

BOARD OF SUPERVISORS MEETING

June 2, 2020

The regular meeting of the Campbell County Board of Supervisors was held on the 2nd day of June 2020 in the Board of Supervisors meeting room of the Walter J. Haberer Building, Rustburg, Virginia. The members present were:

Charlie A. Watts II, Chairman, Presiding	Brookneal Election District
Kenneth R. Brown	Spring Hill Election District
Matt W. Cline	Concord Election District
Jon R. Hardie	Rustburg Election District
Susan R. Hogg	Timberlake Election District
A. Dale Moore	Altavista Election District
Steve W. Shockley	Sunburst 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 Watts 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 Cline, it was resolved the Board of Supervisors dispenses with the reading and approves the minutes of the April 14, 2020, April 16, 2020, May 5, 2020 and May 12, 2020 meetings as presented.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// RECOGNITION OF STAFF FOR COVID 19 EFFORTS

Barbie Alleman (Office Manager, Department of Public Safety) and Stacey Meyer (Administrative Assistant, Department of Public and Employee Relations) were presented certificates of recognition for making over 150 re-usable masks for departmental employees, retirees and citizens who were in need. Both spent many hours sewing while still fulfilling required office duties and tasks. Placing people first is at the center of Campbell County's core values and culture. Barbie and Stacey, without hesitation, demonstrated those values in action with their service and desire to assist their colleagues and community.

// PERSONAL PROPERTY TAX EXEMPTION FOR CERTAIN DISABLED VETERANS

Calvin C. Massie, Commissioner of the Revenue, presented information related to the question if the County could provide a personal property tax exemption for disabled veterans. Mr. Massie explained the Board could establish a separate category for taxation of one motor vehicle owned by a disabled veteran as certified by the Department of Veterans Services. At the Board's discretion, a sufficiently low tax rate could be adopted to produce a \$0.00 tax levy.

In answer to a question by the Board, Mr. Massie estimated the amount of 2020 personal property tax that may be exempt is \$26,000. This was done by reviewing the number of disabled veterans that qualified for the County's real estate tax exemption. The State statute does not extend the tax exemption to the surviving spouse of a disabled veteran. However, the surviving spouse is eligible to be exempt from the payment of the vehicle license fee.

There was a consensus of the Board to move forward with amending the County Code to offer this tax exemption for disabled veterans. A public hearing would be required. The County Attorney would advise the Board at the public hearing when the tax exemption would take effect.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors authorizes staff to advertise an amendment to the Campbell County Code of 1988 to create a separate class of personal property for taxation of one motor vehicle owned by a disabled veteran as certified by the Department of Veterans Services and provide that such tax levy be established to produce a \$0.00 tax levy on such property until such time as an exemption is provided by either the Code of Virginia or the Constitution of Virginia which tax exemption shall be effective for the tax year 2020 or as soon as possible.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// PERMISSION TO ADVERTISE CODE UPDATE

Kristin Wright, Staff Attorney, requested the Board's authorization to advertise mandated changes and discretionary changes to update the Campbell County Code. Several changes were proposed to increase the visibility of tax exemptions for disabled veterans and the spouses of those veterans killed in action. In addition, the Commissioner of the Revenue proposed an update to the income and net worth table by which the County allocates elderly and disabled tax relief. Two options were provided with Option 2 providing additional relief for qualifying citizens.

There was general consensus by the Board to advertise Option 2 to provide the most relief for the elderly and disabled citizens. Under Option 2, the maximum annual exemption on any one property would be raised from \$600 to \$750, and the net worth limitation would be increased from \$82,000 to \$100,000. The following motion was offered:

On motion of Supervisor Hardie, it was resolved the Board of Supervisors authorizes staff to advertise a public hearing for the July 21, 2020 Board of Supervisors meeting to receive public comments on updates to the Campbell County Code and include Option 2 as proposed by the Commissioner of the Revenue to determine the Real Estate Exemption for Certain Elderly Persons and Disabled Persons.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// INCENTIVES FOR SONNY MERRYMAN, INC.

Mike Davidson, Director of Economic Development, advised that Sonny Merryman, Inc. has operated in Campbell County for over 50 years. They started the business in the Village of Rustburg and after several expansions moved to Wards Road to a larger parcel. Since then, they had completed numerous expansions at the Wards Road site. Sonny Merryman, Inc. currently employs 125 people.

At this meeting Mr. Davidson requested the Boards approval in open session \$25,000 in incentives towards a project estimated at \$211,000 to build a charging station for electric school buses. The project would be built on a parcel fronting the northbound lane of Wards Road across from the existing buildings and includes running electrical power underground across Wards Road, grading and installing underground infrastructure improvements and the purchase of the charging stations. The Board in closed meeting on May 5, 2020 agreed to consider a variance from the County's existing incentive policy and offer Sonny Merryman, Inc. an amount equal to 10% of its total capital investment not to exceed \$25,000. A Performance Agreement would be required and disbursement of the incentive funding would be implemented in no more than two payments.

