

BOARD OF SUPERVISORS MEETING

March 5, 2019

The regular meeting of the Campbell County Board of Supervisors was held on the 5<sup>th</sup> day of March 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

Chairman Gunter called the meeting to order at 6:00 p.m. Following the Pledge of Allegiance, a moment of silence was observed.

// 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 January 15, 2019 Budget Work Session, January 31, 2019 Board Retreat and February 5, 2019 regular meeting as presented.

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

// APPROVAL OF HISTORIC COURTHOUSE ELEVATOR

Nina Thomas, member of the Campbell County Historical Society, was before the Board to ask their permission and blessing to add an elevator to the Historic Courthouse to provide full handicap access to the second floor. The Historical Society received full funding for the elevator (\$119,861) from the Fray Family Charitable Trust, and the elevator would be named for its founder, James B. Fray.

Mrs. Thomas provided a drawing of the proposed elevator that would be built in a tower at the rear portion of the 1962 addition by the Gerdy Construction Company. Two windows would be replaced with elevator doors allowing entrance from inside the building only. The elevator would greatly improve the functionality of the museum and courtroom and would replace the current chair lift. The Virginia Department of Historic Resources not only found the project reasonable, but commended the members on their efforts to ensure the long-term preservation of the Courthouse and make the building more useful and better accommodate handicapped visitors.

Chairman Gunter, a member of the Fray Family Charitable Trust, indicated the Fray Trustees voted unanimously in favor of the elevator project. He thanked Mrs. Thomas and the members of the Historical Society for the work they did to preserve the County's history.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors approves the Campbell County Historical Society moving forward with the installation of an elevator to the rear portion of the 1962 addition to the Campbell County Historic Courthouse to be known as the James B. Fray Elevator.

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

// BROADBAND GRANT RESOLUTION

Mike Davidson, Director of Economic Development, presented a resolution for the Board's approval to submit an application to the Virginia Tobacco Region Revitalization Commission for a grant to expand broadband in unserved areas of Campbell County. The grant was for \$125,000 that had to be matched 50/50 with local funds and only areas that were designated as unserved were eligible. The Tobacco Commission accepts the designation of unserved areas provided by the Center for Innovative Technology (CIT) which was defined as areas with less than a 10 Mbps download and 1 Mbps unload.

To be successful in the grant application, the County would need to contract with a broadband provider. Staff was currently talking with two providers, but did not have a contract with either provider. The application would focus on smaller, less expensive towers to extend the broadcast area into unserved areas from an existing tower in Brookneal. The grant request also includes funds to subsidize the cost of installing the systems in customers' households which was the main concern from providers.

Should the County receive a grant, Mr. Davidson recommended the \$125,000 budgeted for Economic Development Site Enhancements be utilized as the local match. In answer to a question by Supervisor Good, the number of people served would not be known until the project was fully developed. Administrator Rogers added if the County was successful in the grant application, the project would be a good first step in a broadband plan.

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

**RESOLUTION OF AUTHORIZATION  
TRRC Research and Development Broadband Grant**

**WHEREAS**, Campbell County recognizes the importance of High Speed Broadband to the economy and education of Campbell County citizens and the stresses that inadequate bandwidth contributes to both our youth as well as adults trying to start and run businesses; and

**WHEREAS**, Campbell County recognizes that there are inherent problems to normal business models in sparsely populated unserved areas of Campbell County; and

**WHEREAS**, Campbell County desires to participate with service providers to overcome the business models that prevent the distribution of high speed broadband service throughout Campbell County; and

**NOW, THEREFORE, BE IT RESOLVED**, the Campbell County Board of Supervisors does authorize the submission of an application by Campbell County to the Virginia Tobacco Region Revitalization Commission for the purposes of obtaining grant funding to provide for an expansion of High Speed Broadband in unserved areas of Campbell County.

Before the vote was taken, Supervisor Good asked how many people might be served under this application. Administrator Rogers indicated this project would be a good first step and an incremental approach of the broadband system. Mr. Davidson would not be able to know specifically the population that would be served until the project was more formalized. Supervisor Borland confirmed that \$125,000 in the budget for economic development site enhancements could be used as the local match if the grant was awarded and accepted.

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

// PERMANENT MEMORIAL FOR HUGH W. ROSSER

Hugh W. Rosser served on the Campbell County Board of Supervisors for 52 years and has the distinction of being the longest serving Board of Supervisors member in the Commonwealth of Virginia. Mr. Rosser passed away on March 22, 2017. Several members of the community had expressed an interest in establishing a more permanent memorial to honor Mr. Rosser's service to the County.

Several months ago the Board considered a proposal for a plaque and pedestal from Baer & Sons Memorials in the amount of \$2,718. The Board agreed Mr. Rosser's length of service and contributions to Campbell County should be recognized, but because Mr. Rosser was known for and prided himself on fiscal conservatism, the Board asked staff to bring back a design and proposed costs of a plaque that could be displayed in the Board room.

Staff contacted the Portrait Place who designed a metal plaque approximately 16" x 20" that could be displayed in the Board room. As a side note, in staff's quest to do something unique to honor Mr. Rosser, we reached out to art teachers in the County schools. A senior at Altavista High School, Dillon Crouch, took on the project and worked very hard on a black and white drawing of Mr. Rosser that we would also like to frame and display in an appropriate location. While there is no charge for the drawing, staff suggested a \$100 donation to Altavista High School for art supplies would be appropriate. The metal plaque, donation and framing of the black and white drawing would be less than \$600.

Administrator Rogers thanked Mrs. Moore on pursuing the several options to honor Mr. Rosser.

On motion of Supervisor Moore, it was resolved the Board of Supervisors approves honoring past Board member Hugh W. Rosser with a metal plaque, the framing of a pen and ink drawing by Dillon Crouch and \$100 donation to Altavista High School, and approves a transfer of appropriation in the General Fund, deleting \$600 from Non-Departmental Expenses, Budget Set Aside, and appropriating the same to General Fund, Public & Employee Relations, Awards for the metal plaque, framing and donation.

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

// TIMBROOK PARK RESTROOM CONSTRUCTION

Mr. Tweedy provided an update on the construction of restrooms for Timbrook Park approved at the December 4, 2018 meeting. In addition to the restroom facility, the funding included fencing between the parking lot and the field and reseeding or sod in low areas. Staff was also asked to look into community sponsorships to minimize the restroom construction costs. The fencing has been completed.

The Board was provided a drawing of the restroom facility along with specifications and proposed costs. The building was designed for long term use with minimum maintenance with a block exterior and metal roof and stainless steel fixtures.

In a memo provided by Mary Pascale, Director of Recreation, staff had been in discussion with the Brookville Bees Youth Athletic Association to assist with contacting community businesses who might be interested in contributing to the project. Several contracting professionals have been contacted and a supply house may donate supplies for the project. Staff would continue to work with the youth association and community businesses to explore all options for community involvement.

Supervisor Borland appreciated Mr. Tweedy's work on the drawings and Mrs. Pascale's efforts to seek donations. Chairman Gunter concurred. Supervisor Hogg was pleased at the involvement by the Brookville Bees and added the facilities were very much needed.

// HIGHWAY MATTERS

Clif Tweedy, Deputy County Administrator, updated the Board on highway matters. Don Austin, VDOT Residency Engineer, was also present. Mr. Austin announced he would be retiring effective May 1, 2019.

Mr. Austin advised VDOT was continuing to pick up litter using Department of Corrections forces. Particular attention would be given to Route 29 and Route 460 before the mowing season began.

Mr. Tweedy advised the homeowners on Nighthawk Road would be able to fund their 50 percent of the costs to bring the road into the secondary system and would be included in the revenue sharing application. Both Nighthawk Road and Cresthill Road in the Holiday Forest subdivision should be completed by early fall.

The bids on Simon's Run should be back by the middle of March, and staff would bring back to the Board several documents for approval. Construction should commence by June and the project would take at least a year to complete.

