

BOARD OF SUPERVISORS MEETING

January 3, 2019

The regular meeting of the Campbell County Board of Supervisors was held on the 3rd day of January 2019 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Eddie Gunter, Jr., Chairman, Presiding	Concord Election District
James A. Borland	Spring Hill Election District
Bob Good	Sunburst Election District
Jon R. Hardie	Rustburg Election District
Susan R. Hogg	Timberlake Election District
A. Dale Moore	Altavista Election District
Charlie A. Watts II	Brookneal Election District

Also present were:

Frank J. Rogers, County Administrator
Clifton M. Tweedy, Deputy County Administrator
F. E. "Tripp" Isenhour, III, County Attorney
Kristin B. Wright, Staff Attorney
Catherine H. Moore, Clerk

Administrator Rogers called the meeting to order at 6:00 p.m. and welcomed Supervisor Moore to the Board of Supervisors. He announced this was the organizational meeting of the Board of Supervisors and also the first meeting to be videotaped. The video would be on the County's website within a few days after the meeting. Following the Pledge of Allegiance, a moment of silence was observed.

// ELECTION OF CHAIR AND VICE-CHAIR

Nominations were called for 2019 Chairman. Supervisor Good nominated Supervisor Borland for 2019 Chairman. Supervisor Hardie nominated Supervisor Gunter to continue as Chairman in 2019.

On motion of Supervisor Good, it was resolved the Board of Supervisors closes the nominations for Chairman. A vote was taken on each nomination.

Supervisor Borland

*The vote was: Aye: Borland, Good, Moore
Nay: Gunter, Hardie, Hogg, Watts
Absent: None*

Supervisor Gunter

*The vote was: Aye: Gunter, Hardie, Hogg, Watts
Nay: Borland, Good, Moore
Absent: None*

Chairman Gunter appreciated the confidence of the Board adding the Board had a good year last year, and he expected to have an even better one in 2019. He opened the floor for nominations for Vice-Chairman. Supervisor Hardie nominated Supervisor Watts for 2019 Vice-Chairman.

On motion of Supervisor Hogg, it was resolved the Board of Supervisors closes the nominations for Vice-Chairman and affirms the election of Supervisor Watts for 2019 Vice-Chairman.

*The vote was: Aye: Gunter, Hardie, Hogg, Moore, Watts
Nay: Good
Absent: None*

Abstain: Borland

// TIME AND PLACE OF MEETINGS

On motion of Supervisor Hardie, it was resolved the Board of Supervisors establishes the regular meeting schedule for 2019 as follows:

The first and third Tuesday of each month (except for second Tuesday in May for budget adoption) beginning at 6:00 PM in the Board Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The third Tuesday of each month is reserved for special meetings as needed.

If the Chairman acts, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting, the meeting shall be continued to the following Thursday of that week at 6:00 p.m. and all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required. (Per authority of Section 15.2-1416 of the Code of Virginia)

The Board confirms the policy adopted on June 12, 2018 that establishes a written policy for participation in Board meetings through electronic communication as set forth in Virginia Code §2.2-3708.1.

No vote was taken on this motion. Supervisor Hogg asked if any Board members would be interested in moving the first meeting of July because it typically fell during the week of the 4th of July when many businesses were closed. She offered the following motion:

On motion of Supervisor Hogg, it was resolved the Board of Supervisors agrees to eliminate the first Tuesday meeting in July and meet one time in July on the third Tuesday of the month.

Supervisor Good suggested the July Board meeting be considered on a case by case basis. Supervisor Borland agreed as the changes may become confusing to citizens and not every business was closed that week.

*The vote was: Aye: Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: Borland
Absent: None*

Supervisor Hogg offered a second motion to establish the time and place of the meetings in its entirety.

On motion of Supervisor Hogg, it was resolved the Board of Supervisors establishes the regular meeting schedule for 2019 as follows:

The first and third Tuesday of each month with the addition of the second Tuesday in May for budget adoption and in July the Board shall only meet the third Tuesday of the month beginning at 6:00 PM in the Board Meeting Room, Walter J. Haberer Building, Rustburg, Virginia. The third Tuesday of each month is reserved for special meetings as needed except for the month of July when the third Tuesday would be the regular meeting for that month.

