and the board were well-informed of the project progression by Apex. There was no information shared about Dimension. Supervisor Zava indicated that he was not prepared to vote on transferring the project at this time to another company. County Attorney Rennie and Supervisor Zava discussed the need for a review of financial documents for Dimension. Mr. Gooch, of Apex, commented that if they did not close the sale to Dimension within the fourth quarter of 2022, Dimension may withdraw their offer. It was determined that the deal discussion began in May, however, there was a process to follow and no information could be shared before now. Supervisor Bacon suggested that the Solar Committee meet with representatives from Dimension,

then the Board could officially vote in January. Supervisor Hoover said that it was an unfair request from Apex and Dimension to have a letter from October, presented to the Board in late November, and expect a vote in December. County Attorney Rennie stated that Apex took six to eight months to perform their due diligence with a potential buyer, the Board was simply asking for time to do theirs, as well.

Supervisor Hankins made motion, seconded by Supervisor Hoover, and unanimously approved, to table a decision regarding the intent to transfer the Dogwood Solar Project until after the Solar Committee could meet with representatives of Dimension and make a recommendation to the Board.

Supervisor Hankins made motion, seconded by Supervisor Hoover, and unanimously approved, to appoint Mr. Collin Brown of 1716 6th Street, Victoria, to the Industrial Development Authority for District 1: Plymouth for a term of 01/01/2023 through 12/31/2026.

Supervisor Bacon made motion, seconded by Supervisor Hankins, and unanimously approved, to reappoint Ms. Abigail Barnes of 559 Lunenburg County Road, Victoria, and Supervisor Hoover to the Crossroads Community Services Board for another three-year term of 01/01/2023 through 12/31/2025.

Supervisor Bacon made motion, seconded by Supervisor Pennington, with Supervisor Hoover abstaining and the remain six voting yes, to reappoint Ms. Elyssa Long of 1513 4th Street, Victoria, for District 1: Plymouth and Mrs. Jamyce Watson of 489 K-V Road, Victoria for District: 5 Love's Mill to the Social Services Advisory Board for a four-year term of 01/01/2023 through 12/31/2026.

Director of Planning and Economic Development, Taylor Newton, provided her monthly report. She advised that the December Planning Commission meeting was canceled as there were not enough commissioners in attendance to form a quorum. Updates to the Event Permit Ordinance will be reviewed again at the January meeting. She advised that local business, Garrett's Ground Maintenance, was awarded grant funds to expand their business in the town of Victoria. Ms. Newton noted that she has mailed out letters to event venues within the county advising them of the new event license requirements. She is working on amendments to the Enterprise Zones for both the Town of Victoria and the Town of Kenbridge. Supervisor Edmonds questioned the status of the last mile broadband grant with Kinex. Ms. Newton advised that the last mile broadband grant with Kinex is complete. The current project is the VATI project and will take two years to complete. She noted that every district in the County will be impacted by this project, except the Rehoboth District. Administrator Gee explained the grant funding territories for last-mile coverage and the Rehoboth District is covered through another grant program which is administered out of North Carolina. Ms. Newton replied to Supervisor Zava's question about the status of the cell tower on Plank Road by indicating that the tower was completed but no equipment is installed for service. The applicant indicated there was a delay on obtaining and shipping the equipment, getting fiber and supply competition among providers. She advised that she is monitoring it and it is scheduled to go live in March 2023.

Administrator Gee provided her monthly report. She shared that Supervisors Hankins, Hoover, Edmonds, and herself attended the VACo Conference in Richmond. She advised that a part-time Deputy Animal Control Officer had been hired on a temporary basis with hopes that it will become a long-term full-time deputy officer. Officer Elliott's Ruff-In-It fundraising event for the Southside SPCA was successful again, raising over \$15,000. Administrator Gee advised that local high school student Logan Ashworth, is interning with Building Official Jamie Tuck for school credit. She shared that she and Deputy Administrator Clark would be attending an Opioid Settlement Funding and Best Practices Workshop in January.

County Attorney Rennie provided an update regarding the lawsuit involving the CUP approved for Red Brick Solar. He advised that all the judges in the circuit have recused themselves from the case, therefore the

supreme court must appoint a judge from elsewhere to hear the case. He will provide updates as he receives them.

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

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors