

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 244TH 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.

Mr. Glenn Norton, Deacon of Burkeville Baptist Church, provided the invocation. Chairman Bowen led everyone in the Pledge of Allegiance to our flag.

The minutes of the October 17, 2019 regular Board meeting were presented. Supervisor Vaughn moves to receive and adopt the October 17, 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

Resolution: Supervisor Shekleton moves to adopt the Resolution, as presented, declaring Nottoway County as a second amendment sanctuary. 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

(SEE PAGE THRU PAGE
FOR RESOLUTION
DECLARING NOTTOWAY COUNTY
AS A SECOND AMENDMENT SANCTUARY)

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

Kathy Kingery: Ms. Kingery poses a two-part question to each Board member individually; what the 2nd Amendment mean to each Board member and how do they feel it will affect Nottoway County

Chairman Bowen assures Ms. Kingery they will answer her questions near the end of the night's agenda items.

John Roark: Mr. Roark informs that he plans to stand behind what he declared he would accomplish during his election campaign and that was fully support his constituents; exclaims that starts at this meeting by supporting the resolution for declaration as a second amendment sanctuary.

Daniel Hopkins, Rocky Hill Road: Mr. Hopkins expresses his appreciation for the Board's decision to adopt the 2nd Amendment Sanctuary resolution. Mr. Hopkins wishes to direct a question specifically to the Sheriff; Chairman Bowen asks him to have that conversation at a different time directly with Sheriff Elect Jones.

Darrell Lott: Mr. Lott expresses his appreciation for the Board's decision to adopt the 2nd Amendment Sanctuary Resolution

Sonny Abbott: Mr. Abbott cites recent rumors, as a result of the recent election, and questions whether the current Board will warmly welcome the newly elected District 2 Supervisor John Roark or will they purposely cause him strife during his term.

Daphne Norton: Mrs. Norton is present as the Chairman of Citizens for a better Nottoway; she states that active participants currently exceed 450. They will be distributing a broadband survey as their first mission; which can be obtained many ways to include their email address betternottoway@gmail.com and their Facebook page *Citizens For A Better Nottoway*, as well as the County's public libraries.

Chairman Bowen asks Chairwoman Norton if she will provide Administrator Roark the minutes from their meetings to be included in the Board meeting packages; for the public to see.

Linda Armes: Ms. Armes provides a list of free services that Nottoway citizens can receive from Piedmont Senior Resources

Susan Yeatts: Mrs. Yeatts begins her comments by recommending to the Board that sending County citizens a bill for such a minimal amount (hers was only \$0.47) is not a feasible option and needs to be reconsidered. Mrs. Yeatts asks that any future joint meeting between the Board and Piedmont Senior Resources be held in the evening at a normal meeting to allow for the most public participation; day meetings are hard for most working people. Mrs. Yeatts asks the Board to consider allowing additional time for public comments at the end of each meeting. Lastly Mrs. Yeatts explains the Washbucket Initiative she is a part of; the mission is to revitalize old Towns in South Central Virginia.

Administrator Roark announces to all that Board Chairman Steve Bowen was successfully elected Virginia Association of Counties President for 2019-2020.

Public Hearing: Consideration of an Ordinance to add Chapter 39 to the Nottoway County Code under the following style:

Threatening Dogs:

§39-1. Determination as threatening dog

§39-2. Exceptions

§39-3. Threatening dog registration certificate; fee; identification tag required

§39-4. Control of threatening dogs

§39-5. Ownership by minors

§39-6. Notification of animal control authority

§39-7. Violations and penalties

Chairman Bowen asks if there is anyone present wishing to speak, either for or against, the proposed Ordinance; there is no one wishing to speak. Administrator Roark states the Planning Commission heard the proposed Ordinance and recommends approval.

Supervisor Vaughn moves to approve and adopt the Ordinance to add Chapter 39: Threatening Dogs to the Nottoway County Code 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

(SEE PAGE THRU PAGE
FOR ORDINANCE)

Public Hearing: Amendment to Chapter 102 of the Nottoway County Code, Solid Waste under the following style:

§102-5. Litter Receptacles; storage of waste.

A. Litter receptacles.

- (1) **Add verbiage** – Litter receptacles shall be provided by the county for residential waste **only**
- (2) **Remove verbiage** – It shall be unlawful to place dead animals, manure, large metal objects, wood, brush, tires, demolition wastes, furniture, bedsprings or other non-putrescible solid waste in any landfill containers. These items shall be brought directly to the landfill site to be disposed of **at the county’s cost** in accordance with specific instructions from the landfill foreman.

§102-6. Out of County waste.

Add verbiage – No solid waste material, except that originating in Nottoway County, shall be placed, deposited or dumped in **the** county solid waste collection and disposal locations, including the sanitary landfill. **Only lawful residents of Nottoway County may dump such waste at the locations described above. Proof of residency may be required at the request of the landfill operator or dumpsite attendants.**

Chairman Bowen asks if there is anyone present wishing to speak, either for or against, the proposed County Code amendments; there is no one wishing to speak.

