

March 15, 2018

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 15TH DAY OF MARCH IN THE YEAR OF OUR LORD TWO THOUSAND EIGHTEEN AND IN THE 242ND YEAR OF THE COMMONWEALTH:

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

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

Reverend Dr. Sarah Coleman, pastor of Union Baptist Church, provided the invocation. Chairman Vaughn led everyone in the Pledge of Allegiance to our flag.

The minutes of the February 06, 2018 work session and the February 25, 2018 regular Board meeting were presented. Supervisor Helen Simmons moved to adopt the February 06, 2018 and the February 15, 2018 minutes as presented. The motion carried as follows:

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

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

Sonny Abbott: Mr. Abbott expresses concern with the lack of outcomes from budget year to budget year; why is it never reported how well the prior budget faired as it relates to estimates versus actual revenue and expenditures. Mr. Abbott suggests that the proposed FY19 School budget leaves out the very important issue of schools' security; urges the Board to be proactive and provide the School with \$200,000, or more, to improve all schools' safety.

Public Hearing: VDOT Assistant Residency Administrator Dianna Bryant is present to lead the work session on the Virginia Department of Transportation Secondary Six-Year Improvement Plan for Fiscal Years 2018/2019 through 2023/2024 in Nottoway County and on the Secondary System Construction Budget for Fiscal Year 2018/2019

Mrs. Bryant details leftover funding that will be allocated to the Rt. 40 Darvills Road Roundabout; \$260,000 in tele fees as well as tele fees from unused completed project funding. The remainder of the unused completed project funding (61,633.00) will be reallocated to projects that were not fully funded in the plan; High Point Road and Piper Lane

Mrs. Bryant reads aloud the priority listing of the current projects on the Six-Year Plan (unpaved routes): The Grove Road – finished in 2017, Lazaretto Creek Road – finished in 2017, Good Hope Road (631) – should begin in the next 45 days, Friend Rd , Dusty Road , Loveland Road, Ingleside Road, Piper Lane (685), High Point Road (670), Rt. 40, Darvills Road Roundabout.

Supervisor Helen Simmons informs Mrs. Bryant of citizen concerns on Rocky Ford Road; can a traffic safety study, to speed limit, be completed. Mrs. Bryant explains that a safety study has already been completed for Rocky Ford Road (in 2017) and all recommendations as a result were completed; the study did not recommend a speed limit reduction. Mr. Bryant explains that if the citizens will contact the School's Transportation Department the issue of placing School Bus Ahead signs can be addressed.

Vice Chairman Bowen moves to accept the Virginia Department of Transportation Secondary Six-Year Improvement Plan for Fiscal Years 2018/2019 through 2023/2024 in Nottoway County and on the Secondary System Construction Budget for Fiscal Year 2018/2019 as presented by VDOT and advertise it for public hearing at the April regular Board of Supervisors meeting. The motion carried as follows:

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

Public Hearing: Request from Franklin M. Williamson, Jr. to build a duplex on property located off Brunswick Road (Rt. 46) in Bellefonte District on lot 7 of Forkland Acres subdivision; the property is zoned C-1, Conservation and is owned by Mr. Williamson

Chairman Vaughn asks if there is anyone present wishing to comment, either in favor of or against, on the Williamson Special Exception request; there is no one present wishing to comment. Administrator Roark informs that the Planning Commission heard Mr. Williamson's request and recommend approval.

Supervisor Shekleton moves to approve the Special Exception request from Franklin M. Williamson, Jr. to build a duplex on property located off Brunswick Road (Rt. 46) in Bellefonte District on lot 7 of Forkland Acres subdivision. The motion carried as follows:

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

Presentation - Mr. Mark Varah, Chief Financial Officer – Mid-Atlantic Broadband: Mr. Varah, joined by the Chief Executive Officer Tad Deriso, is present seeking an exemption from County real and personal property taxes; citing they are a 501c4 social welfare organization providing services that directly benefit the citizens of Nottoway County. Mid-Atlantic Broadband provides an open access fiber optic communications infrastructure.

