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

Minutes of August 8, 2024 Meeting

The regular meeting of the Lunenburg County Board of Supervisors was held on Thursday, August 8, 2024 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors T. Wayne Hoover, Alvester Edmonds, Greg Currin, Frank W. Bacon, Mike Hankins, Robert Zava, Edward Pennington, County Administrator Tracy M. Gee, and Deputy County Administrator Nicole Clark. County Attorney Frank Rennie joined the meeting virtually.

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

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

Chairman Edmonds requested additions to the agenda from the Board and the public. Supervisor Hankins requested that the Commonwealth Regional Council and Virginia Association of Planning District Commissions added as 9A.

Chairman Edmonds called for any conflicts of interest from any board members. Supervisor Currin stated that he had a conflict with item 7C DCJS – Grant for Sheriff "Operation Ceasefire" as he is employed by the Sheriff's Department.

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

Supervisor Hankins made motion, seconded by Supervisor Pennington, and unanimously approved, to accept the Consent Agenda to include the minutes of the July 11, 2024 Meeting, the Treasurer's June 2024—12th month Fiscal Year Report and the following Warrants for Approval:

Additions for June 2024 printed in July 2024:
(for inclusion in FY24 expenses)

Accounts Payable: #85115-234, 85275-87	$ 208,465.12

July 2024:

Payroll: Direct Deposit	$ 200,305.99
Payroll Check #2057-59	$ 3,154.00
Payroll Taxes Federal:	$ 66,059.27
Payroll Taxes State:	$ 12,446.49
ACH Payroll Payments:	$ 50,358.71
WIRE Debt Service	*$ 594,373.75*
ACH Payments	$ 127,515.00
Accounts Payable: #85108-114, 85235-74, 85288-362	$ 694,351.77
July Total:	$ 1,748,564.98

Mrs. Jessica Nowlin provided the monthly school reports. She provided an updated Revenue/Expenditure Report for June 2024 as well as a Post Year Report as of August 2, 2024. Mrs. Nowlin advised that they are still awaiting several grant reimbursements that will need to be accrued back to FY2023-2024. She shared that the fire sprinkler system project at Victoria Elementary School is substantially complete. They should receive an updated renovation design for the High School by late November. Mrs. Nowlin advised that open house was held earlier in the day, however, had to be cut short due to weather concerns. She added that Convocation would be the following day and students would begin school August 12th. Supervisor Hoover asked for a date for the two Finance Committees to hold

their first quarterly meeting. Mrs. Nowlin replied that October would be good as they should have a stable ADM at that point. Supervisor Hoover suggested that the meeting be scheduled before the October Board of Supervisors meeting.

Mr. Kevin Smith of VDOT, provided the monthly report. He advised that crews were currently in storm operation mode and are expected to work through the night. He requested that any down trees or high water be reported directly to VDOT's call center. Mr. Smith advised that the construction projects on Buckskin Road and Crymes Road were delayed due to weather. He shared that paving was ongoing on Route 635, Oral Oaks Road, from Route 40 to Shelburne Lane. Mr. Smith stated that on September 3rd, the bridge crew would be closing the bridge on Arvin Store Road for repairs. They expect the repairs to be complete and the bridge reopened by October 17th.

Administrator Gee explained that the Finance Committee had met with administration of the Sheriff's Department regarding DCJS grant funds. The grant funds would allow for the integration of F.L.O.C.K. cameras within the County boundaries. It would also allow for the payout of overtime hours for deputies working additional shifts. Administrator Gee advised that there was previously a discrepancy between the amount of grant funds applied for and the amount on the grant agreement. After working with DCJS, the Sheriff's Office determined the amount of local funds needed for match is $15,750 toward the F.L.O.C.K cameras and the total DCJS amount would be $135,035. The DCJS grant awarded funds allowed for $55,035 to be used for overtime hours and $80,000 for the F.L.O.C.K. camera system.

