

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

**Minutes of the March 10, 2022 Meeting**

The regularly scheduled meeting of the Lunenburg County Board of Supervisors was held on Thursday, March 10, 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, Edward Pennington, Charles R. Slayton, Robert Zava, County Administrator Tracy M. Gee, Deputy Administrator Nicole A. Clark, County Attorney Frank Rennie and Assistant County Attorney Drew DiStanislaio. Supervisor T. Wayne Hoover was absent.

Due to the COVID-19 pandemic, guests, Supervisors and staff adhered to social distancing and wearing masks per the CDC guidelines.

Chairman Slayton called the meeting to order.

Supervisor Pennington 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 recognition of a Social Services employee be added as 8G on a request she received earlier in the week.

Chairman Slayton called for any Citizen Comments. There were none.

County Attorney Rennie presented for approval a Resolution to Repeal the State of Emergency declared March 13, 2020, lifted June 2021, and reinstated on September 9, 2021 due to COVID-19.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to approve the Resolution to Repeal the State of Emergency which was first declared March 13, 2020, lifted June 2021, and reinstated on September 9, 2021 due to COVID-19.

Supervisor Bacon made motion, seconded by Supervisor Edmonds and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to accept the Consent Agenda to include the February 10, 2022 meeting minutes, the Treasurer’s December 2021 reports and the following Warrants for Approval:

February 2022:	Payroll: Direct Deposit	\$ 146,422.43
	Payroll Check #2005	\$ 950.56
	Payroll Taxes Federal:	\$ 48,403.74
	Payroll Taxes State:	\$ 8,670.92
	Payroll VRS payment:	\$ 34,184.90
	Payroll ICMA-RC payment:	\$ 1,134.26
	Payroll Health Savings Deposits:	\$ 3,830.95
	Accounts Payable: #80477-80614	<u>\$ 363,265.97</u>
	Total:	\$ 606,863.73

Assistant County Attorney DiStanislaio reviewed the proposed map and ordinance as recommended by the Redistricting Committee. He advised that the code required forty-five days' notice be given of the proposed changes as well as a thirty-day public comment period. After meeting both requirements, and there being no comments or objections, Assistant County Attorney DiStanislaio recommends that the Board approve the redistricting ordinance and map.

Supervisor Zava made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to approve the proposed ordinance and maps detailing the boundaries of the redistricted election districts in the county.

Mr. James Abernathy, Assistant School Superintendent and Finance Director, provided the monthly school reports. He advised that he will be requesting approval and appropriation of ESSER III supplemental funds, to purchase and install new HVAC systems at both elementary schools at the April meeting. Mr. Abernathy advised that \$80,000 in ESSER II funds have been set aside for athletics at the middle and high schools. He explained that required amounts of ESSER III funds are earmarked for after school remediation, summer school and continuing education credits for teachers. He advised that they plan to have the FY2022-23 budget projections prepared for review at the April meeting. Supervisor Edmonds asked for the current ADM. Mr. Abernathy replied there had been a slight decrease and ADM was currently at 1510. He added that the decrease was due to additional students recently choosing to home school. Mr. Abernathy continued that on March 31<sup>st</sup> the state will officially certify the number of students for each division.

Mr. Kevin Smith of VDOT provided the monthly report. He advised that crews have been fixing pot holes and maintaining dirt roads. Mr. Smith advised that Eubanks Road would be closed the following Monday for bridge repair. All county offices will be notified.

Administrator Gee advised that the Sheriff's Office had been awarded a Local Law Enforcement block grant to strengthen crime control, in the amount of \$1,293. She requested that the Board accept and appropriate the funds.

Supervisor Hankins made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to accept and appropriate funds in the amount of \$1,293 awarded to the Sheriff's Office as a Local Law Enforcement block grant to strengthen crime control.

Administrator Gee advised that due to a limited time frame to submit a renewal response to the county's health insurance provider, The Local Choice, staff reviewed and rated responses provided through procurement for three insurance consulting firms. Innovative Insurance Group of Kenbridge, Virginia was selected to provide consulting services based on the rating system. Innovative Insurance Group will begin obtaining quotes from multiple carriers for health insurance coverage. The goal is to keep costs low for both the taxpayers and employees with dependents.

