

The Appomattox County Board of Supervisors held a scheduled meeting on Monday, March 19, 2018 at 6:00 p.m. in the Board of Supervisors meeting room, located at 171 Price Lane, Appomattox, Virginia.

Appomattox County Board of Supervisors

Present:

Samuel E. Carter	Courthouse District, Chairman
Watkins M. Abbitt	Piney Mountain District
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District, Vice-Chair

Absent:

Bryan A. Moody	Wreck Island District
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Also Present:

Susan M. Adams, County Administrator
Tom Lacheney, County Attorney
Johnnie Roark, Community Development Director
John Spencer, Information Systems Manager/Purchasing Agent
Vicky Phelps, Finance Director

Call to Order at 6:00 p.m. by Chairman Carter
Handicap Accessibility Statement-Susan Adams, County Administrator
Pledge of Allegiance
Invocation-Supervisor Millner
Setting of Agenda

Work Session (6PM)

CLOSED SESSION

Broadband Project Incentive Agreement

Chairman Carter stated that the Board of Supervisors will enter into Closed Session with the County Attorney, CVEC's representative, and the Economic Development Authority members to discuss Central Virginia Electric Cooperative's Broadband Project and related incentive agreement.

Tom Lacheney, County Attorney read the following motion to enter into closed session:

WHEREAS, the Board of Supervisors of Appomattox County desires to discuss in Closed Meeting the following matter(s):

- Discussion or consideration of the investment of public funds where competition or bargaining is involved concerning Central Virginia Electric Cooperative's Broadband Project and related incentive agreement, where, if made public initially, the financial interest of the governmental unit would be adversely affected. - §2.2-3711(A)(6)
- Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel - §2.2-3711(A)(8)

WHEREAS, pursuant to: §2.2-3711 (A)(6) and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Appomattox County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Mr. Hogan made a motion to enter into a closed meeting with members of the EDA and with CVEC's representative at 6:00 p.m. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

At 7:00 p.m. Ms. Phelps read the following Closed Session Certification:
To the best of your knowledge, were the only matters discussed in the closed meeting business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting. Ms. Phelps called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Mr. Hogan made a motion for the County Attorney to work out details and finalize the agreement with Central Virginia Electric Cooperative and that all taxes paid on the infrastructure to be given back for five years.

CITIZEN PUBLIC COMMENT PERIOD

Ms. Karen Angulo appeared before the Board and extended an invitation to the Senate Candidate Forum, which will be held at Appomattox County High School on May 5, 2018. She explained that the goal of this forum would be to boost Appomattox County and all that we offer. She stated that all businesses and organizations are invited to attend this free event.

Ms. Angulo stated that Public Safety is a major safety project and she strongly encouraged that the Board needed to withdraw from other projects in order to make sure that public safety is adequately provided for.

APPEARANCES

2018 Rural Rustic Road/Six-Year Plan - Don Austin, VDOT Resident Engineer

Chairman Carter stated that Mr. Don Austin, VDOT Resident Engineer, requested to appear before the Board to discuss the "draft" copy of the 2018 Appomattox County Rural Rustic Road Priority List. Mr. Austin is presenting a "draft" list for the Board's review in preparation for the Six Year Plan Public Hearing that will be scheduled in April. The projected funds for the Six Year Plan are \$811,279.

Mr. Millner questioned Mr. Austin as to if Hancock Road and Cedar Bend Road would qualify for the Rural Rustic list?

Mr. Austin stated that both do qualify for the Rural Rustic Road Priority List.

Mr. Millner requested that Hancock Road and Cedar Bend Road be added to the Rural Rustic Priority List. Mr. Millner stated that he did not want the order of the list changed, just added to the list.

After discussion, it was a consensus to accept the 2018 Rural Rustic Road as follows:

- 1 Poorhouse Creek Road
- 2 Salt Lick Lane
- 3 Cub Creek Lane
- 4 Dreaming Creek Road
- 5 Snapps Mill Road
- 6 Hancock Road
- 7 Cedar Bend Road

After discussion of the Rural Rustic Priority List, Mr. Austin stated that last year Appomattox County was approved for several turning lanes and they are on schedule for March 2019.

