

VIRGINIA: A REGULAR MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS
HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY
GOVERNMENT CENTER ON DECEMBER 5, 2013 AT 7:00P.M.

PRESENT: SUPERVISOR JOHN M. SEWARD, CHAIRPERSON
SUPERVISOR ERNEST L. BLOUNT, VICE-CHAIR
SUPERVISOR JUDY S. LYTTLE
SUPERVISOR KENNETH R. HOLMES
SUPERVISOR GIRON R. WOODEN, SR.

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR
MR. WILLIAM HEFTY, HEFTY & WILEY, COUNTY ATTORNEY
MS. RHONDA RUSSELL, DIRECTOR OF PLANNING
MRS. TAMARA ARTHUR, EMERGENCY SERVICES COORDINATOR
MR. STACEY WILLIAMS, BUILDING OFFICIAL
MR. ERVIN JONES, DIRECTOR, PARKS & RECREATION

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 those present to stand and say the pledge of allegiance.

CONSENT ITEMS

1. Approval of November 7, 2013 Minutes, Board of Supervisors
2. Approval of December 2013 Accounts Payable:

	Accounts Payable	Additional	Total
General Fund	\$79,611.34	\$149,333.51	\$228,944.85
Debt Service	\$31,887.66	\$0.00	\$31,887.66
Capital	\$25,671.45	\$68,236.24	\$93,907.69
Water & Sewer	\$1,692.40	\$10,561.63	\$12,254.03
CSA	\$21,097.18	\$0.00	\$21,097.18
Indoor Plumbing	\$225.00	\$0.00	\$225.00
Econ. Dev. Expense	\$0.00	\$0.00	\$0.00
Totals	\$160,185.03	\$228,131.38	\$388,316.41

3. Appropriation Requests:

School System - December 2013	Instruction	\$825,000.00
	Admin./Health	\$50,000.00
	Pupil Transp.	\$70,000.00
	Operation/Maint.	\$125,000.00
	Food Serv.	\$50,000.00
	Debt Service	\$0.00
	Capital Projects	\$0.00
	Technology	\$40,000.00
	Total	\$1,160,000.00
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Dept. of Social Serv. - December 2013		\$150,000.00

4. Certification Request from the Commissioner of the Revenue \$5,228.26
Supervisor Wooden made a motion that the Board approve the Consent Items as enumerated; Supervisor Holmes seconded the motion. Supervisors Seward, Blount, Wooden, Lyttle and Holmes voted affirmatively to approve the motion.

PROGRESS REPORTS

1. VDOT

No Report

2. Treasurer

A. Investment Letter

Chairman Seward read the Investment Letter provided by Mary H. Shaw, Treasurer, which stated that as of November 7, 2013 the County had \$7,840,181.59 in the LGIP Fund. Since that report, accrued interest for October 2013 in the amount of \$850.61 had increased that balance to \$7,841,032.20. Since the November 2013 report, \$500,000.00 was transferred from the LGIP to the general fund leaving a balance of \$7,341,032.20. As of December 5, 2013 the county had \$7,847,190.86 in total investments, including one CD valued at \$506,158.66 which matures January 18, 2014.

3. County Administration

A. Presentation: Broadband Update

Ms. Rhonda Russell, Director of Planning and Community Development, addressed the Board to provide an update on the County's Broadband Implementation Project. She reported that although the Board of Zoning Appeals, Planning Commission and the Board had approved the plan to locate a single taller tower at the Old Burrough Road site, a review by the Virginia Department of Historic

Resources had determined that the tower would adversely impact the historic resources of the Town of Surry. Federal Communication Commission (FCC) permitting regulations would require that the County enter into a Memorandum of Understanding (MOU) with the Town in order to continue with the placement of the tower at the Old Burrough Road location. The County would also be required to sponsor nomination and incur the costs associated with the Town of Surry being added to the National Historic Register. Ms. Russell explained that the County was scheduled to have completed their project by May 2014 and any deviation from the current plan as may now be necessary to appease the Town would require a time extension from the Virginia Department of Housing and Community Development (VDHCD). An application for such an extension has been submitted by the County.