If the Chairman acts, finds and declares that weather or other conditions are such that it is hazardous for members to attend the regular meeting, the meeting shall be continued to the following Thursday of that week at 6:00 p.m. and all hearings and other matters previously advertised shall be conducted at the continued meeting and no further advertisement is required. (Per authority of Section 15.2-1416 of the Code of Virginia)

The Board confirms the policy adopted on June 12, 2018 that establishes a written policy for participation in Board meetings through electronic communication as set forth in Virginia Code §2.2-3708.1.

*The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None*

// RULES OF ORDER

Supervisor Watts initiated a discussion of removing the Board's long-time practice of not allowing the Chair to make motions. He has observed times when the Chair should be given that privilege especially when it impacts his district. There was agreement by several Board members that the practice did not seem to have any merit. The following motion was offered:

On motion of Supervisor Watts, it was resolved the Board of Supervisors removes "Chairman does not offer motions" from the Rules and Procedures of the Campbell County Board of Supervisors effective immediately.

Before the vote was taken, Supervisor Borland cautioned if the Board Chair could make motions, a situation might arise where the Chair could dominate the meeting. He wondered about the history of the rule. Administrator Rogers advised the rule has been a practice of the Board of Supervisors since the early 1980's. He added Roberts Rules allows the Chair to make motions.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

Supervisor Watts initiated a second discussion of the current policy in place that "agenda requests must be received no fewer than 10 days in advance of the next regularly scheduled meeting of the Board of Supervisors to be considered for inclusion on that agenda." This applies to any citizen who requested time on the Board's agenda. He asked if that rule should also apply to the Board members. There was no consensus to apply the rule to the Board of Supervisors because it would prohibit a Board member from bringing forth an issue in a timely manner.

// APPROVAL OF MINUTES

On motion of Supervisor Borland, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the November 8, 2018 regular meeting and the November 20, 2018 joint meeting with the Towns of Altavista and Brookneal as presented.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// FY 2018 AUDITED FINANCIAL REPORT

Matt McLearn of Robinson, Farmer, Cox Associates presented the Comprehensive Annual Financial Report for the year ended June 30, 2018. He indicated they encountered no difficulties in working with staff and all records were made available to them. There were no disagreements with management in applying accounting principles and no significant audit findings for the fiscal year 2018. The County's audit was deemed a clean opinion on all financial statements with no material weaknesses found.

Mr. McLearn indicated the General Fund year-end balance on June 30, 2018 was approximately \$30 million. The County was well within the targeted range of the total General Fund Unassigned Fund Balance to the total General Fund expenditures. This would translate to the County's ability to pay future obligations. The County's ratio was 36 percent, well within the ratio recommended by policy makers of 15 to 25 percent. Mr. McLearn brought the Board's attention to a table that showed the increase and decrease of fund balances.

The Board should also note a new accounting standard that requires localities to report and measure the liability of retiree benefits such as health or life insurance. This liability has always existed, but was never required to be reported, and has been part of the County's operating costs. The County's current liability was estimated at \$10.3 million on June 30th and that number would fluctuate depending on the age and number of retirees and the benefits offered.

The County has received a Certificate of Achievement for the past year as it has for the last several years. This was a very prestigious honor to receive, and the County has submitted its FY 2018 Audit again for consideration.

In answer to a question by Chairman Gunter, Mr. McLearen indicated the County had a very strong Fund Balance which indicates its ability to pay future expenditures. Also another common measurement was to look at overall outstanding debt. If you compared Campbell County to other localities of approximately the same size, Campbell's debt was lower than most.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors accepts the FY 2018 Audited Financial Report.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// COUNTY HOLIDAY LEAVE POLICY

County employees currently observe eight (8) holidays and receive four (4) floating holidays in lieu of the four state holiday closures during which the County currently remains open. Recently the Social Services Board voted to move its holiday schedule to align with the State holiday schedule which is a total of 13.5 days. The Court system also follows the State holiday schedule.

Administrator Rogers requested the Board revisit the existing leave schedule in light of some local offices were closed and others were open on the State recognized holiday closures. As a locally administered State agency, Social Services had a need to interact with other agencies and State offices, and when County offices were open and State offices were closed, there were significant impediments to the department's workflow.