Mr. Austin also reported that the East bound lane of the By-pass may be completely replaced with blacktop. He stated that bids are out and he is waiting to see if the funds for this project are approved.

Chairman Carter thanked Mr. Austin for his report and then called on Mr. Matt Perkins to appear before the Board.

Appomattox Tornado Recovery Committee - Matt Perkins, Special Projects Manager, Region 2000

Chairman Carter stated that Matt Perkins, Virginia's Region 2000, requested to appear before the Board of Supervisors representing the Appomattox Tornado Recovery Committee to request the Board's consent to enter into a MOU with the Southside Outreach Group.

MEMORANDUM OF UNDERSTANDING

Southside Outreach Group Inc. And Appomattox County This Memorandum of Understanding is hereby made and entered unto by and between Southside Outreach Group, Inc., a Certified Housing Development Organization (CHDO), and Appomattox County.

A. Purpose The Southside Outreach Group, Inc. (SOG) will provide intake and project management services; construction management; and rehabilitation specialist services to build a 3-bedroom single family house on land owned by Ms. Sheila McCoy located on Red House Road (State Route 727) seven miles south of the Town of Appomattox. Ms. McCoy and her family were displaced by a tornado in February 2016 and these services are being conducted through funding provided by a Community Development Block Grant (CDBG).

B. Mission Appomattox County is under contract with the Virginia Department of Housing and Community Development to administer the Appomattox County Tornado Recovery CDBG Program. The County will set aside an amount not to exceed \$130,000.00 for the turn-key development of a 3-bedroom single family home for Ms. McCoy under the guidelines of the

Virginia CDBG Program. Upon request from SOG, by way of an invoice, the County will advance a payment of \$75,000 to be used for predevelopment, intake/management, procurement, construction management, and a portion of the construction costs. The balance of the project costs will be paid to SOG upon completion of the project within 30 days of the final invoice. Region 2000 Local Government Council is the Community Development Block Grant (CDBG) Grant Manager for Appomattox County's CDBG Project 16-UN20 and will serve as the liaison between SOG and the County. SOG will serve as the project manager and will be the direct contact for this project. All information, questions, and concerns should be directed to SOG. The SOG will assist Ms. McCoy in completing the health permit for the well and septic system installation. The SOG will enter into a contract with Brian Goldman for rehab specialist services.

C. Duration This MOU is from February 16, 2018 until August 16, 2018 .

D. Termination Either party may terminate this MOU at any time, without cause, with a 30-day written notice to the other party. This agreement may be amended by mutual consent of the parties. All amendments must be in writing and signed by both parties.

E. Hold Harmless/Indemnity To the extent permitted by law, each party to this MOU agrees to indemnify and hold harmless the other for and from any claims, causes of action, or any other proceeding of any type or kind that is made against the other where such claim, cause of action or other proceeding arises from the conduct, act, omission, or commission by the other party.

F. Federal Non-Construction Contract Language is hereby incorporated as "Attachment A" to this Memorandum of Understanding.

G. SOG, a certified CHDO, has been approved by the Virginia Department of Housing and Community Development for the new construction of a single family dwelling using CDBG funds as prescribed by 24 CFR 570.204(a). IN WITNESS THEREOF, the parties to this agreement have duly executed it on the day, month and year set forth below. The parties whose signatures appear below are authorized to enter into this Memorandum of Understanding.

Mr. Perkins explained that the provided MOU with Southside Outreach Group is being required for a house that has qualified for grant funds. The MOU is because the property that has been given is in a different location of the tornado damage location. Mr. Perkins explained that in order to place the owner back in the community it will have to be in a new area. He explained that State requires and MOU to be in place to allow funds to be placed in order to handle this. He stated that the house would cost more because it is on undeveloped property and he has been instructed to not exceed \$130,000. He reported that this will be a three bedroom, two-bath home and owner, two children and a grandchild will occupy home. Mr. Perkins called for questions/concerns.

Mr. Hogan made a motion to approve the MOU subject to approval from the County Attorney. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, abstain; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Chairman Carter thanked Mr. Perkins and then called on Sheriff Barry Letterman to address the Board.

Traffic Safety - Sheriff Barry Letterman

Chairman Carter stated that Sheriff Letterman is appearing before the Board to provide an update on the Traffic Safety program that his Department is starting in April. A request was submitted on the Consent Agenda to move \$15,000 "unspent" funds into a Traffic Safety OT line item.

