

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 19TH DAY OF OCTOBER 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
STEVE W. BOWEN
GARY L. SIMMONS
RONALD E. ROARK, COUNTY ADMINISTRATOR
JOHN N. PROSISE, ASSISTANT COUNTY ADMINISTRATOR
PRESTON G. WILLIAMS, COUNTY ATTORNEY

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

Reverend Rebecca Freeze from Blackstone Christian Church 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 September 21, 2017 regular Board meeting were presented. Vice Chairman Vaughn moved to adopt the September 21, 2017 minutes as presented. The motion carried as follows:

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

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

Sonny Abbott: Mr. Abbott asks the Board to provide information concerning supposed international travel by the Virginia's Growth Alliance Director, Jeff Reed, as well as what the rumored "Porcelain Project" was. Mr. Abbott also questions if all vehicles garaged in Nottoway County will be picked up on the personal property tickets with the new sticker-less plan.

Assistant County Administrator John Prosise is able to provide an answer to Mr. Abbott's question relating to recent travels by VGA Director Reed. He informs that Mr. Reed did indeed recently travel internationally but did so with members of the Virginia Economic Development Partnership of whom funded the trip. Administrator Roark provides an answer to the sticker-less system; informing that all vehicles garaged in the County, outside of the corporate limits of the three towns, will be picked up.

Mr. Abbott, lastly, asks the Board if there were any additional requirements necessary to be considered for the District 5 appointment. Chairman Simmons explains the interim appointment process for everyone and clarifies the only actual requirement is that the interested party reside in District 5.

Administrator Roark informs the Board that the public hearing for the Ordinance amendment to eliminate the decals that was supposed to be scheduled for the October 19, 2017 meeting did not meet the advertising deadline so it will be scheduled for the November regular meeting.

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 the Hwy 360 paving project has been completed, Hwy 460 in Crewe should be finished up in the next couple of days which will lead into Burkeville to complete milling and the whole project, the Lipscomb Street cul-de-sac was completed; contractors are still leveling up depressions in the road and raising edges ahead of surface treatment, Lazaretto Creek Road will be surface treated in the next couple weeks, a final full mowing will begin soon using VDOT forces on primary routes (right of way to right of way) and contract mowing on secondary routes will be done, tree trimmers will be working in the County beginning in early November

Statements – Nottoway Avenue Revenue Sharing Project – Town of Blackstone: The final invoice, from the Town of Blackstone, for \$11,799.61 for the Nottoway Avenue Sidewalk Project has been received. Vice Chairman Vaughn moves to pay the \$11,799.61 final invoice. The motion carried as follows:

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

School Board – Charlotte D. Wood, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on October 12, 2017; minutes of the regular meeting of the Nottoway County School Board held on September 14, 2017

1 – Budget Adjustment – 21st Century NMS – New Award - \$196,766.00

REVENUES:

3-201-33084-0099-002	21 ST Century NMS – New Award	\$196,766.00
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EXPENDITURES:

4-201-63200-1174-900-000-704	Tutor Drivers	\$ 10,000.00
4-201-63200-2100-900-000-704	FICA	765.00
4-201-63200-6008-900-000-704	Fuels	14,235.00
4-201-61100-1621-900-800-704	Tutor Salaries	38,632.00
4-201-61100-1622-900-800-704	Admin & Clerical Salaries	23,670.00
4-201-61100-1151-900-800-704	Aide & Other Salaries	66,000.00
4-201-61100-2100-900-800-704	FICA	9,814.00
4-201-61100-3000-900-800-704	Purchased Services	19,700.00
4-201-61100-5500-900-800-704	Travel	2,750.00
4-201-61100-6000-900-800-704	Materials & Supplies	<u>\$ 11,200.00</u>
		<u>\$196,766.00</u>

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

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

Health Department: There has been no report provided

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

Regional Jail Authority Report & Juvenile Detention Center: August 2017 Piedmont Regional Jail Authority Transportation Report, Piedmont Regional Jail Authority June 2017 – August 2017 Jurisdiction/Billing Reports, August 2017 Piedmont Regional Jail Revenue report, Virginia Department of Juvenile Justice Statewide Detention Facility Population, July 2017 Piedmont Regional Juvenile Detention Center Utilization Report, August 2017 Piedmont Regional Juvenile Detention Center Utilization Report

Administrator Roark informs that the bids for the planned renovation project of the Piedmont Regional Jail have been received; the financing for the project has been secured. The locality funding will exceed the \$327,000 that has already been set aside for Nottoway's portion and the funding will not be provided upfront at the request of the Jail Authority.