The Board discussed three options – (1) keep the current schedule, (2) consider closing the County on Martin Luther King and Veterans Day and reduce the floating holidays to two days, and (3) adopt the State holiday closing schedule which was generally 13.5 days (although the Governor could add additional leave). There was a consensus to keep the current holiday schedule, but add 1.5 days to the floating days to allow County employees the same amount of holiday leave as State employees and continue to have the flexibility to use the leave as they wanted with supervisor approval.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors authorizes the County Holiday Leave Policy be amended to add one and one-half more days or 12 hours to the current floating holidays for a total of 44 hours to be used at the employee's discretion and with supervisor approval.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// FY 2019-2020 PRIORITY INITIATIVES

Administrator Rogers presented a detailed summary of the current initiatives that were either in-progress or on-going. He highlighted a few new initiatives such as researching a County Fair and regular concert series in Rustburg, the recently created Broadband Authority and the Board's direction that the Joint Committee engages the School CIP issues. This list would provide the Board's direction to staff as to how to direct financial and personnel resources in the coming budget.

There was a consensus of the Board to schedule a half-day retreat to take a more in-depth look at some of the priorities. Staff would be contacting the Board in the coming week to schedule a date for the retreat.

On motion of Supervisor Hogg, it was resolved the Board of Supervisors adopts the FY 2019-2020 Priority Initiatives as presented.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// HIGHWAY MATTERS

Clif Tweedy, Deputy County Administrator, shared highway matters with the Board.

- Don Austin, VDOT, advised that Jefferson Drive was now open, but it may be March before Greenwell Court would be open.
- On Revenue Sharing Projects:
 - (1) The Liberty Mountain Project had been closed, came in under budget and was a successful project adding improved access at the University.
 - (2) The citizens of Cresthill Road in the Holiday Forest subdivision have paid their 50% share (\$134,000) toward that construction project. The project should be built this year.
 - (3) The County had not received any funds for Nighthawk Road yet for the citizens' 50% share.
 - (4) The Simon's Run project should be bid later this month with bids expected back before March.

Chairman Gunter paused Highway Matters to hold the public hearings.

// PUBLIC HEARING – REZONING ON LIGHTFOOT TERRACE

The first public hearing was opened at 7:01 p.m. on:

PL-18-151 Request by Chuck Lightfoot to rezone property located at 89 Lightfoot Terrace and 196 Lightfoot Terrace from Residential – Single Family to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home. The property is located in an area designated as medium to high density residential per the current Comprehensive Plan.

Paul Harvey, Director of Community Development, reviewed the staff report indicating this request was to rezone 6.26 acres from Residential – Single Family to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home at the corner of 89 Lightfoot Terrace & 196 Lightfoot Terrace in the Sunburst Election District. There were currently three occupied manufactured homes on the two parcels and one manufactured home that was to be demolished. The existing homes were legal non-conforming structures. Mr. Harvey explained the manufactured homes were there before the zoning ordinance was adopted in 1985 and that use could continue as long as the homes were in the same location. The applicant wants to place the new manufactured home in a location where there was not an existing home which requires the rezoning. The proposed rezoning to Residential – Manufactured Housing would also bring the existing manufactured homes into compliance. The property was considered a manufactured home park as defined in the Zoning Ordinance, and the proposed manufactured home would meet the requirements for yard area and setbacks for a manufactured home park.

Lightfoot Terrace would serve the property, and the request would not significantly impact the traffic flow. The property was served by public water and a private on-site septic system. No proffers were submitted with the rezoning request. The Planning Commission recommended approval of the request by a vote of 7-0 citing good zoning practice.

Chuck Lightfoot, 89 Lightfoot Terrace, Evington, thanked the Board for the hearing. As stated, there would be no significant change in traffic. He thanked the Board for its consideration.

Chairman Gunter called for comments in favor of or in opposition to the proposed rezoning. Hearing none, the public hearing was closed at 7:06 p.m.

