

May 18, 2017

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 18<sup>TH</sup> DAY OF MAY IN THE YEAR OF OUR LORD TWO THOUSAND SEVENTEEN AND IN THE 241<sup>ST</sup> YEAR OF THE COMMONWEALTH:

PRESENT: HELEN M. SIMMONS, CHAIRMAN  
SHERMAN C. VAUGHN, VICE CHAIRMAN  
STEVE W. BOWEN  
GARY L. SIMMONS  
RONALD E. ROARK, COUNTY ADMINISTRATOR  
JOHN N. PROSISE, ASSISTANT COUNTY ADMINISTRATOR  
PRESTON G. WILLIAMS, COUNTY ATTORNEY

ABSENT: CLARENCE A. SIMPSON

Chairman Simmons called the meeting to order at 7:00 p.m.

Supervisor Steve Bowen provided the invocation. Chairman Simmons led everyone in the Pledge of Allegiance to our flag.

Chairman Simmons declares that with the absence of Supervisor Simpson a tie vote will result in a defeated motion.

The minutes of the April 20, 2017 VDOT Work Session, the April 20, 2017 regular Board meeting, and the April 27, 2017 adjourned meeting were presented. Vice Chairman Vaughn moved to adopt the April 20, 2017, and April 27, 2017 minutes as presented. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

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

Daphne Norton: Mrs. Norton is present to encourage the Board to reconsider funding for Nottoway County Emergency Services since those agencies have not had an increase in 22 years.

Presentation: Mrs. Jerri Morton, Burkeville: Mrs. Morton is present to provide information on the annual 100-mile yard sale she helps organize. Mrs. Morton explains the route for the yard sale and asks for the Board's support of the project that has been an outstanding success in past years.

Public Hearing: Request from Robert E. Schodt, Sr. to install a mobile home off Rt. 618 – Indian Oak Road to be used as a residence; owners of the property are Robert E. & Doris W. Schodt

Chairman Simmons asks if there is anyone present wishing to speak for or against the Schodt special exception request; there is no one wishing to speak. Administrator Roark informs the Planning Commission heard Mr. Schodt's request and recommend approval.

Supervisor Bowen moves to approve the special exception request from Robert E. Schodt, Sr. to install a mobile home off Rt. 618 – Indian Oak Road to be used as a residence. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Public Hearing: Virginia Department of Transportation – Secondary Six-Year Improvement Plan: Joint public hearing to receive public comment on the proposed Secondary Six-Year Improvement Plan for Fiscal Years 2017/2018 through 2022/2023 in Nottoway County and on the Secondary System Construction Budget for Fiscal Year 2017/2018

VDOT Representative and Assistant Residency Administrator Dianna Bryant is present to conduct the public hearing and review the projects on the proposed plan; totaling \$592,957.00. The proposed plan includes the addition of Loveland Road, Ingleside Road, Piper Lane, and Highpoint Road as rural rustic road project and funding to aid in construction of a roundabout at the intersection of Rt. 40 – Darvills Road and Military Road. It is the hope of VDOT to apply for additional funding sources to expedite the roundabout construction.

Chairman Simmons asks if there is anyone present wishing to speak, either for or against, the proposed Secondary Six-Year Improvement Plan; there is no one present wishing to speak.

Vice Chairman Vaughn moves to approve the Virginia Department of Transportation Secondary Six- Year Improvement Plan for Fiscal Years 2017/2018 through 2022/2023 and the Secondary System Construction Budget for Fiscal Year 2017/2018 as presented and also adopt a resolution in approval of the plan. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Highway Department: Mrs. Dianna Bryant, Assistant Residency Administrator, is present to receive any communications from the Board, and also provide updates on the routine maintenance performed since the last meeting. Mrs. Bryant reports that the new bridge on Cox Road has been opened, Country Club Road project was recently completed allowing activity to begin on The Grove Road, contract mowing is currently underway on both primary and secondary routes, surface treatments are taking place on both primary and secondary routes

A – Analysis of Smart Scale Projects

B - Virginia Department of Transportation Monthly Report

C – Traffic Alert: Bridge Replacement work to close Cox Road beginning Monday, May 15, 2017 and will reopen Thursday, May 18, 2017

