

**BOARD OF SUPERVISORS ORGANIZATIONAL MEETING
TUESDAY, JANUARY 22, 2019
6:30 PM**

Appomattox County Board of Supervisors

Present:

Watkins M. Abbitt	Piney Mountain District
Samuel E. Carter	Courthouse District
William H. Hogan	Appomattox River District
Chad E. Millner	Falling River District
Bryan A. Moody	Wreck Island District

Also Present:

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

CALL TO ORDER--SUSAN ADAMS, COUNTY ADMINISTRATOR
Handicap Accessibility Statement- Susan M. Adams, County Administrator
Pledge of Allegiance
Invocation -- Samuel Carter
Approval of Agenda

Ms. Adams asked the Board to remove from the Agenda a Proclamation recognizing the week of January 20-26, 2019 as Appomattox County School Choice Week and explained that she had spoken with Dr. Bennett who did not feel there would be a benefit to the local school system.

Hearing no further changes to the Agenda, Mr. Abbitt made a motion to approve the amended Agenda. Mr. Carter seconded Mr. Abbitt's motion. Ms. Adams called for a vote: Mr. Abbitt, aye; Mr. Carter, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

BOARD ORGANIZES

Election of Chairman

Ms. Adams called for nominations for the 2019 Chairman of the Board.

Mr. Millner nominated Mr. Samuel E. Carter as the 2019 Chairman of the Board. Mr. Hogan seconded Mr. Millner's motion.

Mr. Abbitt made a motion to close the nominations.

Ms. Adams calls for a Roll Call Vote: Mr. Abbitt, aye; Mr. Carter, abstain; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Chairman Carter thanked the Board for the way that they have worked together over the past three years. He praised them for their integrity and stated that this Board has a lot on its plate, but he feels confident that this Board can handle it.

Election of Vice-Chairman

Chairman Carter called for nominations for Vice-Chairman.

Mr. Abbitt nominated Mr. Chad E. Millner as Vice-Chairman of the Board. Mr. Carter seconded Mr. Abbitt's motion for nomination.

Mr. Hogan made a motion to close nominations for Vice-Chairman.

Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, abstain; Mr. Moody, aye.

Mr. Millner thanked the Board for their support and their confidence in him to serve as the Vice-Chairman.

ORGANIZATIONAL & ADMINISTRATIVE MATTERS

Adopt the Rules of Order for the Governing Body

-- *"Robert's Rules of Order, Newly Revised, 11th Edition" amended to require a second for all motions and to allow the Chairman to make and second motions.*

Mr. Hogan made a motion to adopt Robert's Rules of Order, Newly Revised, 11th Edition" amended to require a second for all motions and to allow the Chairman to make and second motions. Mr. Moody 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, aye.

Adopt the Board By-Laws and Rules of Procedures

Mr. Moody made a motion to adopt the Board Bylaws and Rules of Procedures. Mr. Abbitt seconded Mr. Moody's motion. Chairman Carter called for a vote: Chairman Carter aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Set Date, Time and Location of Regular Meetings

Mr. Moody made a motion to continue holding scheduled meetings of the Board on the third Monday of each month with the starting of the meetings at 6:30 p.m. Mr. Abbitt seconded Mr. Moody's motion. Chairman Carter called for a vote: Chairman Carter aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

Confirmation of the Clerk to the Board (County Administrator)

Mr. Hogan made a motion for Ms. Adams, County Administrator to continue serving as the Clerk to the Board. Mr. Millner 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, aye.

CITIZEN PUBLIC COMMENT PERIOD

Chairman Carter called on the following who have signed to speak during the Public Comment Period:

Ms. Kay Haskings came forward and stated her address as 6731 Stage Road.

Mr. Trevor Hipps came forward and stated his address as 6903 Stage Road.

Mr. Bob Weaver, came forward and stated he address as 566 Whitetail Road.

Mr. Dan Kellet came forward and stated his address as 327 Frost Drive, Concord.

Rev. Paul M. Raymond came forward and stated his address as 285 Clark Road, Appomattox.

Ms. Karen Angulo came forward and stated her address as Concord..

Ms. Jennifer Boyd came forward and stated her address as 111 Stonewall Road.

Mr. Patrick Monetti came forward and stated his address as 509 Stratford Road, Concord.

APPEARANCES

Mr. Aaron Hawkins - Robinson, Farmer, Cox Associates

Mr. Aaron Hawkins with Robinson, Farmer, Cox Associates requested to appear before the Board to present the 2018 final audit report.

Mr. Hawkins explained that the biggest change was with the implementation of GASB-75 which is with post-employment benefits.

Mr. Hawkins reported that there was an increase in the general fund from 9.8 million to 12 million.

Mr. Hawking noted two small minor compliances that involved incorrect number of days for a public notice prior to a budget public hearing. He stated that these compliances were discussed with County and School staff along with a corrective plan.

Once Mr. Hawkins had completed his report, he called for questions or concerns of the Board.