Supervisor Gary Simmons asks if residents in the western part of Nottoway County will benefit from the service that Mid-Atlantic Broadband provides. Mr. Varah explains that MBC provides connections to local service providers that have subscribers; they don't provide services directly to the subscribers.

Supervisor Gary Simmons moves to hold a public hearing on an ordinance to exempt Mid-Atlantic Broadband from County real and personal property taxes at the May17, 2018 regular Board meeting. The motion carried as follows:

N. R. Shekleton	Yes
H. M. Simmons	Yes
G. L. Simmons	Yes
S. W. Bowen	Yes
S. C. Vaughn	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 and/or projects performed since the last meeting. Mrs. Bryant reports that Rt. 624 bridge replacement is on schedule, there will be a bridge replacement on Rt. 601 Robertson Road that will require a traffic detour beginning on April 1, 2018 and running through July 2018, rumble strips were placed back at the intersection of Hwy 460 E coming into Burkeville, and the pavement markings were completed at the intersection of Hwy 460 and Rt. 49 North, primary route mowing has been started.

Supervisor Gary Simmons, due to a schedule conflict, asks Vice Chairman Bowen to take his place at the Rt. 723 and Rt. 460/360 safety study meeting to be held on March 22, 2018.

A – March 15, 2018 residency report

School Board – Charlotte D. Wood, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on March 08, 2018, minutes of the regular meeting of the Nottoway County School Board held on February 08, 2018, minutes of a special called meeting of the Nottoway County School Board held on February 20, 2018, Title IV Budget adjustment

1 – Budget Adjustment – Title IV, Rural Ed Grant - \$9,450.00

REVENUES:

3-201-33084-0358	Title IV, Rural Ed Grant	<u>\$9,450.00</u>
	(Carryover Funds)	<u>\$9,450.00</u>

EXPENDITURES:

4-201-61100-3000-200-100-670	Purchased Services	<u>\$9,450.00</u>
		<u>\$9,450.00</u>

Supervisor Gary Simmons moves to approve the School Title IV budget adjustment. The motion carried as follows:

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

Health Department: No report provided

Economic Development Committee: Administrator Roark informs the Committee met on Wednesday, March 14, 2018

Regional Jail Authority Report & Juvenile Detention Center: January 2018 Piedmont Regional Jail Authority Transportation Report, November 2017 – January 2018 Piedmont Regional Jail Authority Jurisdiction Reports, January 2018 Piedmont Regional Jail Authority Revenue Report, Virginia Department of Juvenile Justice Statewide Detention Facility Population Report, December 2017 and January 2018 Piedmont Regional Juvenile Detention Center Utilization Report

Landfill: Administrator Roark gave the Landfill report

A – Nottoway County Landfill leachate water load log; treatment cost for 300,000 gallons was \$1,215.53

B – Draper Aden Associates – Jeff Norman, Environmental Services Division: Results of the Nottoway County Sanitary Landfill (active facility) Groundwater Monitoring Program Sampling Event 85; performed on 01-24-18

C – February 2018 Solid Waste Report; average of 60.95 tons of waste per day received

Fort Pickett Redevelopment Authority: There is nothing to report at this time

Planning Commission Report: Administrator Roark states the Commission met and heard the Franklin M. Williamson, Jr. Special Exception Request. The Commission also revisited the Todd Tribble Special Exception to operate an Abattoir on property he owns on Cedar Hill Road; they recommended the revocation of the special exception permit.

