

May 16, 2019

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 16<sup>TH</sup> DAY OF MAY IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 243<sup>RD</sup> YEAR OF THE COMMONWEALTH:

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

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

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

The minutes of the April 18, 2019 regular Board meeting and the May 01, 2019 adjourned meeting were presented. Supervisor Vaughn moved to adopt the April 18, 2019 and May 01, 2019 minutes as presented. The motion carried as follows:

S.C. Vaughn	Yes
N.R. Shekleton	Yes
H. M. Simmons	Yes
G.L. Simmons	Yes
S. W. Bowen	Yes

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

Baxter Stegall: Mr. Stegall is present to introduce himself as a candidate running for Nottoway County Commonwealth's Attorney in the November general election. Mr. Stegall provides a brief on his professional career as well as his plans for the Commonwealth's Attorney Office and this County should he be elected.

Sonny Abbott: Mr. Abbott continues to seek answers from the Board related to the County's budget process and its lack of inquisitiveness from Department heads and the School Board on its previous year's spending, etc. Mr. Abbott asks where the funds will come from to begin repaying the loan to the Landfill in the 2020-2021 budget year as reported to him from a Supervisor. Mr. Abbott suggests that the Board is purposely delaying a tax increase until the election year concludes.

John Roark: Mr. Roark very aggressively urges the Board to reconsider the funding for the two additional Sheriff's deputies. He further exclaims that the Board is "failing the public" because it is the citizens that have to deal with the criminal and drug activity in the County and that it continues to increase. Mr. Roark further declares his beliefs that the Board of Supervisors is compensated a little too greatly for the minimal work they are required to complete.

Daphne Norton: Mrs. Norton is present to provide information on the annual 100-mile yard sale she jointly helps organize with Mrs. Jerry Morton. Mrs. Norton explains the route for the yard sale and asks for the support of the Board and law enforcement to ensure another successful year.

Presentation: Chief John Schutt, Burkeville Volunteer Fire Department: Chief Schutt expresses his concern for the future needs of both Nottoway County Emergency Services and particularly his agency, Burkeville Volunteer Fire & Rescue. Chief Schutt begins his comments by thanking the Board for bringing the Code Red Emergency Alert System to the forefront and notifying County citizens of its existence. Chief Schutt acknowledges the fact that the County has an active Emergency Operations Plan but disputes its effectiveness; citing the lack of response following the October 2018 tornado that caused significant damage in the Burkeville area.

Mr. Schutt continues his comments with acknowledgment of the recent media concerning the County hiring a full-time or part-time Emergency Services Coordinator. Chief Schutt explains that history has shown, dating back to 1995, that enough input hasn't been sought by County representatives from the County's volunteer agencies.

Chief Schutt suggests that while both his agency and Nottoway County Emergency Squad have paid staff, the revenue recovery program is not generating enough revenue to break even. Chief Schutt provides financial documents showing that Nottoway County Emergency Squad has suffered a net loss the last five years. He respectively explains that his agency has been fortunate enough to remain operational with an ongoing net gain but suggests his agency can no longer operate without the paid services it currently provides.

Chairman Bowen suggests the Board form an ad-hock committee in attempts to rectify the problems the Emergency Services are facing; he along with Supervisor Shekleton will serve on this committee.

Chris Parrish, a paid provider for the Burkeville Volunteer Fire Department, addresses the Board suggesting that they are not providing what it should in order to maintain the safety of its citizens; nor are they trying to repair the lack of cooperation between themselves and the volunteer agencies. Mr. Parrish strongly pleads to the Board to consider employing an Emergency Services Coordinator as well as reconsidering the funding for the Sheriff's request for two additional deputies; citing instances of calls during the night where it is imperative to have law enforcement on scene.

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 and/or projects performed since the last meeting. Mrs. Bryant reports that Rt. 624 required an unexpected road closure due to a problem with ongoing pipe repairs; hoping for closure to only last a week, Rt. 618 Indian Oak Road can potentially be opened at the end of May which is ahead of schedule, Rt. 619 and Rt. 624 will hopefully be approved for guardrails soon; Rt. 631 Good Hope Road should be finished in the next few weeks, sight distance mowing is happening now and primary mowing will begin June 3.

Mrs. Bryant reports on the recent meeting between VDOT representatives and members of Union Baptist Church in relation to Rt. 607 Rocky Ford Road. It has been decided that a new safety study will be completed.