D – Revenue Sharing Programmatic Agreement: Nottoway County agreement is set to expire June 30, 2017; a resolution, showing a commitment to local funds, is required for a three (3) year extension. Supervisor Bowen moves to approve the Revenue Sharing Programmatic Agreement and adopt a resolution. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

(SEE PAGE                    THRU PAGE  
FOR RESOLUTION)

School Board – Charlotte D. Wood, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on April 13, 2017; minutes of the regular meeting of the Nottoway County School Board held on March 09, 2017, minutes of a budget work session of the Nottoway County School Board held on March 29, 2017

Actions taken at the regular meeting of the Nottoway County School Board held on May 11, 2017; minutes of the regular meeting of the Nottoway County School Board held on April 13, 2017, Perkins Budget Adjustment

1 – Budget Adjustment – Perkins - \$5,000.00

REVENUES:

3-201-33084-0048	Perkins	<u>\$5,000.00</u>
	(add. Allocation for equipment)	<u>\$5,000.00</u>

EXPENDITURES:

4-201-68100-8300-300-300-650	Perkins Equipment (Hardware)	<u>\$5,000.00</u>
		<u>\$5,000.00</u>

Vice Chairman Vaughn moves to approve the Perkins budget adjustment. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Health Department – Alex P. Samuel, MD MPH: There has been no report provided

Economic Development Committee: Administrator Roark informs there is no meeting scheduled for May

Regional Jail Report & Juvenile Detention Center: March 2017 Piedmont Regional Jail Transportation Report, February – March 2017 Jurisdiction Billing Report, January – March 2017 Jurisdiction Reports, March 2017 Piedmont Regional Jail Revenue report

Administrator Roark informs the Board that it appears there will be approximately \$327,000 funding remaining at the completion of FY17 in what they allocated for the Jail. He further explains of a planned capital improvement renovation project for the Jail that will require the 6 participating localities to fund \$2 million of the estimated \$4 million project; which means Nottoway will be responsible for between \$300,000 and \$400,000. He asks the Board for authorization to encumber any unused FY17 funding to help with this financial obligation.

Vice Chairman Vaughn moves to authorize Administrator Roark to encumber any unused FY17 Jail funding to help fund Nottoway's financial obligation to the planned capital improvements renovation project. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

A – Letter – Joyce Engineering – John G. Westerfield, P.G., Senior Technical Consultant: Providing notification that laboratory analytical data has indicated that volatile organic compounds are present in the shallow groundwater on the Jail's property

Landfill: Administrator Roark gave the Landfill report

A – Draper Aden Associates – Jeff Norman (PG), Environmental Services Division: Providing results of the Nottoway Sanitary Landfill Gas Monitoring Program Monitoring Event: 04-07-17

B - April 2017 Solid Waste Report; average of 64.40 tons of waste per day received

C – Letter – Virginia Department of Environmental Quality – Elizabeth A. Lohman, Land Protection Program Manager: Warning letter issued as a result of the Nottoway County Sanitary Landfill unannounced compliance inspection completed on March 15, 2017; it was observed that the facility's leachate storage pond had approximately 1 foot of freeboard (the distance from the leachate level to the top edge of the soil berm). DEQ does note that since the inspection the facility has pumped and hauled leachate to reduce leachate levels in the storage pond, however, no high water mark has been established for the leachate to be maintained in the future.

Administrator Roark informs that the water level in the leachate storage pond has been pumped down and Draper Aden has made soil borings to locate the top of the liner; Draper Aden has also been asked to establish the high water level and mark it for future reference

Fort Pickett Redevelopment Authority: Administrator Roark states there is nothing to report at this time.