Supervisor Shekleton moved to approve the proposed amendments to §§ 102-5 and 102-6 of the Nottoway County Code as presented; with the inclusion of the two changes. 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

(SEE PAGE THRU PAGE
FOR AMENDMENT TO
NOTTOWAY COUNTY CODE)

Presentation – Daphne Cole: Mrs. Cole provides information related to the availability of grant funding from the Stormwater Local Assistance Program that help local governments address the stormwater (polluted runoff) entering their waters; urges the Board to join other Virginia counties (at least 35 others) in requesting \$80,000,000 per year in the Governor’s Biennial budget

Supervisor Shekleton moves to send a resolution to the Governor in support of seeking grant funding for stormwater management. The motion carries as follows:

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

(SEE PAGE THRU PAGE
FOR RESOLUTION)

Resolution – Virginia Cooperative Extension (VCE) – Haley Norton, Agent: Requesting the Board consider adoption of resolution to petition the Governor to declare Nottoway County under drought disaster and request federal relief; joint request with the Piedmont Soil and Water Conservation District, USDA Farm Services Agency and Natural Resources Conservation Service, and the Virginia Department of Forestry

VCE Agent Norton declares that the drought in Nottoway has significantly affected many annual crops and most perennial crops including hay and pasture resulting in most pastures being over-grazed and many farmers having to begin supplemental feeding or utilize feed supplies ordinarily saved for winter.

Supervisor Vaughn moves to adopt the resolution to the Governor petitioning for drought disaster designation and requesting federal relief for Nottoway farmers. 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

(SEE PAGE THRU PAGE
FOR RESOLUTION)

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 informs there will be no VDOT representation at the December Board meeting; the maintenance report will still be submitted for inclusion in the meeting package.

Mrs. Bryant reports the following: the bump in the East bound lane of Hwy 460 left from paving will be fixed the week after thanksgiving, Rt. 723 safety study is ongoing, bridge repairs on Rt. 723 are complete and a final inspection is planned for next week, E. Maryland avenue in the Town of Crewe is continuing and nearing completion (next few weeks), right of way to right of way mowing as well as sight distance mowing is being completed.

A – Virginia Department of Transportation Petersburg Residency Maintenance Report for October 2019

School Board – Charlotte D. Wood, Clerk: Actions taken at the regular meeting of the Nottoway County School Board held on November 14, 2019; minutes of the regular meeting of the Nottoway County School Board meeting held on October 10, 2019, minutes of the regular meeting of the Nottoway County School Board meeting held on October 29, 2019, Middle School Teacher Corp Budget adjustment, Health Insurance Refund Budget adjustment, Spring Hill Tutoring Budget adjustment, Rural Education Budget adjustment, FY21 Preliminary Budget preparation timeline

1 – Budget Adjustment – \$5,000.00

REVENUES:

3-201-24020-0375	Middle School Teacher Corp (new award)	<u>\$5,000.00</u> <u>\$5,000.00</u>
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EXPENDITURES:

4-201-61100-1620-202-100-525	Supplemental Salary	\$4,644.00
4-201-61100-2100-202-100-525	FICA	<u>356.00</u>
		<u>\$5,000.00</u>

2 – Budget Adjustment - \$9,467.00

REVENUES:

3-100-18030-0021-100	Health Insurance Refunds	<u>\$9,467.00</u> <u>\$9,467.00</u>
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EXPENDITURES:

4-201-62160-1620-900-000-100	Supplemental Pay	\$3,415.82
4-201-62160-2100-900-000-100	FICA	261.31
4-201-62160-2300-900-000-100	Health Insurance	<u>5,789.87</u>
		<u>\$9,467.00</u>

3 – Budget Adjustment - \$4,780.00

REVENUES:

3-201-24020-0128	Spring Hill Tutoring (new grant)	<u>\$4,780.00</u> <u>\$4,780.00</u>
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EXPENDITURES:

4-201-61100-1620-240-500-570	Supplemental Salary BPS Tutoring	\$4,440.00
4-201-61100-2100-240-500-570	FICA	<u>340.00</u>
		<u>\$4,780.00</u>

4 – Budget Adjustment - \$17,063.98

REVENUES:

3-201-33084-0358	Rural Education (c/o funds from 17-18 & 18-19)	<u>\$17,063.98</u> <u>\$17,063.98</u>
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EXPENDITURES:

4-201-61310-1120-200-100-670	Instructional Salary Rural Ed	\$ 8,320.68
4-201-61310-2100-200-100-670	FICA	637.00
4-201-61310-2210-200-100-670	VRS	1,332.00
4-201-61310-2300-200-100-670	Health	1,657.22
4-201-61310-3000-00-100-670	Pur Services	3,297.26
4-20-61310-5500-200-100-670	Travel	1,187.33
4-201-61310-6030-200-100-670	Instructional Materials	<u>692.49</u>
		<u>\$17,063.98</u>

Vice Chairman Gary Simmons moves to approve the four School budget adjustments. 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 reports on the School's Career Technical Education Advisory Board that he participates with; they met this day and suggests that there are good things happening within the School System. He plans to have School Employee Marcia Martin attend a future Board meeting and make a report.

