

BOARD OF SUPERVISORS MEETING

November 8, 2018

The regular meeting of the Campbell County Board of Supervisors was held on the 8th day of November 2018 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
Jeffrey Janiak	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
Brooke S. Wright, Administrative Assistant

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 September 18, 2018 strategic development and planning forum, the October 2, 2018 regular meeting, and the October 16, 2018 work session as presented.

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

// APPEARANCE – DENISE GILLETT

Mrs. Denise Gillett, president of the Timberlake Homeowners Association, came before the Board to discuss concerns about the impact of urbanization on the lake. After providing a brief history of the lake, Mrs. Gillett stated that due to the rapid increase of sedimentation, the quality and size of the lake are being threatened. Since the creation of the lake 92 years ago, new roads, business developments, and parking lots have caused erosion and large amounts of sedimentation to flow downstream to the lake. Mrs. Gillett stated that the members of her community recognized the importance of urban development and understood growth would continue in their area. She asked for the Board's support in encouraging developers and builders to consider the effects their projects had on all downstream waters in Virginia. She also requested that the Board address the complacent approach to storm water control issues in the County, and asked for all contractors to be held to the highest standards of storm water control, not just the minimum requirements. Mrs. Gillett presented several photographs to the Board which showed the effects of urban development on the lake.

Supervisor Hogg expressed her appreciation for Mrs. Gillett's presentation and the hard work the members of the Timberlake community have done to help preserve the lake. In answer to Supervisor Hogg's question about conducting a study of the lake, Administrator Rogers stated Mrs. Gillett had already spoken with VDOT about pursuing a study and the Board could endorse that request. He went on to say the County-adopted erosion and sediment control ordinances were state regulations built into the County code, and the lowest expectation on development was a benchmark set by the state. If the Board wanted to contemplate raising regulations for future developments, he suggested subject matter experts converse with the Board at a future meeting about the current ordinances and possible options. Chairman Gunter requested that

Administrator Rogers prepare a report for the Board outlining Mrs. Gillett's concerns and possible actions that could be taken by the Board. Administrator Rogers indicated the next step in the process was to analyze the results of the environmental impact study that would be conducted by VDOT. He stated he would present a report to the Board informing them of what the County's ordinance currently requires and the required steps to amend that ordinance.

// EMS BILLING COLLECTIONS

In October 2016, the Board authorized an in-house collection process to collect any outstanding balances for ambulance transports, beginning with transports from January 1, 2015 and moving forward. Tracy Fairchild, Director of Public Safety, gave a summary of the EMS billing process. When a person requests ambulance service their name and address were obtained by EMS staff and entered into an electronic patient care reporting system. The County's billing company would file the patient's insurance, Medicare, or Medicaid using that information and a bill would be sent to the patient explaining any owed balances. If the billing company did not receive a reply from the patient, they would send two additional statements 30 days apart. After this approximate 90 day period, all unpaid records were passed to Campbell County Public Safety for collection process. A collection letter was sent to the patient advising the legal process was imminent, and offered an additional 30 days for the patient to call Public Safety to make arrangements for payment. If there was no response to the collection letter the court process would begin, which included an affidavit, a warrant in debt, and an assigned court date for each defendant. If no response to the warrant in debt was received by the court date, Kristin Wright, Staff Attorney, and Public Safety staff would appear in court and request judgment against the defendant for the outstanding balance of the bill. While in court, approximately 10% of the 125 defendants per month appeared, and about 1% of those 10% that appeared contested their charges. If a defendant did not contest their charges or appear in court, a legal judgment was entered. The debtor interrogatory process would begin if no payments were made on the judgment. Approximately 10% of the debtors summoned would appear in court, and for those defendants who did not appear, a show cause warrant was issued by the Judge. If the debtor did not appear at the show cause court date, a *capias* could be requested, resulting in the arrest and potential temporary jailing of the debtor.

Mrs. Fairchild stated that a response to an interrogatory summons allowed staff to proceed with garnishment against a defendant's wages, but only if a debtor was able to be brought to court, and if the debtor had wages and/or assets. Most debtors who appeared in court did not have wages, bank accounts, or real estate. To date, less than 1% of what was due has been collected from the interrogatory process. Mrs. Fairchild noted several challenges to the garnishment process, including incorrect patient addresses, the denial of payment by Medicaid and Medicare if the claim was over one year old, and the inability of the Public Safety department to file insurance on behalf of the patient. She stated the garnishment process was labor intensive with very little return on the effort, and there may be more efficient methods to pursue payment. The first option presented was to stop billing pursuit after the judgment process. The judgment would remain on record for 10 years and would have to be paid before the patient was able to obtain any type of financing or credit. Another option was to implement debt set-off, which would place a lien against the patient's state tax refund.

