

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 20TH DAY OF JANUARY IN THE YEAR OF OUR LORD TWO THOUSAND ELEVEN AND IN THE 235TH YEAR OF THE COMMONWEALTH:

PRESENT: GARY L. SIMMONS, CHAIRMAN
JACK J. GREEN, VICE CHAIRMAN
SHERMAN C. VAUGHN
CLARENCE A. SIMPSON
STEVE BOWEN
RONALD E. ROARK, COUNTY ADMINISTRATOR
JOHN N. PROSISE, ASSISTANT COUNTY ADMINISTRATOR
MAYO K. GRAVATT, COUNTY ATTORNEY

Administrator Roark, Clerk to the Board, called the meeting to order at 7:00 p.m. informing that the night’s meeting was the annual meeting of the Nottoway County Board of Supervisors, which will organize the Board for the year 2011. Administrator Roark states that the first order of business is to elect a Chairman to serve for 2011. Administrator Roark opens the floor to nominations.

Supervisor Vaughn moves to nominate Supervisor Simmons as the Chairman. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Administrator Roark turns the meeting over to Chairman Simmons.

Chairman Simmons proceeds with nominations for Vice Chairman.

Supervisor Bowen moves to nominate Supervisor Green as Vice Chairman. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Chairman Simmons informed the Board that the date and times for the 2011 Board of Supervisors meetings need to be established; suggesting that the previous years have housed meetings on the third Thursday of each month at 7:00 p.m. in the Nottoway General District Court.

Supervisor Simpson moved to hold the 2011 Board of Supervisors meetings on the third Thursday of each month at 7:00 p.m. in the Nottoway General District Court. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Mr. Jack Green, Nottoway County Board of Supervisor, gave the invocation.

The minutes of the November 18, 2010 regular Board meeting were presented. Supervisor Vaughn moved to adopt the November 18, 2010 minutes as presented. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Chairman Simmons asks if there are any delegations from the public;

Terry Abston, Agent – Nottoway County Cooperative Extension: Mrs. Abston is present to update the Board on the progress of both the Virginia Cooperative Extension and the 4-H program. Mrs. Abston reported having a strong Nottoway County enrollment at the recent Progressive Farm Safety Day.

Presentation – Resolution – Paul Bennett: Supervisor Bowen reads aloud a resolution of commendation for Burkeville Fire Department Chief Paul O. Bennett for his dedicated service to the citizens of Nottoway County. Chairman Simmons makes the presentation to Chief Bennett.

(SEE PAGE THRU PAGE
FOR RESOLUTION)

Presentation – Joseph Morrissette, Mayor – Town of Burkeville: Mayor Morrissette is present to express his appreciation for the resolution presented to Burkeville Councilman and Fire Chief Paul Bennett.

Presentation – Roger Norton – Woodmans Road Hunt Club: Mr. Norton, on behalf of the Woodmans Road Hunt Club, is requesting the Boards consideration in making a formal request to the Virginia Department of Game and Inland Fisheries to amend the current regulations on the harvesting of female deer during the general firearm season; they wish to allow the harvest of either sex deer during the entire general firearm season – the current regulations only allow the killing of female deer on 14 days during the season.

Following Board discussion Supervisor Bowen and Supervisor Vaughn will coordinate with County Hunt Clubs to seek respective opinions on the Woodmans Hunt Club request.

Presentation – Warden Bryan Watson and Assistant Warden David Graham – Nottoway Correctional Center: The Correctional Center representatives are present to provide an update to the Board on the Nottoway Correctional Center. Warden Graham provides information on the Correctional Center work crews, comprised of inmates currently being housed in the correctional facility. Warden Graham informs the Board that the work center performed a total of 20,616 man hours in 2010 in Nottoway County.

Presentation – Robinson, Farmer, Cox Associates: Mr. Paul Lee presents to the Board the completed Nottoway County Audit for year ending June 30, 2010; Mr. Lee reports that the Audit found the County to be in solid financial shape, reporting that the General Fund balance decreased a minor amount for the fiscal year but showed an increase in the tax collection percentage.

Resolution – Amend IDA Revenue Note: The Board is asked to consider adoption of a resolution to amend the Nottoway County Industrial Development Authority’s revenue note for the Nottoway County School improvement projects (Series 2009); renewal of the loan for an additional two years at a lower interest rate than current.