A – Letter – Paul C. Johnson, III: providing petitions from the residents of Paulette Lane Ext to have their road taken in to the VDOT Secondary Road System

Chairman Bowen asks Mrs. Bryant to revisit the request for inclusion of Paulette Lane Ext into the Secondary Road System and to notify and include Mr. Johnson in any future discussion concerning this matter.

School Board: No report provided

Health Department – Howard Nash, MD FCAP: No report provided

Economic Development Committee: Administrator Roark informs the Committee will not meet for May

Regional Jail Authority Report & Juvenile Detention Center: No report provided

Landfill: Administrator Roark gave the Landfill report

A – April 2019 Daily Leachate Disposal Record; this records the hauling of leachate from the Landfill to the Blackstone Wastewater Treatment Plant

B – Letter – Virginia Department of Environmental Quality – Katy T. Dacey, Solid Waste Compliance Inspector: a compliance inspection of the Nottoway County Sanitary Landfill, Solid Waste Permit No. 304, was conducted on March 26, 2019; there were no violations observed

C – Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Stormwater Discharges Associated with Industrial Activity (VAR05) Registration Statement

D – Memorandum – Draper Aden Associates – Jeff Norman (PG), Environmental Services Division: results of the Nottoway Sanitary Landfill Gas Monitoring Program, Monitoring Event performed on April 15, 2019

E – Cell 5 construction: Administrator Roark provides pictures taken this day showing the progress on the Cell; the project will be complete by the required date of June 30, 2019

Administrator Roark has scheduled a Landfill Committee meeting for Tuesday, May 21, 2019 at 4:00 p.m. in the County Administrator’s Office to finalize details of the proposed Landfill Waste Convenience site operational plan.

Fort Pickett Redevelopment Authority: nothing to report at this time

Planning Commission: Administrator Roark informs the Commission did not meet for May

The Board revisits the following old business:

1 - Request for E-911 house number posts: there has been a request from a Nottoway County property owner to have an E911 address assigned to their property; there is no residence on the property but they regularly utilize the property for camping

Supervisor Vaughn reports that the E911 Committee met to discuss the County’s current policy along with the request and it is their recommendation to make no changes to the current policy. Supervisor Vaughn moves to accept the Committee report and maintain the current policy. The motion carried as follows:

S.C. Vaughn	Yes
N.R. Shekleton	Yes
H. M. Simmons	Yes
G.L. Simmons	Yes
S. W. Bowen	Yes

The Board hears the following new business:

1 – Workforce Development Board – Debra Crowder, Executive Director: Board member Randy Rash has resigned from the Board resulting in a vacant appointment of a business person; the Board will make an appointment at a later date

Supervisor Vaughn asks that a letter of appreciation be sent to Randy Rash for his service on the Workforce Development Board.

2 – Letter – Green Ridge Recycling and Disposal Facility, LLC – Jerry Cifor: Green Ridge Recycling has plans to permit, construct, and operate a landfill in Cumberland County, Virginia and is offering localities the opportunity to reserve disposal capacity

It is the consensus of the Board to deny Cumberland’s offer.

3 – Request – Heath D. Locke: Mr. Locke is requesting that the County amend its current E911 Addressing Policy to allow his property, which contains no habitable structure nor landline telephone, to obtain a Nottoway County E911 address

Reports, requests, and recommendations of Constitutional Officers:

1 – Jane Brown, Clerk – not in attendance

2 – Larry J. Parrish, Sheriff: Investigator Robert Jones is present but has nothing to report

3 – Ellen F. Myatt, Treasurer: not in attendance

4 – Christy Hudson, Commissioner of the Revenue – not in attendance

5 – Terry Royall, Commonwealth’s Attorney: Assistant Commonwealth’s Attorney Leanne Watrous is present but has nothing to report

Vice Chairman Simmons presents the CONSENT CALENDAR:

1 – Budget Adjustment – Library - \$672.00

REVENUES:

3-100-18990-0990	Library – Miscellaneous	\$672.00
	(Grant – John R. Cook Endowment Fund)	<u>\$672.00</u>

EXPENDITURES:

4-100-73010-5411	Books & Periodicals	\$600.00
4-100-73010-5504	Travel (Convention & Education)	<u>72.00</u>
		<u>\$672.00</u>