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

Economic Development Committee: Administrator Roark informs the Committee will meet on Thursday, December 12, 2019

Regional Jail Authority Report & Juvenile Detention Center: September 2019 Piedmont Regional Jail Authority Transportation Report, July – September 2019 Piedmont Regional Jail Authority Jurisdiction Report, September 2019 Piedmont Regional Jail Authority Revenue Report, August 2019 Piedmont Regional Juvenile Detention Center Utilization Report, September 2019 Piedmont Regional Juvenile Detention Center Utilization Report, Virginia Department of Juvenile Justice Statewide Detention Facility Population Report

Landfill: Administrator Roark gave the Landfill report

A - Groundwater Monitoring – Draper Aden Associates: Results of the most recent sampling event performed on October 15, 2019

B - October 2019 Solid Waste Report; average of 62.76 tons of waste per day received; for comparison Mr. Roark provides prior totals; 65.14 tons in September, 87.85 tons in August, 99.76 tons in July

C – Letter – Virginia Department of Environmental Quality (DEQ) – Kyle Ivar Winter, P.E., Deputy Regional Director: DEQ has reviewed the Registration Statement for the Nottoway County Landfill for coverage under the VPDES Industrial Stormwater General Permit, Registration # VAR051577; it is determined that the stormwater discharges are covered under the VPDES general permit

D - Gas Monitoring – Draper Aden Associates: Results of the most recent sampling event performed on October 15, 2019; results indicate the facility appears to be in compliance with Virginia Solid Waste Management Regulations as they pertain to control of landfill gases at the facility boundary and within facility structures

Administrator Roark does inform that during recent testing there were elevated traces of zinc and retesting is scheduled to be completed soon.

E – Letter – Virginia Department of Environmental Quality (DEQ) – Christopher Keehan, Solid Waste Permit Writer: DEQ has received and completed a technical review of the Nottoway County Landfill Cell 5 Construction Certification prepared and submitted by Draper Aden Associates on September 16, 2019; there are three changes necessary as a result

Fort Pickett Redevelopment Authority: Administrator Roark informs that he advertised for bids on the planned renovations to building 408, in Pickett Park to be used by the Community College Foundation. There was only one bid received and that was for \$49,200; a purchase order and building permit will be issued to that contractor. The Community College Foundation will reimburse the County \$24,500 of the project costs as well as pay a monthly rent.

Planning Commission: Administrator Roark informs the Commission met on Tuesday, November 19, 2019 and held the same two public hearings as the Board did at this meeting; they also discussed the County's Comprehensive Plan update

Administrator Roark announces that Planning Commission member Jessie "Robbie" Roberts has resigned from the Commission effective January 01, 2020.

The Board revisits the following old business:

1 – Tobacco Commission Grant: The County is in receipt of Tobacco Commission funding in the amount of \$176,850.00 for the Pickett Park Infrastructure Project (for Nottoway Commons); the funding needs to be appropriated and dispersed to the Town

Supervisor Helen Simmons moves to appropriate the Tobacco Commission funding and dispersed the funds to the Town of Blackstone. 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

2 – Appointments to the South Central Workforce Development Board: An appointment is necessary to fill the second business vacancy created with the resignation of Mary Tisdale, former Principal of the Amelia/Nottoway Technical Center

The Board considers the following new business:

1 – Letter – Larry J. Parrish, Sheriff – Nottoway County: Sheriff Parrish is requesting approval from the Board to purchase the current County iPhone he uses in order to maintain the current phone number as his personal number; the original price of the phone and accessories was \$259.97 when purchased in April 2017

Supervisor Shekleton moves to gift Sheriff Parrish the phone; should this be a violation of any policy then sell the phone to him for \$1. 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

2 – Appropriation - FY19 Fire Programs Funds: The County is in receipt of FY19 Virginia Department of Fire Programs (VDFP) funding in the amount of \$32,792.00; this needs to be appropriated and distributed evenly between the three Volunteer Fire Departments

Supervisor Vaughn moves to appropriate the FY19 VDFP funding of \$32,792.00 and distribute it equally between Blackstone, Burkeville and Crewe Volunteer Fire Departments. 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

Planning Commission appointment: District 2 member Mac Dews' term will soon expire and he has expressed an interest in accepting an appointment for another term. Vice Chairman Simmons moves to reappoint Mac Dews to another 4-year term on the Nottoway County Planning Commission. 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

Social Services Board: Board member Jesse "Robbie" Roberts' term will soon expire and he does not wish to be reappointed. It is the consensus of the Board to allow District 2 Supervisor Elect John Roark to make that appointment when he takes office.

Reports, requests, and recommendations of Constitutional Officers:

1 – Jane Brown, Clerk – not in attendance

2 – Larry J. Parrish, Sheriff: expresses appreciation for allowing him to keep his iPhone

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

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

5 – Leanne Watrouss, Interim Commonwealth's Attorney: Attorney Watrouss expresses her excitement to work with the Board for the next four years, and beyond

Chairman Bowen presents the CONSENT CALENDAR:

1 – Erroneous Assessment: Refund DT, a leasing company, \$1,181.96 for an erroneous personal property assessment for tax year 2019

2 – Erroneous Assessment: Refund O'Reilly Auto Parts Store #4649 \$1,167.23 for an erroneous personal property assessment; this needs to be applied to their 2019 tax bills

3 – Erroneous Assessment: Refund Edward Allen Slowe, Jr. \$341.31 as he qualifies for the Veterans exemption as of July 24, 2018