Administrator Roark seeks the Board's desire on Mr. Tribble's special exception permit. Supervisor Gary Simmons moves to hold a public hearing at the April 19, 2018 Board meeting on the recommendation from the Planning Commission to revoke Mr. Tribble's special exception permit. The motion carried as follows:

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

Appointment – Crossroads Services Board: Supervisor Helen Simmons moves to appoint Charles “Chuck” Arnason to the Crossroads Services Board. The motion carried as follows:

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

Appointment – Social Services Board: the first four-year term of member Noel Shekleton expires in April 2018; he is eligible for reappointment. Supervisor Gary Simmons moves to reappoint Mr. Shekleton to a second term on the Social Services Board. The motion carried as follows:

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

Appointments – Planning Commission: The term of James Bruce expires in March, the term of Kirby Woolfolk expires in April, and the term of Benjamin Perry expires in May, there is still a vacant seat from the resignation of Duncan Quicke; new or reappointments need to be made

Vice Chairman Bowen moves to reappoint James Bruce, Kirby Woolfolk, and Benjamin Perry to the Nottoway County Planning Commission. The motion carried as follows:

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

Chairman Vaughn asks to table the appointment on the vacant seat until the April regular Board meeting.

Administrator Roark provides receipt of the FY16 and FY17 Four-For-Life Funding totaling \$13,156.00 and \$12,556.96 respectively. Supervisor Helen Simmons moves to appropriate the Four-For-Life Funding and distribute it, as done in the past; 80% to the Nottoway County Emergency Squad and 20% to the Burkeville Volunteer Rescue Squad. The motion carried as follows:

N. R. Shekleton	Yes
H. M. Simmons	Yes
G. L. Simmons	Yes
S. W. Bowen	Yes
S. C. Vaughn	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 – not in attendance

Chairman Vaughn presents the CONSENT CALENDAR:

- 1 – Erroneous Assessment: Refund Mr. Bobby Jones \$300 for an erroneous personal property assessment for tax year 2016
- 2- Erroneous Assessment: Refund Ronnie and Sandra Atkins \$172.80 for erroneous real estate assessments for tax years 2015, 2016, and 2017

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

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

Administrator Roark provided the following information items:

- 1 – Letter – Virginia Department of Environmental Quality: Public Notice that the State Water Control Board intends to consider drafting a proposal for the amendment of a general permit regulation on water quality; Environmental Regulation General Virginia Pollutant Discharge Elimination System (VPDES) Permit for Discharges of Stormwater Associated with Industrial Activity General Permit Reissuance
- 2 – Letter – Virginia Department of Environmental Quality – Jean Bradford, VWP Permit Writer: Nottoway County’s Joint Permit Application Number WP4-17-2050 has been received; it qualifies for authorization under the Virginia Water Protection (VWP) General Permit WP4 in accordance with 9 VAC 25-WP4 690-10 et seq
- 3 – 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 4 of the Code of Virginia
- 4 – Notice of Application of Virginia Electric and Power Company for approval to establish a Virginia community solar pilot program, pursuant to § 56-585.1:3 of the Code of Virginia Case No. PUR-2018-00009
- 5 - Minutes: minutes of the Piedmont Regional Juvenile Detention Center Commission meeting held on December 20, 2017, minutes of the Piedmont Regional Jail Authority Audit Committee meetings held on January 20, 2018, February 09, 2018 and February 20, 2018, Minutes of the Nottoway County Public Library Board of Trustees meeting in January 2018 and February 2018, minutes of the Piedmont Soil and Water Conservation District Board of Directors meeting held on January 23, 2018, minutes of the Nottoway Community Planning Management Team meeting held on January 22, 2018, minutes of the Virginia Cooperative Extension Service Nottoway Leadership Council meetings held on August 03, 2017 and February 01, 2018

Administrator Roark presents the following correspondence:

Administrator Roark reads aloud the Budget/Committee schedule; there will be meetings held on Monday, March 19th in the Health Department Conference Room, Tuesday, March 20, 2018, Wednesday, March 21, 2018, Thursday, March 22, 2018, and Monday, March 26, 2018 in the County Administrator's Office, and finally Wednesday, March 28, 2018 in the General District Court room, at which time the Committee will present its recommendations to the full Board; the final Budget proposal is to be presented and held for public hearing on Thursday, April 19, 2018 and the Board will consider adoption on Thursday, April 26, 2018

1 - Building Inspector's Report: Report period February 2018

2 - Animal Control Officer's Report: Report period February 2018; Results from unannounced visits to the Pound by Supervisor Shekleton and drinking water analysis for the facility, Supervisor Shekleton reports his pleasure that the Officers' were using the stored food in a normal rotation.