2 – Budget Adjustment – Commonwealth’s Attorney - \$1,285.92

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined	\$1,285.92
	(Reimb. from Comm. Of VA for training)	<u>\$1,285.92</u>

EXPENDITURES:

4-100-22010-5504	Travel – Convention & Education	\$1,285.92
		<u>\$1,285.92</u>

3 – Erroneous Assessment: Refund Toyota Lease Trust \$521.44 for an erroneous personal property assessment for tax year 2016

4 – Erroneous Assessment: Refund Carolyn Irby \$47.47 for an erroneous personal property assessment

5 – Budget Adjustment – Social Services - \$505.30

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (VML Ins Proceeds – Jeep)	\$255.30
3-100-18990-0050	Miscellaneous – Undefined (VML Ins Proceeds – Jeep)	<u>250.00</u>
		<u>\$505.30</u>

EXPENDITURES:

4-100-53010-5408	Vehicle Supplies	<u>\$505.30</u>
		<u>\$505.30</u>

6 – Budget Adjustment – Maintenance - \$14,286.54

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (VML Ins Proceeds – AC Pump failure)	<u>\$14,286.54</u>
		<u>\$14,286.54</u>

EXPENDITURES:

4-100-43020-3004	Repairs & Maintenance	<u>\$14,286.54</u>
		<u>\$14,286.54</u>

7 – Erroneous Assessment: Refund Ryan & Ashley Meadows \$25.00 for an erroneous personal property assessment for tax year 2018; the amount will be credited to their 2019 tax bill

Vice Chairman Simmons moves to approve the CONSENT CALENDAR as presented, with the inclusion of the Landfill, Comprehensive Services and Treasurer’s appropriations. The motion carried as follows:

S.C. Vaughn	Yes
N.R. Shekleton	Yes
H. M. Simmons	Yes
G.L. Simmons	Yes
S. W. Bowen	Yes

Administrator Roark presents the following information items:

1 – Letter – Virginia Association of Counties (VACo) – Joe Lerch, Director of Local Government Policy: the Virginia Department of Agriculture and Consumer Services (VDACS) has shared with VACo draft revisions to the current rules on land use valuation, including removal of qualifying requirement for previous use in agriculture; VACo is soliciting input from its members to share with VDACS prior to publication in the Virginia Register

2 – Notice – Dominion Energy: Notice of Virginia Electric and Power Company d/b/a Dominion Energy Virginia of intent to file applications or petitions pursuant to § 56-585.1 A 6 of the Code of Virginia, Application of Virginia Electric and Power Company for the determination of the fair rate of return on common equity pursuant to § 56-585.1:1 C of the Code of Virginia Case No. PUR-2019-00050, application of Virginia Electric and Power Company for revision of a rate adjustment clause: Rider U, new underground distribution facilities, for the Rate Year Commencing February 1, 2020 Case No. PUR-2019-00046

3 – Letter – Federal Emergency Management Agency (FEMA) – Andrea Landau: documents related to the Nottoway County Flood Risk Review held in April

4 – Notice – Dominion Energy: Application of Virginia Electric and Power Company to revise its fuel factor pursuant to VA CODE § 56-249.6 CASE No. PUR-2019-00070, 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-2019-00069

5 – Minutes: minutes of the Nottoway County Public Library Board of Trustees meeting held on March 20, 2019, minutes of the Nottoway County Public Library Board of Trustees meeting held on April 11, 2019, minutes of the Piedmont Soil and Water Conservation District Board of Directors meeting held on March 26, 2019, minutes of the South Central Workforce Development Board Chief Local Elected Officials meeting held on January, 25, 2019, minutes of the South Central Workforce Development Board meeting held on January 17, 2019

Administrator Roark presents the following correspondence:

1 - Building Inspector's Report: report period April 2019

Administrator Roark asks for the Budget Committee to meet on Thursday, May 23, 2019 at 4:00 p.m. in the County Administrator's Office to review fee amendment recommendations from Inspector Dean Lewis.

