

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

Minutes of the July 13, 2023 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, July 13, 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 July 13, 2023 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. Administrator Gee requested that Piedmont Alcohol Safety Action Board Nomination and Appointment be added as 8F and a request from Meherrin Fire & Rescue be added as 8G. Ms. Marilyn Jones was added as 8H regarding traffic on Mecklenburg Avenue/Mecklenburg Street.

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 Hankins made motion, seconded by Supervisor Pennington and unanimously approved, to accept the Consent Agenda to include the June 8th & 29th, 2023 meeting minutes, the Treasurer's May 2023 reports and the following Warrants for Approval:

June 2023:

Payroll: Direct Deposit:	\$ 187,818.89
Payroll Check #2022-23:	\$ 1,312.18
Payroll Taxes Federal:	\$ 60,257.38
Payroll Taxes State:	\$ 11,122.92
<i>WIRE Debt Service</i>	\$ 44,116.50
ACH Payments	\$ 44,439.24
Accounts Payable: #82955-83117	\$ <u>441,794.76</u>
Total:	\$ 790,861.87

Supervisor Pennington made motion, seconded by Supervisor Hankins, and unanimously approved, to enter public hearing regarding FY2023-2024 Budget Amendments and a Conditional Use Permit application for Community Resource Services to construct a Community Food Center.

Administrator Gee explained that amendments needed for the FY2023-2024 Budget were greater than one percent of the total budget and therefore required a public hearing and vote from the Board. She noted that the school system's construction project was on hold, creating the need to carryover of \$1,439,108 in State-funded School Capital Improvement Plan (CIP) funds. She advised that Emergency Services Capital Equipment

would also increase to \$460,000. With these changes, the total county budget equals \$52,999,312, a difference of \$969,503 from what was advertised.

Mrs. Taylor King, Director of Community Development, advised the Board of an application regarding CUP 2-23 Conditional Use Permit for Community Resource Services. They are requesting to construct and operate a Community Food Center which is owned and operated by a not-for-profit organization and not operated for commercial purposes on tax parcel 033A9-03-0-8, on Central Lane off Tomlinson Road, Victoria, VA 23974 (permanent 911 address has not been provided at this time), consisting of 5.08 acres (2 acres will be subdivided from this parcel to be utilized) in an A-1 Agricultural Zone. Ms. Donna Dagner, the applicant, stated that there is a need for a food pantry in the County and Southside Virginia. She noted that they had previously operated at the Peoples Community Center, however, they are no longer able to do so. She added that two acres on Tomlinson Road had been donated for their use. Ms. Dagner commented that they would be distributing food every Thursday and every third Wednesday. She continued to discuss the area to be covered by their services, the types of items to be distributed and their partnerships with other organizations. Ms. Dagner requested the Board approve their request. Reverend Roland Walker of 715 Country Road in Saxe, Virginia spoke in favor of the application stating that he relies on their services each week.

Mrs. King advised that the Planning Commission recommended approval with the following conditions:

- Adhere to the fire code maximum occupancy of the building.
- 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.
- Comply with Virginia Department of Health (VDH) rules and regulations on food preparation and service as well as pass all their inspections.
- Obtain a building permit and/or any required permits through the County of Lunenburg within sixty (60) days of approval of the Conditional Use Permit.
- Meet requirements as required by Virginia Department of Transportation (VDOT). Per the report from VDOT dated May 31, 2023, the review noted the following:
 - The applicant states their entrance will connect to Central Lane (private road) and they will use that to access the public road, Rte. 663 Tomlinson Road. It appears there are at a minimum of 4 private residences/lots already using Central Lane. If they add their use to it, the existing connection off Central Lane will need to be upgraded to a Commercial Entrance to accommodate the additional traffic, especially the truck traffic. In the CUP application, it appears they may have that upgrade already in their budget, but it is not clear.
 - With the entrance being upgraded to a Commercial Entrance, they shall demonstrate they have a minimum sight distance of 610 feet in each direction as required by VDOT Access Management Regulations.
 - VDOT has no objection to the conditional use itself, but they will have to meet Access Management Regulations for the Commercial Entrance, 1 & 2 above at minimum.
- Comply with all Uniform Building Codes.
- Receive a Certificate of Occupancy/Final Inspection from the County of Lunenburg prior to the operation of Community Center (“Food Pantry”).
- Determine if the Community Center will be Americans with Disability Act (ADA) Compliant and if it is deemed that it will be compliant, then follow all rules and regulations required (i.e., handicap ramp, handicap accessible bathroom, etc.).
- Allow the Director of Planning and Economic Development to conduct a walkthrough prior to operation to ensure that all conditions have been complied with as set forth by the Planning Commission and/or Board of Supervisors.
- Comply with all federal, state, and local regulations.
- Ensure that there is not a negative impact on the adjacent residences as well as the school traffic to Lunenburg Middle School and Central High School.
- Ensure there is adequate parking that will not impede the flow of traffic on Tomlinson Road or Central Lane.