Administrator Roark adds one additional item - there needs to be an additional appropriation of funds for the DMV Stop Fee; the budget line is currently over expended by \$2450 (\$17,450 has already been expended for FY20). Vice Chairman Simmons moves to approve the CONSENT CALENDAR as presented, with the item added by Administrator Roark. 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 – Nottoway High School – Mary Ellen Yeatts, Educator: Notifying Board Chairman Steve Bowen that he has been selected to serve on the Nottoway High School Career and Technical Education Advisory Committee for the 2019-2020 School term; the purpose of the Committee is to help high schools and school divisions improve the quality of instruction in their career and technical education programs that prepare students with workplace skills

2 – Abstract of Votes cast in Nottoway County, Virginia at the 2019 November General Election held on November 05, 2019

3 – Proclamation Request: Requesting the Board consider joining other city and county leaders across the country in officially recognizing January 26 – February 01, 2020 as School Choice Week in Nottoway County; the proclamation provides an opportunity to shine a positive spotlight on the K-12 education options available for children and families in Nottoway County

4 – 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 5 of the Code of Virginia

5 – Letter – Design Nine, Inc. – David Sobotta, Vice President Sales and Marketing: Offering their services to assess the broadband infrastructure in the County and offer recommendations for changes to provide better service

6 – Blackstone Volunteer Fire Department Incident Report for September 2019

7 – Letter – Virginia Department of Agriculture and Consumer Services (VDACS), Office of Plant Industry Services – Tina M. MacIntyre, Gypsy Moth Cooperative Suppression Program: VDACS has completed the 2020 *Guidelines for Participation – Aerial Treatments* for the Virginia Cooperative Gypsy Moth Suppression Program

8 – Correspondence – Virginia Information Technologies Agency (VITA), Integrated Services Program - Stefanie McGuffin, Operations Manager: Modifying the timeline for integration of the NG9-1-1 platform; areas in the North and East in the State will deploy within calendar year 2020, and areas central and west in the State will deploy within calendar year 2021

9 – Correspondence – Virginia Association of Counties – Katie Boyle, Director of Government Affairs: relaying information from the Virginia Department of Elections pertaining to two elections security self-assessments that must be completed no later than December 31, 2019:

Nationwide Cybersecurity Review 2019 – a no-cost, anonymous, annual self-assessment designed to measure gaps and capabilities of state, local, tribal and territorial governments' cybersecurity programs

Election Infrastructure Assessment Tool – provides a dashboard displaying each jurisdiction's overall risk profile against national average of all participating jurisdictions; helps users assess their election security

10 – Application of Virginia Electric and Power Company for approval of a plan for electric distribution grid transformation projects pursuant to § 56-585.1 A 6 of the Code of Virginia, and for application of an addition to the terms and conditions applicable to electric service Case No. PUR-2019-00154

11 – Minutes of the Piedmont Regional Juvenile Detention Center Commission meeting held on August 21, 2019, minutes of the Nottoway County Public Library Board of Trustees meeting held on September 18, 2019, minutes of the South Central Workforce Development Board Chief Local Elected Officials meeting held on July 26, 2019, minutes of the South Central Workforce Development Board meeting held on July 18, 2019, minutes of the Piedmont Soil and Water Conservation District Board meeting held on October 22, 2019, minutes of the Nottoway County Public Library Board of Trustees meeting held on November 11, 2019, minutes of the Piedmont Regional Jail Authority Board meeting held on September 18, 2019

Administrator Roark presents the following correspondence:

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

2 - Animal Control Officer's (ACO) Report: report period October 2019, review of unannounced inspections by Supervisor Shekleton

Letter – Virginia Department of Agriculture and Consumer Services, Division of Animal & Food Industry Services, Office of Veterinary Services – Sherry Hensel, LVT, Animal Shelter Inspector: The Nottoway County Animal Shelter was inspected on October 21, 2019 to evaluate compliance with the Virginia Comprehensive Animal Care Laws, as well as pursuant regulations and directives; the results were no significant findings of noncompliance

3 - Erosion and Sedimentation Report: no report provided

4 – E911 Post/Sign Maintenance Report

5 – Letter – James W. Elliott, Attorney at Law: Request for reimbursement of costs incurred with the collection of delinquent taxes; \$2,065.00. Supervisor Vaughn moves to approve the payment to Attorney Elliott. 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

6 - Administrator Roark explains that the County was sent a Donation of \$100 that should have been for Nottoway CARES; this needs to be appropriated and then a check sent to Nottoway CARES for the same amount. Supervisor Shekleton moves to appropriate the \$100 donation and check sent to Nottoway CARES for the same amount. 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

7 - Letter – Virginia Department of Environmental Quality – Sanjay Thirunagari, Manager, Recycling and Litter Programs, Division of Land Protection and Revitalization: Providing notification that Nottoway County has been awarded \$4,244.00 for litter prevention and recycling program activities. Administrator Roark informs that he already has this much budgeted for FY20 so there is no additional appropriation needed.