Supervisor Good noted that he would be in favor of placing a lien against a patient's real estate, if they owned any, as well as a lien against a patient's state taxes. In answer to a question by Chairman Gunter, Mrs. Wright stated if a patient did not own any real estate, was not employed, and was not paying state taxes, it was very likely the County would not receive payment from them. Administrator Rogers commended staff on their efforts in this process and stated that debt set-off would most likely recuperate just as much, if not more, money than the current process. In answer to a question by Supervisor Good, Mrs. Wright stated she would check on the legality of placing liens against both real estate and state taxes.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors approves staff's recommendation to implement a debt set-off program against the patient's state tax refund and placing a lien on the patient's real estate property, if allowed by State Code, to continue collecting outstanding debts, as a result of EMS services provided by Campbell County Public Safety.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Janiak, Watts

Nay: None
Absent: None

// PROPOSED 2019 LEGISLATIVE AGENDA

Mrs. Wright stated the Board considered last year's legislative agenda at the October 2, 2018 meeting and made suggestions for additions to that agenda. Staff re-drafted the agenda to include those additions.

On motion of Supervisor Borland, it was resolved the Board of Supervisors adopts the proposed legislative agenda as presented.

2019 LEGISLATIVE AGENDA

Campbell County believes that the best government is limited government and that government is best exercised when closest to the people it serves. Campbell County also recognizes that localities in Virginia are creations of the State. Together the State and the County share a responsibility to serve the citizens of the County in an equitable, efficient and accountable manner that makes resources available for necessary and desired services. The Campbell County Board of Supervisors respectfully asks the General Assembly's consideration with regard to the following general areas of interest:

TAXATION:

Taxation issues should be addressed by the governing bodies at the level that they are assessed: federal, state or local. The County:

- Supports legislation that maintains local taxing authority over local revenue sources;
- Opposes legislation that would reduce or eliminate control over local revenue streams;
- Supports equitable taxing authority between cities and counties—coupled with equitable standard of accountability to constituents (i.e. voter referendum requirements);
- Supports consideration of distribution of internet sales tax distribution back to point of purchase.

STATE PARTNERSHIP:

Campbell County supports efforts to partner with the State for the provision of services. The County:

- Supports full funding for mandated programs;
- Supports review of the means and methods of funding Constitutional Offices;
- Supports requiring political parties to pay the costs of local primaries;
- Supports the State administration and full funding of the Line of Duty Act (LODA);
- Supports full and continued funding of K-12 education requirements;
- Supports additional funding of K-12 facilities maintenance, capital improvements, and modernization of existing school buildings;
- Supports funding of continuing education for workforce development and training to meet a changing economy;
- Supports additional funding for transportation projects;
- Supports funding and support for full provision of broadband services to rural areas.

LOCAL AUTHORITY:

The Campbell County Board of Supervisors represents constituent concerns of immediate interest to the community. Accordingly, the Board of Supervisors believes that authority vested at the local level can best address local concerns. The County:

- Supports legislation that would allow greater local discretion in implementing regulations;
- Supports legislation that would authorize counties to regulate the use of restrooms in County-owned buildings;
- Supports legislation that would allow homeschooled students to participate in sports and other extracurricular activities available in public schools subject to satisfaction of academic standards required by the State Board of Education;
- Supports legislation that provides local flexibility to legislate over issues of local concern.

The vote was: Aye: Borland, Good, Gunter, Hardie, Hogg, Janiak, Watts

Nay: None
Absent: None

// PERMISSION TO ADVERTISE – CODE UPDATE

Mrs. Wright stated that semi-annually the Board of Supervisors updated the County Code with mandated changes that resulted from action of the General Assembly and discretionary changes that were initiated by either the Board or staff during the year. Some of the proposed amendments to the County Code for the regular fall update were mandated changes to mirror state law changes that were effective July 1. Others were discretionary changes requested by staff or minor amendments clarifying certain aspects of the Code.

On motion of Supervisor Janiak, it was resolved the Board of Supervisors authorizes staff to advertise amendments to the County Code for the December 4, 2018 Board of Supervisors meeting.

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

// INCENTIVES – RAGE PLASTICS

Mike Davidson, Director of Economic Development, stated that on September 4, 2018, the Board of Supervisors approved by consensus in closed session local incentive funding for an expansion for Rage Plastics based on the existing County Incentive Policy. The Campbell County Board of Supervisors and the Altavista Town Council announced the expansion of Rage Plastics Altavista location through a press release on October 17, 2018. The estimated project parameters were a total of \$2.05 million in capital investments. Rage Plastics would increase production by installing five new presses, and they would increase their employment by 20 new employees. Based upon these project parameters and Campbell County's existing incentive policy, the project qualified for \$37,000 in industrial incentives. The Town of Altavista would also award incentives in the amount of \$20,500. Incentives would be disbursed in no less than four incremental payments. A Performance Agreement would be required with claw back requirements in case they did not meet their targeted investments. The Return-On-Investment to Campbell County is 2.15 years.

On motion of Supervisor Watts, it was resolved the Board of Supervisors approves in open session the incentives for Rage Plastics in the amount of \$37,000, approves the appropriation of funds, and authorizes the County Administrator to sign all documents necessary to complete the transaction.