*On motion of Supervisor Good, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and citing good zoning practice **APPROVES** Request PL-18-151 by Chuck Lightfoot to rezone property located at 89 Lightfoot Terrace and 196 Lightfoot Terrace from Residential – Single Family to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home.*

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// PUBLIC HEARING – REZONING ON DRUMMER STREET

The next public hearing was opened at 7:08 p.m. on:

PL-18-153 Request by C. Matthew Fariss to rezone property located at 66 Drummer Street from Business – General Commercial to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home. The property is located in an area designated as medium to high density mixed per the current Comprehensive Plan.

Mr. Harvey indicated this request was to rezone approximately 0.41 acres from Business – General Commercial to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home. The property was located at 66 Drummer Street in the Village of Rustburg in the Rustburg Election District. There were currently three occupied manufactured homes on the property which were legal non-conforming structures. The applicant wanted to place the new manufactured home in a location where there was a manufactured home that was removed more than two years ago. Since more than two years had passed, the removed manufactured home lost its legal, non-conforming status and a rezoning was required. The proposed rezoning to Residential – Manufactured Housing would also bring the existing manufactured homes into compliance. The property was considered a manufactured home park as defined in the Zoning Ordinance. There was a requirement that each manufactured home space consist of a minimum of 5,000 square feet of ground area. Due to existing constraints and infrastructure on the property, this requirement was not able to be met.

The area was mixed use in nature. The zoning in the vicinity was Residential – Single Family, Residential – Multi Family, Residential – Manufactured Housing, Conditional, Business – General Commercial, Industrial – General and Agricultural. The property would be served by an existing entrance onto Drummer Street, and the request would not significantly impact the traffic flow. The property was served by an existing private well and public sewer. No proffers were submitted with the request. The Planning Commission recommended denial of the request by a vote of 6-1 based on their determination that the highest and best use for this property to be consistent with the Comprehensive Plan was to leave it commercial. Nearly all the properties between Village Highway and the railroad tracks on the western end of Rustburg were zoned business – general commercial and institutional government, and this use would not be consistent with the zoning pattern. Many of the older homes in the Village had either been demolished or transitioned to commercial use.

Supervisor Good asked if the property owner wanted to forego the business or commercial opportunity of his property, who would be harmed by that except the property owner? Mr. Harvey responded that with zoning, you looked at patterns, and it was clear that this part of Rustburg was commercially zoned as the highest and best use. To change it would deviate from the long-range plan. Supervisor Good contended the only one harmed by foregoing the business opportunity in favor of keeping it as a residential property would be the property owner.

In answer to a question by Supervisor Moore, the area was considered to be a trailer park and all the existing structures were zoned commercial. There were currently three structures in the park with a fourth one placed there by the applicant, but it was not connected. The standard requiring 5,000 square feet of space around a manufactured home was adopted 10 to 15 years ago.

Matt Fariss, 2599 Colonial Highway, Rustburg, purchased the property along with the building that just became the State Farm insurance building from the Tweedy Estate. It took some time to make the property transfer because one of the members of the estate wanted to keep some of the property. The house that State Farm now occupies had been vacant for a couple of years. The State Farm building was remodeled, and he now has a five-year lease with State Farm.

The property in question was very narrow and had no commercial value because of its small size. Mr. Fariss bought the property about 2 to 2 ½ years ago with the belief it was a trailer park, purchased a trailer to replace a trailer that had been moved and found out he could not get the permits to do so because two years had passed since there was a trailer on the property. He would love for the property to have commercial value so that he could dispose of the trailers. The other three mobile homes were occupied.

Chairman Gunter called for comments in favor of or in opposition to the proposed rezoning.

Eve Rynard, 582 Village Highway, indicated her property borders Drummer Street and had been in her family since 1905. At one time they lived next door to the Tweedy family who later built the commercial brick building beside her and established the trailer park. When she and her husband retired from the military and moved back to the family home in 2003, the Tweedys had passed away, and the sons were managing the property. Their family home was now unoccupied and in complete disrepair with broken windows and litter. The commercial brick building was being rented as a vape shop which she had concerns about being directly across the street from Rustburg Middle School. The three occupied mobile homes were in a deteriorated condition, and she has observed frequent visits to the properties by the Sheriff's Department, and there has been suspected drug activity at those properties. The fourth trailer that had been pulled in was not occupied and had not been underpinned. Mrs. Rynard added the current well and sewer systems were not adequate for the properties. She assisted a former occupant who was 90 years old at that time and lived most of the winter without water. That renter later moved to a senior facility and has now passed away.

