

VIRGINIA: A REGULAR MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY GOVERNMENT CENTER ON DECEMBER 1, 2011 AT 7:00 P.M.

PRESENT: SUPERVISOR JOHN M. SEWARD, CHAIRMAN
SUPERVISOR ERNEST L. BLOUNT, VICE-CHAIRMAN
SUPERVISOR M. SHERLOCK HOLMES
SUPERVISOR JUDY S. LYTTLE
SUPERVISOR DAVID A. HARRISON

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR
MS. TERRI HALE, DIRECTOR OF FINANCE AND INFORMATION TECHNOLOGY
MR. WILLIAM HEFTY, HEFTY & WILEY, COUNTY ATTORNEY
MRS. DEBORAH NEE, COMMISSIONER OF THE REVENUE
MS. RHONDA R. MACK, DIRECTOR OF PLANNING
MR. STACEY T. WILLIAMS, BUILDING OFFICIAL

CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairman Seward who then asked for a moment of silence. Following the moment of silence, he asked the citizens to stand and say the pledge of allegiance. Chairman Seward recognized Senator L. Louise Lucas, recently re-elected representative to the Virginia Senate (District 18) along with other newly elected local officials and offered the Board's congratulations.

CONSENT ITEMS

1. Approval of November 4, 2011 Minutes, Board of Supervisors
2. Approval of November 15, 2011 Minutes, Board of Supervisors
3. Approval of December 2011 Accounts Payable:

	Accounts Payable	Additional	Total
General Fund	\$294,733.71		\$294,733.71
Debt Service	\$24,977.89		\$24,977.89
Capital	\$7,910.23		\$7,910.23
Water & Sewer	\$9,991.65		\$9,991.65
Hurricane Irene	\$820.00		\$820.00
Totals	\$338,433.48		\$338,433.48

4. Appropriation Requests:

School System - December 2011	Instruction	\$900,000.00
	Admin./Health	\$70,000.00
	Pupil Transp.	\$70,000.00
	Operation/Maint.	\$125,000.00
	Food Serv.	\$60,000.00
	Debt Service	\$0.00
	Capital Projects	\$0.00
	Technology	\$50,000.00
	Total	\$1,275,000.00
<hr/>		
Dept. of Social Serv. - December 2011		\$150,000.00

Supervisor Blount made a motion that the Board approve all Consent Items as enumerated; Supervisor Lyttle seconded the motion. Supervisors Seward, Holmes, Harrison, Blount, and Lyttle voted affirmatively to approve the Consent Items as enumerated.

PROGRESS REPORTS

1. VDOT

No representative of VDOT was available to present a report to the Board. Mr. Franklin relayed information regarding the Rt. 602 project reported to him via an e-mail communication from Mr. Rossie Carroll of the Williamsburg Residency. Mr. Franklin reported that work on this project has been completed and that VDOT is reviewing it periodically to see how repairs are performing. Supervisor Holmes added that the area of repair appears to be better, but not as good as it should be.

Supervisor Lyttle reported that she serves on the Highway Transportation Safety Commission (HTSC) and that several members had expressed concern regarding increased truck traffic in the County. A step towards addressing this concern may be to petition VDOT for signage that would prohibit through trucks. Doing so, Supervisors Lyttle suggested, would have little to no impact on the County economically as trucks passing through generally do not stop; however, limiting this traffic would help to reduce hazards related to speed and increased traffic.

Chairman Seward added that truckers seem to prefer routes that are not targeted for motor carrier safety inspections and suggested that the County might instead request that VDOT begin performing such inspections along Route 10. Supervisor Blount advised caution in restricting trucking within the County while at the same time looking for ways to attract industry to Surry.

Following further brief discussion, Supervisor Lyttle agreed that the HTSC would request that VDOT make a better effort to monitor Route 10 for safety concerns.

At this point in the program, Chairman Seward advised moving directly to progress reports presented by the County Administrator.

2. County Administrator

A. Mr. Tyrone Franklin introduced Ms. Shikee Franklin of the Improvement Association who addressed the Board to wish them a Merry Christmas and a Happy New Year and thank them for their continued support of the Head Start Program. Several of the Surry Child Development Center students were present to sing some holiday songs for the enjoyment of the Board and the assembled audience.

