

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

Minutes of November 12, 2020 Meeting

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, November 12, 2020 at 6:00 pm in the General District Courtroom, Lunenburg Courts Building, Lunenburg, Virginia. The following members were present: Supervisors Frank Bacon, Edward Pennington, T. Wayne Hoover, Alvester Edmonds, Mike Hankins, Charles R. Slayton, Robert Zava, County Administrator Tracy M. Gee, and Deputy Administrator Nicole A. Clark. County Attorney Frank Rennie was absent.

Due to the COVID-19 pandemic, guests, Supervisors and staff adhered to social distancing (maintaining a distance of at least six feet from others) and wearing masks in the courtroom.

Chairman Slayton called the meeting to order.

Supervisor Edmonds provided the invocation and led the Pledge of Allegiance after honoring all veterans for Veterans Day.

Chairman Slayton requested additions to the agenda from the Board and the public. Supervisor Hoover requested that operating hours at the Solid Waste Convenience Centers be added as 8A. Administrator Gee requested that the Abstract of Votes from the 2020 November General Election be added as 8C and the Crossroads Community Services Board be added as 10A. Mr. John Janson, with the friends of the Meherrin River, was added as 8D to discuss solar farms ordinances.

Supervisor Pennington made motion, seconded by Supervisor Hankins and approved by roll call vote, with all seven Supervisors voting yes and none voting no, to approve and present a Resolution of Retirement to Commonwealth Attorney Robert E. Clement.

RESOLUTION OF RETIREMENT

WHEREAS, Robert E. Clement will retire as the Lunenburg County Commonwealth Attorney on December 31, 2020; and

WHEREAS, Robert E. Clement has prosecuted criminal cases in Lunenburg County for over 40 years with honor and integrity in his role as Commonwealth Attorney; and

WHEREAS, Robert E. Clement was first appointed as Assistant Commonwealth Attorney in March 1980 under prosecutor Tommy Inge; and

WHEREAS, Robert E. Clement was then appointed as Commonwealth Attorney in October 1981; and

WHEREAS, Robert E. Clement won his first contested election in 1982 and was re-elected without opposition each election thereafter until the most recent in 2019; and

WHEREAS, Robert E. Clement has prosecuted numerous high-profile cases; and

WHEREAS, Robert E. Clement has worked his way to 4th in seniority among Virginia's chief prosecutors.

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

BE IT FURTHER RESOLVED, the Lunenburg County Board of Supervisors does hereby wish Robert E. Clement a long, fulfilling retirement and success in all future endeavors.

Supervisor Edmonds made motion, seconded by Supervisor Hankins and approved by roll call vote, with all seven Supervisors voting yes and none voting no, to accept the Consent Agenda to include the Minutes of the October 8, 2020 meeting, the Treasurer's August and September reports and the following Warrants for Approval:

October 2020:	Payroll: Direct Deposit	\$ 128,602.36
	Payroll Check #17222	\$ 729.11
	Payroll Taxes Federal:	\$ 40,938.25
	Payroll Taxes State:	\$ 7,210.03
	Payroll VRS payment:	\$ 28,141.80
	Payroll ICMA-RC payment:	\$ 639.22
	Payroll Health Savings Deposits:	\$ 4,602.74
	Accounts Payable: #59875-60036	<u>\$ 742,540.39</u>
	Total:	\$ 953,403.90

Supervisor Edmonds made motion, seconded by Supervisor Hankins and approved by roll call vote, with all seven Supervisors voting yes and none voting no, to enter into public hearing regarding CUP-4-20 Conditional Use Permit Application for Cellco LLC,(d/b/a Verizon Wireless) , to construct and operate a 299 foot wireless communication facility and Amendment of CUP-3-19 Meridian Waste for the Lunenburg County Board of Supervisors to clarify wording in the Lunenburg Landfill Conditional Use Permit.