Mr. Abbitt questioned a School transfer of \$150,000 by check, which showed up as new money. Mr. Hawkins addressed and answered Mr. Abbitt's question

Ms. Adams stated that new School Fund Transfer policies would be put in place that would not allow this type of transaction in the future.

ACTION ITEMS

Portrait of James D. Bland Request

Chairman Carter explained that Rev. Al Jones appeared before the Board at the December meeting to provide an update on his research on James William D. Bland, who was elected as the first African American Delegate to the Constitutional Convention. Rev. Jones requested the Board's consideration to submit a request to the Circuit Court Judge. The request is for the Judge's consideration for a court order to hang Mr. Bland's portrait in the Appomattox Courthouse. Rev. Jones' letter and a copy of previous court orders that were entered to hang portraits in the Courthouse were provided at the December meeting.

Mr. Abbitt made a motion to approve Rev. Jones' request to send a letter to the Circuit Court Judge requesting his consideration for a Court Order to hang Mr. Bland's portrait in the courthouse. All expenses relevant to Mr. Bland's painting and installation of the portrait will not be a financial responsibility of the County. Mr. Moody seconded Mr. Abbitt's motion. Chairman Carter called for discussion.

Mr. Hogan stated that he feels this story needs to be told, however he feels the walls of the Courthouse should be for County citizens and Mr. Bland was from Prince Edward County. Mr. Hogan questioned if anyone had spoken with the American Civil War Museum regarding placing the portrait in their Museum.

Mr. Moody stated that he would like to see if Mr. Jones would consider hanging the portrait in the American Civil War Museum as he felt that this may be an even better location for the portrait.

After discussion, Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, nay; Mr. Millner, aye; Mr. Moody, aye.

Authorize Public Hearings

Chairman Carter presented a request from Staff asking the Board to authorize staff to advertise Public Hearings for Tuesday, February 19, 2019 at 7:00 pm to receive public comments on CUP 18-0214 County Waste of Southwest Virginia LLC (applicant), Delbert Beasley/BDI (property owner), a conditional use permit to operate a transfer station and recycling center on properties located off of Richmond Highway (Route 460) in the Concord Area and CUP 18-1207 Caden Energix Spout Spring LLC for a solar farm located off of Depot Lane.

After discussion, Mr. Abbitt made a motion to authorize Staff to advertise a Public Hearing for Tuesday, February 19, 2019 at 7:00 pm to receive public comments on CUP 18-0214 County Waste of Southwest Virginia LLC (applicant), Delbert Beasley/BDI (property owner), a conditional use permit to operate a transfer station and recycling center on properties located off of Richmond Highway (Route 460) in the Concord Area and to hold a public hearing on CUP 18-1207 Caden Energix Spout Spring LLC for a solar farm located off of Depot Lane at the Monday, March 18, 2019 meeting. 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, aye

COMMITTEE APPOINTMENTS

Economic Development Authority Appointments

Chairman Carter asked the Board to consider the appointment of two (2) representatives to fill the vacated positions of Mr. Bill Burke and Ms. Beverly Franklin whose terms ended December 31, 2018. Ms. Taylor Bradshaw submitted her application of interest to serve, if appointed by the Board.

STAFF RECOMMENDATION: Appoint two (2) representatives to fill Mr. Burke and Ms. Franklin's vacated positions on the EDA. Four-year term limits beginning January 1, 2019 - December 31, 2022. Consider the appointment of Taylor Bradshaw whose Application for Citizen Service has been received and included in the packet for your consideration.

Mr. Carter made a motion to appoint Ms. Taylor Bradshaw to a four-year term on the EDA.

Ms. Adams stated that she had received an application from Mr. Nathan Simpson over the weekend and an application from Mr. Paul Coviello today.

Mr. Hogan stated that he would like to hold off on the second appointment until the February meeting and to allow time for the Board to review the received applications.

Mr. Millner seconded Mr. Carter's motion. Chairman Carter's motion. Chairman Carter called for a Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

CONSENT AGENDA

Invoices Submitted For Payment

Please review the attached invoices and approve for payment:

January 7, 2019	\$28,687.92
January 17, 2019 - CSA	\$186,520.15
January 22, 2019	\$703,008.04
January 22, 2019	\$3,696.64
TOTAL:	\$921,912.75

Staff Recommendation: Please review and consider approval of the attached invoices for payment.

Minutes

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

Monday, December 17, 2018- Scheduled Meeting

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002	VRS	\$10,380.15
5301-2006	Group Life	\$779.64
5301-2002	ICMA-RC	\$718.27
	TOTAL:	\$11,878.06

RE: Reimbursement for December 2018 payroll deductions.

Staff Recommendation: No new local funds are required.

Landfill Convenience Centers

Please supplement by consent and appropriate the following:

4205-1003	Part-time Salaries	\$139.52
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RE: Reimbursement from VACORP for workers compensation claim on part-time convenience center worker.

Staff Recommendation: No new local funds are required.

Blue Ridge Regional Jail Authority

Please supplement by consent and appropriate the following:

3301-3009	Purchase Services Other Entities	\$274,616.00
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RE: FY18 per diem audit contribution balance.