Lieutenant Kevin Abernathy commented that the F.L.O.C.K. camera system would be a great asset for their department as they have used other departments' systems in the past to help with cases. Lieutenant Abernathy stated that the Sheriff's Department will try to save in their own budget to account for the required local funds needed. However, they may need additional funds from the Board of Supervisors if they are unable to do so. Supervisor Hoover shared that both the Finance Committee and the Public Safety Committee supported the request. Lieutenant Abernathy added that the F.L.O.C.K. camera system required a 5-year contract. Also, the full amount would have to be paid upfront. Administrator Gee noted that an appropriation for additional funding could occur later in the fiscal year if needed.

Supervisor Hoover made motion, seconded by Supervisor Bacon, and by roll call vote, with Supervisor Currin abstaining and Supervisors Edmonds, Hoover, Pennington, Bacon, Zava, and Hankins voting yes, approved, to modify the budget to accept and appropriate $135,035 in DCJS grant funds, with a local match of $15,750, for the purpose of paying out overtime hours and the integration of F.L.O.C.K. cameras within the County boundaries.

Administrator Gee shared a request from the Commissioner of the Revenue's Office to declare as surplus for disposal a Canon Image Runner Copier and a large metal shelving unit.

Supervisor Bacon made motion, seconded by Supervisor Zava, and unanimously approved, to declare as surplus for disposal, a Canon Image Runner Copier and a large metal shelving unit.

General Registrar Alissa Baldwin provided an update on the Recount results for the 5th Congressional District Republican Primary election. She noted that the recount was successful, and all numbers matched the original counts. She thanked all those involved in the process. Registrar Baldwin recognized all Officers of Election for their commitment to the County and the voting process. The Board of Supervisors and Electoral Board presented Certificates of Appreciation to the below persons with ten or more years serving as an Officer of Election.

Gary	**Husslein**	**10 years**
Pamela	**Johnson**	**11 years**
Mary	**Owens**	**11 years**
Lefon	**Stokes**	**15 years**
Shirley	**Douglas**	**19 years**
Barbara	**Shell**	**19 years**
Avis	**Otey**	**19 years**

Administrator Gee provided her monthly report. She advised that Airport Manager Larry Way was working on plans for updating the lighting at the airport. She added that the airport will not be able to operate at night until the lighting is in place. Administrator Gee advised that a building architect consultant assessed the building that houses the tax offices and determined that the leaking water issue is a result of water seeping in the concrete slab of the rear of the building. A local contractor has been digging drainage around the building to keep water away. Renovations to the interior are scheduled to occur in September. Administrator Gee shared that she and the County Attorney had met with Dominion Energy representatives to discuss their concerns with the conditions of the Unity Substation CUP. She advised the Board that Dominion Energy would likely be requesting revisions to the conditions and she expects it to be discussed at the September meeting. Administrator Gee advised that the Registrar's Office was awarded $5,500 in grant funding to implement a Ballot-On-Demand System. She added that the County would be required to purchase the system with local funds, however, the grant funds would be reimbursable to the County for the expense. She requested that the Board accept and appropriate the funds.

Supervisor Bacon made motion, seconded by Supervisor Hoover, and unanimously approved, to accept and appropriate the $5,500 in grant funding to implement a Ballot-On-Demand System.

Supervisor Hankins shared that he was elected to be the Chairman of the Commonwealth Regional Council Board of Directors. He has also been elected to serve as the Vice-Chairman for the Virginia Association of Planning District Commissions.

County Attorney Rennie reminded the Board of Meridian Waste's request to increase tonnage from 1,500 tons per day to 2,000 tons per day. He stated that the Landfill Committee met with representatives of Meridian Waste to discuss the terms of the increase. County Attorney Rennie commented that the 2019 Host Agreement allows for an increase if several stipulations were met; all of which had been. The agreement also states that if the Board agrees to the daily tonnage increase, the host fee paid to the County would increase from $2.40 per ton to $2.55 per ton and a $100,000 lump sum payment would be given to the County for the purpose of road improvement. Also, if the per tonnage fee increases to $2.55, the increases for the consumer price index would be capped at four percent. County Attorney Rennie advised that the recommendation was to accept the request for the increase in tonnage at the County level, as Meridian Waste would still be required to get approval from DEQ for the increase. He suggested that the County allow Meridian Waste four months to obtain approval from DEQ. If DEQ doesn't approve the request in the four month time frame, then the host fee would not increase and there would be no cap placed on the increases according to the consumer price index. County Attorney Rennie advised that the prepared Side Letter Agreement also included requirements to accurately report their tangible personal property to the County for tax purposes. He added that a public hearing was not required as the Board approved this process in the prior . If the Board approves the Side Letter Agreement, then the Chairman may sign the document and the modification will take effect immediately. Supervisor Currin asked if 2,000 tons per day was the maximum amount that the agreement would allow. County Attorney Rennie responded yes, without applying for an additional CUP, which would require a public hearing with the Planning Commission and the Board of Supervisors.