Planning Commission Report; Administrator Roark reports the Commission met and heard the Schodt special exception request and held additional discussions concerning scheduling a meeting with a representative(s) from Southside Electric Cooperative to seek input on the elevated costs associated with establishing new rural electrical service

Statements – Nottoway Avenue Revenue Sharing Project – Town of Blackstone: Jennifer Hardy, Finance Director, has submitted one invoice for payment to the Town for the Nottoway Avenue Sidewalk Project; Invoice for \$1,317.62

Vice Chairman Vaughn moves to pay the Town of Blackstone for the invoice totaling \$1,317.62, for the Nottoway Avenue Sidewalk Revenue Sharing project. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Memorandum of Agreement between the County of Nottoway and the Piedmont Regional Juvenile Detention Center (PRJDC): Administrator Roark explains that PRJDC will now oversee the First Time Offender Program that was previously being handled by former County employee Yvonne Wilson; the grant funding will be received by the County and then distributed to PRJDC

Supervisor Gary Simmons moves to approve the Memorandum of Understanding between Nottoway County and the Piedmont Regional Juvenile Detention Center for the oversight of the First Time Offender Program. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Reports, requests – Constitutional Officers:

Commonwealth’s Attorney Terry Royall wishes to share a concern she has; she expresses discontentment with a statement that was published in a local newspaper article where Nottoway Animal Control Officer (ACO) Randy Leonard gave a false statement. Attorney Royall cites a second incident with ACO Randy Leonard where he purposely failed to follow the law in relation to an animal that had to be euthanized. Attorney Royall reminds the Board that she provided documents pertaining to reported prior misconduct by Mr. Leonard while in the capacity of ACO for Amelia County. Attorney Royall further states that, due to concern for the reputation of both her office and herself, she has chosen to no longer prosecute any Nottoway County animal control cases brought forward by ACO Leonard.

Chairman Helen Simmons informs Attorney Royall that she will refer her concerns to the Personnel Committee.

Chairman Simmons presents the CONSENT CALENDAR:

1 – Budget Adjustment – Commonwealth’s Attorney - \$1,446.17

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (CASC reimb for training)	<u>\$1,446.17</u> <u>\$1,446.17</u>
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EXPENDITURES:

4-100-22010-5504	Travel (Convention & Education)	<u>\$1,446.17</u> <u>\$1,446.17</u>
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2 – Erroneous Assessment: Refund Ms. Flossie Blevins \$733.20 for erroneous real estate assessments for tax years 2014, 2015 and 2016; the amount will be credited to her 2017 taxes

3 – Budget Adjustment – Sheriff - \$165.85

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (DSS fuel consumption)	<u>\$165.85</u> <u>\$165.85</u>
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EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	<u>\$165.85</u> <u>\$165.85</u>
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4 – Erroneous Assessment: Refund Stearns Bank \$277.40 for an erroneous personal property tax assessment for 2016

5 – Erroneous Assessment: Refund W.R. & Tucker S. Kile \$761.51 for erroneous real estate assessments

6 – Budget Adjustment – Sheriff - \$309.22

REVENUES:

3-100-19010-0040	Forfeited Assets – Sheriff	<u>\$309.22</u>
	(sale of seized vehicle)	<u>\$309.22</u>

EXPENDITURES:

4-100-31020-5808	State Asset Forfeiture	<u>\$309.22</u>
		<u>\$309.22</u>

7 – Erroneous Assessment: Refund Mrs. Marilyn McDaniel \$1,320.70; she qualifies as a widow spouse for Veterans tax relief

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

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Administrator Roark presents the following information items:

1 – Letter – Virginia Department of Environmental Quality (DEQ) – Mark Mongold: Notification that Tyson Farms, Inc., Crewe Hatchery has applied to DEQ for a Virginia Pollution Abatement permit

2 – Notices: Application of Virginia Electric and Power Company for determination of the fair rate of return on common equity to be used as the general rate of return applicable to its rate adjustment clauses pursuant to § 56-585.1:1 C of the Code of Virginia Case No. PUR-2017-00038, Application of Virginia Electric and Power Company for approval of a rate adjustment clause pursuant to § 56-585.1 A 4 of the Code of Virginia Case No. PUR-2017-00057, Application of Virginia Electric and Power Company to revise its fuel factor pursuant to § 56-249.6 of the Code of Virginia CASE NO. PUE-2017-00058

3 – Letter – Eleventh Judicial Circuit – Paul W. Cella, Judge: Expressing appreciation for the Board’s decision to authorize funding for the installation of a videoconferencing system in the Nottoway Circuit Court