As a neighbor Mrs. Rynard would like to see Mr. Fariss take care of the properties he had and not be blight on the neighborhood. She did not want to see any more trailers and would like to see the concrete building repaired. She encouraged the Board to take the time to look at those properties which were visible from Village Highway.

In answer to a question by Supervisor Good, Mrs. Rynard reiterated she would like to see Mr. Fariss take care of the property. She commented Mr. Fariss described himself to her in a personal conversation that he was a slumlord. While she acknowledged it was his property, she was concerned that he had not taken care of this property especially in the County seat that he represented {as Delegate} so why would the Board approve another trailer that he would not take care of. Supervisor Borland confirmed Mrs. Rynard's husband spoke at the Planning Commission meeting. Mrs. Rynard indicated her husband's mother had died that day, and her husband had gone to Delaware. Supervisor Borland added Mr. Rynard had spoken to a number of concerns about the properties including sewage on the property.

Chairman Gunter indicated Mr. Fariss could speak to the concerns expressed by Mrs. Rynard.

Mr. Fariss indicated he was not aware of any water or sewer problems and when there was an issue with the water, it had not lasted for more than half of a day. He was certain the 90-year old lady that lived in one of the trailers was before he bought the property. He acknowledged he was using the concrete building (former Tweedy home) for storage and would like to get it to a state of repair when feasible so it could also be rented. Mr. Fariss acknowledged vandals broke into some of the buildings and removed copper and anything valuable, but it occurred before he took possession of the property. He was not aware of any illegal activity.

Supervisor Good cautioned the Board to question comments regarding possible drug activity or other illegal activity without those claims being substantiated.

Hearing no further comments, the public hearing was closed at 7:32 p.m.

Supervisor Hardie indicated this was in his District, and he was concerned the property did not meet the current standard of the necessary 5,000 square feet of ground area. He believed it would be a step backward to rezone the property from general commercial to residential – manufactured housing. In keeping with the Planning Commission’s recommendation, he offered a motion to deny the request.

*On motion of Supervisor Hardie, it was resolved the Board of Supervisors accepts the recommendation of the Campbell County Planning Commission and **DENIES** Request PL-18-153 by C. Matthew Fariss to rezone property located at 66 Drummer Street from Business – General Commercial to Residential – Manufactured Housing in order to allow for the placement of an additional manufactured home.*

Before the vote was taken, Supervisor Watts commented the other trailers were legal, non-conforming, and regardless of what action the Board took, it would still be a trailer park. He disagreed with the two-year rule as it had impacted him in the past and sometimes it takes people awhile to replace a trailer. Also, after you pass this property on Drummond Street, there were more trailers along the road. Most businesses want to be on the street, and this property was not on the main road.

Supervisor Hardie believed the current standards should be respected, and the Board needed to do things at a higher level and keep to those standards.

Supervisor Borland who represents the Board on the Planning Commission indicated it was denied because the properties were all general commercial and this would be spot zoning to change the zoning to residential. Mr. Fariss would still be able to own and operate the other trailers.

Supervisor Good agreed with Supervisor Watts and added this was a classic case of Board mentality that government knew best and wants to tell citizens what to do. He believed the Board should let Mr. Fariss use his property as he saw fit.

Chairman Gunter favored zoning and believed this was the best use for the property.

The vote was: Aye: Borland, Gunter, Hardie, Hogg
Nay: Good, Moore, Watts
Absent: None

The rezoning request was denied. Chairman Gunter called for a 5-minute recess at 7:43 p.m.

// HIGHWAY MATTERS

Chairman Gunter called for any highway matters from the Board.

- Supervisor Hardie noted potholes on Dennis Riddle Drive and Dotson Drive. He also observed the Route 29 – Route 24 Corridor was extremely littered.
- Supervisor Borland indicated there was a large pothole on Route 460 East from Wards Road to 460 East near the Campbell County/Lynchburg sign.
- Supervisor Hardie asked VDOT to evaluate the repair work near Matt Fariss’ home on Route 24 in the “S” curve.

