

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF DECEMBER IN THE YEAR OF OUR LORD TWO THOUSAND SEVENTEEN AND IN THE 242ND YEAR OF THE COMMONWEALTH:

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

ABSENT: GARY L. SIMMONS
PRESTON G. WILLIAMS, COUNTY ATTORNEY

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

Reverend Celeste Heath of Crenshaw United Methodist Church provided the invocation. Chairman Simmons led everyone in the Pledge of Allegiance to our flag.

Chairman Simmons states that with the absence of Supervisor Gary Simmons, any vote that results in a tie will defeat that motion.

The minutes of the November 16, 2017 regular Board meeting and the December 07, 2017 special call meeting were presented. Vice Chairman Vaughn moved to adopt the November 16, 2017 and the December 07, 2017 minutes as presented. The motion carried as follows:

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

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

Sonny Abbott: Mr. Abbott speaks in reflection of 2017 and hopes for positive change for 2018; encourages the Board to allow delegations to hold more importance than in years past.

Administrator Roark provides answers to Mr. Abbott's questions/comments from the November regular meeting. He explains that the County is governed by the Dillon Rule which limits what it can do and how it can raise funds. He specified that the County does anticipate new revenue when the Atlantic Coast Pipeline project is completed; however it is also anticipated that the County will be required to reduce the real estate tax rate as a direct result of the reassessment. Administrator Roark goes on to explain reasons for there being an excess of funds left remaining at the end of a fiscal year; Departmental budgets are prepared based on anticipated need and all of the funding is not always needed, which he explains is the ideal scenario.

Presentation: Resolution in Memorium for former District 5 Supervisor Clarence A. Simpson. Supervisor Shekleton moves to adopt the Resolution in Memorium. The motion carried as follows:

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

Presentation: Resolution in Appreciation for Lynne Mann Inge for her nearly forty years of service at Piedmont Geriatric Hospital. Supervisor Bowen moves to adopt the Resolution in Appreciation. The motion carried as follows:

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

Presentation - Robinson, Farmer, Cox Associates: Mr. Paul Lee presents to the Board the completed Nottoway County Audit for the fiscal year ending June 30, 2017. Mr. Lee reports that the Audit found the County to be in solid financial shape; the unallocated reserve funds were approximately 14 million at the end of the year. Mr. Lee further states that the tax collection rate remains noteworthy at 97.7%. Mr. Lee reports that there was a management letter comment issued for one item and that is due to the need of the School Board to produce an post-employment benefit actuarial.

Supervisor Bowen asks if the Board can have a work session before the Budget Committee begins its work, in 2018, for discussion of items that could be beneficial as they relate to the County's finances.

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 there are crews on 360 & 460 completing shoulder work, reminds every one of the "move over" law and to please move over if safely possible when approaching a VDOT work zone, right-of-way slope mowing is being completed by contract forces, a deficient bridge on Rt. 624, Cary Shop Road, over Horsepen Creek is on schedule to be replaced in late January or early February and is expected to take 3-4 months to complete

A – December 21, 2017 Residency report

Vice Chairman Vaughn asks Mrs. Bryant to have a speed reduction study initiated for Courthouse Road, beginning just outside of the Corporate Limits of the Town of Blackstone through the entire portion located in the County

Administrator Roark presents a letter that was sent to Town of Crewe Mayor Greg Eanes by Nottoway County Public Schools Superintendent Rodney Berry concerning safety concerns of the traffic conditions existing at the Sunnyside Road/Route 460 Intersection in the mornings. It was the decision of the Transportation Team to reroute the 12 buses that go to Crewe Primary School to avoid entering this intersection.

School Board – Charlotte D. Wood, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on December 14, 2017; minutes of the regular meeting of the Nottoway County School Board held on November 09, 2017

Administrator Roark presents a letter from Nottoway County Public Schools Superintendent Dr. Rodney Berry concerning an anticipated 15% increase in the Schools' health care insurance for the 18-19 school year. Dr. Berry is asking for the Board's financial assistance to participate in the COVA Local health care plan being offered by the Commonwealth of Virginia; it is expected to cost the Division between \$316,800 and \$554,000 more.