County Planner Glenn Millican noted that an application had been submitted for CUP-4-20 Conditional Use Permit Application for Cellco LLC,(d/b/a Verizon Wireless), to construct and operate a 299 foot wireless communication facility in an A-1 Agricultural zone near the intersection of Plank Road and Wallace Bridge Road with tax parcel number 056-0A-0-31. Mr. Millian shared that the Planning Commission recommended approval of the CUP with the condition that the permittee adhere to the county's wireless communication tower ordinance. Mr. Mark Kronenthal and Mr. Jeff Holland with Verizon Wireless spoke regarding their proposal and requested the Board's approval to construct the tower. Supervisor Hoover questioned if there was a rider in the permit for public safety communications to be added to the tower. Mr. Kronenthal stated that state law changed in 2018 and no longer allows permits to require public safety antennas take a place of precedence on a new tower. Mr. Mark Kronenthal noted that Verizon Wireless is certainly open to allowing space for public safety communication, however, it cannot be a condition of the permit. Supervisor Edmonds questioned the time frame of completion of the tower. Mr. Kronenthal replied that the typical time frame was two years, however, the tower could be completed sooner. There was no public comment.

Mr. Millican explained the request for an Amendment of CUP-3-19 Meridian Waste for the Lunenburg County Board of Supervisors to clarify wording in the Lunenburg Landfill Conditional Use Permit to allow, without charge or cost, residents of Lunenburg County VA, in their "personal non-commercial vehicles" and with proof of residency to deliver residential waste to the Permittee (Meridian Waste) and to require the Permittee to accept such waste at the existing landfill site located at 45 Landfill Road, Lunenburg, VA 23952. Mr. Millican added that this change would allow for the CUP wording to match the Host Agreement. He added that there was no opposition from the Planning Commission. There was no public comment.

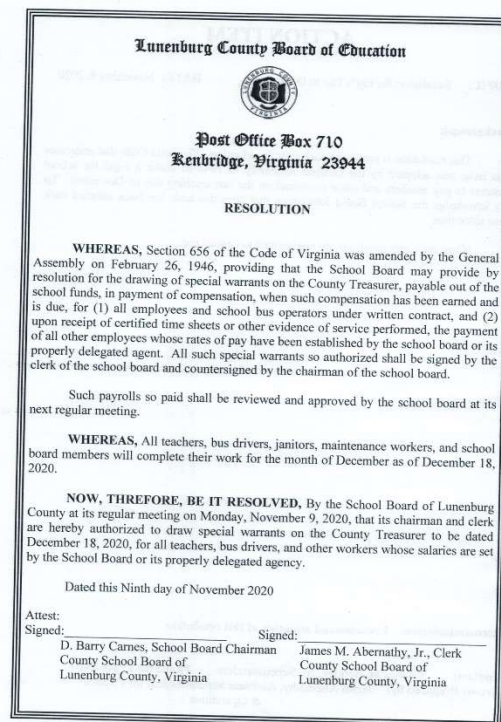
Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with all seven Supervisors voting yes and none voting no, to exit public hearing regarding CUP-4-20 Conditional Use Permit Application for Cellco LLC,(d/b/a Verizon Wireless) , to construct and operate a 299 foot wireless

communication facility and an Amendment of CUP-3-19 Meridian Waste for the Lunenburg County Board of Supervisors to clarify wording in the Lunenburg Landfill Conditional Use Permit.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with all seven Supervisors voting yes and none voting no, to approve CUP-4-20 Conditional Use Permit Application for Cellco LLC,(d/b/a Verizon Wireless) , to construct and operate a 299 foot wireless communication facility and an Amendment of CUP-3-19 Meridian Waste for the Lunenburg County Board of Supervisors to clarify wording in the Lunenburg Landfill Conditional Use Permit.