// CONSENT AGENDA

On motion of Supervisor Borland, it was resolved the Board of Supervisors approves the following under the Consent Agenda:

- a) Appropriations –

1. General Fund, Public and Employee Relations, deleting \$1,500 from HR Information System, and appropriating \$750 to Employment Testing, and \$750 to Background Checks, to cover a recent increase in employment testing service costs;
2. General Fund, Registrar, deleting \$1,800 from Ballots & Election Supplies, and appropriating the same to Lease/Rent – Equipment, to correcting accounting error;
3. General Fund, Board of Supervisors, deleting \$750 from Convention & Education, and appropriating the same to Food Supplies, to cover expense of joint dinner with Towns of Altavista and Brookneal;
4. Sheriff's Forfeited Assets Fund, Sheriff's Office, appropriating \$65,500 to Police Equipment Expense Fund; and lowers Sheriff Forfeited Assets Fund by \$65,000, to purchase replacement mobile data terminals and Taser units;
5. Revenue Sharing Road Project Fund, appropriating \$134,746 to Cresthill Road – Revenue Sharing; and increases estimated revenue, Cresthill Road Revenue Sharing, by \$134,746, to appropriate 50 percent match by Cresthill Road property owners for revenue sharing project;
6. Capital Improvement Fund, Social Services, appropriating \$48,694.76 to Security/Surveillance; and increases estimated revenue, Public Assistance/Admin – Federal, by \$41,147.07, Employment Services Program – State by \$243.47, and decreases General Fund Balance by \$7,304.21, DSS Board authorized purchase of security/surveillance system for DSS building for staff and client security;
7. School Operating Fund, School Food Service, appropriating \$3,247.50 to Purchase Service – VANCO; and increases estimated revenue, VANCO-Conv Funds by \$3,247.50, for convenience fees collected from VANCO for funds placed on student breakfast/lunch accounts during October 2018;
8. School Operating Fund, Title IV, B21st CCLC (RMS, appropriating \$82,280.21 to Comp Psychologist, \$8,261 to Comp Stipends, \$6,631.97 to Employer FICA, \$12,949.92 to VRS-Hybrid, \$3,300 to Employer Cost Health Ins, \$1,150.08 to Employer Cost Group Life Ins, \$34,719.79 to Purchased Services and \$810 to Materials & Supplies, and increases estimated revenue, Title IV, A SSAE Grant by \$153,598.95, award allocations;
9. School Operating Fund, Title III-A, Immigrant & Youth, deleting \$2,799.22 from Materials & Supplies Immigrant & Youth, and decreases estimated revenue, Title III Part A – ESL, by \$2,799.22, deappropriation to match OMEGA budget;
10. School Operating Fund, Title I – Regular, appropriating \$1,373.06 to Director/Coordinator, \$1,000.00 to Stipends, \$12,451.02 to Employer Cost FICA, \$18,867.57 to Employer Cost VRS, \$6,966.74 to Health/Dental, \$1,200.03 to Group Life and \$290,725.78 to Instructional Supplies; and deleting \$24.55 from Teachers, \$1,000.00 from Sub Teachers, \$239.60 from Disability Insurance, \$62,254.57 from Purchased Services, \$3,743.84 from Parental Involvement, \$2,792.06 from Travel and \$1,018.20 from Parental Inv Materials/Sup; and increases estimated revenue, Title I-NCLB by \$261,511.38, to match OMEGA budget;

b) County Attorney invoice –

Approves payment to the County Attorney in the amount of \$12,969.67 for services rendered from November 20, 2018 to December 19, 2018;

c) Recordation of Abstract of Votes –

Section 24.2-675 of the Code of Virginia requires the Electoral Board to forward a certified copy of each abstract of votes to the clerk of the board of supervisors to be recorded in its minute book.