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

// HIGHWAY MATTERS

Clif Tweedy, Deputy County Administrator, updated the Board on highway matters. Items noted included:

- The report of drainage issues along Terrace Hill Drive (Rt. 782) in the Silver Springs area was forwarded to VDOT and staff was awaiting a response.
- Staff was awaiting a response from VDOT concerning a sign covered by weeds at the intersection of Crews Shop Road (Rt. 656) and Route 24.
- Staff was awaiting a response from VDOT regarding the reason U Turns were prohibited at the intersection of Timberlake Road (Rt. 460) and Greenview Drive (Rt. 739).
- VDOT staff reported the project of removing pine tree limbs at the Concord Transfer Site on Village Highway (Rt. 24) was pending.
- As a result of citizens' complaints about speeding, Sheriff Hutcherson provided the Board with data collected from a speed trailer on Whitestone Drive (Rt. 877).
- VDOT was working on replacing culverts that sustained damage due to flooding on Greenwell Court (Rt. 842) and Jefferson Drive (Rt. 1532).

From the Board:

- Chairman Gunter noted deep ruts at the intersection of Crews Shop Road and Route 24.

Mr. Tweedy also provided updates on current Revenue Sharing Projects, stating that the Liberty Mountain Drive project came in \$1.8 million under budget. The money left over could be transferred to the Nighthawk, Cresthill, and Simons Run projects that would take place in the future. Mr. Tweedy stated he was hopeful the Simons Run project would start in June 2019.

In answer to a question by Supervisor Good concerning who was responsible for the \$1.8 million savings, Mr. Tweedy stated it was a team effort by all parties involved. Administrator Rogers added that Mr. Tweedy's exceptional project management and successful relationship with VDOT majorly contributed to the money saved on this project.

Supervisor Borland thanked Sheriff Hutcherson for his efforts to reduce speeding on Courtney Terrace and in the Russell Springs neighborhood. He also thanked Mr. Tweedy for his work on the Liberty Mountain Drive project.

// FUTURE OF THE LANDFILL

At the request of Supervisor Hardie, Chairman Gunter allowed him to comment on the issue of landfill expansion. Supervisor Hardie noted his desire to speak before the public hearings because one of the rezoning public hearings could be impacted by the landfill. Supervisor Hardie stated he felt strongly that it was time for the Board, on behalf of Campbell County citizens, to formally address the matter of solid waste with Region 2000. He noted that the Board must be dedicated to making sure Campbell County is an area of quality, and he did not believe that hosting a regional landfill or expanding the landfill in the county seat was an indicator of quality or beneficial to the County. He believed the Board must be dedicated to making sure people and businesses felt good about investing in Campbell County. He offered the following motion.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors authorizes the County Administrator to inform the Region 2000 Services Authority that the Campbell County Board of Supervisors opposes any expansion of the Region 2000 Landfill located on Livestock Road, that would add capacity to the landfill.

Administrator Rogers stated as the Board's representative, he would carry any communication the Board wanted to the Region 2000 Services Authority Board. Supervisor Good indicated he was not in favor of eliminating options until the Board determined the best choice to make regarding solid waste and the regional landfill. Supervisor Borland noted his agreement with Supervisor Good, and stated it was irregular to have a motion made on a topic that was not on the agenda. Supervisor Watts indicated he had no intention of expanding the landfill and was agreeable to voting to eliminate that option. Chairman Gunter commented that he would like for Administrator Rogers to submit a report to the Board outlining all of the landfill options, so the Board could make the best decision for the whole County. Supervisor Hogg noted her agreement with Supervisor Hardie and Supervisor Watts that there was no benefit to expanding the landfill. A vote was taken on the motion.

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

// PUBLIC HEARING – ANSTEY ROAD

The public hearing was opened at 7:25 p.m. on:

PL-18-115 Request by Cheryl Morgan, to rezone property located at 560 Anstey Road from Residential – Single Family to Residential – Multi Family in order to allow for the expansion of the existing single family dwelling into a duplex. The property is located in an area designated as medium to high density residential per the current Comprehensive Plan.

Paul Harvey, Director of Community Development, explained this was a request to rezone 1.099 +/- acres from Residential – Single Family to Residential – Multi Family in order to allow for the expansion of the existing single family dwelling into a duplex. The property is located at 560 Anstey Road, Rustburg, VA, in the Rustburg Election District.

The area was residential in nature, and zoning in the vicinity was Business – General Commercial, Industrial – General, Conditional, Residential – Single Family, Residential – Multi Family, Residential – Manufactured Housing, and Agricultural. The property was accessed by an existing entrance onto Anstey Road. The property would be served with public water and an existing private on-site septic system. No proffers were submitted with this rezoning request. The Planning Commission recommended approval by a vote of 5-0 citing good zoning practice.