Administrator Roark informs that it is the Budget Committee's recommendation not to commit to the funding at this time. Vice Chairman Vaughn moves accept the Budget Committee's recommendation to deny the Superintendent's request for committed funding for the new health care plan. The motion carried as follows:

G.L. Simmons	Absent
S.W. Bowen	No
N.R. Shekleton	Yes
S.C. Vaughn	Yes
H.M. Simmons	Yes

Health Department: There has been no report provided

Economic Development Committee: Administrator Roark informs there will be no meeting held in December

Regional Jail Authority Report & Juvenile Detention Center: Piedmont Regional Jail Authority October 2017 Transportation Report, Piedmont Regional Jail Authority August 2017 – October 2017 Jurisdiction/Billing Reports; copy of order concerning a court order from the Department of Justice, October 2017 Piedmont Regional Jail revenue report

Landfill: Administrator Roark gave the Landfill report

A – November 2017 Solid Waste Report; average of 70.42 tons of waste per day received

B – October 2017 Daily Leachate Disposal Record

C – Draper Aden Associates – Jeff Norman (PG), Environmental Services Division: Results of the Nottoway County Sanitary Landfill (active facility) Groundwater Monitoring Program sampling event 84 performed on 10-17-2017

D – Robinson, Farmer, Cox Associates: Financial Assurance documents for the closure care, post-closure care, and corrective action costs for the Nottoway County Sanitary Landfill

Fort Pickett Redevelopment Authority: Administrator Roark reports that the building that was renovated for the Southside Virginia Community College Lineman Program students is staying full; Hensel Phelps, the contractor for Phase III of FASTC, is leasing a building and parking area from the County and has completed \$30-\$40,000 in renovations

Planning Commission Report: Administrator Roark states there was no meeting held for December

Delinquent Tax Auction: Administrator Roark informs that he has been in communications with Blackstone Manager Phillip Vanoorbeeck and he stated that the Town Council approved waiving the taxes due from the parcels auctioned at the last delinquent tax auction but has not forwarded this action in writing as he stated he would; there has been no reply from the Town of Crewe

Letter - James W. Elliott, Attorney at Law: a Nottoway County parcel (Parcel No. 18-31) was sold at public auction for the collection of delinquent real estate taxes on July 26, 2016; it has since been discovered that the property was incorrectly described and is mapped under a different property owner. Attorney Elliott informs that the purchaser would like a refund of the purchase price in the amount of \$800; should the county choose to honor the refund request, he will refile the suit to correctly describe the land and hopefully recover the refunded amount at a future tax sale.

Vice Chairman Vaughn moves to refund the buyer of Parcel No. 18-31 the purchase price of \$800, thereby authorizing Attorney Elliott to refile the suit. The motion carried as follows:

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

Letter – Nottoway County Public Library System – Jacqueline Zataweski, Director: Director Zataweski is requesting an additional FY18 local appropriation of \$5,000 to compensate for increases in operating expenses and aid in accommodating the unexpected increase in salary expenses. Chairman Simmons forwards the request to the Budget Committee for their review and recommendation.

Letter – Helen Yvonne Williams, Estate Executrix for Williams Henry Shepperson, III: Mr. Shepperson’s estate wishes to donate property situated in the County of Nottoway, State of Virginia, described as, Assessor’s Parcel Number 31-74 – 2 acres; Executrix Williams is willing to certify that it would be a bona fide gift with no obligations, express or implied, of any other services of any kind now or in the future.

Administrator Roark explains, that while the offer of donation is appreciated, he sees no benefit to the County accepting the property. It is the Boards decision to take no action at this time.