Ms. Russell went on to detail available options for completion of the project and recommended that the Board consider re-location of the communications tower. Following some discussion by Board members, Mr. Hefty advised that if the tower were re-located as suggested to property adjacent to the Industrial Park, the County would no longer be required to appease the Town. Mrs. Tamara Arthur advised that there would be a cost to move E-911 equipment and the ORION system to another communications tower; however, she had not been successful in obtaining an estimate of those charges prior to the Board's meeting. No action is required of the Board at this time.

B. Request for Public Hearing: Dogs Deserve Better Tax Exempt Request/Ordinance 2013-04

Mr. Franklin informed the Board that the non-profit 501 (c) (3) organization known as Dogs Deserve Better, Inc. has requested that the Board of Supervisors adopt an ordinance granting it an exemption from the payment of real estate and personal property taxes, as allowed by the Code of Virginia §58.1-3651(B). Prior to determining whether to grant such an exemption, state law further requires that the Board of Supervisors hold a public hearing. The cost of the public notice is to be paid by the applicant.

Chairman Seward stated that he was not in favor of granting any new tax exemptions as it would set a precedent for other non-profit organizations to seek similar tax relief. He suggested that the organization's objectives might be accomplished through the budget process instead. Chairman Seward further explained that if the attitude of the Board opposed granting new tax exemptions it would not benefit the petitioner to incur the cost of advertising for a public hearing which would ultimately result in a negative response to their

request. Mr. Mark Hyre, Director of Operations for Dogs Deserve Better, Inc., was allowed to address the Board and agreed to meet with members of the Fiscal Affairs Committee of the Board prior to the matter being reconsidered at their January 2, 2014 meeting.

C. Resolution 2013-23 – National Influenza Vaccination Week

Health Management Associates, Inc. will be conducting an influenza vaccination clinic at Mt. Nebo Baptist Church in Surry County on Sunday, December 8, 2013. Ms. Patricia Green, Senior Communications Manager for HMA, Inc. has requested that the Board consider adoption of a resolution recognizing December 8-14, 2013 as National Influenza Vaccination Week.

Supervisor Lyttle made a motion that the Board approve Resolution 2013-23 recognizing December 8-14, 2013 as National Influenza Vaccination Week. Supervisor Holmes seconded the motion which met with unanimous approval.

D. Acquisition of Claremont Fire Dept. Pumper Truck

Mrs. Tamara Arthur, Emergency Services Coordinator, addressed the Board to provide information relative to a request for Board consideration to purchase a Peterbuilt 4WD Pierce Triple Combination Pumper (Urban Assault Vehicle) for Claremont Volunteer Fire Department at a cost of \$419,978 from Atlantic Emergency Solutions, Inc. If approved, the County will utilize a contract provided by Houston-Galveston Area Council (HGAC) that has been used in James City County, Newport News and Hampton for the purchase of fire equipment in the past 12 months.

Mrs. Arthur further explained that the Surry County CIP 14-18, which was approved by the Board of Supervisors on June 7, 2012, has a total of \$525,000 allocated for the purchase of fire equipment/apparatus. An agreement which was signed by all Fire Chiefs, Rescue Squad Captain and the Emergency Services Coordinator on May 16, 2011 stated that "The County shall purchase new apparatus with an initial compliment of equipment as approved in the County's annual Capital Improvement Plan. Development of the CIP related to fire and rescue purchases shall involve input from the Operations Team and the Operations Team shall develop uniform standards for all equipment purchased with County funds." (Section 7, item D) The Claremont Fire department is requesting an Urban Assault Vehicle which offers new options not featured on current pumpers purchased by the County. CVFD feels that this apparatus is better suited for their terrain needs near the river.