8 - Surplus Vehicle: Sheriff Parrish has a department vehicle that needs to be declared surplus; the School's Supervisor of Transportation has requested to receive the vehicle. Vice Chairman Gary Simmons moves to declare the Sheriff's vehicle surplus and transfer it to the School. 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

9 – Virginia Department of Motor Vehicles – Richard D. Holcomb, Commissioner: Notification that Nottoway County is due \$120.00 from the sale of the Animal Friendly license plates. Supervisor Helen Simmons moves to accept and appropriate the \$120.00 to the Animal Control Budget. 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

10 – Virginia Department of Criminal Justice Services (DCJS) – Shannon Dion, Director: Nottoway (fiscal agent for Piedmont Regional Juvenile Detention Center) has been awarded JJDP Title II one-time grant funding of \$21,285 to purchase new computers, etc. for the Detention Center; the funds need to be appropriated and placed in the Detention Home Costs budget line. Supervisor Vaughn moves to appropriate the DCJS grant funding. 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 Supervisor Vaughn attended a function this day and received a resolution, on the County's behalf, from Southside Electric Cooperative for the County's support of the Lineman Certification Program as well as the efforts with providing suitable facilities for the students.

(See Page Thru Page
For Resolution)

Chairman Bowen address a question asked of the Board members from Citizen Kathy Kingery during delegations earlier in the meeting; what does the 2nd Amendment mean to the Board members individually.

Supervisor Shekleton states that its meaning is simple to him; the right to keep and bare arms and the Board's action adopting the resolution makes a statement to the Governor, the Legislature and the citizens of Nottoway County. Supervisor Vaughn agrees with Supervisor Shekleton and adds that the 2nd Amendment is extremely important for hunters. Supervisor Helen Simmons states that while she doesn't hunt she is a gun owner to she strongly supports the 2nd Amendment. Chairman Bowen states his respect for verbiage in the Resolution; the public funds of the County are not to be used to restrict 2nd Amendment rights.

Administrator Roark addresses a comment made earlier by citizen Susan Yeatts concerning a \$0.47 Landfill bill. He explains that changes have been made to the billing; any ticket that originates a charge less than \$2.00 will not receive a bill.

Chairman Bowen asks for clarification on what is and isn't resulting in a Landfill charge; Administrator Roark explains that anything that can be deemed standard household waste, including things such as a chair or mattress will not result in a charge.

Administrator Roark states that he has an issue that needs to be discussed in closed session. The Board enters closed session to discuss personnel, specifically clerical for the LRA, 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.

The Board enters closed session at 8:24 p.m.

The Board returned to open session at 8:41 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:

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

(SEE PAGE THRU PAGE
FOR CERTIFICATION OF
EXECUTIVE MEETING)

Administrator Roark informs that Mrs. Kitty Conley has announced her retirement from her position at the LRA after 22 years of service; effective December 31, 2019. There is a current part-time employee, Joyce Mordan, that he would like to promote to Mrs. Conley's position and advertise to fill the part time vacancy. Supervisor Vaughn moves to promote Joyce Mordan full-time and advertise to fill the part-time vacancy. 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

Supervisor Shekleton informs that he is working with the Emergency Management Alliance of Virginia to promote a 2.5 hour disaster preparation program being offered free of charge to anyone that wants to attend; there will be a participation package given to those that attend the entire Program containing items that could be beneficial in a time of need during an emergency. He also addresses reported "rumors" mentioned by citizen Sonny Abbott earlier in the meeting; assures everyone that District 2 Supervisor-elect John Roark will be warmly welcomed on the Board just as he was, implying that he will now be one of the "good old boys".

November 21, 2019

Supervisor Helen Simmons agrees with Supervisor Shekleton, everyone has made efforts to ensure that the newly elected supervisor feels included and welcome; the Board has no intentions of treating him any way other than positive.

There being no further business to come before the Board, Chairman Bowen adjourns the meeting at 8:47 p.m.

 Chairman

 Clerk

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 244TH YEAR OF THE COMMONWEALTH:

PRESENT: STEVE BOWEN, CHAIRMAN
GARY SIMMONS, VICE CHAIRMAN
HELEN SIMMONS
SHERMAN VAUGHN
NOEL SHEKLETON
RONALD E. ROARK, CLERK

**RESOLUTION DECLARING NOTTOWAY COUNTY AS A
SECOND AMENDMENT SANCTUARY**

WHEREAS, the Second Amendment of the United States Constitution reads “A well regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed”; and,

WHEREAS, Article I, Section 13, of the Constitution of Virginia provides “that a well regulated militia, composed of the body of the people, trained to arms, is the proper, natural, and safe defense of a free state, therefore, the right of the people to keep and bear arms shall not be infringed; that standing armies, in time of peace, should be avoided as dangerous to liberty; and that in all cases the military should be under strict subordination to and governed by, the civil power;” and,

WHEREAS, certain legislation introduced in the 2019 session of the Virginia General Assembly, and certain legislation introduced in the current session of the United States Congress could have the effect of infringing on the rights of law abiding citizens to keep and bear arms, as guaranteed by the Second Amendment of the United States Constitution; and,

WHEREAS, the current Governor of Virginia has stated that he intends to endorse and pass into law legislation that is unconstitutional as it pertains to the rights enumerated in the U.S. and Virginia Constitutions; and,