From the Board:

- Supervisor Hardie noted potholes on Route 29 near Hyland Heights Baptist Church, and a large pothole at the intersection of Route 24/Route 29.
- Supervisor Hardie commented on the litter along Route 29 as well as Lynbrook Road and Suburban Road that was embarrassing and the County may need to talk about a plan.
- Supervisor Hogg inquired if there was funding available other than revenue sharing to pave a portion of Ryan Drive. Mr. Austin indicated 50/50 revenue sharing was the only source of funding.
- In answer to a question by Supervisor Hogg, Greenwell Court should be completed in four to six weeks depending on weather.
- Supervisor Watts reported a clogged pipe at the corner of Theta Mill Road and East Ferry Road.
- Supervisor Hardie indicated water was still pooling after heavy rain at the intersection of Calohan Road and Route 24 in front of Foster Fuels.
- Supervisor Borland commented on litter problems and questioned if the large trash haulers were allowing trash to escape. He has followed a trash truck and litter was flying out of it. He asked staff to look into the situation and make suggestions to the Board.
- Chairman Gunter added now that Appomattox County has approved a trash disposal site on Route 460 near Spout Spring, he was concerned Route 460 would start having a litter problem.
- Chairman Gunter reported a broken pipe off Route 460 near Circle Court.

// ADOPTION OF 2020-2024 CAPITAL IMPROVEMENT PLAN

Administrator Rogers presented the 2020-2024 Capital Improvement Plan (CIP) to the Board for adoption as part of the budget development process. Traditionally the CIP incorporates known expenses that exceed \$10,000 for fixed assets and reflects the on-going investment needed to maintain the County's existing infrastructure. Several key items were noted:

- The CIP adopted in FY 2019 anticipated an increase in the Local Share Transfer from the General Fund in the amount of \$100,000 each year until 2023. As a result, the local funding for the CIP as proposed increases \$100,000 over the amount funded in FY 2019.
- The proposed CIP pushes the proposed Public Safety facility to FY 2021. The facility is anticipated to be funded with debt in an amount not to exceed \$4.5 million.
- The draft CIP includes an increase of \$735,000 in FY 2024 for Facility Capital Replacement to address the Animal Shelter facility. This was the lone concern brought to the Board during the public forum that was not addressed in last year's budget proposal. The facility continues to age and be subjected to annual inspections by the State Veterinarian to assess the facility's suitability and conformity with State regulations.

- The proposed CIP reflects a lack of resources beginning in FY 2023. However, relative to the overall cost of the five-year plan, the deficit did not represent a material concern at this time. Sometimes projects were completed under budget, deferred or removed from the plan over time impacting the funds available from year to year.
- The CIP presented incorporates the County's routine investment in the GIS system, Information Technology equipment and software, trash collection site improvements, ambulances, fire trucks and public safety equipment, recreation facilities, Sheriff's Office and Social Services equipment.
- The proposed CIP does not include funding for broadband, the School CIP, a Friday night concert series or a County Fair.

On motion of Supervisor Hogg, it was resolved the Board of Supervisors approves the 2020 – 2024 Capital Improvement Plan for incorporation into the proposed FY 2020 Budget.

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

// FOLLOW-UP FROM JOINT MEETING WITH SCHOOL BOARD

Supervisor Watts requested time on the agenda to have a follow-up conversation regarding the February 19, 2019 Joint Meeting with the School Board. He was not comfortable moving forward on any of the four scenarios presented and would like the School Board and possibly the Joint Committee to revisit the Capital Improvement Plan and confirm the top priorities.

The presentation assumed there would be a savings from William Campbell High School. Supervisor Watts requested information on those calculations. In addition, he requested a transportation study on the impact of moving students from the William Campbell area. H also asked the School Board to project the educational needs of the County 10 years and beyond as well as look at the growth and population patterns.

Chairman Gunter asked if these questions could be relayed to the Superintendent of Schools and the School Board. Administrator Rogers confirmed he could do so and added the numbers used in the scenarios presented on February 19<sup>th</sup> were taken from the Schools' CIP adopted several years ago with an inflation factor. The School Board would be the appropriate body to answer the question of the top three priorities. The current School CIP ranked Rustburg Middle, Brookville Middle and Brookville High as the schools with the most immediate needs.

Additional information requested by Supervisor Watts was a comparison of the course offerings at each high school compared to the surrounding localities.

Supervisor Hardie commented looking at the population projections would be well to do to allow the Board to make the most informed decision. He agreed with Supervisor Watts that while it was good to have a long range plan, he would like to look more closely at the Schools' top three priorities.

In answer to a question by Supervisor Borland regarding the costs of the four scenarios, Supervisor Watts answered he would like to look more closely at the top priorities before committing to a 20-year plan. Supervisor Hardie agreed reflecting on the changes over the last 20 years and the escalating costs of construction.

