

At a regular meeting of the Charlotte County Board of Supervisors held in the Administration Building of said county on January 8, 2020 at 1:30 p.m.

Present: Garland H. Hamlett, Jr. Chairman
Gary D. Walker – Vice Chair
Robert L. Shook, Jr.
Kay M. Pierantoni
Tony Reeves
Donna Fore
Will Garnett

Absent:

Chairman Hamlett called the meeting to order.

Tony Reeves gave the invocation.

Chairman Hamlett made the following statement concerning GCS Electronics & Communications, Mr. Giles C. Smith;

“When explaining the status of the communications system procurement, I made reference to GCS. I stated that company backed out because he couldn’t provide a performance bond. At the time, I believed this to be accurate, based on the proximity between (i) the request for a performance bond, and (ii) GCS’s withdrawal from the bid process. Your letter, however, states that the performance bond request in no way was the reason GCS withdrew from the bid process. I accept your statement and apologize for my error and misunderstanding and retract my prior statement.”

“At the November 19th meeting, I then explained why it is desirable for a locality like Charlotte County to obtain a performance bond on significant projects. I stated that you need a performance bond to ensure what you’re getting is what you’re getting and the company is solid and has good financial background. While I believe these statements about the benefits of a performance bond, your letter raises the concern that I was suggesting that GCS is not solid and does not have a good financial background. I understand why you raised this concern but want you to know that such an implication regarding GCS was not my intent nor is it my belief. I apologize for my inartful wording. To the extent that my statements were or could have been perceived in that light, I apologize and retract any such negative implications about GCS.”

Motion was made by Gary D. Walker, seconded by Robert L. Shook, Jr. and carried with all other members present and voting yes to approve the agenda as presented.

Motion was made by Tony Reeves, seconded by Gary D. Walker and carried with all other members present and voting yes to approve the minutes as presented.

After due notice was given, the Charlotte County Board of Supervisors held a public hearing to receive comments on the Electoral Board’s request to relocate the Saxe/Bacon polling location from the Southall Community Building to New Hope Church.

Chairman Hamlett called the Public Hearing to order.

Dean Foster, Chairman for the Electoral Board addressed the Board. Mr. Foster stated that although New Hope Church would be further for some voters it would be a better alternative than the Southall Community Center. New Hope Church would provide a covered handicapped entrance, a centrally heated space and adequate parking for voters.

Larry Clark, Vice Chairman for the Electoral Board addressed the Board to agree with Mr. Foster’s comments deeming New Hope Church a better solution for the polling location issues at Southall Community Center.

Being no public comment, the public hearing was adjourned.

Motion was made by Will Garnett, seconded by Kay M. Pierantoni and carried with all other members present and voting yes to table the request by the Electoral Board to move the Saxe/Bacon polling location until the February 2020 meeting.

Committee Reports:

Chairman Hamlett made the following Committee appointments for 2020;

Charlotte County Community Planning and Management Team	Fore (Reeves-Alt)
Charlotte County Planning Commission	Pierantoni (Elder-Staff Rep.)
Charlotte County Social Services Board	Pierantoni
Commonwealth Regional Council	Walker (Fore-Alternate)
Crossroads Services Board	Shook (Cynthia Kemp)
Local Emergency Planning Commission	Fore
Heartland Authority Board	Walker
Rural Transportation Technical Committee	Hamlett/ Alt Reeves
South Central Workforce Investment Board (CLEO)	Hamlett (Walker-Alternate)
Southside Regional Public Services Authority	Shook, (Alternates: Dan Witt, Jenni Booth)
Tri-County Community Action Board	Garnett (Pierantoni-Alt)
Virginia's Growth Alliance	Fore (Hamlett-Alt)

Committee	Chair	Members
Budget/Finance	Hamlett	Entire Board
Facilities	Pierantoni	Reeves
Personnel	Fore	Garnett
Public Safety	Garnett	Shook
Public Works	Shook	Reeves
Recreation	Walker	

****Note – Chairman Hamlett has withdrawn Cynthia Kemp from Crossroads Services Board due to the unexpired term of (2 years) for Carmilita Escato.***

Public Comment:

Kathy Liston addressed the Board concerning the resolution for sales tax for school projects. Ms. Liston provided background information on the resolution being presented and asked the Board to consider passing the resolution.

