

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

**Minutes of the September 8, 2022 Meeting**

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, September 8, 2022 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors Frank Bacon, Alvester Edmonds, Mike Hankins, 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 Zava provided the invocation and led the Pledge of Allegiance.

Chairman Slayton requested additions to the agenda from the Board and the public. County Attorney Rennie advised that he would provide an update on potential litigation during the County Attorney Update.

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 Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to accept the following Resolution of Retirement recognizing Mr. Richard Harris, Sr.

***WHEREAS**, Richard W. Harris, Sr. retired as the Town of Kenbridge Mayor on February 4, 2014; and*

***WHEREAS**, Richard W. Harris, Sr. was first elected as the Mayor of Kenbridge on September 1, 1990; and*

***WHEREAS**, Richard W. Harris, Sr. served a total of 24 years as Mayor, being elected by the citizens of the town nine times;*  
*and*

***WHEREAS**, Richard W. Harris, Sr. also served the Town of Kenbridge as Chief of the Kenbridge Fire Department; and*

***WHEREAS**, Richard W. Harris, Sr. was elected as Chief by the members of the Kenbridge Fire Department on December 8, 1970; and*

***WHEREAS**, Richard W. Harris, Sr. served as Kenbridge Fire Department Chief for 50 years; and*

***NOW, THEREFORE, BE IT RESOLVED**, the Lunenburg County Board of Supervisors commends Mr. Harris for his many years of dedicated service and commitment to the Town of Kenbridge, the County of Lunenburg and the citizens thereof.*

***BE IT FURTHER RESOLVED**, the Lunenburg County Board of Supervisors does hereby wish Richard "Dicky" W. Harris, Sr. a long, fulfilling retirement and success in all future endeavors.*

***Adopted this 8<sup>th</sup> day of September 2022.***

The Chairman presented Mr. Harris with the resolution who then thanked the Board of Supervisors and staff.

Supervisor Hankins made motion, seconded by Supervisor Bacon and unanimously approved, to accept the Consent Agenda to include the August 11, 2022 meeting minutes, the Treasurer's June 2022 (1<sup>st</sup> draft) reports and the following Warrants for Approval:

August 2022:

Payroll: Direct Deposit		\$ 164,563.04
Payroll Check #2011		\$ 1,025.05
Payroll Taxes Federal:	1	\$ 53,972.02
Payroll Taxes State:		\$ 9,692.20

Payroll VRS payment:	\$ 36,185.88
Payroll ICMA-RC payment:	\$ 1,554.84
Payroll Health Savings Deposits:	\$ 3,830.95
Accounts Payable: #81340-81517	<u>\$ 314,470.36</u>
Total:	\$ 585,294.34

Assistant Superintendent and Finance Director James Abernathy presented the monthly school board report. He presented the projected fund balances for fiscal year 2022. He explained that the total State and Other Revenue received is projected at \$14,875,090.67 and total County transfer available is \$4,252,697. Mr. Abernathy commented that these figures along with the anticipated Federal funds to be received, will bring the total projected revenue for the fiscal year to \$21,804,534.52. He added that the total expenses are expected at \$21,427,994.63, leaving an anticipated general fund balance of \$376,539.89. He stated that after auditors review the figures, he will provide an exact carryover amount to the Board. Mr. Abernathy stated that they expect \$1.4 million in state funds for FY2022-23 to be used for building and security upgrades. He added that Central High School would be the primary focus for restroom and plumbing upgrades, hopefully extending the life of the facility. Mr. Abernathy advised that the ADM is currently 15 students below the amount budgeted for in FY2022-23, however, the ADM is closer to the budgeted count than it was at this point in the previous fiscal year.

Mr. Kevin Smith provided the monthly VDOT report. Mr. Smith advised that mowing on primary roads had been completed. He reported that litter control would begin after the last mowing was completed. He shared that all landfill directional signs are installed. Supervisor Pennington thanked him for the new landfill directional signs, adding he believes truckers are using the designated route. Mr. Smith announced that paving would occur on K-V Road between Ashton Road and the Town of Kenbridge in the coming weeks.

Administrator Gee advised that the renovations for the new Commonwealth's Attorney Office at the Courthouse Complex were almost complete. She shared that the replacement of the flooring in the E911 Center is complete and is working better for the dispatchers. Administrator Gee advised that she requested a quote for replacing all the flooring in the Sheriff Department, however, the quote was much higher than anticipated. She is considering putting it out for bid as the flooring in the Crossroads office also needs replacing.