Letter – Virginia Department of Behavioral Health and Development Services – Jack Barber, MD, Interim Commissioner: informing that due to the census of the Virginia Center for Behavioral Rehabilitation (VCBR) being very close to maximum capacity and due to delays in releasing funds for the proposed expansion of the facility, there has been an approved plan to temporarily occupy a housing unit located at Piedmont Geriatric Hospital for the care and treatment of 22 individuals adjudicated as sexually violent predators

Letter – Draper Aden Associates – William G. Hase, P.E., I: notification that Nottoway County’s Solid Waste Management Plan will need to be updated by May 22, 2018; historically updates have been just a letter updated general information but it has been implied that a complete plan overhaul is expected. Mr. Hase provides cost estimates of \$2,000 for a letter update and \$8,000 to \$12,000 for a complete plan overhaul.

Vice Chairman Vaughn moves to attempt at satisfying the update requirement with a letter update at the cost of \$2,000 but if a complete plan overhaul is required proceed with this update at a cost not to exceed \$12,000. The motion carried as follows:

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

Reports, requests, and recommendations of Constitutional Officers:

- 1 – Jane Brown, Clerk – not in attendance
- 2 – Larry J. Parrish, Sheriff – nothing to report at this time
- 3 – Ellen F. Myatt, Treasurer – nothing to report at this time
- 4 – Christy Hudson, Commissioner of the Revenue – not in attendance
- 5 – Terry Royall, Commonwealth’s Attorney – Wishes to acknowledge the Buildings and Grounds work that County employee Wayne Mayton performs on the Courthouse Complex

Chairman Simmons presents the CONSENT CALENDAR:

1 – Budget Adjustment – Sheriff - \$2,261.58

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (VML Ins. Proceeds – Felder total loss)	\$1,168.42
	Miscellaneous – Undefined (VML Ins. Proceeds – Tanner total loss)	<u>1,093.16</u>
		<u>\$2,261.58</u>

EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	\$2,261.58
		<u>\$2,261.58</u>

2 – Erroneous Assessment: Refund De Lage Landen Financial Services, Inc. \$1,507 for an erroneous business personal property assessment for tax year 2017

3 – Erroneous Assessment: Refund Edith Walton \$344.17 for erroneous real estate assessments, due to her eligibility for Veteran exemption as a spouse, for tax years 2015, 2016, and 2017

4 – Erroneous Assessment: Refund Evelyn A. Parker \$172.50 for erroneous real estate assessments for tax years 2014, 2015, 2016, and 2017

5 – Erroneous Assessment: Refund Ralph Toney Shelton, Jr. \$168.54 for erroneous late filing penalties

6 - Budget Adjustment – Sheriff - \$13,200.00

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (VML Ins. Proceeds – Tanner total loss)	\$13,200.00
		<u>\$13,200.00</u>

EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	\$13,200.00
		<u>\$13,200.00</u>

7 - Budget Adjustment – Library - \$215.34

REVENUES:

3-100-18990-0990	Library - Miscellaneous (Additional E-rate proceeds)	\$215.34
		<u>\$215.34</u>

EXPENDITURES:

4-100-73010-5203	Telephone	\$215.34
		<u>\$215.34</u>

8 - Budget Adjustment – Sheriff - \$440.06

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined (Dept. of Soc Ser fuel consumption)	\$440.06
		<u>\$440.06</u>

EXPENDITURES:

4-100-31020-5408	Vehicle Supplies	\$440.06
		<u>\$440.06</u>

9 – Erroneous Assessment: Refund Woodburn Farm, LLC \$30.53 and James Snead, III \$41.84 for an erroneous personal property assessment for tax year 2016; a portion of the property was transferred from Woodburn Farm, LLC to James Snead, III

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

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

Administrator Roark provided the following information items:

1 – Letter – John D. Jenkins, Supervisor – County of Prince William, Virginia: offering congratulations to Supervisor Steve Bowen for his recent election as First Vice President of the Board of Directors for the Virginia Association of Counties

2 – Note – Chris J. McDonald, Esq, Director of Government Relations – Virginia Association of Counties: Expressing appreciation to Supervisor Bowen for presenting during the recent annual conference and offers congratulations for his election as First Vice President of the Board of Directors