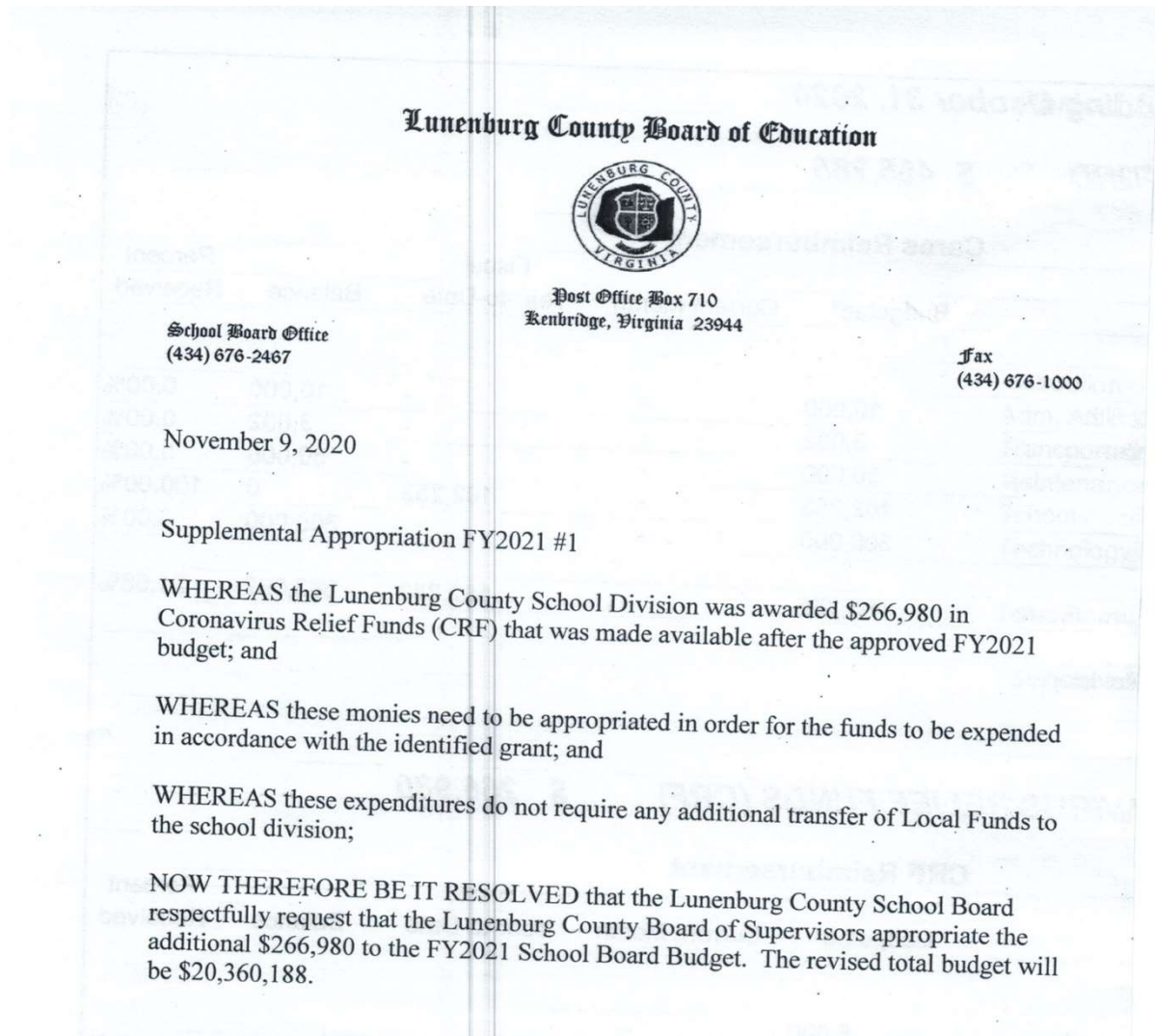
Administrator Gee noted that the monthly VDOT and School Board reports were provided. Supervisor Hankins commented that he strongly encouraged School Board or school staff representatives to reconsider their decision not to attend Board of Supervisors' meetings. He added that their presence at meetings was crucial for communication between the two boards. Administrator Gee noted that the School Board presented a resolution for approval allowing teachers and other school personnel to be paid on the last teaching day of the year, December 18, 2020.