B. Mr. Franklin welcomed The Honorable Senator L. Louise Lucas who addressed the Board and others in attendance. Senator Lucas began by expressing her pleasure in seeing the Head Start children at the meeting and stated that, as a former Executive Director of the S.T.O.P. organization, she had a fondness for the Head Start program and the students it produces. She spoke briefly regarding the benefits of early education and reported that there had been a bill introduced in the General Assembly aimed at eliminating Head Start programming.

Senator Lucas explained that, as a result of redistricting, she was replacing Senator Fred Quayle as the County's representative in the General Assembly. She further stated that she was pleased to have Surry County in her district and that she would use her 20 years of experience in the Virginia Senate to the benefit of the County. Senator Lucas mentioned the committees and sub-committees that she currently serves on and invited County staff and citizens to visit her office in Richmond when she returns to the General Assembly in January 2012.

C. Mr. Eric Olson, Executive Director of the Board for Contractors, Department of Professional and Occupational Regulation, addressed the Board with regard to licensing and regulation of contractors operating in Surry County. Mr. Olson provided a brief overview of DPOR and their responsibilities. He discussed disciplinary actions, recovery fund, education campaigns, and answered questions presented by the Board.

D. Mr. Chris Anderson, Town of Surry, Town Council, addressed the Board to present findings relative to the recent repair of the Town's sewer line immediately adjacent to the Surry County Government Center. ***(A copy of Mr. Anderson's presentation is attached as an integral part of these minutes.)***

Following Mr. Anderson's presentation and additional information provided by Mr. Robert Finch, contractor for the Town of Surry, Chairman Seward advised Mr. Anderson that the Board would further discuss the findings in

closed session and contact the Town with a proposed resolution to the matter.

E. Mr. Franklin introduced Ms. Terri Hale as the County's new Director of Finance and Information Technology. Ms. Hale has served the County for several months as interim Finance Director. Ms. Hale reported that the County had not budgeted for an increase in bandwidth in anticipation of the completion of the County's Broadband Project. Unfortunately, the T1 line connecting the Government Center to the Old Court House has become overburdened, resulting in slow internet speeds and affecting the operation of telephones in the Court House and adjacent government buildings. Mr. Redstone, the County's Network Technician has received a quote from Verizon for an additional T1 line which would essentially double the current bandwidth used by the affected offices. Total cost for the T1 purchase, installation and monthly services for one year is \$3,400.00. Ms. Hale recommended that the Board consider the transfer of this amount from the Contingency Fund to Network Services. She reported that the Contingency Fund has a balance of \$215,000.00 prior to the suggested transfer.

Supervisor Lyttle made a motion that the Board authorize the transfer of \$3,400.00 from the Contingency Fund to Network Services. Supervisor Harrison seconded the motion; all present voted affirmatively.

F. Mr. Franklin introduced correspondence from Mrs. Charlome Pierce, L.P. Jackson Middle School Principal, recommending Mr. William Watkins, an eighth grader at the school, for appointment to the Surry County Youth Services Citizen Board for the FY 11-12. Supervisor Harrison made a motion that the Board appoint Mr. Watkins to the Surry County Youth Services Citizen Board for a term beginning December 2, 2011 and ending December 1, 2012. Supervisor Lyttle seconded the motion; the motion was unanimously passed by the Board.

3. Treasurer

A. INVESTMENT LETTER: Chairman Seward read the investment letter submitted by Mary H. Shaw, Treasurer. He stated that as of November 3, 2011 the county had \$4,299,951.99 in the LGIP Fund. Since that report, accrued interest for October 2011 in the amount of \$647.38 had increased that balance to \$4,300,599.37. Chairman Seward stated that since the last Treasurer's report, \$500,000.00 was transferred from the LGIP account to the General Fund account leaving a balance of \$3,800,599.37 in the LGIP account. As of December 1, 2011 the county had \$4,300,599.37 in total investments, including one CD valued at \$500,000.00.