Sheriff Letterman stated that traffic is a problem. He stated that traffic is not their primary function, but they are working to keep citizens safe.

After discussion, Ms. Adams stated that the County Attorney has looked into the local ordinance and all is in order to begin this process.

Mr. Abbitt made a motion to approve \$15,000 "unspent" funds into a Traffic Safety OT line item as requested. Mr. Hogan seconded Mr. Abbitt's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Chairman Carter thanked Sheriff Letterman and the Deputies for the job they do to keep the citizens of Appomattox County safe.

Zuercher CAD Software Update - Bobby Wingfield, Public Safety Director

Chairman Carter stated that Mr. Bobby Wingfield requested to appear before the Board to provide an update on the FY19 PSAP Grant Application and Zuercher CAD Software License, Annual Service Maintenance Agreement and associated hardware

After discussion, Mr. Hogan made a motion to purchase the Zuercher CAD Software/Hardware and approve the Zuercher Annual service agreement to be signed by the Public Safety Director and the Sheriff with total project cost of \$208,122 (\$75,000 VITA Grant and \$133,122 local funds to be appropriated out of the designated Wireless Fund account for the initial purchase. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

ACTION ITEMS

Capital Improvements Program FY2019-2023

Planning Commission Recommendation-Johnnie Roark, Community Development Director

Chairman Carter stated that for the Boards review and consideration of acceptance is the Planning Commission's recommendation for CIP funding for the FY-19-FY-23.

Chairman Carter stated that Mr. Roark is prepared to discuss the Planning Commission's recommendation to fund 17 projects, including multiple projects for the School System.

Chairman Carter stated that the information that was provided is not enough information and the SOP was not properly followed. It was a consensus of the Board to table this item until the upcoming May meeting.

Mr. Abbitt stated that the Planning Commission might want to suggest a funding stream for the projected projects.

FY 2109 Budget Calendar Update

Chairman Carter stated that staff has made a couple of changes to the Budget Work Session calendar for the Board's review and approval. Since the Governor scheduled the Special Session for April 11, staff discussed with the Chairman several changes that should be made to the calendar. Until the State approves their budget, staff cannot complete its recommendation for the Board's review.

After discussion, it was the consensus of the Board to meet jointly with the School Board on April 25, 2018 at 5:30 p.m. at the School Board office and to meet immediately following the joint meeting at the County Administration conference room to continue budget discussion.

It was the consensus of the Board to cancel the April 12th scheduled meeting.

Ms. Adams stated that the tentative date for the FY-19 budget public hearing is scheduled for May 14, 2018 at 6:30 p.m.

Mr. Millner made a motion to approve the "revised" FY 2019 Budget Calendar as presented. Mr. Abbitt seconded Mr. Millner's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

"Salute to America" Fireworks Event Permit Request

Chairman Carter stated that for the Board's review is a letter from Liberty Baptist Church and an event application for the June 30, 2018 "Salute to America" fireworks display event on the Cole Farm across the road from the Appomattox County High School. The Public Safety Director, Building Official/Fire Marshall, Sheriff, County Administrator and Zoning Administrator have reviewed and signed the application.

Mr. Hogan made a motion to approve the Liberty Baptist Church application for the "Salute to America" fireworks display event and waive the \$5,000 bond fee. Mr. Abbitt seconded Mr. Hogan's motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

COMMITTEE APPOINTMENTS

Courtland Park Foundation Appointments

Chairman Carter stated that for the Board's consideration are resignation letters from Sara Carter, Donna Deaner and Jonathan Watson requesting to be replaced on the Courtland Park Foundation Board of Directors, effective April 1, 2018.

STAFF RECOMMENDATION: Appoint three (3) representatives to serve on the Courtland Park Foundation, Inc. Board of Directors effective April 1, 2018. Per the Foundation Board's Bylaws, the Board of Supervisors determines the term limit at the time of appointment.

Section 6.2. Election of Directors and Officers. All Directors shall be appointed by the Board of Supervisors for Appomattox County, Virginia and shall serve for such term as directed by the Board of Supervisors.