Terry Ramsey addressed the Board concerning the election of Chairman and Vice-Chairman at the organizational meeting. Mr. Ramsey also has concerns with the sales tax resolution.

Being no further comment the Public Comment period was closed.

Scott Frederick with VDOT addressed the Board. Mr. Frederick provided updates on the traffic study for Morgan Lumber. Mr. Frederick also wanted to clarify his comments on the traffic study for Hannah road stating it would not be appropriate to do the traffic study during hunting season. Mr. Frederick discussed the upcoming Six Year Plan and requested the Board set a work session with VDOT if possible before the March Board meeting. Mr. Frederick provided maintenance updates on drainage issues, shoulders, potholes, tree trimming and winter maintenance.

Todd Fortune, Deputy Director with the Commonwealth Regional Council addressed the Board. Mr. Fortune provided information on the membership dues

for each locality for the Commonwealth Regional Council. Mr. Fortune stated the FY18-19 Audit reported a cash fund balance for June 30, 2019 as \$524,153. The CRC adopted a Membership Dues Policy in December of 2017 which stated if the CRC audited cash fund balance was in excess of \$500,000.00 the overage amount will be equally divided and returned to all member counties. Mr. Fortune stated since the CRC did exceed the cash fund balance by \$24,153 and the County was presented with a refund check in the amount of \$4830.60.

Solar Legislation Discussion

Daniel Witt addressed the Board. Mr. Witt stated he and Supervisor Pierantoni attended a solar meeting at Southside Virginia Community College in Alberta on December 17th hosted by the solar industry. Southside counties were invited to attend to learn about the industry's position on local revenues associated with solar development and legislation to be introduced by the solar industry in the upcoming legislative session. The industry is requesting the localities' support on the proposed legislation. At the November consortium meeting of administrators, representatives from the solar industry, and representatives from VML and VACo, that have been working to address local revenues from solar projects, the group hit an impasse. Mr. Witt reported VACo took a stand that was not favored by some consortium members representing Southside counties or the solar industry.

Mr. Witt stated Halifax County met Monday night and their Board directed the County Administrator to hire a lobbyist on behalf of the County.

Motion was made by Gary D. Walker to authorize the County Administrator to spend up to \$10,000 for a lobbyist and try recruit more Counties to join in the efforts.

Motion died for lack of a second.

Motion was made by Robert L. Shook, Jr. seconded by Gary D. Walker and carried with Kay M. Pierantoni and Donna Fore voting no and all other members present and voting yes to match the amount spent by Halifax County of \$5,000.00, to consult with Halifax for a lobbyist to ensure both Counties acquire the best knowledge available.

Chairman Hamlett set a work session with Holocene Clean Energy for Monday January 13, 2020 at 6:30 p.m.

Discussion of County Funds for Retirement, Holidays and Special Occasions;

Daniel Witt addressed the Board. Mr. Witt stated at the November Board meeting Supervisor Pierantoni made the other Board members aware of a reimbursement request for gift cards and catered food for retiring employees of the Sheriff's Department. The Board authorized Staff to immediately notify all Department Managers and Constitutional Officers that the Board of Supervisors would no longer grant reimbursement for such items. Staff was also requested to develop a "draft policy" for the Board to consider.

Mr. Witt inquired with surrounding counties to gather information as to how each may handle expenditures of County funds for such events/gift, etc. It was the consensus of the surrounding Counties, although most had no formal policy that these expenditures were not approved by the Board to be paid for with County funds.

Based on feedback from the Board the following was drafted for consideration:

It is the policy of the Charlotte County Board of Supervisors that no County funds shall be spent on gifts for employees, for employee parties, for Holiday parties, or for employee celebrations.