Supervisor Hoover made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to approve the below resolution adopted by the School Board on November 9, 2020 allowing school personnel and added that all County personnel be paid on December 18, 2020.



Administrator Gee shared another resolution from the School Board stating the school division was awarded \$266,980 in Coronavirus Relief Funds (CRF) that was made available after the approved FY2021 budget. The School Board requests that the additional funds be adopted and appropriated to the FY2021 School Board Budget, revising the total budget to \$20,360,188.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to adopt and appropriate additional funds of \$266,980 in Coronavirus Relief Funds (CRF) to the FY2021 School Board Budget, revising the total budget to \$20,360,188.



Administrator Gee provided updates on the recent changes in hours and procedures at the Solid Waste Convenience Sites. She advised that the dump site at the Courthouse Complex was still overloaded and abused, even after restricting the hours available for public use. Administrator Gee read through a handout from Lunenburg Landfill Manager Joe Gustaf, explaining the new procedures for dumping at the landfill, items accepted/not accepted and the charges associated with both. Supervisor Hoover expressed that he feels the current Solid Waste Convenience Sites hours are only convenient for those who are retired, unemployed or work night shift. He would like for the Landfill Committee or the Board of Supervisors to make a change to extend the hours at the sites. Supervisor Edmonds, a member of the landfill committee, advised that the committee had reviewed hours at sites in surrounding counties for comparison. He also noted that other counties experienced a lot of complaints when they initially began manned sites with limited hours. However, over time those residents adjusted to the changes. Supervisor Edmonds suggested that the Landfill Committee

meet, review the hours again, and return to the board with a recommendation as to whether the hours should be adjusted.

Administrator Gee advised that a public hearing would be needed at the December meeting on the following ordinance:

"Whereas the Virginia Auditor of Public Accounts is requiring in the annual audit of the circuit court clerk's offices of the commonwealth to have on file the adopted ordinances of the locality for the various fees and fines submitted to the local governments on a monthly basis. The Lunenburg County Board of Supervisors does hereby incorporate the document attached to this ordinance entitled Lunenburg County Circuit Court Fee Schedule as of July 1, 2020, pages 1-91. The schedule of fees dated July 1, 2020, is adopted and the clerk of the circuit court will retain the fee schedule for inspection by the public, and shall apply those fees as directed in the schedule, and the schedule of fees is adopted as an appendix to the Lunenburg County Code. This ordinance incorporates and supersedes all previous ordinances pertaining to the local funds of Lunenburg County Circuit Court and empowers the clerk of said court to collect and transfer the fees and costs on a monthly basis as prescribed by general statute."

Supervisor Hankins made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to hold a public hearing at the December 2020 Board meeting regarding the Circuit Court Clerk Fees Ordinance.

Supervisor Hoover made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to approve the following Abstract of Votes from the 2020 November General Election.

ABSTRACT of VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

President and Vice President

NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Donald J. Trump - Republican	3537
Joseph R. Biden - Democratic	2418
Jo Jorgensen - Libertarian	40
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes]	5
Total Number of Overvotes for Office	2

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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the President and Vice President.

ABSTRACT of VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,


Member House of Representatives

District: 05


NAMES OF CANDIDATES ON THE BALLOT	TOTAL VOTES RECEIVED (IN FIGURES)
Robert G. "Bob" Good - Republican	3392
B. Cameron Webb - Democratic	2436
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes]	5
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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Representatives.