Cheryl Morgan, 560 Anstey Road, Rustburg, stated she wanted to expand her home in order for her aging parents to live with her. She stated the subdivision in which she lives, Shannon Forest, did not have a Homeowners Association, and none of her neighbors had expressed concerns about the proposal to add on to her home.

No one spoke in favor of or in opposition to the proposed rezoning, and the public hearing was closed at 7:30 p.m.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors **APPROVES** the Request PL-18-115 by Cheryl Morgan, to rezone property located at 560 Anstey Road from Residential – Single Family to Residential – Multi Family in order to allow for the expansion of the existing single family dwelling into a duplex.

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

// PUBLIC HEARING – NORTH SIDE OF COLONIAL HIGHWAY TO THE EAST OF CALOHAN ROAD

The public hearing was opened at 7:31 p.m. on:

PL-18-119 Request by C. Matthew Fariss, to rezone property located on the north side of Colonial Highway to the east of Calohan Road from Agricultural to Residential – Single Family for use as a single-family subdivision. The property is located in an area designated as transitional per the current Comprehensive Plan.

Paul Harvey, Director of Community Development, explained this was a request to rezone 35.13 +/- acres from Agricultural to Residential – Single Family for use as a single-family subdivision. The property is located on the north side of Colonial Highway to the east of Calohan Road, Rustburg, VA, in the Rustburg Election District.

The area was transitional in nature, and zoning in the vicinity was Residential – Single Family and Agricultural. The lots would be accessed by entrances onto Colonial Highway. A public water line runs along the opposite side of Colonial Highway from the subject property and connection would be optional. The property would be served by on-site septic systems. No proffers were submitted with this rezoning request. The Planning Commission recommended approval by a vote of 5-0 citing good zoning practice.

C. Matthew Fariss, 2599 Colonial Highway, Rustburg, stated builders had expressed interest in purchasing several lots, contingent upon the Board's approval of the rezoning request. In answer to a question by Chairman Gunter regarding the proximity of the landfill to this property, Mr. Fariss stated he intended to inform all potential buyers of the closeness to the landfill.

No one spoke in favor of or in opposition to the proposed rezoning, and the public hearing was closed at 7:38 p.m.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors **APPROVES** Request PL-18-119 by C. Matthew Fariss, to rezone property located on the north side of Colonial Highway to the east of Calohan Road from Agricultural to Residential – Single Family for use as a single-family subdivision.

In answer to questions by Supervisor Borland regarding the property, Mr. Fariss stated there were existing cables that would allow for high speed internet access, the land perked well enough to allow for more lots than what was being proposed, and he intended for the homes to connect to public water.

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

// PUBLIC HEARING – SPECIAL USE PERMIT ON DEPOT ROAD

The public hearing opened at 7:45 p.m. on:

PL-18-103 Request by Kyle West with Depot Solar Center, LLC, agent for Charles Arthur, II and William Arthur, for a special use permit to construct a solar energy project on property zoned Agricultural. The property is located on Depot Road and is located in an area designated as transitional and medium to high density mixed per the current Comprehensive Plan.

Mr. Harvey reviewed the staff report explaining Kyle West with Depot Solar Center, LLC, was requesting a special use permit to construct a 150 MWAC solar energy project on approximately 150 acres on Depot Road, Rustburg in the Rustburg Election District. The property contains 317.25 +/- acres and was zoned Agricultural.

The zoning in the vicinity was Residential – Multi Family, Industrial – General, Industrial – General, Conditional, and Agricultural. The area would be accessed from Depot Road, and the traffic impact in the narrative proposed a route for traffic during construction that would avoid travel through the majority of Rustburg. The change in traffic caused by the request would be very minimal after construction. No occupied structure was proposed, therefore water and sewer facilities were not applicable. According to the Comprehensive Plan, the property was located in an area designated as transitional and medium to high density mixed. The Planning Commission recommended approval of the request by a vote of 3-2 citing convenience, with the condition the applicant utilizes the site in conformance with the use described in the narrative submitted with the request.

Kyle West, Senior Vice President of Development, Coronal Energy, 321 East Main Street, Charlottesville, gave a brief presentation summarizing the process of developing a solar energy project. He noted the construction portion of this proposed project would take approximately four to six months. Mr. West commented his company and the property owners had worked very hard to come to an agreement with the Planning Commission concerning this project. He stated this was a contracted, not speculative, project and tax revenue would increase due to the fact the land used for the solar facility would no longer be eligible for the land use tax exception.

Ryan Gilchrist, Coronal Energy, 321 East Main Street, Charlottesville, commented this project was an approximate \$15 million investment in the community and would create about 150 jobs during the months of construction. Mr. Gilchrist entered into the record support letters from Appalachian Power, Virginia Advanced Energy Company, TMEIC Corporation, and Southside Virginia Community College. He reviewed the site plan, noting the vegetative buffer that would be erected around the solar facility. He also stated that no surrounding home should be able to see directly into the array, and the noise level should be between 10 and 15 decibels, which was a normal sound level for a rural neighborhood.