Administrator Gee advised that Sheriff Arthur Townsend had received funds for serving as the executor of an estate, according to VA Code Section 64.2-610(A), for a local deceased with no initially-known heirs. Following a three-year probate process, Sheriff Townsend presented a check to the county for the amount received from the estate in the amount of \$39,888.15. Administrator Gee stated that she would be meeting with the Sheriff to discuss where these funds would be placed in the Sheriff's budget.

Administrator Gee advised that she'd received a request from Sheriff Townsend to transfer \$15,000 from Compensation Board vacancy savings, to be split with \$7,500 going to each the Maintenance line item and the Part-time Wages line item.

The Sheriff also requested that a portion of \$6,388.11 in contract repayment funds from Deputy K. Gee, be utilized to pay off an incoming deputy's contract with the Town of Chase City in the amount of \$2,636.58. He requested that the remainder of the funds in the amount of \$3,751.53 remain in the Police Supplies line item.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to accept and appropriate funds in the amount of \$39,888.15 to the Sheriff's Office budget, with the use of the funds to be determined by the Sheriff and Administrator Gee and brought for approval in a future meeting.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to transfer \$15,000 from Compensation Board vacancy savings, to be split with \$7,500 going to each the Maintenance line item and the Part-time Wages line item.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to use a portion of contract repayment funds from Deputy K. Gee to pay off an incoming deputy's contract with the Town of Chase City in the amount of \$2,636.58. and the remainder of the funds in the amount of \$3,751.53 remain in the Police Supplies line item.

Administrator Gee shared a lease agreement between the County and the Town of Kenbridge to lease a room on the 3<sup>rd</sup> floor of the Kenbridge Town Hall for the Virginia Cooperative Extension Office to use as office space, allowing the current building at the Courthouse Complex to be used as the Commonwealth Attorney's Office. The rent will be four hundred dollars (\$400) per month and the lease term will be on a yearly basis. Administrator Gee requested the Board's approval to enter the lease agreement.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to enter into a lease agreement with the Town of Kenbridge leasing office space on the 3<sup>rd</sup> floor of the Kenbridge Town Hall for the Virginia Cooperative Extension Office, with a monthly rental amount of \$400.

Administrator Gee advised that she had been notified by staff in the Department of Social Services, that Family Services Supervisor, Medina Trent, was awarded the Social Worker Circle of Care award which is sponsored by VCU Massey Cancer Center and Care Advantage, Inc. The awards celebrate Social Workers and raise money for Cancer research at VCU. Ms. Trent has worked with the Department of Social Services for twenty years, thirteen of which have been with Lunenburg County and is a Cancer survivor. Ms. Trent was acknowledged for her achievements and congratulated by the Board.

Administrator Gee provided a comparison of personal property revenues by classification. She shared total values for 2021 and the values for 2022. With values increasing an average of 38.7% nationally, the local governing body has the authority to segregate different local tax classifications of property with different tax rates. The local governing body also has the option to assess tax based on a percentage of the personal property value. Administrator Gee advised that the finance committee will need to have a recommendation to present at the April meeting in order for the Board to make a final decision, as tax bills will need to be updated by the Commissioner of the Revenue and mailed by May 1<sup>st</sup>.

Mr. Lee Smyth, representing all the Lunenburg youth sports, requested the Board consider an increase in the appropriation amount for all the sports organizations. Mr. Smyth requested what would equate to \$5,000 per sport, bringing the total appropriation to \$30,000. He continued to discuss the benefits of the sports programs to the youth and the community. He also commented on the increased costs of expenses for each sport. Mr. Smyth thanked the Board for their consideration of the request.

Mr. Ollie Wright, Secretary of the Electoral Board, spoke before the Board to discuss upcoming increases. First, the state has mandated an ES&S operating system upgrade for all voting machines before the November election. The cost of the software upgrade and battery replacement will be about \$8,200. Mr. Wright advised that they continue working on cyber security milestones and requirements. The grant funds previously obtained by Todd Fortune of the CRC should continue to cover the costs associated with cyber security requirements through the calendar year. However, Mr. Wright requested the Board consider adding funding to the upcoming budget year to help support this state requirement. Mr. Wright noted that the redistricting process was proceeding smoothly, however, consideration will need to be given for the additional materials and postage required to mail notice to voters of a change in polling place. He thanked the Board for their consideration of these increased expenses.