Administrator Gee shared an email from Mr. Joshua Worrell of the Piedmont Health District. Mr. Worrell noted that the Lunenburg County Health Department had a balance of \$9,167.86 at the completion of FY2021-22 fiscal year. He also shared that the FY2022-23 budget would require an adjustment for a recent 5% salary and wage increase implemented across all Commonwealth agencies. He added that the adjustment required additional State funds along with a local fund match of \$3,913. Mr. Worrell recommended carrying forward the FY2021-22 balance and applying it to the FY2022-23 budget commitment, thus the remainder amount due for FY2022-23 would be \$90,237.14.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and unanimously approved, to carry forward the FY2021-22 balance of \$9,167.86 for the Lunenburg County Health Department and apply it to the FY2022-23 budget commitment, therefore, the remaining amount due for FY2022-23 would be \$90,237.14.

County Attorney Rennie commented contract negotiations to place emergency services equipment on cell towers continued over the past year to expand communications for the new county-wide radio system. County Attorney Rennie shared that the Virginia Resources Authority (VRA) requested a resolution authorizing the execution of certain license arrangement agreement related to the emergency public radio system project. He added that they have agreed to a lease payment of \$800 per month to utilize space for the equipment on two towers; no lease payment for the other two. The current leases are for those owned by American Tower LLC and Crown Castle Real Estate Investment Trust. County Attorney Rennie recommended the Board approve a resolution to execute these and the final two License Arrangement Agreements.

Supervisor Pennington made motion, seconded by Supervisor Bacon and unanimously approved, to adopt the resolution authorizing the execution of certain license arrangement agreements related to the emergency public radio system project, starting with towers owned by American Towers LLC and one by Crown Castle Real Estate Investment Trust.

Board of Supervisors  
Lunenburg County, Virginia  
Resolution

At a regular meeting of the Board of Supervisors of Lunenburg County, Virginia, held in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia this 9<sup>th</sup> day of September, 2021:

Present: \_\_\_\_\_ Vote: \_\_\_\_\_

- Charles R. Slayton, Chairman
- Dr. Frank W. Bacon, Vice-Chairman
- Alvester L. Edmonds.
- J. Mike Hankins
- T. Wayne Hoover
- Edward W. Pennington
- Robert G. Zava

P-1

On motion of Mr. Bacon, seconded by Mr. Pennington which was approved with a [unanimous] [by vote consisting of 9 ayes and 0 nays], the following Resolution was adopted:

**RESOLUTION AUTHORIZING THE EXECUTION BY LUNENBURG COUNTY, VIRGINIA OF CERTAIN LICENSE ARRANGEMENT AGREEMENTS RELATED TO THE EMERGENCY PUBLIC RADIO SYSTEM PROJECT**

WHEREAS, Lunenburg County, Virginia (the "County") is a party to a Local Lease Acquisition Agreement and Financing Lease between the Virginia Resources Authority ("VRA") and the County, which is dated September 17, 2021 (the "Lease Purchase Agreement");

WHEREAS, principal payments on such lease financing obligation in an amount equal to \$3,425,000, together with an interest component payable on the outstanding principal balance thereon, and such payments are payable on a semi-annual basis by the County (the "Lease Payment Obligation");

WHEREAS, the proceeds from the Lease Purchase Agreement are being used by the County to finance certain costs associated with the acquisition and installation of a new emergency public radio system to serve the County (the "Project"), which includes a microwave communications

A-1

respect to the Lease Purchase Agreement. Certain contracts the County has, or shall have, in place with respect to the acquisition and installation of the Project Assets, usage licenses, site location agreements for Project Assets with radio tower owners, performance warranties and Project maintenance will be assigned to VRA or provided to VRA in accordance with the License Agreements to secure the Lease Purchase Agreement payments.

6. The County Administrator and other officers or authorized representatives of the County are authorized and directed to execute and deliver all certificates, instruments and documents requested by Bond Counsel to support the determination that the Lease Purchase Agreement is not a private activity bond, and to take such further action as they may consider necessary or desirable in connection with this Resolution.

7. The County covenants that it shall not permit the proceeds of the Lease Purchase Agreement or the facilities financed therewith to be used in any manner that would result in 5% or more of such proceeds or facilities being used in a trade or business carried on by any person other than a governmental unit, as provided in Section 141(b) of the Code, provided, however, that if the County receives an opinion of nationally recognized bond counsel that any such covenants need not be complied with to prevent the interest on the VRA Bonds from being includable in the gross income for federal income tax purposes of the registered owners thereof under existing law, the County need not comply with such covenants.

8. The officers of the County are authorized and directed to execute and deliver all certificates, closing papers, requisitions and other instruments considered necessary or desirable in connection with the execution and delivery of the License Agreements pursuant to this Resolution. All other actions of the officers of the County in conformity with the purposes and intent of this Resolution and in furtherance of the Project provision undertaken are ratified, approved and confirmed.