The Board expressed its high regard for Sonny Merryman, Inc., a company that has been located in the community for such a long time, supports the community and provides good jobs creating to the County's tax base. The following motion was offered:

On motion of Supervisor Moore, it was resolved the Board of Supervisors approves incentive funding of 10% of the total capital investment to build a charging station for electric school buses in an amount not to exceed \$25,000 to Sonny Merryman, Inc.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

Mr. Davidson advised authorization for the County Administrator to sign the appropriate documents and the supplemental appropriation was also needed.

On motion of Chairman Watts, it was resolved the Board of Supervisors authorizes the County Administrator to sign any and all agreements necessary, and approves a supplemental appropriation in the General Fund, Economic Development appropriating \$25,000 to Incentives Sonny Merryman, Inc.; and lowers the General Fund Assigned Balance Economic Development Incentive by \$25,000, for incentive funding to Sonny Merryman, Inc. for the project to build a charging station for electric school buses.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// HIGHWAY MATTERS

Clif Tweedy, Deputy County Administrator, reported the status of items previously requested by the Board and requested additional highway matters.

The Board noted grassy areas that needed cutting, particularly the island in front of the Hardees in Rustburg, and an uprooted tree at 530 Theta Mill Road.

// CONSENT AGENDA

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

a) Appropriations –

1. Capital Improvement Fund, Public Works, deleting \$5,345 from County Vehicle Replacement and appropriating the same to the Sheriff's Department, Vehicle Equipment, to purchase a replacement In Car Camera;
2. General Fund, Economic Development, appropriating \$240,000 to Incentives – Abbott Nutrition; and raises estimated revenue, Tobacco Indemnification Funds, by \$240,000, grant funds from the Tobacco Commission for a Tobacco Region Opportunity Fund Grant awarded to Abbott Nutrition;
3. General Fund, Planning/Zoning, appropriating \$650 to Advertising, and raises estimated revenue Zoning/Subdivision Permits, by \$650, increase needed due to increase in the number of public hearings;
4. General Fund, Sheriff's Office, appropriating \$7,000 to Animal Care Supplies, and raises estimated revenue Gifts and Donations – Sheriff's Department by \$7,000, funds received from Carter Craft Foundation, Colonial Restaurant, Terry Subaru, Beeline Transport, Phillips Equipment, Wooldridge Heating & Air, and Kubota for the new K9 Unit;
5. General Fund, Economic Development, appropriating \$57,094 to Incentives – BGF, and raises estimated revenue, Tobacco Indemnification Funds, by \$57,094, grant funds from

the Tobacco Commission for a Tobacco Region Opportunity Fund grant awarded to BGF;

6. General Fund, Children's Services Act, appropriating \$1,800,000 to CSA/CAR Pool, and raises estimated revenue, Children at Risk (CAR) Pool in the amount of \$1,152,000 and reduces Unassigned General Fund Balance in the amount of \$648,000, due to significant number of children/families being served;
7. General Fund, Housing Assistance Services, appropriating \$5,150 to EDP-Equipment, and raises estimated revenue, Federal Housing Assistance Program, by \$5,150, grant funds received through COVID-19 Emergency Funding Support Program;
8. General Fund, Public Safety, appropriating \$13,805 to Emergency Mgt. Performance; and raises estimated revenue, Emergency Mgt. Performance Grant by \$5,408.70, funds received from FY 2019 Grant;
9. General Fund, Legal Services, appropriating \$10,000 to Delinquent Tax Collection Fees; and lowers Budget Set Aside by \$10,000, funds requested to cover excess Delinquent Tax Collection Fees above FY 2020 budgeted amount;
10. General Fund, Economic Development, appropriating \$49,574.34 to Tobacco-Pastures/Crops/Livestock Grant, and raises estimated revenue, Tobacco-Pastures/Crops/Livestock, by \$49,574.34, funds from the Tobacco Commission for the Phase II-Central Virginia Pasture, Crops and Livestock Grant;
11. General Fund, Economic Development, appropriating \$25,000 to Incentives – Sonny Merryman, Inc., and lowers the General Fund Balance, Economic Development Incentive, by \$25,000, to present Sonny Merryman, Inc., an amount not to exceed \$25,000 in incentive funds as approved by the Board of Supervisors;
12. General Fund, Environmental Management, appropriating \$7,400 to Stormwater Mgmt Fees, and raises estimated revenue, Stormwater Mgmt Fees, by \$7,400, to pay fees collected to the Commonwealth of Virginia;

b) County Attorney invoice –

Approves payment to the County Attorney in the amount of \$14,005.45 for services rendered from April 22, 2020 through May 19, 2020; and

c) Central Purchasing Handbook July 2020 Update –

Approves the update of the Central Purchasing Handbook July 2020 Update to become effective July 1, 2020 as presented.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts

Nay: None

Absent: None

// APPOINTMENTS

Two appointments were made at this meeting. Supervisor Hogg advised that Cathy Brewer had resigned from the Library Board of Trustees and she recommended Tom Regan as her replacement. She had known Mr. Regan for more than 20 years and he was employed by AREVA.