3 - Erosion and Sedimentation Report: No report provided

4 - E-911 Sign Maintenance report

5 - Letter - James W. Elliott, Attorney at Law: Request for reimbursement of costs incurred with the collection of delinquent taxes; \$955.00. Supervisor Helen Simmons moves to approve the payment to Attorney Elliott. The motion carried as follows:

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

6 - Dog Confinement: Administrator Roark asks the Board to set the annual dog confinement; the past years' confinement has been during the months of April and May. Supervisor Helen Simmons moves to set the 2018 dog confinement period as April and May. The motion carried as follows:

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

7 - Letter - Virginia Association of Counties (VACo) - Sherrin C. Alsop, 2018 VACo President: Chairman Vaughn has been appointed to the 2018 Finance Steering Committee

8 - Letter - Christy Hudson, Nottoway County Commissioner of the Revenue: Commissioner Hudson is seeking clarity on the Vehicle License Fee that will be applied to the 2018 tax bills:

A - The Ordinance states that the Treasurer's Office will exempt the fee for emergency vehicles that are provided by the agencies - these vehicles will not be assessed the fee; for the vehicles that are not provided to the Office for exemption, does she still assess the fee and the Treasurer abates it or does she not assess the fee at all

B - Does the County's Ordinance need to be amended to include State Code verbiage that relates to the fee exemption for a motor vehicle owned and used personally by any veteran who holds a current state vehicle registration signifying their disabled veteran status

C - Will unregistered vehicles that are housed on personal property be assessed the license fee

D – Who is responsible for the abatements of the license fee; the Commissioner or the Treasurer

E – Will the license fee be prorated for 2018; the current auto decals don't expire until March 31, 2018, also owners of a trailer with permanent tags was only charged a single decal fee – will this still apply or will they have to pay the license fee every year like all other vehicles

County Attorney Preston Williams has provided Commissioner Hudson with responses to her questions:

A – The Treasurer will decide if the emergency vehicles that weren't provided by the agencies qualify for fee exemption under §70(B) of the Vehicle License Ordinance

B – The Ordinance does not need to be amended to reflect the veteran's exemption; the County would just adhere to the state law

C – Per Section 69(A) of the County's Ordinance every person that owns or leases a motor vehicle normally garaged, stored, or parked in the County shall pay the vehicle license fee

D – The Treasurer of the County is given the exemption authority

E – The current decal fee would be prorated for nine (9) months; trailers will be charged the license fee of \$16 unless the trailer qualified for exemption under Section (C)

Chairman Vaughn announces that there is a matter to be discussed in closed session concerning a prospective industry;

The Board enters closed session to discuss a prospective industry under Code of Virginia § 2.2-3711-A-5 Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

The Board enters closed session at 7:59 p.m.

The Board returned to open session at 8:25 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 with a roll call vote:

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

(SEE PAGE THRU PAGE
FOR CERTIFICATION OF
EXECUTIVE MEETING)

Supervisor Shekleton moves to proceed with submitting an application to the Tobacco Commission for funding to be provided to an unnamed industry.

Vice Chairman Bowen reports that he recently attended the Piedmont Soil & Water Conservation District banquet and they expressed appreciation for the County's contribution and wish for this to continue.

March 15, 2018

There being no further business to come before the Board, Chairman Vaughn adjourned the meeting at 8:29 p.m.

Sherman C. Vaughn Chairman

Ronald E. Roark Clerk