Additionally, Chairman Seward asked the Board to consider two Refund Requests submitted by the Treasurer as follows:

- \$1,096.46 due to Wells Fargo Home Mortgage for the overpayment of Real Estate taxes
- \$3,525.83 due to Verizon Property Tax Department for the overpayment of Real Estate taxes

Supervisor Lyttle made a motion that the Board approve both Refund Requests as enumerated. The motion was seconded by Supervisor Harrison; Supervisors Seward, Holmes, Blount, Lyttle and Harrison voted affirmatively.

UNFINISHED BUSINESS

Chairman Seward reported that a decision had not been made with regard to Emergency Services Billing due to the fact that the Emergency Operations Team has not reached a consensus of opinion. He also suggested that the State might be considering a mandate to enable 911 dispatchers to offer medical advice. Chairman Seward said that more information would be forthcoming on this matter.

NEW BUSINESS

Supervisor Lyttle mentioned that although she and Chairman Seward usually attend VACo meetings, she would like to encourage all members of the Board to volunteer to serve on committees and attend VACo meetings. She reminded fellow Board members that they need to be proactive and aware of matters affecting the County in order to make a difference. There was brief discussion among Board members with regard to mandates and devolution of highway funding.

Chairman Seward introduced Resolution 2011-24 as new business. This resolution was drafted in honor of Supervisor M. Sherlock Holmes as he retires from 40 years of service to the County on the Board of Supervisors, School Board, Social Services Board as well as other County Boards and Commissions. Supervisor Holmes was presented with a framed copy of the resolution as well as a token of thanks from the County Administrator.

Supervisor Holmes thanked those present for their long-term support and added that it had been a pleasure to serve with current, as well as previous Board members.

Chairman Seward then thanked Supervisor David A. Harrison and stated that the Board was proud to have him serve the remainder of his father's term. Supervisor Harrison was also presented with a token of thanks from the County Administrator.

CITIZEN COMMENTS

Mr. John Stokes (Surry District) requested that the Board consider asking ODEC to consider building an energy producing facility in Dendron powered by natural gas as opposed to the proposed coal-fired plant. He suggested that such a facility would create fewer pollutants and have less negative impact on the surrounding community. He further suggested that the Board consider offering ODEC a tax incentive to facilitate this change in plans.

Mrs. Helen Eggleston (Dendron District) addressed the Board with regard to the same issue Mr. Stokes raised. An energy producing facility powered by natural gas would be less expensive to construct and would have less negative impact on the County than the proposed coal-fired facility she said.

Mr. Mike Eggleston (Dendron) spoke with regard to County maintenance issues suggesting that the County could do a better job in maintaining its resources.

CLOSED SESSION

There being no further comments from the public, Supervisor Blount made a motion that the Board move to Closed Session to discuss a personnel matter involving salary or other compensation of a specific employee, Virginia Code § 2.2-3711(A)(1) and consultation with legal counsel about the issue presented by the Town of Surry and the recent decision of Judge Campbell in case number CL10-019, Virginia Code §2.2-3711(A)(7). Supervisor Holmes seconded the motion. Supervisors Seward, Harrison, Lyttle, Holmes and Blount voted in favor of the motion.

Supervisor Lyttle moved that the Board return to open session and certify by roll call that the closed session was concluded and that nothing had been discussed except the matter or matters permitted to be discussed under the provisions of the Virginia Freedom of Information Act. Supervisor Blount seconded the motion; all members present voted affirmatively.

ADJOURNMENT

There being no further business to conduct, Supervisor Lyttle made a motion to adjourn. Supervisor Blount seconded the motion; the motion was unanimously approved.

Town of Surry, Inc.

P.O. Box 314
31 Colonial Trail East
Surry, Virginia 23883
Phone/Fax 757-294-3021

November 28, 2011

Mr. John M. Seward, Chairman
Surry County Board of Supervisors
Surry, Virginia 23883

Re: Sewer Line Repairs/ School Street

Dear Mr. Seward,

The Town of Surry recently undertook flow monitoring and video surveillance of its wastewater collection infrastructure to determine the extent and sources of inflow and infiltration (I&I) that are currently impacting the Town's wastewater treatment system.

The flow monitoring and video surveillance subsequently revealed that the integrity of the Town's Eastern Basin sewer line had been compromised and has been the predominant source of extraneous I&I within the Eastern Basin.