Whitney Sokolowski, Professional Engineer, Kimley-Horn and Associates, 4525 Main Street, Virginia Beach, commented on the potential impacts of the construction vehicles on operations and safety. In order to be more accommodating to the residents who live near the construction site and the businesses and schools in the village of Rustburg, she noted it was

proposed that vehicles would enter and leave the construction site before and/or after peak traffic times. Larger construction vehicles were proposed to access the site from Route 29 to avoid the railroad tracks that run through Depot Road.

In answer to a question by Supervisor Borland about the height of the vegetative buffer, Mr. Gilchrist stated trees would be six to eight feet tall when installed. He noted the proposal included the installation of a six foot tall fence, with an additional one foot of barbed wire, around the property. Supervisor Hardie stated it was important to consider a buffer that fully hid the solar facility.

Several people spoke in favor of the proposed special use permit.

Larry Jackson, External Affairs Director, Appalachian Power, 4001 Mayflower Drive, Lynchburg, asked the Board to support the solar project because of the energy benefits that would be seen in the years to come.

Billy Arthur, 1447 Depot Road, Rustburg, stated he was one of the owners of the property. He noted the solar project was the first viable option that had been presented to him, that was not agricultural in nature, since he had owned the property. He commented he was in favor of clean, renewable energy that this facility would provide.

Bennie Arthur, 205 Mountain Laurel Drive, Rustburg, stated the land had been in his family for generations and he and his brother wanted to pass down the land to their sons as an additional source of income. He asked for the Board's support of this project and noted that Depot Solar Center had worked diligently throughout the planning process to meet the requirements of Campbell County.

Several people spoke in opposition to the proposed special use permit.

Earnest Clark, 913 Campbell Highway, Rustburg, stated he was not in favor of the solar project because he believed it would be an eyesore in the community. He commented that he was not against the concept of solar farms, but he was opposed to the location of this project.

Mike Anderson, 28 Piedmont Road, Rustburg, stated his home was located across the road from where the solar facility would be installed. He noted that he was concerned about the potential decrease in property value, seeing the solar panels from his residence, and traffic safety.

William Goggins, 446 Depot Road, Rustburg, commented that he was concerned about the large construction vehicles that would be traveling Depot Road, and he believed the solar facility would be an eyesore to him and his neighbors.

The public hearing was closed at 8:30 p.m.

In answer to a question by Supervisor Hardie about the mature height of the trees that would be installed around the facility, Mr. Gilchrist responded the trees would grow to be 20 feet tall.

On motion of Supervisor Hardie, it was resolved the Board of Supervisors **APPROVES** Request PL-18-103 by Kyle West with Depot Solar Center, LLC, agent for Charles Arthur, II and William Arthur, for a special use permit to construct a solar energy project on property zoned Agricultural with the condition the applicant utilizes the site in conformance with the use described in the narrative submitted with the request.

Supervisor Watts stated he was concerned that two rows of trees would not be a sufficient buffer to block the surrounding homeowners' view of the solar facility. Supervisor Borland commented that one of the conditions of the project stated that the County could require additional screening to be installed at any time during the life of the project, if deemed necessary. Mr. Gilchrist stated that if the project was approved, Depot Solar Center would like for staff to make a final recommendation concerning the vegetative buffer before construction began.

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

Absent: None

// PUBLIC HEARING – POTENTIAL BROADBAND AUTHORITY

The public hearing opened at 8:38 p.m.

Kristin Wright, Staff Attorney, stated that Board members had expressed interest in the use of a broadband authority as a means to make broadband internet access more widely available in the County to residences and commercial businesses. The Code of Virginia at Section 15.2-5431.1 et seq. allows the County to set up a Wireless Service Authority if it wishes. If the Board did resolve to create such an authority, the resolution would include the articles of incorporation, based in large part on those passed by Bedford County in 2009 for their existing authority. The document would name the members of the Board of Supervisors as the initial members of a broadband authority. Mrs. Wright noted a Wireless Services Authority is an instrumentality exercising public and essential governmental functions. Among its powers, it may adopt and amend bylaws, rules and regulations, maintain an office, sue and be sued, acquire, construct, or operate any project, issue revenue bonds, borrow money, fix and charge rates for its services or for the benefit of any of its projects, and make and enter contracts.

One person spoke in favor of the proposed broadband authority.

Scott Miller, 125 Hudson Hollow, Rustburg, commented on the great amount of interest in expanding broadband in the County, and he was in favor of the creation of a broadband authority to get that process started.

No one spoke in opposition to the proposed broadband authority, and the public hearing was closed at 8:40 p.m.

On motion of Supervisor Watts, it was resolved the Board of Supervisors adopts the following resolution for the establishment of a Wireless Service Authority.