Corey A. Stewart – Republican	15239
Timothy M. Kaine – Democratic	6305
Matt J. Waters – Libertarian	408

Member, House of Representatives, District 5

Denver L. Riggleman, III – Republican	15829
Leslie C. Cockburn – Democratic	6045

Member, Board of Supervisors, Altavista District

A. Dale Moore	1319
John E. Tucker	1058
Kyle H. Goldsmith	494

Mayor – Brookneal

James A. “Champ” Nowlin	218
Ken J. Jennings	121

Member Town Council – Altavista

Reggie C. Bennett	682
Tim H. George	622
Wayne E. Mitchell	387

Member Town Council – Brookneal

Mark A. Wilkes	260
Barbara M. LaPrade	238
Cindy B. Johnson	158
Scott V. Fisher	128*

*not elected – three elected with greatest number of votes

Proposed Constitutional Amendment Question 1 – Should a county, city or town be authorized to provide a partial tax exemption for real property that is subject to recurrent flooding, if flooding resiliency improvements have been made on the property?

Yes	15785
No	5676

Proposed Constitutional Amendment Question 2 – Shall the real property tax exemption for a primary residence that is currently provided to the surviving spouses of veterans who had a one hundred percent service-connected, permanent and total disability be amended to allow the surviving spouse to move to a different primary residence and still claim the exemption?

Yes	18044
No	3151

d) Revised PPEA Guidelines -

Approves the revised guidelines for the Public-Private Educational Facilities and Infrastructure Act of 2002 (PPEA) as presented to incorporate changes made in the State Code.

e) County Courthouse Waste Water Pump Replacement -

Accepts the quote from Select Air Mechanical & Electrical for \$33,029.76 to remove and replace both waste water pumps in the Campbell County Courthouse.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
 Nay: None
 Absent: None

// MATTERS FROM THE BOARD

Thanks to Altavista Journal

Supervisor Borland thanked the Altavista Journal for the columns by Delegate Matt Fariss and Senator Frank Ruff that keep the citizens informed about state government and the issues that impact local government.

Reaction to Comments by Denise Gillett November 8, 2018

When reading over the minutes of the November 8th meeting, Supervisor Borland had a reaction to the request by Mrs. Gillett that the Board “should address the complacent approach to storm water control issues in the County.” He stated there was nothing complacent about the County staff and the job they did with regards to storm water. This past year saw record rainfall that had contributed to the issues. The Board was still waiting for a report from VDOT and recommendations to address storm water issues.

Recognition of Citizens

Supervisor Hardie recognized several Campbell County citizens featured in a recent publication by the News and Advance. He congratulated Rev. Rick Linthicum and Lisa Linthicum (Director of Social Services) on their service to others. Also Rhae Newbill, a Centra employee, who does service work teaching CPR skills and promoting health and well-being at Rustburg Elementary School. David Stokes was also recognized for his work supporting veterans. The News and Advance did a nice article recognizing Bradley Wiggs, a local Boy Scout, who completed his Eagle project to build a playground at Long Mountain Park.

Request for Transfer Site in Timberlake area

Supervisor Hogg relayed a request from a citizen asking if a transfer site could be established in the Timberlake area. It was a 20 minute drive from the Timberlake area to the landfill on Route 29. Administrator Rogers would ask Mr. Tweedy to outline the process and costs associated with building a new transfer site.

Meals Tax Referendum

Supervisor Watts indicated he had received several calls from citizens asking the Board to request a referendum to consider a meals tax. Recently, a citizens petition to request a referendum was not successful. The process is the Board has to adopt a resolution requesting the Judge enter an order for a special election. There were specific rules on when a special election could be held, but a spring decision would be timely due to upcoming budget discussions. State Code limits the meal tax to not more than four (4) percent which was estimated to generate \$1 million in local revenue. The Board would need to establish what that funding stream would be used for, for example, the referendum could say “to support government services to include schools and capital projects.”

Supervisor Hardie spoke in favor of considering a meals tax to be comparable to surrounding localities and in light of the infrastructure needs in the County, more particularly the broadband initiative and expanding water lines. The additional revenue stream would relieve some of the burden on property owners.

Supervisor Good believed the citizens should make that decision, but he would not support adding a tax to take more from the citizens as it would impact low income people. If the meals tax passed, he would like to see the meals tax coupled with a reduction in real estate taxes to offset the additional revenue.