More specifically, the video survey identified 2 separate breaches of the sewer line in the area immediately adjacent to the Surry County Government Center. These two breaches were located at 3 feet and 10 feet upstream of manhole number 3-12. This manhole was added to the collection basin when the Government Center was expanded/renovated upstream of the then existing manhole 3-14 and downstream 35 feet from the then existing manhole 3-13.

The County Government Center is located in an area that has a relatively high water Table (4 feet depth). As a result of the two identified sewer line breaches, the Town estimates that as much as 20,000 gallon of groundwater or I&I has entered the Town's wastewater collection system daily over an extended period of time. Such infiltration has been a major impediment to the Town's ability to consistently operate its wastewater treatment plant within the DEQ permitted flow limitations.

Upon discovery of the presence of such I&I flow the Town had no option but to seek immediate repair of the identified mainline sewer defects. Contract bids were properly solicited and the project award was made to Rickmond General Contracting @ \$34,988.

During subsequent site excavation, it was discovered that large pieces of asphalt and ½ to ¾ of a yard of concrete had been disposed of in the excavation site. The concrete removed clearly matched the curvature of the sewer pipe, indicating that both it and the asphalt were disposed of

in the excavation site after the new manhole was installed. In fact, the sewer line leaving the Government Center was badly damaged as a result of the backfill method used and required immediate repair to stop the flow of sewer discharge into the ground.

One cubic yard of concrete weighs approximately 1,200 lbs. greater than a comparable quantity of fill material. Undoubtedly, the additional weight of this asphalt and concrete fill was a major contributing factor in the deflection and damage of the affected sections of pipe and the resulting curvature led to rupture of the Town's sewer line.

Additionally, rather than using a proper rigid coupling with multiple tightening elements available to properly ensure adequate sewer mainline integrity (during Government Center renovation) a simple rubber coupling was used to connect the sewer mainline to the newly installed manhole 3-12. Even worse, this rubber coupling (which was required to support the weight of 10 foot of cover associated with the above heavily trafficked roadway) was secured by a single thin metal strip on each end of the rubber coupling. Manual tightening of the metal strap had apparently been accomplished by the use of a mere screw driver.

The decision to install a coupling of such marginal strength capability at this crucial sewer mainline stress juncture at such a depth is, indeed questionable. The premature failure of the coupling connecting the new manhole to the existing sewer, together with stresses placed on the mainline by the presence of improper backfill material, led to subsequent sewer pipe line joint failure and damage to the Government Center sewer lateral pipe connection. These failures needlessly (and to the detriment of the Town) allowed groundwater to flow into the sewer mainline, precipitated backfill erosion, and could have led to cavitation of the roadway.

The Town considers funding of the subject Government Center mainline sewer breach and Government Center lateral repair to be the responsibility of the County.

The primary source of extraneous I&I in the Town's eastern basin has been proven to be a site specific deficiency that was the direct result of construction activity undertaken by the customer at this particular location. As shown above, questionable decisions were obviously made by personnel of the County's chosen contractor during the 2007-10 Surry County Center renovation project. Such decisions most likely were neither approved nor detected by County inspection staff.

Had the County not undertaken its renovation project and relocated the existing sewer lateral piping, the Town's mainline piping infrastructure would, in all probability, not have been so compromised.

While the Town did concur with the County's conceptual plan to connect the Government Center's sewer lateral to the proposed location of the new manhole number 3-12, the Town fully anticipated that industry construction practices would be utilized to accomplish this objective at such a ground depth. As photographic documentation clearly substantiates, such performance was apparently not entirely forthcoming.

The Town has been forced to seek immediate commercial funding to perform the necessary repair to its wastewater collection system and requests that the County promptly reimburse the Town for all associated repair cost incurred by the Town in this regard.

The short term failure of the integrity of the Surry County Government Center sewer lateral and manhole installation that facilitated connection to the Town's mainline sewer (supported by photo documentation that provides clear evidence of questionable construction activity undertaken during the subject facility renovation) appears to adequately validate the Town's determination of repair responsibility and justifies its request for funding reimbursement.

Sincerely,

A handwritten signature in cursive script, appearing to read "Will M. Gwaltney, Jr.", with a stylized flourish at the end.

Will M. Gwaltney, Jr.
Mayor

Enclosures