4 – Blackstone Volunteer Fire Department Incident Report for April 2017

5 – Minutes: Minutes of the Nottoway County Planning Commission meeting held on February 14, 2017, Minutes of the Nottoway County Board of Zoning Appeals meeting held on March 13, 2017, Minutes of the Piedmont Regional Jail Board meeting held on March 22, 2017, Minutes of the Piedmont Regional Jail Authority Board meeting held on March 22, 2017, Minutes of the Virginia’s Growth Alliance meeting held on March 2, 2017, Minutes of the Southern Virginia GO Regional Council meeting held on April 11, 2017

Administrator Roark presents the following correspondence:

- 1 - Building Inspector’s Report: Report period April 2017
- 2 - Animal Control Officer’s Report: Report period April 2017
- 3 - Erosion and Sedimentation Report: Report period April 2017

4 - Letter – Steven J. Jacobs, Director – Robinson, Farmer, Cox Associates: Providing a copy of the County’s Cost Allocation Plan based on FY 2016 costs; \$190,994 is the Schools’ portion and \$114,807 was Social Services portion. Administrator Roark asks the Board to appropriate the \$190,994 to the Schools’ Budget and in turn authorize him to bill them for the same amount.

Supervisor Gary Simmons moves to make the \$190,994 appropriation to the School and authorize Administrator Roark to bill them for the same amount. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

5 – Request – Office of the General Registrar – Angela Stewart: Requesting authorization to move funding from available line items in the Board of Elections budget to cover part-time help through the end of FY 17; there is a Primary Election to be held in June and there is not enough funding budgeted to cover the necessary help

Vice Chairman Vaughn moves to transfer the necessary funding within the Board of Elections budget to cover part-time help for the Registrar. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Distribution of Decal Receipts: Administrator Roark provides a proposed breakdown of the 2017 decal receipts; the distribution of \$110,218 is proposed as follows:

Burkeville Rescue Squad	\$ 5,830.53
Nottoway County Emergency Squad, Inc.	23,301.19
Blackstone Volunteer Fire Department	27,028.76
Burkeville Volunteer Fire Department	27,028.76
Crewe Volunteer Fire Department	27,028.76

Supervisor Gary Simmons moves to approve the distribution of 2017 decal funds as presented. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Supervisor Bowen urges that the method of funding the Emergency Services needs to be amended; suggests that it should not be a detriment to the agencies that the County doesn’t collect all of the decal money. Supervisor Bowen strongly suggests that in the future the Board needs to set a budget for Emergency Services and distribute that amount regardless of collections.

Letter – James W. Elliott, Attorney at Law: Request for reimbursement of costs incurred with the collection of delinquent taxes; \$493.50. Supervisor Gary Simmons moves to approve the payment to Attorney Elliott. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Virginia’s Growth Alliance: Administrator Roark explains that at the last meeting attended by he and Supervisor Gary Simmons, they heard a presentation from a Company from Herndon, Virginia, The Center For Innovative Technology, that is willing to perform a broadband assessment for the County that will address the needs and aid in devising a plan to obtain necessary services; with the end result of being more attractive to potential new business and/or industry

Supervisor Gary Simmons moves to invite the Company to make a presentation to the full Board about the services they offer and the benefit they can provide. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	Yes
C.A. Simpson	Absent
S.C. Vaughn	Yes
H.M. Simmons	Yes

Administrator Roark informs the Board they are invited to a safety meeting related to the Atlantic Coast Pipeline being hosted at the Fort Pickett Officer’s Club on Tuesday, June 6, 2017 at 6:00 p.m.; dinner will be provided.

Administrator Roark informs that the Blackstone Town Council has requested a joint meeting with the Board to discuss Nottoway Commons, LLC; the meeting will be held Tuesday May 23, 2017 at 5:00 p.m. at the Fort Pickett Officer’s Club.

Supervisor Bowen requests to have the County Budget be placed on the County website.

There being no further business to come before the Board, Chairman Simmons adjourned the meeting at 7:55 p.m.

\_\_\_\_\_ Chairman \_\_\_\_\_ Clerk