**ARTICLES OF INCORPORATION OF THE
CAMPBELL COUNTY BROADBAND AUTHORITY**

The Campbell County, Virginia Board of Supervisors adopted a Resolution Creating the Campbell County Broadband Authority and setting forth the initial Articles of Incorporation after a public hearing on October 2, 2018, such hearing being properly advertised and conducted in conformity with the Virginia Wireless Service Authorities Act, Chapter 54.1 of Title 15.2 of the Code of Virginia (§15.2-5431.1 et seq.).

I. Name

The name of the authority is “Campbell County Broadband Authority” (the “Authority”).

II. Parties to the Authority

The sole initial member of the Authority is the County of Campbell, Virginia, a political subdivision of the Commonwealth of Virginia.

III. Address and physical location

The address of the Authority’s principal office is: 47 Courthouse Lane, Rustburg, VA 24588. The Authority physically will be located at the Office of the County Administrator for Campbell County in Rustburg, Virginia.

IV. Board of the Authority

The Authority Board will consist of seven (7) members, which is equal to the number of members of the Campbell County Board of Supervisors, as permitted under the Act. Each member of the Board of Supervisors of Campbell County is an ex-officio member of the Authority Board and his term as a member of the Authority Board will

begin and end with his service as a member of the Board of Supervisors of Campbell County. Each member of the Board before entering upon the discharge of the duties of the office shall take and subscribe to the oath prescribed in § 49-1 of the Code of Virginia. The name and addresses of the initial members of the Authority Board are as follows:

<u>Name of Member</u>	<u>Address</u>
James Borland	47 Courthouse Lane, Rustburg, Virginia 24588 (Spring Hill; term ends 12/31/2019)
Bob Good	47 Courthouse Lane, Rustburg, Virginia 24588 (Sunburst; term ends 12/31/2019)
Eddie Gunter	47 Courthouse Lane, Rustburg, Virginia 24588 (Concord; term ends 12/31/2019)
Jon Hardie	47 Courthouse Lane, Rustburg, Virginia 24588 (Rustburg; term ends 12/31/2021)
Susan Hogg	47 Courthouse Lane, Rustburg, Virginia 24588 (Timberlake; term ends 12/31/2021)
Jeff Janiak	47 Courthouse Lane, Rustburg, Virginia 24588 (Altavista; temporary term ends 12/31/2018, newly elected representative will take seat to fill term ending 12/31/2019)
Charlie Watts	47 Courthouse Lane, Rustburg, Virginia 24588 (Brookneal; term ends 12/31/2021)

V. Purpose For Which Authority Is Created

The Authority's purpose is to provide qualifying communications services as authorized by the Virginia Wireless Service Authorities Act ("Act") and Article 5.1 (§56-484.7:1 et seq.) of Chapter 15 of Title 56 of the Code of Virginia.

VI. Powers of the Authority

The Authority is an instrumentality exercising public and essential governmental functions to provide for the public health and welfare as authorized under the Act. The Authority shall have all rights, duties, and powers provided under the Act, including but not limited to, the power to sue and be sued in its own name, adopt an official seal, adopt bylaws and rules to govern its affairs, issue notes and revenue bonds, enter into contracts, and fix and charge fees for services.

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

// CONSENT AGENDA

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

- a) Appropriations –
 1. General Fund, Community Development, deleting \$400 from Travel – Sustenance & Lod. and \$400 from Office Supplies and appropriating \$800 to Travel – Convention & Ed., to cover expenses for an additional training class for the GIS Technician;