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Alphin, Chairman
Robert S. Dean, Vice Chairman
Cheryl A. Wright III, Secretary
Cheryl A. Wright III, Acting Secretary

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Alphin, Chairman
Robert S. Dean, Vice Chairman
Cheryl A. Wright III, Secretary
Cheryl A. Wright III, Acting Secretary

ABSTRACT of VOTES

Cast in the Town of KENBRIDGE in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

Member Town Council

District: KENBRIDGE

NAMES OF CANDIDATES ON THE BALLOT


TOTAL VOTES RECEIVED
(IN FIGURES)

R. Michael McGrath	344
Michael R. Bender	329
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes]	3
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 03, 2020, 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. R. Michael McGrath
2. Michael R. Bender

Given under our hands this 6TH day of NOVEMBER, 2020

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

ABSTRACT of REFERENDUM VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

Constitutional Amendment #1

Should the Constitution of Virginia be amended to establish a redistricting commission, consisting of eight members of the General Assembly and eight citizens of the Commonwealth, that is responsible for drawing the congressional and state legislative districts that will be subsequently voted on, but not changed by, the General Assembly and enacted without the Governor's involvement and to give the responsibility of drawing districts to the Supreme Court of Virginia if the redistricting commission fails to draw districts or the General Assembly fails to enact districts by certain deadlines?

☐ Yes
☐ No


QUESTION RESPONSE

TOTAL VOTES RECEIVED
(IN FIGURES)

Total YES votes	3696
Total NO votes	1983
Total Number of Overvotes for Question	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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the proposed referendum.

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Adams, Chairman
Salvatore A. Brown, Vice Chairman
Chloris A. Wright III, Secretary
Chloris A. Wright III, Secretary, Electoral Board

ABSTRACT of REFERENDUM VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

Constitutional Amendment #2

Should an automobile or pickup truck that is owned and used primarily by or for a veteran of the United States armed forces or the Virginia National Guard who has a one hundred percent service-connected, permanent, and total disability be free from state and local taxation?

☐ Yes
☐ No


QUESTION RESPONSE

TOTAL VOTES RECEIVED
(IN FIGURES)

Total YES votes	5099
Total NO votes	735
Total Number of Overvotes for Question	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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the proposed referendum.

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Adams, Chairman
Salvatore A. Brown, Vice Chairman
Chloris A. Wright III, Secretary
Chloris A. Wright III, Secretary, Electoral Board

ABSTRACT of REFERENDUM VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

Civil War Monument on the Lunenburg County, Virginia, Courthouse Grounds

District: LUNENBURG COUNTY

Shall the monument honoring the memory of the Lunenburg soldiers and women during the Civil War remain on Lunenburg Courthouse property?

☐ Yes
☐ No

QUESTION RESPONSE


TOTAL VOTES RECEIVED
(IN FIGURES)

Total YES votes	4172
Total NO votes	1693
Total Number of Overvotes for Question	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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the proposed referendum.

PASSED

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Adams, Chairman
Salvatore A. Brown, Vice Chairman
Chloris A. Wright III, Secretary
Chloris A. Wright III, Secretary, Electoral Board

ABSTRACT of VOTES

Cast in LUNENBURG COUNTY, VIRGINIA
at the 2020 November General Election held on November 03, 2020 for,

Member United States Senate


NAMES OF CANDIDATES ON THE BALLOT

TOTAL VOTES RECEIVED
(IN FIGURES)

Daniel M. Gade - Republican	3362
Mark R. Warner - Democratic	2531
Total Write-In votes [From Write-Ins Certifications] [Valid Write-Ins + Invalid Write-Ins = Total Write In Votes]	4
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 03, 2020, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member United States Senate.

Given under our hands this 6TH day of NOVEMBER, 2020

 Anna J. Jolley, Chairman
Johnathan Brown, Vice Chairman
Chloe L. Wright III, Secretary
Chloe L. Wright III, Acting Secretary

Mr. John Janson of the Friends of the Meherrin River, approached the Board to share his organization's opposition of new industrial scale solar farms proposed for Mecklenburg, Lunenburg, Brunswick and other local counties with sensitive and important watersheds. He provided a packet of information and requested to be notified of any future Board of Supervisors or Planning Commission meetings at which solar farms would be discussed. Mr. Buck Tharpe, Chairman of the Planning Commission, spoke up stating that a solar farm application is up for discussion at their next meeting, to be scheduled for January 2021. He advised that Mr. Janson should coordinate with Mr. Millican in order to be added to the next Planning Commission meeting.