3 – Blackstone Volunteer Fire Department Incident reports for October 2017 and November 2017

4 – Blackstone Fire Training Facility, burn building prop Five (5) Year Structural Evaluation for the Virginia Department of Fire Programs; the review revealed that the burn building prop was in a serviceable condition, however it was recommended that the noted distress listed in the Summary of Distress be repaired as soon as possible to prevent future distress and prolong the life of the structure

5 – Letter – Andrew Campanella, President – National School Choice Week: requesting Nottoway join other cities and counties across the country in officially recognizing January 21-27, 2018 as School Choice Week; issuing such a proclamation provides an opportunity to shine a positive spotlight on the K-12 education options available for children and families in the County

6 – Letter – Valerie Russell, Administrative Secretary – Virginia Association of Counties: expressing appreciation for the County’s ornament submission to be displayed on the holiday tree in the Governor’s mansion

7 – Notice – United States Department of Agriculture (USDA): notification that the USDA Forest Service has released a final Record of Decision for (1) authorization of a special use permit to Atlantic Coast Pipeline (ACP) for the use of National Forest System land to construct, operate, maintain and eventually decommission a natural gas pipeline on the Monongahela National Forest (MNF) and George Washington National Forest (GWNF) and (2) approval of project-specific amendments to the MNF and GWNF Land and Resource Management Plans associated with the implementing the ACP

8 – Notice – Dominion Energy Services, Inc.: Application of Virginia Electric and Power Company for approval to establish experimental companion tariff, designated Schedule RF, pursuant to § 56-234 B of the Code of Virginia Case No. PUR-2017-00137

9 – Notices – Dominion Energy Services, Inc.: Application of Virginia Electric and Power Company for revision of rate adjustment clause: Rider US-2, Scott, Whitehouse, and Woodland Solar Power Stations, for the Rate Year Commencing September 1, 2018 Case No. PUR-2017-00127, Application of Virginia Electric and Power Company for revision of rate adjustment clause: Rider BW, Brunswick County Power Station Case No. PUR-2017-00128, Petition of Virginia Electric and Power Company for approval to implement new, and to extend existing demand-side management programs and for approval of two updated rate adjustment clauses pursuant to § 56-585.1 A 5 of the Code of Virginia Case No. PUR-2017-00129, Notice of Virginia Electric and Power Company d/b/a Dominion Energy Virginia of intent to file application(s) or petition(s) pursuant to § 56-585.1 A 6 of the Code of Virginia

10 – Minutes: Minutes of the Piedmont Soil and Water Conservation District Board of Directors meeting held on October 24, 2017, minutes of the Nottoway County EFSP Local Board meeting held on June 29, 2017, minutes of the Nottoway Community Planning Management Team meeting held on October 23, 2017, minutes of the Piedmont Regional Jail Authority Board meeting held on October 18, 2017

Administrator Roark presents the following correspondence:

1 - Building Inspector's Report: Report period November 2017

2 - Animal Control Officer's Report: Report period November 2017

3 - Erosion and Sedimentation Report: Report period November 2017; currently investigating and handling three separate sites, two in conjunction with the Virginia Department of Environmental Quality and the Army Corps of Engineers, that have land disturbances in violation of the Erosion and Sediment Control Ordinances

4 – Letter: Nottoway County Community Planning Management Team has requested the opportunity to appeal the decision of the Office of Children's Services to deny funds based upon the absence of documentation of Child Services Act eligibility.