- Solely operate as a Community Center for the purposes of a “Food Pantry” and acknowledge that if it is anticipated to add other tasks, then a new Conditional Use Permit Application will be required to be submitted.
- Contact the Commissioner of Revenue’s Office within thirty (30) days prior to operation.
- Ensure that the proper insurance policies are obtained and provide documentation to the Director of Planning and Economic Development prior to operation.
- Collaborate with the Director of Planning and Economic Development to determine if there will be an extension of sidewalk added to get to the proposed Community Center location.
 - If it is determined that the sidewalk is able to be extended, then the applicant will be responsible for ten percent (10%) or twenty percent (20%) of the cost to extend the sidewalk (the percentage the applicant is responsible for is based upon whether the sidewalk solely goes to the proposed site [applicant—20%] or if it goes all the way Lunenburg Middle School [applicant-10%]).
- Collaborate with the County to determine if an additional stop(s) will need to be added for the public bus system.
 - If there is an additional cost to add stop(s), then the applicant agrees to work with the County to fund and/or financially support the cost of the additional bus stop(s).
- Adhere to the Lunenburg County Noise Ordinance.
- Adhere to the Zoning Ordinances/Regulations for signage in an A-1 Agricultural District.
- No overnight accommodation, unless there is a State of Emergency, where the applicant can show just cause for a short-term utilization of the building for overnight accommodation.
- Trash, garbage, debris, etc. be removed from the premises no later than forty-eight (48) hours following distribution day(s).
 - Can be done through contractual services or be removed by staff of the Community Center (“Food Pantry”).
- The Conditional Use Permit is limited to the applicant and does not run with the property.

Supervisor Bacon made motion, seconded by Supervisor Hankins, and unanimously approved, to exit public hearing regarding FY2023-2024 Budget Amendments and a Conditional Use Permit application for Community Resources Services to construct a Community Center.

Supervisor Bacon made motion, seconded by Supervisor Hoover, and unanimously approved, to approve the FY2023-2024 Budget Amendments with a total county budget of \$52,999,312.

Supervisor Pennington made motion, seconded by Supervisor Hoover, and unanimously approved, to approve the Conditional Use Permit application for CUP 2-23 Community Resource Services to construct a Community Food Center, which is owned and operated by a not-for-profit organization and not operated for commercial purposes on tax parcel 033A9-03-0-8, on Central Lane off Tomlinson Road, Victoria, VA 23974.

Administrator Gee advised that due to School Superintendent Charles Berkley’s leave of absence and Assistant School Superintendent James Abernathy’s retirement, there had been changes in administration of the School System. She announced the following: Dr. Sharon Stanislas is the Acting Superintendent, Mrs. Jamyce Watson is the Director of Finance, and Mrs. Kristin Peebles is Director of Human Resources and Federal Programs. Administrator Gee advised that they will begin providing the monthly report in August. They requested approval of the following resolution regarding the appropriation of an additional \$200,000 to the FY2023 School Board Budget.

Lunenburg County Board of Education



Post Office Box 710
Kenbridge, Virginia 23944

School Board Office
(434) 676-2467

Fax
(434) 676-1000

June 27, 2023

Supplemental Appropriation FY2023 #5

WHEREAS the Lunenburg County School Division has received additional Federal Funding for the Community Eligibility Meal Program and has incurred additional expenses for that program including summer school; and

WHEREAS these monies need to be appropriated to the School Food Fund, (Fund 9) in order for the funds to be expended; and

WHEREAS these expenditures do not require any additional transfer of Local Funds to the school division;

NOW THEREFORE BE IT RESOLVED that the Lunenburg County School Board respectfully request the Lunenburg County Board of Supervisors appropriate the additional \$200,000 to the FY2023 School Board Budget in Fund 9. The revised total budget will increase from \$28,395,212 to \$28,595,212.