Administrator Gee shared information from DEQ that beginning July 1, 2023, no food vendor that is a chain restaurant or similar retail food establishment shall dispense prepared food to a customer in a polystyrene food service container. The requirement will extend to food vendors of any type in July of 2025. Recycling and litter control grants for the upcoming year will reflect a small increase for localities to publicize and reach out to retailers subject to the requirement.

Mr. Rodney Newton provided a report on the interoperable radio communications system (LUIS). He advised that the number of towers needing to be built is reduced to one. He explained that through relentless negotiations by CTA Consultants, the county is being offered a lease of \$800 per month to place equipment on the Verizon Love's Mill Tower located near the intersection of Plank Road and Wallace Bridge Road. The negotiated rent is cheaper than building a new tower. The proposed tower to be built behind Kenbridge Construction will still need to be constructed but construction costs will be less than initially estimated. Mr. Newton reported that negotiations with Crown Castle for space on their tower came to a halt as they were requesting \$2,000 for the next 15 years. County Attorney Rennie requested contact information for Crown Castle, as he stated they have not requested a recertification of their Conditional Use Permit with the county.

Ms. Taylor Newton, Director of Planning and Community Development presented her monthly report. She advised that the Dogwood Lane solar project was determined to be in accordance with the Comprehensive Plan by the Planning Commission and would be coming before the Board in the coming months. Assistant County Attorney DiStanislao shared that currently an event venue is required to obtain an event permit for each event and he and staff are researching a requirement more akin to a license than a permit, so that a venue does not have to apply for each individual event. He hopes to have a draft for review at the April meeting.

Administrator Gee provided her monthly report. She shared a new flyer with information about landfill operations. She welcomed the Board to review the flyer and provide any recommendations or suggestions. Administrator Gee advised that building and grounds repair costs are increasing due to the age of the courthouse facilities. She noted that two contractors had reviewed the current Cooperative Extension building for construction changes needed to make the building ready for the Commonwealth Attorney's Office. She stated that the first bid was in the amount of \$105,000 and she assumes the 2<sup>nd</sup> will be similar. She and the Building Official will continue looking at options. They also continue to look for options for conditioned storage. Storage continues to be a need for all offices. Administrator Gee commented that COVID-19 numbers still show Lunenburg as a high transmission community. Administrator Gee reported that the office would be closed to the public on Thursday, March 17<sup>th</sup>, for organizing and records review and purging.

Administrator Gee requested that the rebate, in the amount of \$4,953.46, from the CRC appropriation be placed in fund 225-Economic Development. She added that currently there is a negative fund balance due to rental expenses for the Safety Technologies equipment. She advised that any remaining funds could be used for grant matching needs.

Supervisor Edmonds made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to appropriate the rebate, in the amount of \$4,953.46, from the CRC to fund 225-Economic Development.

County Attorney Rennie provided his monthly report. He advised that he participated in a call with Red Brick Solar earlier in the day. He reminded the Board that the project had been on hold pending conversations between the developers and Dominion Energy. County Attorney Rennie advised that they are now ready to move forward in negotiations with the county on the project. He added that they have until June to present their plan before the Board, as that will be the one-year mark since the Board voted that their plan was in accordance with the Comprehensive Plan.

County Attorney shared a memo from the previous year regarding retail sales of marijuana in Virginia. At the time, the General Assembly was going to allow the local governing body to present a referendum to the voters on whether retail sales establishment should be prohibited in the county. County Attorney noted that since that time, an amendment had been proposed, but voted down by the House of Delegates. He added that the legislation allowing counties to hold a referendum had been approved, but it had not been enacted, and would probably be voted down as well. County Attorney Rennie commented that unless the General Assembly makes a new amendment for referendum, then local governing bodies will have no control of marijuana sales in their locality. Supervisor Hankins questioned if an opinion from the Attorney General's Office could be requested. County Attorney Rennie indicated that he would request such if it is the pleasure of the Board; however, he feels this is more of a political issue than a legal issue.

Supervisor Hankins made motion, seconded by Supervisor Bacon and approved by roll call vote, with six Supervisors voting yes, none voting no, and one absent, to request the County Attorney prepare a letter to the Attorney General's Office requesting further explanation on marijuana sales and the locality's authority to govern it in their own jurisdiction.

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

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Tracy M. Gee, Clerk  
County Administrator

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Charles R. Slayton, Chairman  
Board of Supervisors