Exceptions to this policy are:

*Framed resolutions or certificates approved and issued by the Board of Supervisors;
Refreshments purchased for required or sanctioned County training and/or seminars.*

No action was taken by the Board on this matter and the matter was referred to the Personnel Committee.

Motion was made by Gary D. Walker, seconded by Robert L. Shook, Jr. and carried with all other members present and voting yes to adopt the following Sales Tax Resolution;

Whereas, in 2013 the Virginia General Assembly approved a sales tax increase in certain localities for Infrastructure Development from 5.3 to 6.0 percent to relieve traffic congestion, making available billions of dollars of local funding for infrastructure; and

Whereas, Virginia collects 5.3 percent of sales taxes with 1 percent going to the locality, currently representing over \$700,000 annually to Charlotte County; and

Whereas, school building needs in many Virginia localities including Charlotte County have become as acute a problem as traffic congestion in Northern Virginia and Hampton Roads; and

Whereas, the Virginia Senate has recognized the need for school buildings and developed a committee chaired by state Senator William Stanley to address obsolete buildings; and

Whereas, rural localities in general lack an adequate tax base to support and fund major capital needs; and

Whereas, school children living in rural areas of Virginia should not be at a disadvantage as compared to other localities in attending safe, healthy school buildings; and

Whereas, Virginia Delegate James Edmunds has recognized that the local needs of Charlotte County Public Schools align with the needs of many localities across the Commonwealth; and

Whereas, the funding of capital projects constricts local and school system operating funding and infringes on money for teacher pay and public safety; and

Whereas, state sales tax dollars invested in local construction projects would make available more local dollars to invest in the operation of schools, including more competitive teacher pay and meeting other pressing needs; and

Whereas, sales tax revenue specifically earmarked for school funding would allow a locality to spend local property tax dollars on such needed areas as public safety, school operating budget, and refuse collection and disposal; and county operations, and

Whereas, sales tax revenue specifically designated for school infrastructure funding should not be counted towards the Local Required Effort for educational funding; and

Whereas, it is in the interest of having a thriving public education system that any enabling legislation guarantees that localities cannot supplant funding from the schools' operational budgets if new revenue is generated from a school infrastructure sales tax; and

Whereas, state enabling legislation is legally required for an additional sales tax, which would be expressly dedicated to public school capital project funding; and

Whereas, each locality should obtain the support of its community by way of a referendum approving any local sales tax increase for school improvement and construction;

Now Therefore, the Charlotte County Board of Supervisors does hereby resolve and express its support and desire for the Virginia General Assembly to enact such legislation as is necessary to permit localities to charge additional sales tax, conditioned upon a local referendum approving such sales tax, with the revenue generated thereby being returned to the localities for the express and exclusive purpose of providing funding for public school capital improvement and building purposes, with no dilution of Local Required Effort towards educational operational funding. Once a project for which a referendum is held and approved is completed and all attendant debt satisfied by the increased sales tax and other available revenue sources, the additional sales tax would cease to be charged.

Strategic Plan Review

The Board requested Mr. Witt contact a consultant willing to facilitate a work session on the Strategic plan and the Board will set a work session date at the February meeting.

Motion was made by Kay M. Pierantoni, seconded by Donna Fore and carried with all other members present and voting yes to reappoint Larry Dunn to the Industrial Development Authority, Robert L. Shook, Jr. to the Crossroads Board, V. Nichols to the Charlotte County Planning Commission, Phillip Staton to the Board of Zonings Appeals and appoint Steven Morris to the Board of Zoning Appeals.

Motion was made by Kay M. Pierantoni, seconded by Donna Fore and carried with all other members present and voting yes to appoint Sheriff Royal Freeman to the Piedmont Community Criminal Justice Board.

Meeting Date and Time Change

Due to the October meeting date being the Columbus Day Holiday and the November meeting date being the day of the VACo conference, the date and times will be changed as follows;

October – Tuesday 13th at 6:00 p.m.
November – Friday 13th at 1:30 p.m.

Mr. Witt gave the Administrator's report.