Attest:

James M. Abernathy, Jr., Clerk

Kathy G. Coffee, Chair

Melanie Currin
Vice Chair

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to approve Supplemental Appropriation FY2023 #5 regarding the appropriation of an additional \$200,000 to the FY2023 School Board Budget.

Mr. Kevin Smith of VDOT provided the monthly report. He advised that most of the rural rustic projects are complete or nearly complete. He added that Wattsboro Circle Bridge was still closed and repairs are scheduled to be completed with the bridge reopened by September 1st.

Supervisor Bacon made motion, seconded by Supervisor Pennington and unanimously approved, to adopt the Abstract of Votes from the Republican Primary and incorporate into the meeting minutes.

ABSTRACT of VOTES


Cast in LUNENBURG COUNTY, VIRGINIA
at the 2023 Republican Primary held on June 20, 2023 for,

Member, House of Delegates (50th District)

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Thomas C. Wright Jr. - Republican	291
John C. Marsden - Republican	23
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 20, 2023, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member, House of Delegates (50th District).

Given under our hands this 23RD day of JUNE, 2023

 Deanna Golafski, Chairman
David A. Patten, Vice Chairman
Thomas C. Wright III, Secretary
Thomas C. Wright III, Acting Secretary

Administrator Gee advised that the county received three bids for obstruction removal at the airport. She shared that the lowest bidder was from Tree Huggers Tree Service in South Hill at a cost of \$24,850. She added that eighty percent of the cost would be absorbed by the Department of Aviation, with the county being responsible for the remaining twenty percent.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the bid from TreeHuggers Tree Service in South Hill at a cost of \$24,850 to remove the obstructions at the airport as required by the Department of Aviation.

Administrator Gee shared a request from the Sheriff's Office to move \$3,967.90 from vacancy savings for FY2023 to the following line items:

- \$2,000 to Uniforms
- \$983.95 to Training
- \$983.95 to Travel

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to transfer \$3,967.90 from the Sheriff's Office vacancy savings into the Sheriff's Office uniforms, training and travel line items for the FY2023 budget.

Administrator Gee shared another request from the Sheriff's Office requesting an increase to their Benchmark Visa credit card limit. The current limit of \$3,500 would be increased to \$5,000.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to increase the current limit of the Sheriff's Office Benchmark Visa credit card limit to \$5,000.

Administrator Gee shared a letter requesting the reappointment of Mrs. Sonya R. Blackwell to the Piedmont Alcohol Safety Action Board of Directors, with her term expiring June 30, 2025.

Supervisor Edmonds made motion, seconded by Supervisor Pennington and unanimously approved, to reappoint Mrs. Sonya R. Blackwell to the Piedmont Alcohol Safety Action Board of Directors, with her term expiring June 30, 2025.

Administrator Gee shared a request from Meherrin Fire & Rescue to use the recently-approved rolling stock capital funds and their FY2023-24 annual capital fund appropriation for a total of \$110,000 to be applied to their apparatus regular payment for Engine 5.

Supervisor Hoover made motion, seconded by Supervisor Pennington and unanimously approved, to approve Meherrin Fire & Rescue to use rolling stock capital funds and their FY2023-24 annual capital fund appropriation for a total of \$110,000 to be applied to their apparatus regular payment for Engine 5.

Ms. Marilyn Jones of Mecklenburg Street, Victoria, advised the Board that truck traffic on Mecklenburg Avenue and Mecklenburg Street is still a major issue and is very dangerous. She added that with schools out for the summer more children are outside playing and walking along the street, with no sidewalk. Ms. Jones believes that someone will end up getting hurt, as she has never seen as much traffic in this area. Supervisor Hankins recommended asking the Sheriff's Office and Victoria Police Department to monitor the area and report back on how many violations occur within a given time period.

Mrs. Taylor King provided a brief monthly report. She also provided an updated Kinex report on broadband installations in Lunenburg.