2 - Animal Control Officer's (ACO) Report: report period April 2019

Administrator Roark announces that Animal Control Officer Sheila Estes will finish Basic Animal Control Officer training tomorrow, Friday, May 17, 2019; Officer Lindberg has been providing 24/7 coverage in her absence

Administrator Roark provides an update on the most recent inspection of the Animal Shelter by the State Vet; the County appealed the violations noted in the inspection report and the following are responses to that appeal

1 – A cat subject to a five-day holding period was euthanized on the same day of initial custody (2<sup>nd</sup> violation in the last five calendar years) – this violation was overturned and will be stricken from the Shelters' records

2 – The Inspector observed the lack of a veterinarian-ratified protocol for determining when an animal requires veterinary treatment – this violation was upheld

3 – The Inspector observed the lack of a veterinarian-ratified protocol for the control of contagious and infectious disease – this violation was upheld

4 – The Inspector observed that there was not a veterinarian-ratified protocol for the management of neonatal and medically compromised animals (third violation in the last five calendar years) – this violation was upheld

Administrator Roark suggests the Board allow him to appeal violations 2, 3, and 4 again.

Supervisor Shekleton informs that the Animal Shelter Fundraising Committee met recently and Jack Boswell has offered his services to appeal the findings from the State Vet. Dr. Anne Carr was present at the Committee meeting and stated that the State Vet was aware that she was in possession of the required protocols for review and was very distressed that these were noted as violations. Supervisor Vaughn moves to file a formal appeal to the State Vet for the three upheld violations. The motion carried as follows:

S.C. Vaughn	Yes
N.R. Shekleton	Yes
H. M. Simmons	Yes
G.L. Simmons	Yes
S. W. Bowen	Yes

Administrator Roark informs that a local business has recently donated a truck load of supplies, toys, food, etc for the Nottoway Animal Shelter. There was also a fundraising event held that raised \$1310 for the Nottoway Animal Shelter and that Hensel-Phelps, a Construction Company working on the FASTC project, has offered their labor and materials to build and external pin/run for the animals.

3 - Erosion and Sedimentation Report: no report provided

4 – Letter – VML Insurance Programs (VML) – Steven Craig, Managing Director: Informing that VML is changing its name July 1, 2019 to the Virginia Risk Sharing Association (VRSA) as part of a rebranding effort; the new name represents the diversity of membership, which includes not only municipalities, but counties, school systems and many different types of authorities

5 - Letter – James W. Elliott, Attorney at Law: Request for reimbursement of costs incurred with the collection of delinquent taxes; \$2,003.19.

6 – Appointments – Joint Land Use Study (JLUS): Administrator Roark explains that the Board will need to make two appointments for the JLUS; one for the Policy Committee and one for the Technical Committee

Supervisor Vaughn moves to appoint Chairman Bowen to the JLUS Policy Committee and Assistant Administrator Prorise to the Technical Committee. The motion carried as follows:

S.C. Vaughn	Yes
N.R. Shekleton	Yes
H. M. Simmons	Yes
G.L. Simmons	Yes
S. W. Bowen	Yes

Administrator Roark provides an update on the status of the Nottoway Lanes Bowling Alley reopening; there are unexpected repairs ongoing but it will be open as soon as these are corrected.

Supervisor Shekleton reports that the fundraising committee for the Nottoway Animal Shelter, Nottoway CARES, has applied for 501C-3 non-profit status.

Supervisor Shekleton wishes to address some of the public comments made earlier during delegations from the public. He clarifies that while he can't speak for all of the Board he can guarantee that he attends a great deal more than one meeting a month; he has attended 28 other meetings thus far for the year and this does not include other instances such as trips to the Courthouse and inspections at the Nottoway Animal Shelter.

Supervisor Shekleton further provides facts relating to the County's law enforcement coverage and funding:

The Commonwealth of Virginia allocates one deputy per 1500 residents, with the County's population at just over 15,000 and approximately 1,500 of those being incarcerated and not contributing to local crime, this means 10 authorized deputy positions for Nottoway - the county has 13 deputies

The starting salary for a deputy, authorized by the Commonwealth, is \$32,500; the County supplements this by nearly \$4,000

The average ratio for law enforcement is one officer for every 458 citizens; the County's ratio is one officer to every 369 citizens and this does not include the Virginia State Police officers assigned to the County

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Lastly Supervisor Shekleton clarifies that if you call 24/7 911 you are going to get a law enforcement response. He explains that Agency heads have the right and obligation to maintain 24/7 law enforcement coverage; if they don't it is because they chose to schedule their personnel that way. He reiterates that Nottoway County does have 24/7 law enforcement coverage.

There being no further business to come before the Board, Vice Chairman Simmons adjourned the meeting at 8:18 p.m. p.m.

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