Vice Chairman Green moves to approve and adopt the resolution approving the amendments of the Nottoway County Industrial Development Authority’s revenue note for the Nottoway County School improvement projects (Series 2009). The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

(SEE PAGE THRU PAGE
FOR RESOLUTION)

Presentation – William Coalson – Aggressive Appraisal Co.: Mr. Coalson is present to provide an update on the Nottoway County Tax Reassessment

Highway Department: Maintenance/Construction update

A – Six-Year Plan: Administrator Roark recommends holding the work session for the Plan at the February regular Board meeting

B – Temporary Detour Plan – Rt. 606: Plans are for work on the bridge and the planned detour route

C – Letter – Thomas A. Hawthorne, PE: Providing the changes to the 2009 Federal Manual on Uniform Traffic Control Devices as they relate to minimum sign retroreflectivity

D – Sign – 360 Bridge: Administrator Roark provides the Board members a picture reflecting the newly installed sign on the West Bound 360 Bridge honoring fallen Marine Corporal Jonathan T. Yale. Administrator Roark explains that an additional sign has been requested to be placed to inform that the Bridge has been named in honor of Corporal Yale. Administrator Roark further informs that an official dedication ceremony has been requested. Lastly Administrator Roark reports that a formal request should be made to remove an environmental device that is derogatory to the memorial sign. The Board also wishes for the current sign to be covered until the dedication ceremony can be held. Vice Chairman Green moves to approve all requests. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

School Board – Dexter K. Payne, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on December 10, 2010: Minutes of the regular meeting of the Nottoway County School Board held on November 11, 2010, Actions taken at the regular meeting of the Nottoway County School Board held on January 13, 2011: Minutes of the regular meeting of the Nottoway County School Board held on December 09, 2010

Health Department – Alex P. Samuel, MD MPH: Providing info related to the H2N1 pandemic; After Action Report

Economic Development Committee: Administrator Roark reports that the Committee will not meet for January. Administrator Roark further reports that, per information received from a recent meeting he attended, the bids have been released for construction of the Virginia State Police Driver Training Facility to be located at Fort Pickett.

Regional Jail Report & Juvenile Detention Center: October 2010 Piedmont Regional Jail Transportation report, November 2010 Piedmont Regional Jail Transportation report, October 2010 Jurisdiction report, November 2010 Jurisdiction report, October 2010 Piedmont Regional Jail revenue report, November 2010 Piedmont Regional Jail revenue report

Landfill: Administrator Roark gave the Landfill report

A – Inspection Report – Mal Lafoon, Jr., Environmental Specialist II – Department of Environmental Quality (DEQ): Results of an unannounced compliance inspection performed on October 18, 2010

1 – Leachate outbreaks were observed – immediate corrective action is necessary
a – corrections were made and reported to DEQ

B – November 2010 Solid Waste total report, October 2010 Waste Wood Waste Report

C – Groundwater Monitoring – Draper Aden Associates – Leonard Ford, Jr., Environmental Services: Results of the Nottoway County Sanitary Landfill Groundwater Monitoring Program Sampling Event 34 (10-06-10) [closed facility]

D – Stormwater Monitoring – William G. Hase, P.E., Senior Project Manager – Draper Aden Associates: Results of two site visits to the Nottoway County Landfill for soil sampling

E – December 2010 Solid Waste total report

F – Calendar Year 2010 Solid Waste total report

G – Draper Aden Associates – Leonard Ford, Jr., Environmental Services Division: Providing cost proposals for Groundwater, Stormwater and Gas monitoring for the year 2011 at the Nottoway County Landfill

Administrator Roark reports that, based on official reports and calculations, there is a 15 year life expectancy for the current Landfill site.

Fort Pickett Redevelopment Authority: Administrator Roark reports that he has met with Adjutant General Long and they have discussed the possibility of having a joint meeting with Board members along with representatives from the Town of Blackstone; Administrator Roark will facilitate this meeting

Planning Commission Report: Administrator Roark reports that the Commission met and heard a request to rezone an area of land on Rt. 153 at the intersection of Rt. 610 from the current zoning of Agriculture to Conservation; it was the consensus of the Commission that this would resemble spot zoning and they have recommended a different option – rezone from Rt. 610 to Rt. 719; this option was met with opposition. The Planning Commission, in turn, recommends rezoning only the east side of Rt. 153 from Rt. 610 to Rt. 719

Supervisor Vaughn moved to approve the Planning Commission recommendation as presented and advertise the zoning amendment for public hearing at the February Board meeting. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Administrator Roark further reports that the Planning Commission also voted to hold for public hearing a change of a definition under the Government Structures and Uses under the following style (if and when deemed necessary):

Add: Structures and uses that facilitate normal federal, state, and local governmental activities. This may include similar uses by private entities that supply services to federal, state, and local governmental agencies.