WHEREAS, the Nottoway County Board of Supervisors and its citizens are concerned about the passage of any bill containing language which could be interpreted as infringing the rights of the citizens of Nottoway County to keep and bear arms or could begin a slippery slope of restrictions on the Second Amendment rights of the citizens of Nottoway County; and,

WHEREAS, the Nottoway County Board of Supervisors wishes to express its deep commitment to the rights of all citizens of Nottoway County to keep and bear arms; and,

WHEREAS, the Nottoway County Board of Supervisors wishes to express opposition to any law that would unconstitutionally restrict the rights under the Second Amendment of the citizens of Nottoway County to keep and bear arms; and,

WHEREAS, the Nottoway County Board of Supervisors wishes to express its intent to stand as a Sanctuary County for Second Amendment rights and to oppose, within the limits of the Constitution of the United States and the Commonwealth of Virginia, any efforts to unconstitutionally restrict such rights, and to use such legal means at its disposal to protect the rights of citizens to keep and bear arms, including through legal action, the power of appropriation of public funds, the right to petition for redress of grievances, and the direction to the law enforcement and judiciary of Nottoway County to not enforce any unconstitutional law.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Nottoway County, Virginia:

That the Board of Supervisors hereby expresses its intent to uphold the Second Amendment rights of the citizens of Nottoway County, Virginia, and its intent that public funds of the County not be used to restrict Second Amendment rights or to aid in the unnecessary and unconstitutional restriction of the rights under the Second Amendment of the citizens of Nottoway County, Virginia, to bear arms; and

That the Board of Supervisors hereby declares its intent to oppose unconstitutional restrictions on the right to keep and bear arms through such legal means as may be expedient, including, without limitation, court action; and,

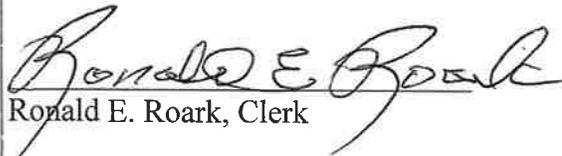
That the Board of Supervisors hereby declares Nottoway County, Virginia, as a "Second Amendment Sanctuary".

Adopted this 21st day of November, 2019 by a vote of 5 in favor and 0 opposed.

BY:


Steve W. Bowen, Chairman

Attest:


Ronald E. Roark, Clerk

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 244TH YEAR OF THE COMMONWEALTH:

PRESENT: STEVE BOWEN, CHAIRMAN
GARY SIMMONS, VICE CHAIRMAN
HELEN SIMMONS
SHERMAN VAUGHN
NOEL SHEKLETON
RONALD E. ROARK, CLERK

AN ORDINANCE TO ADD CHAPTER 39 TO THE NOTTOWAY COUNTY CODE, THREATENING DOGS.

§39-1. Determination as threatening dog.

- A. Notwithstanding the provisions of this section, an Animal Control Officer, or County law enforcement officer, may determine, after investigation, when a dog is a threatening dog. Factors to be used to make this determination shall include, but not be limited to, the following:
- (1) Proximity of the dog to the person at the time of the actions and/or behaviors;
 - (2) Barking;
 - (3) Snarling;
 - (4) Growling;
 - (5) Raised hackles;
 - (6) The bearing of teeth and/or snapping of the teeth;
 - (7) Attempting to bite and/or the grabbing of the clothes of the person without skin contact; and
 - (8) Chasing the person.
- B. If the animal's owner disagrees with the Animal Control Officer's determination, he may appeal the determination for a trial on the merits.
- C. Any person, Animal Control Officer, or County law enforcement officer who has reason to believe that a canine or canine crossbreed within his jurisdiction is a threatening dog shall apply to a Magistrate of the jurisdiction for the issuance of a summons requiring the owner or custodian, if known, to appear before a General District Court at a specified time. The summons shall advise the owner of the nature of the proceeding and the matters at issue. The Animal Control Officer, or county law enforcement officer, shall confine the animal until such time as evidence shall be heard and a verdict rendered. If the Animal Control Officer, or County law enforcement officer, determines that the owner or custodian can confine the animal in a manner that protects the public safety, he may permit the owner or custodian to confine the animal until such time as evidence shall be heard and a verdict rendered. The court, through its contempt powers, may compel the owner, custodian or harbinger of the animal to produce the animal. If, after hearing the evidence, the court finds the animal is a threatening animal, the court shall order the animal's owner to comply with the provisions of this article.

§39-2. Exceptions.

- A. No canine or canine crossbreed shall be found to be threatening solely because it is a particular breed, nor shall the local governing body prohibit the ownership of a particular breed of canine or canine crossbreed.
- B. No animal shall be found to be threatening to a non-invitee when such animal remains on its owner's property.
- C. No animal shall be found to be threatening if the threat was sustained by a person who was committing, at the time, a crime upon the premises occupied by the animal's owner or custodian; or who was committing, at the time, a willful trespass or other tort upon the premises occupied by the animal's owner or custodian; or who was provoking, tormenting, or physically abusing the animal; or who can be shown to have repeatedly provoked, tormented, abused, or assaulted the animal at other times.
- D. No police dog that was engaged in the performance of its duties as such at the time of the acts complained of shall be found to be a threatening dog.
- E. No animal which, at the time of the acts complained of, was responding to pain or injury, or was protecting itself, its kennel, its offspring, or its owner or owner's property, shall be found to be a threatening dog.