5 – Letter – Robinson, Farmer, Cox Associates: Notification to the Auditor of Public Accounts that they have audited the financial statements of the County of Nottoway, Virginia, for the year ended June 30, 2017, and such audit included the procedures required by Chapter 836 of the 2017 Acts of Assembly; they identified a source of funds of the Sheriff's Office – State Collections Account. The audit found the Sheriff of the County has a system of internal controls for the State Collections Account funds that is adequate for complying with the Virginia Sheriff's Accounting Manual and the Code of Virginia, Sections 15.2-1609 through 15.2-1625

6 – Letter – Baker & Miller PLLC, Attorneys and Counsellors: Norfolk Southern Railway (NSR) Company requested a one-year extension, until September 17, 2018, of the abandonment authority granted to NSR in proceeding AB-290 (Sub-No. 378X); the extension was granted on 11-9-17, decision ID No: 46032

7 – Virginia's Growth Alliance: Administrator Roark reports that, at Vice Chairman Vaughn's request for review, it is Supervisor Gary Simmons recommendation to remain a member in the VGA for one (1) additional year; Vice Chairman Vaughn and Supervisor Shekleton share Supervisor Simmon's opinion. Vice Chairman Vaughn moves to remain a member of the Virginia's Growth Alliance for one (1) additional year. The motion carried as follows following a roll call vote:

G.L. Simmons	Absent
S.W. Bowen	No
N.R. Shekleton	Yes
S.C. Vaughn	Yes
H.M. Simmons	Yes

8 – Lease – Nottoway Lanes bowling center: Current operator David Carmichael is seeking a one year lease renewal with the rent being 10% of gross sales with the option for a 2nd year renewal

Administrator Roark states that it is the Budget Committee recommendation to approve the one (1) year lease renewal at 10% of gross sales, but make the second year renewal option based on rent of 12% of gross sales

Vice Chairman Vaughn moves to accept the recommendations of the Budget Committee on the lease renewal of the Nottoway Lanes Bowling Center. The motion carried as follows:

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

9 - The Board has a matter(s) that need(s) to be discussed in closed session; The Board enters closed session under Code of Virginia § 2.2-3711-A-1 Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals, and Code of Virginia.

The Board enters closed session at 7:55 p.m.

The Board returned to open session at 8:15 p.m.

Administrator Roark asks the Board to certify the closed session, an affirmative vote meaning that no other subject was discussed other than that allowed under the above code sections. The motion carried as follows:

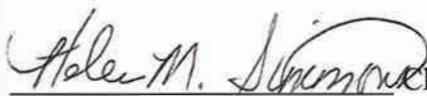
G.L. Simmons	Absent
S.W. Bowen	Yes
N.R. Shekleton	Yes
S.C. Vaughn	Yes
H.M. Simmons	Yes

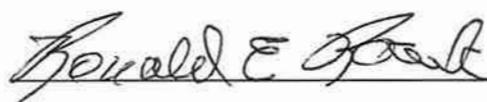
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FOR CERTIFICATION OF
EXECUTIVE MEETING)

Supervisor Bowen moves to give Chairman Simmons the authority to give direction to Administrator Roark to administer the disciplinary action on the employee discussed in Closed Session. The motion carried as follows:

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

There being no further business to come before the Board, Chairman Simmons adjourned the meeting at 8:20 p.m.

 Chairman

 Clerk

NOTTOWAY COUNTY BOARD OF SUPERVISORS

MEETING DATE:

December 21, 2017

MOTION:

To enter Closed Session pursuant to Code of Virginia §2.2-3711 A 1 – Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments of schools of public institutions or higher education where such evaluation will necessarily involve discussion of the performance of specific individuals

CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Nottoway County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and,

WHEREAS, §2.1-344.1 of the Code of Virginia requires a certification by this Board of Supervisors that such executive meeting was conducted in conformity with Virginia Law;

NOW THEREFORE, BE IT RESOLVED that the Nottoway County Board of Supervisors 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 executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Board of Supervisors.

VOTE:

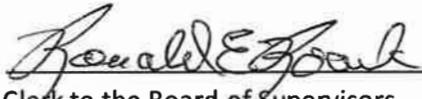
AYES: 4

NAYS: 0

(For each nay vote, the substance of the departure from the requirements of the Act should be described.)

ABSENT DURING VOTE: MR SIMMONS

ABSENT DURING MEETING: MR SIMMONS


Clerk to the Board of Supervisors