Following a lengthy discussion, Supervisor Lyttle made a motion that the Board table the matter until more information could be obtained. Supervisor Holmes seconded the motion which was passed with unanimous approval.

E. Appointment: Social Services Board

No action was taken.

F. Appointment: Board of Historic and Architectural Review

No action was taken.

G. Appointments: Industrial Development Authority

Supervisor Lyttle made a motion that the Board re-appoint Mr. Pernell Johnson as an At-Large member of the Industrial Development Authority for a term beginning November 1, 2013 and ending October 31, 2017. Supervisor Blount seconded the motion; the motion passed with unanimous approval.

H. Appointment: Youth Services Citizen Board

Supervisor Holmes made a motion that the Board re-appoint the following members of the Youth Services Citizen Board for the terms indicated:

- Miss Jessica Randolph – High School representative, term will be 11/7/13-11/6/14 (or until graduation)
- Miss Taylor Starcher – Middle School representative, term will be 12/2/13-12/1/14
- Ms. Angela Eley – At-Large Member, term will be 10/1/13-9/30/17

The motion was seconded by Supervisor Wooden. Supervisors Seward, Blount, Lyttle, Holmes and Wooden voted affirmatively.

PUBLIC HEARING

1. Ordinance 2013-04, Emergency Medical Transportation Service Fees

Chairman Seward called the public hearing to order. Mr. Franklin stated that a public hearing was being held to consider comments regarding the adoption of a proposed amendment to add Section 12-1 to the Surry County Code as authorized by Section 32.1-111.14 of the Code of Virginia which will establish Emergency Ambulance Transportation Service Fees.

Mrs. Tamara Arthur provided the Board with relative information regarding current rescue expenses, billing options, practices of other area localities and anticipated revenues. Mr. Hefty explained that the draft ordinance contained figures which were averages based on fees imposed by other area localities.

Following some initial discussion by Board members, Chairman Seward opened the floor for public comments.

Mr. Barry Burns, Captain of the Surry Volunteer Rescue Squad, addressed the Board and informed that the Rescue Squad answers approximately 1,000 calls annually and estimated that the revenue produced from billing these calls could exceed \$464,000. He stated that the Squad recommended third party billing for the first couple of years. Capt. Burns concluded by stating that he anticipated that EMS transport billing would be detrimental to the Squad's fundraising efforts and that more funding would be needed from the County.

Mr. Tommy Gwaltney (Surry District) addressed the Board and encouraged the use of third party billing for medical transport services.

There being no comments from the public, Chairman Seward closed the floor and requested summary comments from staff and fellow Board members.

Mr. William Hefty informed that medical transport service fees could be imposed via the draft ordinance or could be excluded from the ordinance and established by resolution instead. Chairman Seward stated that the Fiscal Affairs Committee had met previously to discuss the matter of EMS transport billing and that they recommended in-house billing.

No action was taken by the Board.

2. Conditional Use Permit 2013-05

Chairman Seward called the public hearing to order. Mr. Franklin stated that a public hearing was being held to receive public comments regarding an application by S. Jones to permit a private fee based Commercial Outdoor Recreation Activity/Venue (Air soft Competitive Sports) as a Conditional Use as permitted by Article III, Agricultural Rural Residence District, Section 3-302, Permitted Uses, of the Surry County Zoning Ordinance. The 74± acre parcel is located on the northwest corner of the intersection of Watkins Mill Road and Chippokes Farm Road/SR 633, extending along Chippokes Farm Road/SR 633, ±970' and Watkins Mill Road ±2,130', with an average depth of ±4,100'. The property is zoned Agricultural Rural Residence District (A-R) and the Tax Parcel Identification number is 42-4-A&B.

Ms. Rhonda Russell provided a brief slideshow and video presentation to acquaint the Board and assembled audience with air soft competitive sports. ***(A copy of Ms. Russell's slideshow presentation is attached as an integral component of these minutes.)*** Following the presentation, Ms. Russell introduced Mr. Shane Jones, applicant. Mr. Jones provided a brief overview of his plans for the property and activities he would be conducting. He covered information regarding safety features, special event weekends and hours of operation.