Vice Chairman Green moves to authorize the Zoning Ordinance definition change to be advertised for public hearing after completion of the Planning Commission hearing. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Planning Commission Appointments: The terms of member William Gunn and member Earl Moore expire this month (January, 2011) along with the term of member Steve Hass expiring in February 2011; action needs to be taken for either reappointment or replacement. Supervisor Simpson moves to reappoint Mr. Gunn, Mr. Moore, and Mr. Hass to their respective seats on the Nottoway County Planning Commission. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Letter – Matt Lohr, Commissioner – Department of Agriculture and Consumer Services: Notification of the approval of the Governor’s request for disaster area designation for Nottoway County due to losses caused by drought and excessive heat that occurred during the 2010 crop year.

Letter – James D. Campbell, CAE, Executive Director – Virginia Association of Counties (VACo): Notification of a priority issue that was filed for the 2011 General Assembly by the Virginia Association of Counties: the possibility of reintroducing something similar to 2010’s HB570 relating to the protection of the current burden of proof process in real estate and property assessment appeals; requesting a financial contribution of \$1,000 to aid in the lobbying

Vice Chairman Green moves to fund the \$1,000 financial request from VACo for their efforts in the lobbying against the recent legislation. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Chairman Simmons presents the CONSENT CALENDAR:

1 - Budget Adjustment – Sheriff - \$1,592.20

REVENUES:

3-100-18990-0050	Miscellaneous	<u>\$1,592.20</u>
	Ins. Proceeds from car damage	<u>\$1,592.20</u>

EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	<u>\$1,592.20</u>
		<u>\$1,592.20</u>

2 – Budget Adjustment – Sheriff - \$2,210.55

REVENUES:

3-100-23020-0020	Miscellaneous – Sheriff VA State Police Fuel Reimb	<u>\$2,210.55</u>
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EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	<u>\$2,210.55</u>
		<u>\$2,210.55</u>

3 – Erroneous Assessment – Brown - \$99.22: Refund Mr. James Francis Brown \$99.22 for an erroneous personal property assessment for tax year 2010

4 – Erroneous Assessment – Fowlkes - \$335.65: Refund Angela Fowlkes \$335.65 for an erroneous personal property assessment for tax year 2010

5 – Budget Adjustment – CSA - \$2,000.00

REVENUES:

3-100-18990-0050	Miscellaneous Refund from CSA Vendor	<u>\$2,000.00</u>
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EXPENDITURES:

4-100-57070-0100	Mandated Services	<u>\$2,000.00</u>
		<u>\$2,000.00</u>

6 – Erroneous Assessment – GMAC - \$271.89: Refund GMAC \$271.89 for an erroneous assessment for tax year 2010

7 – Erroneous Assessment – Harris - \$113.07: Refund Ms. Lois Harris \$113.07 for an erroneous personal property assessment for tax years 2006 through 2010

8 – Erroneous Assessment – Atkins - \$39.46: Refund Ernest P. Atkins \$39.46 for an erroneous late filing penalty for personal property for tax year 2010

9 – Erroneous Assessment – Ford Motor Co. - \$328.13: Refund Ford Motor Credit \$328.13 for an erroneous personal property assessment for tax year 2010

10 – Erroneous Assessment – Schlotterer - \$67.62: Refund Mr. David Schlotterer and als. \$67.62 for an erroneous real estate assessment for tax year 2009

11 – Erroneous Assessment – Coastal Lumber \$59.78: Refund Coastal Lumber Company \$59.78 for an erroneous real estate assessment for tax year 2010

12 – Budget Adjustment – Library - \$300.00 (Breast Cancer Awareness Grant Award)

Supervisor Vaughn moves to approve the CONSENT CALENDAR as presented. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Administrator Roark presents the following information items:

1 – Web Site – E-mail - Patti Rosenberg, Waverly Farms, Burkeville, VA: Expresses concern that the County adolescent population has lost interest in farming

2 – Letter – Denise Ambrose, Associate Director – Department of Housing and Community Development (DHCD): Providing a summary of changes proposed for the 2011 Draft DHCD Community Development Block Grant Program Design

3 – Comprehensive Services Act: Nottoway County Community Policy and Management Team Family Engagement Policy

4 – Letter – Thomas E. Harris, County Administrator – County of Amelia: Providing a copy of a resolution reaffirming Amelia County’s support of the Virginia Cooperative Extension

5 – Notice – Dominion VA Power: Petition of Virginia Electric and Power Company for a Declaratory Judgment Case No. PUE-2010-00132

6 – Sheriff’s Report: Nottoway Sheriff’s Office partial activity report for November 2010

7 – Notice – VA Power: Notice to the public of an application of Virginia Electric and Power Company to establish a pilot program on dynamic rates Case No. PUE-2010-00135