Vice Chairman Vaughn moves to approve the financing arrangements and proceed with the renovation project as presented. The motion carried as follows:

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

Landfill: Administrator Roark gave the Landfill report

A – Draper Aden Associates – William G. Hase, Program Engineer I: Aerial mapping to show the remaining capacity of the existing cell

B - September 2017 Solid Waste Report; average of 62.28 tons of waste per day received

C – Draper Aden Associates – Jeff Norman, Senior Project Geologist: Results of the Groundwater Monitoring Sampling Event 83 performed on July 19, 2017

D – Draper Aden Associates – William G. Hase, Program Engineer I: Results of a recent site visit

Fort Pickett Redevelopment Authority: Administrator Roark has nothing to report but does state that the FAST-C held its first training class at Pickett on October 2, 2017

Resignation: Lafayette Dickens has resigned his position on the Nottoway Community Planning Management Team

Letter – Piedmont Alcohol Safety Action Program (PASAP) – Robyn B. Allen, Director: Requesting reappointment of Carlton Abernathy to the PASAP Board of Directors for another three year term; it is Mr. Abernathy's desire to continue to serve. Supervisor Gary Simmons makes a motion for Mr. Carlton Abernathy's reappointment to the PASAP Board of Directors. The motion carried as follows:

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

Letter – Office of Children's Services (OCS) – Stephanie S. Bacote, CJGA: A recent program audit was completed and there were a number of unacceptable findings as a result; a corrective plan of action has been implemented but there will very likely be additional actions from OCS as a result

Writ of Election: Judge Cella has been notified of the petition and in reply has asked that County Attorney Preston Williams prepare the required documentation and submit it to the Nottoway Circuit Court

Letter – Virginia Department of Juvenile Justice – Beth Mohler Stinnett, VJCCCA Program Manager: The FY17 financial certification for the County's Virginia Juvenile Community Crime Control program funded by the Virginia Department of Juvenile Justice has been received and the expenditure report has been reviewed; all State funds provided were not expended and \$6,060.50 is due to be returned to the Commonwealth to close the file.

Vice Chairman Vaughn moves to return the \$6,060.50 VJCCCA funds to the Commonwealth. The motion carried as follows

G.L. Simmons	Yes
S.W. Bowen	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: provides an update on Deputy Sheriff Greg Tanners recovery following his on-duty motor vehicle accident and reminds the Board that the Piedmont Regional Jail will receive approximately \$2 million of the \$5 million renovation expense from the Department of Criminal Justice Services

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: Attorney Royall reads excerpts from a prepared letter she has to present to the Board concerning Nottoway County Animal Control and its handling of custodial animals, responsible education of Virginia Animal Control Laws, the importance of maintaining effective relationships with organizations that can assist with the permanent placement of custodial animals, and the need for Freedom of Information Training (FOIA) for County staff

Attorney Royall states that it is her hope the Board shares the same concerns about the recent animal control matters that have been publicized by the local media and FOIA issues. She further reminds the Board that her request, presented during the March regular Board meeting, to have a closed session meeting with them has not honored. Attorney Royall strongly urges the Board to become educated on Virginia Animal Control Laws and provides highlights on a few that the County could be in potential violation of.

Attorney Royall suggests that the County needs to staff properly trained Animal Control Officers, work to improve relationships with local assistance, and provide sufficient veterinary care for custodial animals. She further suggests that most localities have implemented contract care agreements to provide quality care at a reduced rate; however, she states that local vets don’t want to treat Nottoway custodial animals because they have a difficult time getting paid.

Supervisor Bowen agrees with Attorney Royall that the Board are not lawyers and are not aware of all of the laws relating to custodial animals and he expresses a strong desire to have the meeting with Attorney Royall as she requested. Vice Chairman Vaughn assures Attorney Royall the Board will meet with her.

Administrator Roark will bring a listing of veterinary expenses paid since July 01, 2017 to the November meeting.

Chairman Simmons presents the CONSENT CALENDAR:

1 – Budget Adjustment – Sheriff - \$194.99

REVENUES:

3-100-18990-0050	Miscellaneous – Undefined	<u>\$194.99</u>
	(Refund from vendor)	<u>\$194.99</u>

EXPENDITURES:

4-100-31020-5410	Uniforms	<u>\$194.99</u>
		<u>\$194.99</u>

2 – Budget Adjustment – Commonwealth’s Attorney - \$72.15

REVENUES:

3-100-19010-0050	Forfeited Assets – Commonwealth Attorney	\$72.15
		<u>\$72.15</u>

EXPENDITURES:

4-100-22010-5805	State Asset Forfeiture	\$72.15
		<u>\$72.15</u>

3 – Budget Adjustment – Sheriff - \$466.48

REVENUES:

Revenue received in FY16 (Forfeited Assets)	\$170.10
Revenue received in FY17 (Forfeited Assets)	<u>296.38</u>
	<u>\$466.48</u>

EXPENDITURES:

4-100-31020-5808	State Asset Forfeiture	\$466.48
		<u>\$466.48</u>

4 – Budget Adjustment – Commonwealth’s Attorney - \$682.68

REVENUES:

Revenue received in FY17 (Forfeited Assets)	<u>\$682.68</u>
	<u>\$682.68</u>

EXPENDITURES:

4-100-22010-5808	State Asset Forfeiture	\$682.68
		<u>\$682.68</u>

5 – Erroneous Assessment: Refund Estate of Margaret R. Robertson \$138.18 for erroneous personal property assessments for tax years 2014, 2015, and 2016; the refund is to be applied to the 2017 personal property tax bill number 7522

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

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

Administrator Roark provided the following information items:

1 – Letter – Virginia Department of Agriculture and Consumer Services, Division of Consumer Protection – Tina M. MacIntyre, Gypsy Moth Protection Program: The *2018 Guidelines for Participation – Aerial Treatments* for the Virginia Cooperative Gypsy Moth Suppression Program has been completed

2 – Notice – State Corporation Commission: Application of Columbia Gas of Virginia, Inc. for approval to amend a SAVE Plan pursuant to Virginia Code § 56-604 and for approval to implement a 2018 SAVE Plan Infrastructure Reliability and Replacement Adjustment in accordance with Section 20 of its General Terms and Conditions

3 – Notices – Dominion Energy: 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, for the Rate Year Commencing September 1, 2018 Case No. PUR-2017-00128, Petition of Virginia Electric and Power Company for approval to extend an existing demand-side management program and for approval of two updated rate adjustment clauses pursuant to § 56-585.1 of the Code of Virginia Case No. PUR-2017-00129

4 – Press Release: Southern Virginia GO Region 3 is Soliciting Project Grant Applications are now being accepted

5 – Blackstone Volunteer Fire Department Incident Report for September 2017

6 – Thank you card from the family of Clarence Simpson for bereavement flowers

7 – Sympathy card from Sharon Harrup and the STEPS, Inc. staff for the loss of Supervisor Clarence Simpson

8 – Minutes: Minutes of the Nottoway County Public Library System Board of Trustees meeting held on August 16, 2017, minutes of the Piedmont Regional Juvenile Detention Center Commission meeting held on July 19, 2017, minutes of the Piedmont Regional Jail Board meeting held on August 16, 2017, minutes of the Nottoway Community Planning Management Team meeting held on August 28, 2017, minutes of the Virginia’s Growth Alliance marketing committee meeting held on August 17, 2017

Administrator Roark presents the following correspondence:

1 - Building Inspector’s Report: Report period September 2017

2 - Animal Control Officer’s Report: Report period September 2017

3 - Erosion and Sedimentation Report: No report received

4 – Letter – James W. Elliott, Attorney at Law: as a result of Civil Case No. 11-125, County of Nottoway vs. Bernice Johnson for property identified by Tax Map No. 50A19-8C-101A*, a written offer was received in the amount of \$500.00 from JVJ 1 LLC; if the bid is accepted the County will not recover any of the costs previously paid of \$504.60, the Town of Blackstone will not receive any payment toward the unpaid tax lien and will be required to make an additional contribution of \$500.00 to close the file

Supervisor Bowen moves to authorize Attorney Elliott to proceed with the sale, including the subsidies required to close the file. The motion carried as follows after a roll call vote:

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

5 - Letter – Martha S. Mavredes, CPA, Commonwealth of Virginia Auditor of Public Accounts: Providing notification of the recent review of the Commonwealth collections and remittances of the Treasurer, Commissioner of the Revenue, and Sheriff for the year ended June 30, 2017; all Officers were found to be compliant with state laws, regulations, and other procedures relating to the receipt, disbursement, and custody of state funds

6 - Letter – Virginia Association of Counties (VACo) – Dean A. Lynch, Executive Director: Requesting a designation for voting credentials, on behalf of Nottoway County, for the 2017 Annual Business meeting to be held on Tuesday, November 14, 2017

Supervisor Bowen moves to allow Chairman Helen Simmons to hold voting credentials for the VACo Annual meeting; Vice Chairman Sherman Vaughn will serve as alternate. The motion carried as follows:

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

7 – Correspondence – Virginia Outdoors Foundation – Sherry Buttrick: VOF is working on an easement that is primarily in Amelia County along Rt. 307 but the property contains approximately 2 acres in Nottoway County; the Board has no problems with the proposed easement

8 - Administrator Roark informs the Board that he 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 8:43 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:

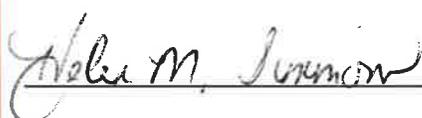
G.L. Simmons	Yes
S.W. Bowen	Yes
S.C. Vaughn	Yes
H.M. Simmons	Yes

(SEE PAGE THRU PAGE
FOR CERTIFICATION OF
EXECUTIVE MEETING)

Supervisor Bowen moves to reclassify current employee Katy Tomer to Finance Director with an annual salary of \$50,000. The motion carried as follows:

G.L. Simmons	Yes
S.W. Bowen	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 8:45 p.m., until Friday, November 3, 2017 at 4:00 p.m. in the General District Courtroom.



Chairman



Clerk