Chairman Seward opened the floor for public comments.

Mr. Barry Burns, Captain of the Surry Volunteer Rescue Squad, spoke in support of the application and stated that injuries resulting from such events/activities were no more serious than the average high school sporting event.

Mr. David Skinner (Claremont District) stated that he was an experienced player and that 95% of players he had encountered were sportsmanlike and safety conscious.

Mr. Chris Jomb (Surry District) stated that he was an experienced player and encouraged the Board to authorize Conditional Use Permit 2013-05.

There being no further comments from the public, Chairman Seward closed the floor and requested summary comments from staff and fellow Board members. Ms. Russell informed the Board that the permitting process was similar to previous conditional use permits allowing motorcycle racing events in that a one year demonstration period was required followed by re-application for a multi-year permit. She reviewed the twelve (12) conditions recommended by the Planning Commission and stated that staff had recommended approval. Mr. Hefty informed that the County did not have any insurable interest and recommended approval without the condition that the County be named as additionally insured.

Supervisor Lyttle made a motion that the Board authorize CUP 2013-05 with all the recommended conditions, with the exception of the insurance clause, as presented. The motion was seconded by Supervisor Wooden; Supervisors Seward, Lyttle, Wooden, Holmes and Blount voted affirmatively.

UNFINISHED BUSINESS

Mr. Ervin Jones informed the Board of the County's application to the Virginia Department of Conservation and Recreation (VDCR) for grant funding in support of a half-mile nature and education trail at the Gray's Creek Marina. This is an 80/20 matching grant. Mr. Franklin added that an earlier application had been made to the Virginia Department of Game and Inland Fisheries (VDGIF) for funding for a boat ramp.

NEW BUSINESS

Chairman Seward stated that he had served as the Board's appointee to the Emergency Operations Team (OPS Team) which was established by a joint agreement between the County's volunteer fire and rescue departments. However, he stated that he did not feel it was in the County's best interest to have a Board member serve in this position and recommended that the

Board appoint a representative who was not a Board member. Chairman Seward recommended that Mr. Ervin Jones be appointed to fill this position. The Chairman also mentioned that monthly meetings were prescribed by the agreement which had created the OPS Team, but that meetings were now being held every other month. This concern could be addressed by amendment to the agreement. Supervisor Lyttle asked for time to further consider Chairman Seward's request.

Chairman Seward called the Board's attention to correspondence provided to them from the office of Mr. Patrick S. Herrity, Chair of the Governor's Task Force for Local Government Mandate Review. In his correspondence Mr. Herrity requested that the Board consider a resolution in support of the reinstatement of the first day introduction requirement for all bills with a local fiscal impact. Supervisor Blount made a motion that the Board authorize a resolution as requested; Supervisor Lyttle seconded the motion. Supervisors Seward, Blount, Lyttle, Holmes and Wooden voted affirmatively.

CITIZEN COMMENTS

Mr. Mike Eggleston (Dendron District) addressed the Board and provided photographs of pot holes and other damage to Aberdeen Road. He asked that they be forwarded to VDOT for attention.

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 a specific employee, as permitted by the Code of Virginia §2.2-3711(A)(1). Supervisor Lyttle seconded the motion. Supervisors Seward, Wooden, Holmes, Blount and Lyttle voted in favor of the motion.

Supervisor Blount 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 of matters permitted to be discussed under the provisions of the Virginia Freedom of Information Act. Supervisor Lyttle seconded the motion; all members present voted affirmatively.

ADJOURNMENT

There being no further business before the Board, Supervisor Holmes made a motion to adjourn. Supervisor Lyttle seconded the motion which passed with unanimous approval.

Airsoft Games

Bethel Paintball Park

- <http://www.bethelpaintball.com/bethel-paintball-information/directions-to-bethel-paintball>



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