Administrator Rogers indicated the scenarios were a 20-year financing plan with projects on two-year increments. If approved, the Board would be committing to a basic plan and strategy. He predicted the School Board's #1 priority would be a new Rustburg Middle School and the cost would be based upon the bids received and the financing strategy adopted. Administrator Rogers indicated the Board would have to decide whether to pick one project and fund that project, or identify a funding mechanism and figure out how to maximize it.

Supervisor Good agreed indicating the Board would have to decide on which priorities were the “must do” and adjust revenues to accomplish those priorities. He requested enrollment numbers in K-3<sup>rd</sup> in all the elementary schools 10 years ago and enrollment numbers in Grades 9-12 for that same period. He would also like current enrollment numbers for the same grades for comparison. This information would be helpful to predict future enrollment trends. Supervisor Good noted Bedford County with similar population had three (3) high schools, Amherst County had one (1) high school, and Franklin County had one (1) high school. He started hearing suggestions for closing William Campbell when he first decided to run for the Board. He too would like to know the distance projections for the students if William Campbell was closed as compared to other localities with fewer schools. Also, he was told closing William Campbell would save approximately \$1.5 million annually that could be used to enhance education for all students. How would that reinvestment in savings be utilized? This subject had been talked about for at least four years and no closer to a resolution.

Administrator Rogers indicated he would be in contact with Dr. Johnson, Superintendent of Schools, to get answers to the Board’s questions.

// PUBLIC HEARING – SPECIAL USE PERMIT 346 WILDWOOD ROAD

One public hearing was advertised for this meeting. The public hearing opened at 7:07 p.m. on:

PL-18-165 Request by Mark Deshano, agent for Timothy and Trisha Fus, for a special use permit to construct one additional dwelling unit in the primary home for use by an immediate family member. The property is located at 346 Wildwood Road and is located in an area designated as medium to high density residential per the current Comprehensive Plan.

Paul Harvey, Community Development Director, reviewed the staff report indicating the property owner wanted to construct an addition to the existing single-family dwelling for use by the owner’s mother. The addition would consist of one bedroom, one bathroom, a kitchen, a living room and laundry area. The septic system was being upgraded to accommodate the addition. The addition would meet setback requirements. The property was located at 346 Wildwood Road, Lynchburg in the Sunburst Election District.

Wildwood Road serves the property, and the request would have no impact on daily traffic counts. Public water and a private septic system would serve the property. The Planning Commission recommended approval of the request by a vote of 7-0 citing good zoning practice.

**Mark Deshano**, 1026 Wills Way, Forest, was representing the property owners. The addition would be for Mr. Fus’ mother and would match the house. An upgraded septic system would be put in when the construction was complete.

Supervisor Good has looked at the property and supported the request. He expressed concerns that so many steps had to be taken to get permission to use one’s own property.

No one spoke in favor of or in opposition to the proposed special use permit. The public hearing was closed at 7:13 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-18-165 by Mark Deshano, agent for Timothy and Trisha Fus, for a special use permit to construct one additional dwelling unit in the primary home for use by an immediate family member on property located at 346 Wildwood Road.

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

// 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, Juvenile & Domestic Relations, deleting \$2,115 from Convention & Education and appropriating the same to Office Supplies, to pay bills;
2. General Fund, Non-Departmental, deleting \$2,200 from Budget Set Aside and appropriating the same to County Administration, Comp-PT Help, to provide part-time help during absence of full-time Administrative Assistant;
3. General Fund, Public and Employee Relations, deleting \$400 from Awards, \$300 from Gateways Program, \$300 from Printing and Binding, and appropriating the total of \$1,000 to Office Supplies, to cover office supply costs from 2016, 2017 and 2018 due to oversight on part of vendor;
4. General Fund, Social Services Administration, deleting \$2,200 from Office Supplies, and appropriating \$1,000 to Communications Equipment, \$1,000 to EDP Equipment and \$200 to Books & Subscriptions, for costs of desk telephones, switchboard telephone and broken headsets;
5. General Fund, Concord Fire Company, appropriating \$3,853.84 to Maint/Repair – Vehicles; and increases estimated revenue, Insurance Recoveries, by \$3,853.84, insurance reimbursement to Concord VFD for damage to command vehicle;
6. General Fund, Economic Development, appropriating \$26,058.61 to Tobacco-Pastures/Crops/Livestock Grant, and raises estimated revenue, Tobacco-Pastures/Crops/Livestock by \$26,058.61, grant funds from Tobacco Commission;
7. General Fund, Sheriff's Department, appropriating \$5,000 to Police Supplies and \$5,000 to Uniforms, and raises estimated revenue, Sheriff-Repayment of Academy Costs by \$10,000, reimbursement from employee for uniforms and police supplies (left within one year of graduating the Academy);
8. General Fund, Sheriff's Department, appropriating \$3,446.75 to Crime Watch Prevention, and raises estimated revenue, Gifts and Donations – Sheriff's Department by \$3,446.75, funds received from Fray Family Trust to purchase rapid entry tools backpack kits and new tourniquets for School Resource Officers;
9. School Cafeteria Fund, School Food Service, appropriating \$1,855 to Purchase Service – VANCO, and raises estimated revenue by \$1,855, convenience fees collected from VANCO for funds placed on student breakfast/lunch accounts in December 2018;
10. School Operating Fund, Adult Regional GED Program, appropriating \$1,456 to Supplemental Wages GED-ABE, and \$111.38 to Employer Cost FICA GED-ABE, and raises estimated revenue by \$1,567.38;