Supervisor Hankins made motion, seconded by Supervisor Bacon, and by roll call vote, with Supervisor Currin voting no and the Supervisors Edmonds, Hoover, Pennington, Bacon, Zava, and Hankins voting yes, approved, to accept the request from Meridian Waste to increase the tonnage allowed to 2,000 tons per day and authorize the Chairman to sign the Side Letter Agreement.

LUNENBURG COUNTY
BOARD OF SUPERVISORS

August 6, 2024

Mr. Wally Hall
President, Meridian Waste/
RWG5, LLC

Re: Side Letter Agreement to 2019 Modified Host Agreement

Dear Mr. Hall:

On behalf of Lunenburg County, I offer this letter to document our understanding and agreement with respect to the matters described below and their relationship to the Side Letter Agreement to the Modified Host Agreement (the "Agreement"), dated December 16, 2019, by and between Lunenburg County, Virginia (the "County") and RWG5, LLC ("RWG"). This letter will amend certain portions of Section 12 to the Agreement.

RWG has requested an increase to the maximum daily volume allowed for disposal in the landfill up to 2,000 tons per day pursuant to Section 12 of the Agreement. The Board of Supervisors has reviewed the request and has agreed to approve the request with the following modification to the 2019 Host Agreement:

12. **Volume and Host Fee Increases.** At such time as RWG requests an increase to the maximum daily volume allowed for disposal in the Landfill, but not to be effective earlier than January 1, 2022, unless this Agreement is amended by RWG and the County, the maximum allowable daily waste volume which may be accepted for disposal at the Landfill shall increase to 2,000 tons per day without the necessity of modifying the 2019 Conditional Use Permit, this Agreement, the Permit or the Solid Waste Plan, so long as RWG is maintaining, in the reasonable judgment of Lunenburg County Board of Supervisors (i) continued compliance with environmental laws in the operation of the Landfill, (ii) continued legal compliance with laws affecting the County, including the Conditional Use Permit issued by the County to RWG, (iii) timely host fee payments as required by this Agreement, (iv) community donations and liaison payments to the County in accordance with this Agreement, and (v) a $100,000 lump sum payment is made (following confirmation in writing from the County of the foregoing increase) for Lunenburg County road improvements, which payment shall be donated directly to the County to be used solely for road and safety improvements. The Host fee for each ton of waste disposed of in the Landfill following the increase contemplated by this paragraph 12 (2,000 tons per day) shall increase to $2.55 per ton for each ton of waste disposed of in the Landfill and be subject to annual increases as described in Paragraph 11-B of the Agreement except, that the annual increase to reflect increases in the Consumer Price Index (CPI-U South Region) shall be capped at 4% per year. The Host fee increase to $2.55 per ton shall commence upon approval of the increase in tonnage to 2,000 tons per day by the Virginia DEQ or December 8, 2024, whichever comes first. If 2,000 tons per day is not approved by DEQ, then the tonnage acceptance rate will remain at 1,500 tons per day at the current Host fee rate, and there will be no cap on the rate of CPI increase to the Host fee.

Except as otherwise described herein, no other modification or amendment to the Agreement is intended and the Agreement shall remain in full force and effect. Please indicate your understanding and agreement to the foregoing by signing below.

Very truly yours,

Alvester L. Edmonds

Alvester Edmonds, Chairman
Lunenburg Board of Supervisors

Acknowledged and Agreed:

Wally Hall, President
RWG5, LLC

Approved as to form:

Frank F. Rennie, IV
Lunenburg County Attorney

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

_____
Tracy M. Gee, Clerk
County Administrator

_____
Alvester L. Edmonds, Chairman
Board of Supervisors