Library Board/Social Services Board

On motion of Supervisor Hogg, it was resolved the Board of Supervisors appoints Tom Regan, 463 Kirkley Circle, Forest, Virginia 24551 to fulfill the remainder of a four-year term until June 30, 2023 on the Library Board of Trustees for the Timberlake Election District, and

Reappoints Sandra B. Martin, 362 Deerfield Lane, Lynchburg, Virginia 24502 to a four-year term until June 30, 2024 on the Social Services Board for the Timberlake Election District.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// MATTERS FROM THE BOARD

- Supervisor Cline followed up on a discussion by the Board from the April 14, 2020 budget work session on how the County was assessing personal property and the process to move from current methodology to the methodology used by surrounding localities. Administrator Rogers indicated staff was working with the Commissioner of the Revenue on the process to move from “Clean Retail” with 50% assessment ratio to “Clean Trade-in” with 100% assessment ratio with the Board’s direction to remain revenue neutral. Because the tax rates had already been established for 2020, staff planned to return to the Board in the fall with more detailed information.

Calvin Massie, Commissioner of the Revenue, indicated he had been Commissioner for 25 years and his predecessor for 24 years, and the current methodology had always been used. He added it was probably a good time to make the change. Mr. Massie contacted the company that provides the clean trade in values and has made some preliminary calculations to determine the applicable tax rate. Because the clean trade in was a higher value than clean retail with 50% assessment ratio, Mr. Massie indicated all personal property tax rates may need to be evaluated to remain revenue neutral. This would include the rates on airplanes, boats, campers, etc. The Machinery and Tools rate may also need to be evaluated. This process would take some time, but Mr. Massie believed it could be accomplished in 2021.

- Supervisor Hardie thanked Robert Dobbs, a disabled veteran in Lynch Station, who reached out to him regarding personal property tax rates for disabled veterans. Action was taken on this earlier in the meeting and this showed the power of one person reaching out to make the lives of citizens better.
- Supervisor Hardie congratulated the 2020 Campbell County graduates and was proud of the unique way the schools and the community were honoring their graduates. He knew they would do well, and he looked forward to the difference they would make in the community.
- Supervisor Hardie requested staff include a closed meeting for the June 16th meeting to discuss the County Administrator’s contract. He would like the entire Board to weigh in on the contract. It was the consensus to include a closed meeting for personnel on the agenda.
- Supervisor Hardie indicated the country was going through a very difficult time, and his thoughts and prayers went out to the family of George Floyd. Racism must be addressed in our country. It was wrong and should not be tolerated. We must all be our brother’s keeper and never be judged based on race. His heart also went out to our Sheriff’s Department and all law enforcement departments across the nation. There were many people that did a very difficult job to serve and protect. Supervisor Hardie commended the Sheriff’s Department for assisting the City of Lynchburg with local protests. He concluded by saying that violence was never the answer, only love was the solution.
- Supervisor Hogg followed on Supervisor Hardie’s remarks that she too was thinking of the City of Lynchburg and hoped for peace and calm regardless of race.
- Chairman Watts indicated the Planning Commission’s bylaws state that no more than four (4) public hearings should be scheduled in one evening unless approved by the Chairman. He believed that practice delayed the process and that applicants should not have to wait to be heard. Administrator Rogers indicated the Board members could discuss this matter with their appointees. He added the provision was in place for time management reasons so that the Board and citizens would not have to wait until late in

the evening to be heard. There was consensus by the Board to amend the bylaws to remove that provision. The following motion was offered and Chairman Watts encouraged the Board members to share their thoughts with their Planning Commission member.

On motion of Chairman Watts, it was resolved the Board of Supervisors requests staff to review the Planning Commission bylaws to remove the limit on the number of public hearings heard at a meeting.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// PUBLIC HEARING – CCUSA EASEMENT REQUEST TIMBROOK PARK

A public hearing was advertised for this meeting to receive public comment on the disposal of property owned by the County. The property proposed to be disposed of would grant an easement to the Campbell County Utilities and Sewer Authority for the extension of sanitary sewer service from the northern boundary of Timbrook Park, Tax Map #21-A-204, to the private property across Leesville Road, Tax Map #21-A-82D. The easement would be approximately 20 feet by 30 feet across the northern boundary of Timbrook Park, east of the intersection of Leesville Road and Buxton Drive in the Sunburst Election District.

The public hearing was opened at 7:10 p.m.

Tim Wagner, Engineer with CCUSA, requested approval of the easement for the extension of sanitary sewer service in that area.

No one spoke in opposition to the proposed easement. The public hearing was closed at 7:14 p.m.

On motion of Supervisor Shockley, it was resolved the Board of Supervisors authorizes the Chairman of the Board of Supervisors to execute documents granting the Campbell County Utilities and Sewer Authority an easement 20 feet by 30 feet across the northern boundary of Timbrook Park, east of the intersection of Leesville Road and Buxton Drive, as advertised.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

// ADJOURNMENT

On motion of Supervisor Hardie, the meeting was adjourned at 7:15 p.m.

The vote was: Aye: Brown, Cline, Hardie, Hogg, Moore, Shockley, Watts
Nay: None
Absent: None

CHARLIE A. WATTS, II, CHAIRMAN

Approved: _____