Motion was made by Kay M. Pierantoni, seconded by Donna Fore and carried with all other members present and voting yes to approve the following finance resolution with BB&T;

WHEREAS: Charlotte County, Virginia (“County”) has previously determined to undertake a project for the lease purchase of a new P25 Digital Conventional Radio System, and the County Administrator has now presented a proposal for the financing of such project, as well as all costs related to the financing of the project (collectively, the “Project”).

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through Branch Banking and Trust Company (“BB&T”), in accordance with the proposal dated October 8, 2019. The amount financed shall not exceed \$3,080,191.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 2.33%, and the financing term shall not exceed fifteen (15) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Lease Agreement and a Project Fund Agreement as BB&T may request.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.

4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the BB&T financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for Project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Public Comment:

Linda Adams addressed the Board with concerns over the continuing problems with the Tax Software.

Terry Ramsey addressed the Board with comments on the County policy for Retirement, Holidays and Special Occasions and wanted to make sure the gift card amounts were included on the employee's W2 forms and urged the Board to adopt the policy presented by the County Administrator.

Dean Foster addressed the Board with continuing concerns on Hannah Road. Mr. Foster also suggested adding the question of using County funds for retirements, holidays and special occasions on the referendum for public vote.

Being no further comments, the public comment period was closed.

Motion was made by Kay M. Pierantoni, seconded by Robert L. Shook, Jr. and carried with all other members present and voting yes to approve the invoices for January 2020 in the amount of \$934,536.02.

Board Member Other Comments:

Tony Reeves – None

Donna Fore – None

Kay M. Pierantoni-Supervisor Pierantoni read a letter received from Henry Hughes of Drakes Branch. Mr. Hughes stated Louisa County has lowered their concealed weapons permit fee to \$15.00. He stated surrounding counties still charge \$50.00 for the concealed weapons permit but their Supervisors do not accept the health insurance from the County. Mr. Hughes is asking for the concealed weapons permit fee to be lowered and to off set the revenue the Supervisors give up their health insurance.

Will Garnett – None

Robert L. Shook, Jr. - None

Gary D. Walker – Supervisor Walker stated the CRC has obtained a grant to help with a vehicle for the first responders along with a grant to help the rescue squad with portable radios. This grant for the radios will help with the cost of the new communications system to be implemented by the County.

Garland H. Hamlett, Jr. – Chairman Hamlett welcomed the new Board members, Will Garnett and Tony Reeves.

Motion was made by Robert L. Shook, Jr., seconded by Kay M. Pierantoni pursuant to Virginia Code Section 2.2-3711A.8, that the Charlotte County Board of Supervisors hold a closed meeting for the following purpose:

Discussion of personnel matters

Roll call vote as follows; Robert L. Shook, Jr. – Aye; Kay M. Pierantoni-Aye; Donna Fore-Aye; Will Garnett-Aye; Tony Reeves-Aye; Gary D. Walker-Aye; and Garland H. Hamlett, Jr.-Aye.

Motion wade made by Gary D. Walker, seconded by Tony Reeves to return to open session and adopt the following resolution;

Pursuant to Virginia Code Section 2.2-3712.B., the Supervisors signing below certify that, to the best of each Supervisor's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Freedom of Information Act and (ii) 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 of the Charlotte County Board of Supervisors.

Roll call vote as follows; Gary D. Walker-Aye; Tony Reeves-Aye; Robert L. Shook, Jr.-Aye; Donna Fore-Aye; Will Garnett-Aye; Kay M. Pierantoni-Aye; and Garland H. Hamlett, Jr.-Aye.

Motion was made by Robert L. Shook, Jr., seconded by Gary D. Walker to set Sheriff's Royal Freeman's salary to \$92,427.70.

Roll call vote as follows; Robert L. Shook, Jr.-Aye; Gary D. Walker-Aye; Tony Reeves-Aye; Donna Fore-Aye; Will Garnett-Aye; Kay Pierantoni-Aye; Garland H. Hamlett, Jr.-Aye.

The meeting was adjourned.