9. This Resolution shall take effect immediately.

Adopted: September 8, 2022

A-3

CERTIFICATE

The undersigned Clerk of the Board of Supervisors of Lunenburg County, Virginia hereby certifies that the foregoing is a true, correct and complete copy of a resolution duly adopted by a majority of the members of the Board of Supervisors of Lunenburg County, Virginia present and voting during the meeting duly called and held on September 8, 2022, and that such resolution has not been repealed, revoked, rescinded or amended, but is in full force and effect on the date hereof. A summary of the members present or absent at such meeting, and the recorded vote with respect to the foregoing resolution, is set forth below:

Member Name	Voting				
	Present	Absent	Yes	No	Abstaining
Charles R. Slayton, Chairman			✓		
Dr. Frank W. Bacon, Vice-Chairman			✓		
Alvester L. Edmonds.			✓		
J. Mike Hankins			✓		
T. Wayne Hoover			✓		
Edward W. Pennington			✓		
Robert G. Zava			✓		

WITNESS my hand and seal of the County this 8<sup>th</sup> day of September, 2022.

*Dracynble*  
Clerk, Board of Supervisors of  
Lunenburg County, Virginia

(SEAL)

101044026.1

A-4

Administrator Gee advised that the six locality member-owned Juvenile Detention Center, located in Farmville, VA was in need of capital improvement projects. Ms. Chrissy Sherriff of ABM Building Services, LLC presented the needs of the facility to the Board. Ms. Sherriff explained the that she and her team had been cataloging assets and measurers for the facility over the past three months, in order to identify the facility needs. She shared that her company's review indicated upgrades needed for the Boiler Plant, Chiller Plant, Preventative Maintenance, HVAC system, Lighting, building envelope, water, and security updates were all

necessary. The full system replacement plan is estimated at a \$2.8 million and could be financed over a 15-year period. Lunenburg would be responsible for one-sixth of the total cost of the of the project. Ms. Sherriff presented several funding options with down payments due in FY2022-23 and annual debt payments beginning in FY2023-24. Supervisor Hankins questioned if funds received by the county for recent solar projects could be used to fund this project. County Administrator Gee replied that this project would be within the scope of use for the solar funds. Supervisor Hoover suggested that the Finance Committee review the options and provide a recommendation to the full Board at the October meeting. Administrator Gee advised that some ARPA funds had been set aside for constructing a tower in Kenbridge. The construction of that tower is no longer needed, however, another tower, which was expected to be used in the radio system project, may be decommissioned, therefore, she may need the funds for a tower in that area. Supervisor Hankins agreed that the Finance Committee should review the options and provide a recommendation at the next meeting.

Dr. Melba Moore, Executive Director of Crossroads Community Services, provided an update on the organization, their services, and use of local funding. Supervisor Hoover, who serves on the CCS Board complimented Dr. Moore and the positive changes she has brought to the organization.

Director of Planning and Community Development, Taylor Newton provided her monthly report. She advised that there is currently a Transportation Survey circulating to gather transportation needs in several localities, Lunenburg included. Surveys have been placed in several locations in the county as well as on the county website. She advised that the Event Venue Committee had met earlier in the day. The policy and permit process will be presented to the Planning Commission in October. Pending their review, it will be presented to the Board of Supervisors in November.

Administrator Gee provided her monthly report. She advised that she is researching account software options. The current IBM operating system seems to require an expensive update every 5-6 years. She plans to form a committee with those offices that use the software for further discussion. Administrator Gee advised the Board that the December Board meeting may need to be rescheduled or relocated due to an upcoming jury trial. She noted that the paving project at the airport will be going out for bid in early January. She hopes the Department of Aviation will make a decision regarding the project at their February meeting. There could be increased cost to the project as it may involve more demolition than originally expected. Administrator Gee advised that the candidate selected for the Deputy Animal Control position declined the position and advertisement was ongoing. Administrator Gee advised that she had been notified that the Compensation Board had budgeted \$40,868 in temporary personnel for FY2022-23 budget of the Commonwealth's Attorney Office. She requested that the Board accept and appropriate the funds.

Supervisor Pennington made motion, seconded by Supervisor Bacon and unanimously approved, to accept and appropriate \$40,868 in temporary personnel for FY2022-23 budget of the Commonwealth's Attorney Office.

County Attorney Rennie recapped the Board on the lawsuit filed by the Friends of the Meherrin against the County regarding the approval of the Red Brick Solar project. He advised that the County's insurance carrier picked up the case and he has been working with them over the past few weeks. Their counsel, along with his office, have submitted a motion to dismiss the suit. He expects the court to dismiss the filing soon.

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