Administrator Gee advised that she has received notice from DMV that Lunenburg is due \$90.00 from the Dog and Cat Sterilization Fund. She requested the Board accept this amount and forward to the Southside SPCA to assist in providing low-cost spay and neuter procedures.

Supervisor Hoover made a motion, seconded by Supervisor Edmonds and unanimously approved, to accept \$90.00 from the DMV Dog and Cat Sterilization Fund and forward the funds to Southside SPCA to assist in providing low-cost spay and neuter surgeries.

Administrator Gee advised that there were several vacancies on the Industrial Development Authority, due to the new requirement for them to complete an annual Statement of Economic Interest Form. She needs nominations for District 1, District 6 and District 7. Administrator Gee noted that Supervisor Edmonds would be resigning from the Crossroads Community Services Board. Supervisor Hoover has volunteered to serve as Lunenburg County's representative. She noted that Mrs. Nancy Turner of Longview Drive, was also up for reappointment to the Social Services Advisory Board for a four year term beginning January 1, 2020.

Supervisor Hankins made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to appoint Supervisor Hoover to the Crossroads Community Services Board to fill the unexpired term ending December 31, 2022, and to reappoint Mrs. Nancy Turner of Beaver Creek District, to the Social Services Advisory Board for a four year term beginning January 1, 2020 and ending December 31, 2024.

Administrator Gee provided an update on the second round CARES Act Small Business Grant program. She advised that sixteen applicants met all the requirements and were recommended for grant funds totaling \$65,750. The CARES Act committee once again recommended that grant awards be doubled for each recipient to total \$131,500. Administrator Gee noted that if the second round was approved and paid out, there would be a remaining \$50,000 in funds appropriated for small business grants. The CARES Act committee recommended allocating the remaining funds among all eligible applicants from both the first and second round, for a total of \$400,000 in grant funding.

Supervisor Hankins made motion, seconded by Supervisor Edmonds and by roll call vote, with six Supervisors voting yes, Supervisor Hoover abstaining, and none voting no, approved to award \$131,500 to the second round small business grant approved applicants and \$50,000 in remaining funds spread among all eligible applicants from both the first and second round.

Administrator Gee provided her monthly report. She advised that Commissioner of the Revenue Liz Hamlett contacted her regarding cigarette stamps and taxation by the county. She noted that adding such a tax would require additional tracking, reporting and monitoring, creating the need for additional staff or need for the county to join with a regional authority to collect tax. The Board took no action on the topic. Administrator Gee continued to report that the work on the interior of the Circuit Clerk's Office, to create barriers between staff and the public, had been completed. She advised that a catastrophic electrical failure had occurred in the control board of the elevator located in the old courthouse. The estimated repair cost is around \$45,000. The Administration office is in contact with the insurance company to determine if they will accept the claim.

Supervisor Hankins made a motion, seconded by Supervisor Edmonds and unanimously approved, to enter Closed Session citing Virginia Code Section §2.2-3711A29 Legal Consult.

CERTIFICATION OF CLOSED SESSION MEETING

WHEREAS, the Board of Supervisors of Lunenburg County, Virginia ("Board") convened a Closed Session Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Freedom of Information Act; and

WHEREAS, Section §2.2-3712 of the Code of Virginia, 1950, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED that the Board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from Open Meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board.

VOTING YES
Supervisor Bacon

VOTING NO

ABSENT

Supervisor Edmonds
Supervisor Hankins
Supervisor Hoover
Supervisor Pennington
Supervisor Slayton
Supervisor Zava

Supervisor Bacon made a motion, seconded by Supervisor Edmonds and unanimously approved, to return to Open Session.

Supervisor Hoover made motion, seconded by Supervisor Bacon and by roll call vote, with all seven Supervisors voting yes and none voting no, approved to adjourn.

Tracy M. Gee, Clerk
County Administrator

Charles R. Slayton, Chairman
Board of Supervisors