2. General Fund, Non-Departmental Expenses, deleting \$3,983 from Budget Set Aside, and appropriating \$1,515 to General Fund, DMV Selective Enforcement – Alcohol Grant Employer Cost-FICA and \$476 to Workers Comp, appropriating \$414 to General Fund, DMV Selective Enforcement – Occup. Protection Employer Cost-FICA and \$130 to Workers Comp, and appropriating \$1,102 to General Fund, DMV Selective Enforcement – Speed Grant Employer Cost-FICA and \$346 to Workers Comp, as the Sheriff’s Office was awarded these federal grants for overtime reimbursement only;
3. General Fund, Public Safety, appropriating \$1,504.58 to Medical Services; raises estimated revenue line Holding File for Misc Revenue by \$1,504.58, funds received from Campbell County Humane Society due to their ceasing operation and excess funds being turned over;
4. General Fund, Bulletproof Vest Partnership, appropriating \$3,214.98 to Law Enforcement Equipment; raises estimated revenue line Bulletproof Vest Partnership Grant by \$3,214.98, to help purchase replacement and new bulletproof vests for the Sheriff’s Office;
5. General Fund, Commonwealth’s Attorney, appropriating \$850 to Advertising; lowers Commonwealth’s Attorney’s Forfeited Asset Fund by \$850, funds are needed due to having to advertise for an open position in the office;
6. General Fund, School Resource Officers, appropriating \$229,887 to Comp – Deputies School Funded, \$17,777 to Employer Cost – FICA, \$23,633 to Employer Cost – VRS, \$49,700 to Employer Cost – Health Ins., \$3,044 to Employer Cost – VRS Group Life Ins., and \$5,647 to Workers Compensation; raises estimated revenue line School Funded Resource Officer by \$329,688, additional staff hired in the Sheriff’s Office to increase the number of Resource Officers in the schools;
7. General Fund, Public Safety, appropriating \$13,805 to Emergency Mgt. Performance Grant; raises estimated revenue line Emergency Mgt. Performance Grant by \$13,805, funds received from FY17 grant;
8. General Fund, Accounting Services, appropriating \$5,800 to Cost Allocation; lowers general fund balance by \$5,800, new GASB requirement for reporting in FY19 changed from GASB 45 to GASB 75 which required a full evaluation;
9. Revenue Road Sharing Project Fund, appropriating \$2,677,730 to Simon’s Run Revenue Sharing; raises estimated revenue line Centra Revenue-Simon’s Run RS by \$1,338,865 and VDOT Revenue-Simon’s Run RS by \$1,338,865, additional funds will be for the construction of a portion of Simon’s Run;
10. General Fund, DMV Selective Enforcement – Alcohol Grant, appropriating \$19,800 to COMP-Overtime, \$1,300 to Police Equipment, and \$3,200 to Travel- Subsistence & Lodging; raises estimated revenue line Selective Enforcement Alcohol Grant by \$24,300, Sheriff’s Office was awarded a federal pass thru state DMV grant entitled Selective Enforcement – Alcohol;
11. General Fund, DMV Selective Enforcement – Occupant Protection Grant, appropriating \$5,400 to COMP-Overtime; raises estimated revenue line Selective Enforcement-Occupant Protection Grant by \$5,400, Sheriff’s Office was awarded a federal pass thru state DMV grant entitled Selective Enforcement – Occupant Protection;
12. General Fund, DMV Selective Enforcement – Speed Grant, appropriating \$14,400 to COMP-Overtime; raises estimated revenue line Selective Enforcement- Speed Grant by \$14,400, Sheriff’s Office was awarded a federal pass thru state DMV grant entitled Selective Enforcement – Speed;
13. Cafeteria Fund, School Food Service, appropriating \$2,002.50 to Purchase Service – VANCO; raises estimated revenue line Vanco-Conv Funds by \$2,002.50, convenience fees collected from VANCO for funds placed on student breakfast/lunch accounts during August 2018;

14. School Operating Fund, Perkins Career Grant, appropriating \$1,000.15 to Other Cost and \$18,203.07 to Capital Outlay Replacement; raises estimated revenue line C B Perkins Voc Ed Grant by \$19,203.22, to balance awarded allocation to application;
15. School Operating Fund, Adult Ed, appropriating \$2,972 to VOC Equipment – Other; raises estimated revenue line Sale of Other Equipment by \$2,972, for CCTC surplus items;
16. School Operating Fund, Transportation, appropriating \$10,677 to Transportation Vehicle Purchases; raises estimated revenue line Sale of Vehicles by \$10,677, for vehicles sold through Gov Deals;
17. School Operating Fund, Adult Ed/Other, appropriating \$12,397.47 to VOC Equipment-CTE; raises estimated revenue line VOC Equipment by \$6,987.72 and CTE Equip High Demand Sch Divisions by \$5,409.75, to match Supt Memo #174-18 and #175-18;
18. School Operating Fund, Title II-A Improve Teacher Quality NCLB, appropriating \$18,282.29 to Comp Elem Teachers, \$25,751.23 to Stipends, \$8.51 to Employer Cost Disability Insurance, and \$321.11 to Travel, and deleting \$2,070.22 from Employer Cost FICA, \$305.56 from Employer Cost VRS-Hybrid, \$1,885.41 from Employer Cost Health Ins, and \$826.96 from Employer Group Life Ins; raises estimated revenue line Title II Teacher Quality by \$39,274.99, to true-up federal Title II-A Improving Teacher Quality funds associated with carry-over and current award allocation funds;
19. School Operating Fund, GED ABE, appropriating \$600 to Employer Cost FICA GED-ABE and \$2,025 to Instructional Supplies GED-ABE, and deleting \$50 from Comp Tea GED-ABE, \$11 from Supplemental Wages GED-ABE, and \$912 from Textbook/Workbooks GED-ABE; raises estimated revenue line Basic Adult Education by \$1,652, for the 2018 award allocation to match OMEGA budget;
20. School Operating Fund, Race To GED, appropriating \$1,200 to Stipends and \$91.80 to Employer Cost FICA; raises estimated revenue line Race To GED-Adult Prog by \$1,291.80, for the 2018 award allocation to match OMEGA budget;
21. General Fund, Economic Development, appropriating \$37,000 to Incentives Rage Plastics; lowers General Fund balance by \$37,000, to present Rage Plastics \$37,000 in incentive funds according to Incentive Policy.

b) County Attorney Invoice –

Approves payment to the County Attorney in the amount of \$15,291.72 for services provided from September 18, 2018 through October 24, 2018;

c) Public Works Work Order Management System –

Approves the purchase of the Facility Dude work order management system from the Sourcewell cooperative contract with an implementation cost of approximately \$12,000 and annual fees of approximately \$9,000;

d) Ambulance Purchase Under Cooperative Agreement with Montgomery County –

Approves the cooperative agreement with Montgomery County to remount a current ambulance with excessive mileage and to purchase a new ambulance utilizing Vest's Sales & Service as the awarded contract vendor.