§39-3. Threatening dog registration certificate; fee; identification tag required.

- A. The owner of an animal found to be a threatening dog shall, within 10 days of such finding, obtain a threatening dog registration certificate from the Treasurer's office for a fee of \$50, in addition to other fees that may be authorized by law.
- B. The local Animal Control Officer shall also provide the owner with a uniformly designed tag that identifies the animal as a threatening dog. The owner shall affix the tag to the animal's collar and ensure that the animal wears the collar and tag at all times.
- C. All certificates obtained pursuant to this section shall be renewed annually for the same fee and in the same manner as the initial certificate was obtained.

§39-4. Control of threatening dogs.

While on the property of its owner, an animal found to be a threatening dog shall be confined indoors or in a securely enclosed and locked structure of sufficient height, and design to prevent its escape or direct contact with or entry by minors, adults, or other animals. The structure shall be designed to provide the animal with shelter from the elements of nature. When off the owner's property, an animal found to be a threatening dog shall be kept on a leash.

§39-5. Ownership by minors.

If the owner of an animal found to be threatening is a minor, the custodial parent or legal guardian shall be responsible for complying with all the requirements of this article.

§39-6. Notification of animal control authority.

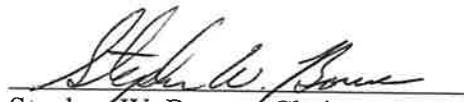
After an animal has been found to be a threatening dog, the animal's owner shall immediately, upon learning the same, notify the Sheriff's Office if the animal is loose or unconfined; threatens a person; bites a person or attacks another animal; is sold, given away, or dies; or has been moved to a different address.

§39-7. Violations and penalties.

A violation of this article shall be punishable as a Class 3 misdemeanor for the first offense, and any subsequent violation shall be punishable as a Class 1 misdemeanor.

Done this 21st day of November, 2019 by a vote of 5 in favor and 0 opposed.

BY:


Stephen W. Bowen, Chairman

Attest:


Ronald E. Roark, Clerk

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 244TH YEAR OF THE COMMONWEALTH:

PRESENT: STEVE BOWEN, CHAIRMAN
GARY SIMMONS, VICE CHAIRMAN
HELEN SIMMONS
SHERMAN VAUGHN
NOEL SHEKLETON
RONALD E. ROARK, CLERK

AN AMENDMENT TO CHAPTER 102 OF THE NOTTOWAY COUNTY CODE, SOLID WASTE

§102-5. Litter receptacles; storage of waste

A. Litter receptacles

- (1) Litter receptacles shall be provided by the county for residential waste only.
- (2) It shall be unlawful to place dead animals, manure, large metal objects, wood, brush, demolition wastes, furniture, bedsprings, or tires in any landfill containers. These items shall be brought directly to the landfill site to be disposed of in accordance with specific instructions from the landfill foreman.

§102-6. Out of County waste

No solid waste material, except that originating in Nottoway County, shall be placed, deposited or dumped in the county solid waste collection and disposal locations, including the sanitary landfill. Only lawful residents of Nottoway County may dump such waste at the locations described above. Proof of residency may be required at the request of the landfill operator or dumpsite attendants.

Done this 21st day of November, 2019 by a vote of 5 in favor and 0 opposed.

BY:


Stephen W. Bowen, Chairman

Attest:


Ronald E. Roark, Clerk

OFFICE OF
THE BOARD OF SUPERVISORS
NOTTOWAY COUNTY



P. O. BOX 92
344 W. COURTHOUSE RD.
NOTTOWAY, VIRGINIA 23955
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ADMINISTRATOR
RONALD E. ROARK

ASSISTANT ADMINISTRATOR
JOHN N. PROSISE

FINANCE DIRECTOR
KATY J. TOMER

BUILDING INSPECTOR
DEAN S. LEWIS

SUPERVISORS

STEVE W. BOWEN, CHAIRMAN
DISTRICT 1
GARY L. SIMMONS, VICE CHAIRMAN
DISTRICT 2
HELEN M. SIMMONS
DISTRICT 3
SHERMAN C. VAUGHN
DISTRICT 4
NOEL R. SHEKLETON
DISTRICT 5

November 25, 2019

The Honorable Ralph S. Northam
Governor, Commonwealth of Virginia
P.O. Box 1475
Richmond, VA 23218

Dear Governor Northam:

On behalf of the County of Nottoway, I respectfully request that your Administration commit to working with the General Assembly to provide sufficient state funding to help local governments address the stormwater (polluted runoff) nutrient reduction goals outlined in the State's Chesapeake Bay Watershed Implementation Plan (WIP III).

To address the needs documented in the Department of Conservation and Recreation's 2018 Agricultural Needs Assessment, \$100 million per year is currently being requested for the Virginia Agricultural Cost-Share (VACS) Program. Practices like fencing cattle out of streams and planting streamside buffers are among the most cost effective steps Virginia can take to restore the Bay and local waterways. Consistent and adequate annual funding for VACS is needed to ensure Virginia farmers have the resources to implement these conservation practices. We would like to see \$80 million per year included specifically for the Stormwater Local Assistance Fund (SLAF) in your biennial budget.