Staff Recommendation: Local funds are required to be appropriated to the current budget to pay for the additional 6.279% of bed space that Appomattox utilized at the Regional Jail in FY 2018. After the Regional Jail's FY 2018 audit, which was performed in December, localities that owed their committed percentage based on inmate utilization of beds are notified if they have a credit or are required to make payment. Appomattox County's per diem commitment in FY 2018 was 4.84%.

Economic Development Authority

Please supplement by consent and appropriate the following:

8105-5504	Travel (Convention/Education)	\$137.87
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RE: Reimbursement from EDA for travel expenses. The EDA Chair, Mr. Roark and Mrs. Adams visited with an out of state prospect that is interested in Appomattox as a location for business expansion.

Staff Recommendation: No new local funds are required.

Animal Control

Please supplement by consent and appropriate the following:

3501-5802 Claims & Bounties **\$180.00**
RE: Locality registration for VDACS 2018 Dangerous Dog Registry.

Staff Recommendation: No new local funds are required. The fees were paid to the court and the locality is responsible for payment to VDACS.

Board of Supervisors - Retiree Benefits

Please supplement by consent and appropriate the following:

1101-2006 Retiree Benefits **\$3,276.00**

Staff Recommendation: No new local funds are required. Payment received from employee who opted to receive COBRA benefits upon departure.

Commissioner of the Revenue

Please supplement by consent and appropriate the following:

1209-5803 Refunds **\$3,430.40**
RE: Tax refunds issued for 2018.

Staff Recommendation: No new local funds are required. Supplement line item 1209-5803 for refunds that were paid last month.

Circuit Court - Law Library

Please transfer by consent **\$1,265.61** from the Law Library Fund to the General Fund and supplement the following:

2101-5804 Law Library **\$1,265.61**
RE: Purchase of law books by the Circuit Court Clerk for the Law Library.

Staff Recommendation: Transfer requested funds from the Law Library and supplement \$1,265.61 to 2101-5804.

J. Robert Jamerson Memorial Library

Please supplement by consent and appropriate the following:

7301-5411 Books \$203.75
7301-5401 Office Supplies \$586.75
7301-5415 Summer Reading \$11.75

7301-5201 Postage \$2.75
TOTAL: \$805.00

Staff Recommendation: No new local funds are required.

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002 Overtime \$2,973.42
3102-5408 Vehicle Power Equipment \$100.00
3102-5503 Travel/Susistence Lodging) \$221.25
TOTAL: \$3,294.67

RE: Reimbursement from the School Board for deputy to perform security at Fall Sports/Events (\$2,617.89) and reimbursement from Walmart for security performed by deputy (\$355.53); Towing fee reimbursement for impound (\$100.00); Reimbursement from the Commonwealth of Virginia for lodging and susistence during Breath Alcohol Training held in Richmond (\$221.25).

Staff Recommendation: No new local funds are required.

Sheriff's Department

Please transfer by consent \$557.98 from the Courthouse Maintenance Fund and supplement to the following:

3102-3004 Repairs/Maintenance \$557.98
RE: Repairs to the Courthouse sally port camera.

Staff Recommendation: Transfer the requested funds from Courthouse Maintenance Fund and supplement \$557.98 to 3102-3004.

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, aye.

REPORTS AND INFORMATIONAL ITEMS

School - December Financial Report

For the Board's review is the December 2018 Financial Report from Dr. Bennett, Division Superintendent and Bruce McMillan, Director of Finance.

ATTORNEY'S REPORT

Mr. Lansing discussed with the Board the draft legislation of Fence-In Ordinance with special exemption for cattle.

ADMINISTRATOR'S REPORT

Ms. Adams called for any questions regarding the Messenger that she had previously sent to all Board members.

Ms. Adams reported that the budget work calendar should be completed by the end of the week.

Mr. Millner requested Ms. Adams to discuss with the School Administration about changing the time of the scheduled joint meetings to 6:00 p.m.

CLOSED SESSION

Eric Lansing, County Attorney, read the following Closed Meeting Authorization:

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

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body with respect to a threatened lawsuit by a vendor;
- Discussion or consideration of the investment of public funds with respect to a constitutional office, where competition or bargaining is involved, where, if made public initially, the financial interest of the governmental unit would be adversely affected; and
- Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning the proposed Transfer Station:

Whereas, pursuant to: §2.2-3711 (A)(6), (A)(7) 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 7:38 p.m., Mr. Abbitt made a motion to adopt the Closed Meeting Certification as presented. Mr. Moody seconded Mr. Abbitt's motion. Chairman Carter called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

At 8:31 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 public 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. Mr. Phelps called for a Roll Call Vote: Chairman Carter, aye; Mr. Abbitt, aye; Mr. Hogan, aye; Mr. Millner, aye; Mr. Moody, aye.

ADJOURNMENT

Mr. Abbitt made a motion to adjourn the scheduled meeting at 8:31 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, aye.

The scheduled meeting adjourned at 8:31p.m.

Samuel E. Carter, Chairman