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

// APPOINTMENTS

Several appointments were made at this meeting.

Board of Equalization

On motion of Supervisor Good, it was resolved the Board of Supervisors recommends Richard D. Moxley, 184 Lake Forest Drive, Lynchburg, Virginia; Harry M. Robey, 582 Flying W Road, Brookneal, Virginia; and W. Lowell Milton, 991 Farfields Drive, Lynchburg, Virginia, be appointed to the Board of Equalization of real estate assessments for a term of one (1) year commencing January 1, 2019.

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

On motion of Supervisor Hardie, it was resolved the Board of Supervisors makes the following appointments:

Planning Commission

Mike Condrey Rustburg District until December 31, 2022
2051 Rocky Road
Rustburg VA 24588

Thomas Vaughn Timberlake District until December 31, 2022
375 Westridge Circle
Lynchburg, VA 24502

Utilities and Services Authority

Carter S. Elliott, Jr. Rustburg District until December 31, 2020
2112 Suburban Rd.
Lynchburg, VA 24501

Horizon Behavioral Health

Dr. William Scott until December 31, 2021
200 Ridgewood Drive
Evington, VA 24550

Economic Development Commission

Frank Davis Member at Large until December 31, 2022
20644 Timberlake Road
Lynchburg, VA 24502

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

// MATTERS FROM THE BOARD

- Supervisor Borland stated the faculty and staff at Leesville Road Elementary School were very welcoming during the Read for the Record event held on October 25th. He also commended Erin Hicks, a senior at Altavista Combined School, on her receipt of a \$1000 scholarship from Virginia Marching Band Cooperative.
- Supervisor Good thanked Sheriff Hutcherson for his staff and all of the hard work they do every day. He also congratulated Dale Moore for being elected to represent the Altavista District on the Board of Supervisors beginning January 1, 2019. In answer to a question from Supervisor Good regarding slow reporting of election results in Campbell County, Administrator Rogers stated that the Registrar reported some equipment challenges in the Altavista area and a high volume of absentee ballots that were received this year.
- Supervisor Gunter noted that he was impressed with the security upgrades at Concord Elementary School when he attended the Read for the Record event, and commended the Campbell County School Board for their efforts in making schools safer.

- Supervisor Hardie noted his appreciation to the Library system for its innovative technological efforts. Supervisor Hardie also asked for the Board’s support to reevaluate the terms of Real Estate property exemption in the future. He noted the need to care for the elderly and disabled citizens of the County as the cost of living continues to rise.
- Supervisor Hogg stated she was on the Workforce Development Board and believed, with more participation, the County could benefit from many of the services the Board offered.
- Supervisor Watts thanked County Attorney Tripp Isenhour for his work at the auction for delinquent tax properties. He also reminded Board members of information sent regarding Campbell County being in the “opportunity zone,” which could be used as an economic development tool.

// CLOSED MEETING

On motion of Supervisor Hardie, it was resolved the Board of Supervisors enters into a closed meeting at 9:05 p.m. to discuss matters relating to a commercial project request, in accordance with §2.2-3711 (A)(5) of the Code of Virginia, as amended; to discuss matters related to personnel, specifically to consider the County Attorney contract, in accordance with §2.2-3711 (A)(1) of the Code of Virginia, as amended; and to discuss a matter, where if such information was made public the bargaining position of the public entity would be adversely affected, in accordance with §2.2-3711 (A)(28) of the Code of Virginia, as amended.

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

// The Campbell County Board of Supervisors entered into a closed meeting on this 8th day of November, 2018 at 9:05 p.m. to discuss matters relating to a commercial project request, in accordance with §2.2-3711 (A)(5) of the Code of Virginia, as amended; to discuss matters related to personnel, specifically to consider the County Attorney contract, in accordance with §2.2-3711 (A)(1) of the Code of Virginia, as amended; and to discuss a matter, where if such information was made public the bargaining position of the public entity would be adversely affected, in accordance with §2.2-3711 (A)(28) of the Code of Virginia, as amended.

// On motion of Supervisor Hogg, it was resolved the meeting return to open session at 9:39 p.m.

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

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

CERTIFICATE OF CLOSED MEETING

WHEREAS, the Campbell County Board of Supervisors had convened a closed meeting on the 8th day of November, 2018 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: Janiak
 Aye: Watts
 Nay: None
 Absent During Meeting: None
 Absent During Vote: None

// ADJOURNMENT

On motion of Supervisor Hogg, the meeting was adjourned at 9:40 p.m.

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

EDDIE GUNTER, JR. CHAIRMAN

Approved: _____