It was the consensus of the Board for all members to review names provided by Courtland Foundation for appointment and place on the April agenda for action.

CONSENT AGENDA

Invoices Submitted for Payment

Please review the attached invoices and consider for approval.

March 9, 2018	\$ 13,900.34
March 19, 2018	\$ 549,071.16
TOTAL:	\$ 562,971.50

Staff Recommendation: Approve by Consent the invoices for \$562,971.50 for payment.

Minutes

Please review the following DRAFT minutes for additions, corrections or questions.

Thursday, February 8, 2018 - Budget Work Session

Monday, February 12, 2018 - Budget Work Session

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411 Books	\$282.25
7301-5401 Office Supplies	\$683.25
7301-5415 Summer Reading	\$12.00
TOTAL:	\$977.50

Staff Recommendation: No new local funds are required.

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002 VRS	\$8,273.65
5301-2006 Group Life	\$619.94
5301-2002 ICMA-RC	\$405.48

TOTAL: \$9,299.07

RE: Reimbursement for February 2018 payroll deductions.

Staff Recommendation: No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002 Overtime \$652.40

RE: Reimbursement received from Appomattox High School for security performed by the Deputies at two sporting events.

Sheriff's Department

Please authorize by consent a line transfer for the following:

From 3104-1001 Salaries and Wages \$20,000 to 3102-1002 Salaries and Wages

STAFF RECOMMENDATION: No new local funds. A Resource Officer locally funded position transferred into a Compensation Board position when the position was vacated.

Commissioner of Revenue Refund Requests

Ms. Henderson, Commissioner of Revenue, is requesting refunds for the following from line item 1209-5803:

- 1) John Goin \$35.00 for 2016 license fee. He paid the fee on February 23, 2018 and the tags for this vehicle were surrendered before 1/1/16.
- 2) Pamela Harris \$59.00 for a Personal Property Tax receipt paid on February 22, 2018 towards her 2017 taxes. The vehicle was disposed of on December 1, 2015.
- 3) George Schaefer \$304.99 for 2106 Personal Property taxes. The vehicle was traded at the dealership on March 31, 2015.

STAFF RECOMMENDATION: Refund John Goin a \$35 license fee, Pamela Harris \$59.00 Personal Property taxes, and George Schaefer \$304.99 for Personal Property taxes per request of the Commissioner of Revenue.

Mr. Hogan made a motion to approve the Consent Agenda as presented. Mr. Millner seconded Mr. Hogan's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Ms. Adams reported that the unveiling of the newly constructed LOVE sign would be held on Thursday, April 12, 2018.

Ms. Adams invited the Board to the “Festival in the Park” appreciation event. She stated that this would be a free event for all citizens to come and enjoy the new park.

Hearing no further discussion, at 7:30 p.m., Mr. Abbitt made a motion to enter into a closed session to discuss the agreement with CVEC. Mr. Millner seconded Mr. Abbitt’s motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Tom Lacheney, County Attorney read the following closed meeting motion:

WHEREAS, the Board of Supervisors of Appomattox County desires to discuss in Closed Meeting the following matter(s):

- Discussion or consideration of the investment of public funds where competition or bargaining is involved concerning Central Virginia Electric Cooperative's Broadband Project and related incentive agreement, where, if made public initially, the financial interest of the governmental unit would be adversely affected. - §2.2-3711(A)(6)
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WHEREAS, pursuant to: §2.2-3711 (A)(6) and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Appomattox County does hereby authorize discussion of the aforesated matters in Closed Meeting.

At 7:50 p.m. Ms. Phelps read the following closed meeting certification:

To the best of your knowledge, were the only matters discussed in the closed meeting business matters lawfully exempted from open meeting requirements, and that only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the closed meeting. Ms. Phelps called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

Mr. Abbitt made a motion to authorize the County Administrator to execute a letter of intent to Central Virginia Electric Cooperative. Mr. Hogan seconded Mr. Abbitt’s motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

ADJOURNMENT

Mr. Abbitt made a motion to adjourn the scheduled meeting at 7:51 p.m. Mr. Hogan seconded Mr. Abbitt’s motion. Chairman Carter called for a vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, absent.

The scheduled meeting adjourned at 7:51 p.m.

Samuel E. Carter, Chairman