b) County Attorney invoice –

Approves payment to the County Attorney in the amount of \$13,644.20 for services rendered from January 23, 2019 to February 19, 2019;

c) Contract Award – Robinson, Farmer Cox Associates –

Approves a cooperative agreement with Campbell County Public Schools to procure a contract for auditing services for Campbell County with Robinson, Farmer, Cox Associates for the next five years beginning July 1, 2019 through June 30, 2023; and

d) Bid Award – County Mowing Services –

Accepts the lowest responsive and responsible bid from Derrick's Cleaning & Lawn Care Services for the provision of mowing services for the County's athletic fields at park sites and various County School locations.

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

// MATTERS FROM THE BOARD

- Supervisor Hardie congratulated Ryan Fore who won a State Championship in the 55 Hurdles, and to his coach at Rustburg High School, Gerald Mosley. Supervisor Hardie also recognized Scott Horseman (Chief of the Gladys Volunteer Fire Department) who recently received the 2018 Governor's Fire Service Award for Virginia Volunteer Fire Chief of the Year. He expressed his appreciation for all volunteer firefighters and Department of Public Safety.
- Chairman Gunter attended a fundraiser for the Campbell County Training Center. He thanked Administrator Rogers on his excellent representation of the County. He also attended the Sheriff's 2018 Awards Ceremony and thanked the Sheriff and his Department for all they were doing for the County.

// CLOSED MEETING

On motion of Supervisor Hardie, it was resolved the Board of Supervisors enters into a closed meeting at 7:20 p.m. to discuss legal matters related to a public nuisance, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended; to consult with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, in accordance with the legal exemption §2.2-3711 (A)(8) of the Code of Virginia, as amended; and to discuss information subject to the exclusion in subdivision 11 of Section 2.2-3705.6, in accordance with §2.2-3711 (A)(28) 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 5<sup>th</sup> day of March, 2019 at 7:20 p.m. to discuss legal matters related to a public nuisance, in accordance with the legal exemption §2.2-3711 (A)(7) of the Code of Virginia, as amended; to consult with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel, in accordance with the legal exemption §2.2-3711 (A)(8) of the Code of Virginia, as amended; and to discuss information subject to the exclusion in subdivision 11 of Section 2.2-3705.6, in accordance with §2.2-3711 (A)(28) of the Code of Virginia, as amended.

// On motion of Supervisor Hardie, it was resolved the meeting return to open session at 7:49 p.m.

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

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

**CERTIFICATE OF CLOSED MEETING**

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 5<sup>th</sup> day of March, 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

//       DEPARTMENT BUDGET MEETINGS

Administrator Rogers confirmed at least two or possibly three Board members may attend the department budget meetings to be conducted by staff on Monday, March 11 from 1 p.m. to 5 p.m. and on Tuesday, March 12 from 9 a.m. to 12 noon. Based on that information, staff would post an agenda for those meetings. Supervisor Hardie indicated he could not attend, but requested staff record the sessions.

//       ADJOURNMENT

On motion of Supervisor Hogg, the meeting was adjourned at 7:53 p.m.

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

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EDDIE GUNTER, CHAIRMAN

Approved: \_\_\_\_\_