Supervisor Borland was thankful the Commonwealth of Virginia still required that counties receive citizen input on a meals tax unlike cities and towns that could impose the tax at will. The City of Lynchburg had maxed out the meals tax and where did it go? He contended it was not a revenue problem, but a spending problem. He would oppose a meals tax as it targets the poor and the elderly the most. Many people frequent the County’s restaurants to save money on their meals. The citizens had already voted it down twice in the past and recently a citizens group could not obtain 10% of the signatures they needed to request a referendum.

Supervisor Watts clarified that he was not asking the Board to support the tax, but had been asked by a number of citizens for the referendum. It was his position to let the people decide whether or not they wanted a meals tax.

Supervisor Moore owns a restaurant in Altavista, and a lot of elderly people ate there. He agreed a meals tax would harm the elderly the most. He would oppose a meals tax. If the County needed money, he would be more inclined, but the County did not need the money. Supervisor Watts confirmed the meals tax in Altavista and Brookneal would not change if a County meals tax was approved.

There was continued discussion by the Board about a proposed petition to request a referendum, the necessity of stating a specific purpose, Board priorities and initiatives on the horizon and the possibility the meals tax could offset or help lower real estate or BPOL taxes. Chairman Gunter offered the following motion:

On motion of Supervisor Gunter, it was resolved the Board of Supervisors adopts the following resolution:

WHEREAS, *Va. Code Ann. § 58.1-3833 permits the Board of Supervisors to pass a resolution authorizing the County Attorney to draft and file a petition to the Circuit Court of the County of Campbell to order a referendum to be voted on at a special election on the question of a meals tax; and*

WHEREAS, *pursuant to the same statute, the resolution may direct the funds realized to a specific purpose.*

NOW THEREFORE BE IT RESOLVED, *that we hereby authorize the County Attorney to petition the Circuit Court to order a referendum on the question of whether to levy a tax not to exceed four percent (4%) on food and beverages, commonly referred to as a meals tax, which revenue would be directed to support government services to include schools and capital projects.*

Supervisor Borland requested the Chairman to rule the motion out of order because the matter was not on the agenda for that evening. The Chair would not so rule. He offered a substitute motion:

On motion of Supervisor Borland, it was resolved the Board of Supervisors tables the discussion on the issue of a meals tax referendum to hear from the constituents before moving ahead with such action.

The vote was: Aye: Borland, Good, Moore
Nay: Gunter, Hardie, Hogg, Watts
Absent: None

Because the substitute motion failed, a vote was taken on the original motion:

The vote was: Aye: Gunter, Hardie, Hogg, Watts
Nay: Borland, Good, Moore
Absent: None

The motion was passed and staff would proceed with the process to request the Court to authorize a referendum to be voted on by the citizens.

// CLOSED MEETING

On motion of Supervisor Hardie, it was resolved the Board of Supervisors enters into a closed meeting at 8:30 p.m. to discuss legal matters relating to a public nuisance, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// The Campbell County Board of Supervisors entered into a closed meeting on this 3rd day of January, 2019 at 8:30 p.m. to discuss legal matters relating to a public nuisance, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended.

// On motion of Supervisor Hogg, it was resolved the meeting return to open session at 8:53 p.m.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// On motion of Supervisor Hogg, the following resolution was adopted:

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 3rd day of January, 2019 pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, §2.2-3711 of the Code of Virginia requires a certification by the Campbell County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

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

The roll call vote was: Aye: Borland
Aye: Good
Aye: Gunter
Aye: Hardie
Aye: Hogg
Aye: Moore
Aye: Watts
Nay: None
Absent During Meeting: None
Absent During Vote: None

// ACTIONS FOLLOWING CLOSED MEETING

On motion of Supervisor Borland, it was resolved the Board of Supervisors authorizes the County Attorney to file a complaint in the Campbell County Circuit Court to abate a public nuisance on properties located at 426 Deer Path and 706 Deer Path in Campbell County, Virginia.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

// ADJOURNMENT

On motion of Supervisor Hogg, the meeting was adjourned at 8:55 p.m.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Moore, Watts
Nay: None
Absent: None

EDDIE GUNTER, CHAIRMAN
Approved: _____