We can make smart use of these SLAF grant matching funds to install practical, long-term projects that reduce or minimize polluted runoff. SLAF grants have become increasingly competitive; therefore, the most cost-effective projects are selected, funded and monitored for performance.

Currently, Nottoway County has not installed projects to reduce or minimize polluted runoff from our area. With proper funding, Nottoway County can address many runoff problems from

industrial sites, agriculture and parking lots that are increasing each year. In addition to reducing polluted runoff, these grants can be used to address recurrent and fast-acting flooding from our many rain/thunderstorm events.

Polluted runoff is much more than a growing environmental problem. It worsens local and highway flooding, closes rivers and areas important to our Recreation/Tourism industry, contaminates regional fish and increases drinking water treatment costs and risks. The costs associated with defining and implementing effective treatment and/or minimization of polluted runoff continues to rise, especially around our more resident-dense areas. Consistent and adequate year-to-year funding for SLAF will help us plan and budget for our largescale projects, with continuous cooperation with our towns, citizens and local partners (commercial, academic, non-profit, faith, federal agencies, service groups, etc.)

We look forward to working with you, your team and the General Assembly to ensure that the Commonwealth of Virginia achieves its 2025 Bay clean-up goals while furthering the health, safety and well-being of our citizens.

Sincerely,

A handwritten signature in cursive script that reads "Stephen W. Bowen".

Stephen W. Bowen

Chairman

Nottoway County Board of Supervisors

AT THE REGULAR MEETING OF THE BOARD OF SUPERVISORS OF NOTTOWAY COUNTY, VIRGINIA, HELD AT THE COURTHOUSE THEREOF, ON THURSDAY, THE 21ST DAY OF NOVEMBER IN THE YEAR OF OUR LORD TWO THOUSAND NINETEEN AND IN THE 244TH YEAR OF THE COMMONWEALTH:

PRESENT: STEVE BOWEN, CHAIRMAN
GARY SIMMONS, VICE CHAIRMAN
HELEN SIMMONS
SHERMAN VAUGHN
NOEL SHEKLETON
RONALD E. ROARK, CLERK

A RESOLUTION REQUESTING GOVERNOR RALPH NORTHAM TO DESIGNATE NOTTOWAY COUNTY A DISASTER AREA DUE TO DROUGHT

WHEREAS, the continuing lack of significant rainfall has and will inflict heavy financial losses on the agricultural community; and,

WHEREAS, during the growing season of this year the County of Nottoway has received considerably less rain than normal; and,

WHEREAS, corn, soybean, and grass crops in addition to other farm land have been adversely affected within Nottoway County; and,

WHEREAS, the yields of the principal crops produced in the County of Nottoway including pasture, hay, corn, grain sorghum and soybeans have been seriously reduced; and,

WHEREAS, it is incumbent upon the County of Nottoway Board of Supervisors to request that the Governor of Virginia declare Nottoway County a drought disaster area and request federal relief,

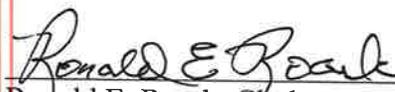
NOW, THEREFORE, BE IT RESOLVED that the Nottoway County Board of Supervisors does hereby affirm the aforementioned resolution and forwards said petition to the Governor of Virginia requesting an emergency agricultural drought disaster designation and federal relief for local farmers.

Done this 21st day of November, 2019 by a vote of 5 in favor and 0 opposed.

BY:


Stephen W. Bowen, Chairman

Attest:


Ronald E. Roark, Clerk

**SOUTHSIDE ELECTRIC COOPERATIVE
RESOLUTION OF APPRECIATION
SEPTEMBER 19, 2019**

Whereas Nottoway County recognized the need for a local Power Line Worker Training School to train future power line workers;

Whereas Nottoway County provided a building, matching funds, and construction management to provide a housing facility for the out-of-town students, greatly contributed to the success of the program;

Whereas the 11-week training program, offered at Fort Pickett, gives trainees both classroom and hands-on training in safety, climbing techniques, electrical theory, aerial framing, rigging, operating utility service equipment, and commercial driver training leading to jobs in the electrical industry; and

Whereas the Power Line Worker Training School is on track to graduate the 250th student this fall; now, therefore, be it

Resolved that Southside Electric Cooperative hereby express and conveys its sincere gratitude and appreciation to Nottoway County and that this resolution be incorporated into the official records of Southside Electric Cooperative, and that Nottoway County receive recognition through this resolution.

In witness whereof, we have set our hand and affixed the seal of the Cooperative this 19th day of September 2019.

SOUTHSIDE ELECTRIC COOPERATIVE BOARD OF DIRECTORS

Frank W. Bacon

Chair

Paul S. Bennett

Secretary

Walter J. White

Burkhardt J. [Signature]

Lie C. [Signature]

H. Edwards

President/CEO

Frank L. [Signature]

Vice-Chairman

Charles J. [Signature]

Treasurer

Hester Martin-Wallace

Sarah Saunders

Frank F. [Signature]

General Counsel

Seal

NOTTOWAY COUNTY BOARD OF SUPERVISORS

MEETING DATE:

November 21, 2019

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: 5

NAYS: 0

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

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None


Clerk to the Board of Supervisors