8 – Notice – MedExpress Transport: Public Notice that MedExpress Transport LLC, 11831 Durrington Drive, Richmond, VA 23236, has applied to DMV for authority to operate as a COMMON CARRIER OF PASSENGERS OVER IRREGULAR ROUTES

9 – Letter – Department of Environmental Quality – Walter A. Mills, Construction Assistance Program: Providing Draft Stormwater Loan Program Guidelines

10 – Old Dominion Resource Conservation and Development Council, Inc. (Old Dominion RC&D) – Eugene Morris, Chairman: Annual report for the Fiscal Year 2010

11 – Minutes:

Minutes of the Nottoway County Planning Council meeting held on August 05, 2010

Draft minutes of Nottoway County Board of Zoning Appeals meeting held on December 06, 2010

Draft minutes of the Nottoway County Community Policy and Management Team meeting held on November 22, 2010

Minutes of the Nottoway County Public Library Board of Trustees meeting held on December 15, 2010

Minutes of the Nottoway County Community Policy and Management Team meeting held on November 22, 2010

Minutes of the Nottoway County Board of Zoning Appeals meeting held on October 18, 2010

Minutes of the Piedmont Soil and Water Conservation District Board of Directors meeting held on October 26, 2010

Draft minutes of the Old Dominion RC&D Council meeting held on October 18, 2010

Minutes of the Piedmont Regional Jail Board meeting held on October 27, 2010

Administrator Roark presented the following correspondence:

Administrator Roark informs that the Board has made plans to attend the General Assembly Legislative Day to be held on Thursday, February 03, 2011. The Board members, along with Administrator Roark, will be attending along with representatives from the Nottoway School Board and the Towns of Blackstone, Crewe, and Burkeville.

1 - Building Inspector's Report: Report period November 01, 2010 thru December 31, 2010, 2010 Building Permit Summary, 2009 Building Permit Summary, trend line for new home construction for the years 2002-2010

2 – Animal Control Officer's Report: Report period November 08, 2010 thru January 11, 2011, Nottoway County Animal Control Officer 2010 Annual Report

3 – Fowl Claim: Claim from Mr. Thomas Michael Crews for the loss of 6 chickens (at a market value of \$3.00 each), at a total of \$18.00, that were killed by dogs. Vice Chairman Green moves to pay Mr. Crews \$18.00 for the loss of his chickens. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

4 – Erosion & Sedimentation/Biosolids Report: Report period November 01, 2010 thru December 31, 2010

Administrator Roark reports that Mr. Moore has resigned his position as Erosion & Sedimentation Specialist; waiting for word from Appomattox County on whether they choose to continue the position partnership with Mr. Moore's replacement

5 – Electronic Recycling event update

6 - Nottoway County E911 addressing and tax parcel project update provided by the Timmons Group.

7 – Proposal – Robinson, Farmer, Cox Associates – Steven J. Jacobs, Director: Providing the proposal for services to complete the County's Cost Allocation Plan for either one or three years; \$4,000 for one year or \$10,500 for three years. Supervisor Bowen moves to enter into a three-year contract, at a total fee of \$10,500, with Robinson, Farmer, Cox Associates for the completion of the County's Cost Allocation Plan. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

8 – Statement – James W. Elliott, Attorney At Law: Request for reimbursement for costs incurred with the collection of delinquent taxes; \$744.00. Supervisor Vaughn moves to approve the payment to Attorney Elliott. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

9 – Compliance review – District 1 Housing Phase I compliance review was completed and all files were found to be in compliance

10 – Redistricting – 2011: Expecting the current census figures in early February 2011

Administrator Roark informs the Board of a proposal from the Commonwealth Regional Council to use their census software, for the purpose of completing necessary redistricting, at no cost to the County. Administrator Roark further informs that the Council has scheduled an informative session on the program and he, along with Assistant Administrator Prosisie, can attend and report back with their findings.

Supervisor Simpson moves to authorize Administrator Roark and Assistant Administrator Prorise to attend the informative session and report findings to the Board for a decision on how best to proceed with the redistricting. The motion carried as follows:

S.W. Bowen	Yes
C.A. Simpson	Yes
S.C. Vaughn	Yes
J.J. Green	Yes
G.L. Simmons	Yes

Supervisor Bowen comments on the recent Deputy involved shooting.

Chairman Simmons urges for the Budget Committee to ensure their continuance of the financial support for the School System, also urges that the Board not consider any supplements for any future Commonwealth funding decreases. Chairman Simmons further urges to continue seeking broadband services for the entire County.

There being no further business to come before the Board, Chairman Simmons adjourned the meeting at 8:55 p.m.

_____ Chairman

_____ Clerk