Administrator Gee provided her monthly report the Board. She advised that the Committee Book had is updated on the iPads. Several committees have vacancies that need to be filled. Administrator Gee advised that she is in the process of setting up a pre-construction meeting on the paving project at the airport. She shared that the Radio Communications System was progressing with training coming soon. The new system should be in use within the entire county around October 1st. Administrator Gee requested the board's approval for a bar screen facility replacement for sanitation at the Piedmont Regional Jail. The cost is approximately \$500,000, split between each member locality at a cost of \$83,000. Administrator Gee requested the use of ARPA funds for Lunenburg's share of the project.

Supervisor Bacon made motion, seconded by Supervisor Hoover and unanimously approved, to approve the use of ARPA funds in the amount of \$83,000 for the bar screen replacement project at the Piedmont Regional Jail.

County Attorney Rennie stated that per the Board's request, he had prepared a resolution placing a temporary hold on accepting solar facility applications. He read the proposed resolution aloud.

**LUNENBURG COUNTY, VIRGINIA
RESOLUTION REGARDING CONDITIONAL USE APPLICATIONS
FOR SOLAR FACILITIES**

WHEREAS, the Lunenburg County Board of Supervisors (“Board”) enacted an Ordinance for Solar Energy Facilities in Lunenburg County, Virginia on September 9, 2021 (the “Solar Facilities Ordinance”); and

WHEREAS, Lunenburg County (“County”) has received a substantial number of applications for Conditional Use Permits (“CUP”) for Solar Facilities in the County and has issued CUPs for Solar Facilities since the Solar Facilities Ordinance’s enactment; and

WHEREAS, due to the substantial number of Solar Facilities applications received, the time and expense of reviewing and working on the Solar Facilities applications, and the substantial impact for which previously permitted CUPs for Solar Facilities may have on the County, the Board desires for the County Planning Commission and the Solar Committee to conduct a study on the impact of Solar Facilities in the County (“Study”); and

WHEREAS, the Board requests the County Planning Commission and the Solar Committee to provide recommendations regarding future solar development in the County and whether there is a need to amend the County’s Comprehensive Plan, Zoning Ordinance, and/or Solar Facilities Ordinance; and

WHEREAS, upon receipt of the County Planning Commission and the Solar Committee’s recommendations, the Board will consider those recommendations and may elect to accept the recommendations of the County Planning Commission and the Solar Committee and amend the County’s Comprehensive Plan, Zoning Ordinance, and/or Solar Facilities Ordinance; and

WHEREAS, the Board desires for the County not to accept CUP applications for Solar Facilities for the duration of the Study and the duration for the Board to consider the County Planning Commission and Solar Committee’s recommendations and act upon said recommendations as the Board deems appropriate (“Revisionary Period”); and

WHEREAS, the Board desires that a copy of this resolution be provided to any applicant that contacts the County regarding a new CUP application for a Solar Facility for the duration of the Study and Revisionary Period.

NOW THEREFORE, The Lunenburg County Board of Supervisors does hereby declare that the County will not accept CUP applications for Solar Facilities until the Study and Revisionary Period have concluded. The Board further directs the County staff to provide a copy of this resolution to any applicant that contacts the County regarding a new CUP application for a Solar Facility.

I, Tracy M. Gee, do hereby certify that the foregoing writing is a true correct copy of a Resolution duly adopted by the Board of Supervisors of Lunenburg County, Virginia, by a vote of 5 to 0, as recorded below, at a regular meeting held on July 13, 2023.

with 2 abstaining

Tracy M. Gee
Clerk, Board of County Supervisors

	AYE	NAY	Abstain		AYE	NAY	Abstain
Dr. Bacon	—	—	—	Mr. Pennington	✓	—	—
Mr. Edmonds	✓	—	—	Mr. Slayton	—	—	—
Mr. Hankins	✓	—	—	Mr. Zava	✓	—	—
Mr. Hoover	✓	—	—				

Supervisor Hankins made motion, seconded by Supervisor Hoover and by roll call vote, with five supervisors voting yes, and two abstaining due to having land in solar developments, to approve the resolutions placing a temporary hold on solar facility applications.

Supervisor Pennington made motion, seconded by Supervisor Hankins and unanimously approved, to support the three Lunenburg Youth Baseball teams that won the State Championship by providing \$3,000 per team from Meridian donation funds, previously assigned to the radio project, to assist with expenses and travel for each team to the World Series.

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

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors