

VIRGINIA: A SCHEDULED MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS HELD IN THE GENERAL DISTRICT COURTROOM OF THE SURRY COUNTY GOVERNMENT CENTER ON THURSDAY, FEBRUARY 2, 2017 AT 7:00P.M.

PRESENT: SUPERVISOR JUDY S. LYTTLE, CHAIR  
SUPERVISOR MICHAEL H. DREWRY, VICE-CHAIR  
SUPERVISOR JOHN M. SEWARD  
SUPERVISOR GIRON R. WOODEN, SR.  
SUPERVISOR KENNETH R. HOLMES

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR  
MR. WILLIAM HEFTY, COUNTY ATTORNEY  
MRS. CAROL SWINDELL, INTERIM FINANCE DIRECTOR  
MRS. VALERIE PIERCE, DIRECTOR, SURRY SOCIAL SERVICES  
MS. RHONDA RUSSELL, DIRECTOR OF PLANNING  
MRS. SOPHENIA PIERCE, DIRECTOR, OFFICE ON YOUTH  
SHERIFF CARLOS TURNER  
MRS. DEBBIE J. NEE, COMMISSIONER OF THE REVENUE  
MR. RUSSELL SAVEDGE, CHIEF ANIMAL CONTROL OFFICER  
MR. DEREK A. DAVIS, COMMONWEALTH'S ATTORNEY  
MS. LINDA GHOLSTON, WORKFORCE COORDINATOR  
DR. MICHAEL THORNTON, SUPERINTENDENT, SURRY CO. PUBLIC SCHOOLS

#### **CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE**

The meeting was called to order by Chairperson Lyttle who then asked for a moment of silence. Following the moment of silence, she asked those present to stand and say the pledge of allegiance.

#### **CONSENT ITEMS**

1. Approval of January 12, 2017 Minutes, Board of Supervisors
2. Approval of January 19, 2017 Minutes, BOS Work Session and Joint Meeting with School Board
3. Approval of February, 2017 Accounts Payable:

	Accounts Payable	Additional	Total
General Fund	\$43,817.88	\$116,457.44	\$160,275.32
Debt Service	\$0.00	\$0.00	\$0.00
Capital	\$21,542.37	\$12,397.46	\$33,939.83
Water & Sewer	\$22,719.39	\$1,781.38	\$24,500.77
CSA	\$0.00	\$53.98	\$53.98
Indoor Plumbing	\$0.00	\$0.00	\$0.00
Juror Payments	\$270.00	\$0.00	\$270.00
<b>Totals</b>	<b>\$88,349.64</b>	<b>\$130,690.26</b>	<b>\$219,039.90</b>

4. Appropriation Requests February, 2017:

<b>School System - February 2017</b>	Instruction	\$1,123,225.14
	Admin./Health	\$75,753.71
	Pupil Transp.	\$70,701.71
	Operation/Maint.	\$161,772.87
	Food Serv.	\$56,721.14
	Debt Service	\$0.00
	Capital Projects	\$0.00
	Technology	\$61,258.88
	<b>Total</b>	<b>\$1,549,433.45</b>
<b>Dept. of Social Serv. - February 2017</b>		<b>\$140,000.00</b>

Supervisor Drewry made one correction to the January 12, 2017 minutes for the misspelling of a citizen's last name. Supervisor Holmes made a motion that the Board approve the Consent Items as enumerated. Supervisor Wooden seconded the motion. Supervisors Lyttle, Wooden, Holmes, Drewry and Seward voted affirmatively to approve the motion.

**PROGRESS REPORTS**

1. VDOT

No Report

2. Treasurer

A. Investment Letter

Chairperson Lyttle read the Investment Letter submitted by Mrs. Faye Warren, Treasurer, reported the following: as of the January 12, 2017 meeting, it was reported that the balance in the LGIP Fund was \$26,762,215.31. Since that report, accrued interest for December, 2016 in the amount of \$11,248.99 had increased that balance to \$26,773,464.30. Since the last report, \$1,000,000.00 was transferred from the LGIP to the General Fund leaving a balance in the LGIP of \$25,773,464.30. As of February 2, 2017 the County had

\$26,273,464.30 in total investments, including one CD valued at \$500,000.00 which will mature on January 28, 2018.

### 3. County Administration

#### A. Presentation: Projects Update

Mr. Brian Camden, Project Coordinator, addressed the Board to present an update regarding ongoing projects in the County. Mr. Camden informed that the U.S. Army Corps of Engineers had issued a permit for the construction of the Surry County Marina. The marina is planned to have a 200' ADA accessible ramp and gangway leading to a main 420' floating pier with seven finger piers. There will be 44 permanent floating boat slips with the ability to accommodate another 22 boats tied along the back of the main pier for boat traffic to the restaurant. A condition of the permit is that no waterborne work be performed prior to June 30, 2017 to eliminate negative impact on the Atlantic Sturgeon. Staff expects to advertise for bids in late February or early March, 2017.

Mr. Camden informed that staff has not received official notification regarding the award of the Boating Infrastructure Grant from the Department of Game and Inland Fisheries. Staff has been informed that the County's application is under review and that notification will be forthcoming.

Regarding the Town of Dendron Water System Upgrade, Mr. Camden informed that engineers are currently evaluating potential alternatives to placing the proposed new water main along Route 31 under the existing sidewalk. Installation of a sidewalk above the new water main would require additional easements from property owners along the route and would also be subject to Virginia Department of Transportation (VDOT) and ADA regulations. There are also concerns as to what VDOT will require to address storm water runoff as part of the overall project.

Mr. Camden further reported that the proposed new Surry County Rescue Squad facility is expected to be relocated to a location within the Surry West Industrial Park. At the time of the meeting, Mr. Camden informed that Dominion Power has not made a commitment to sharing the cost of the new facility although it has been redesigned and a new site selected at Dominion's request that the facility include an Emergency Operations Center. The redesign has increased the building's size by 4,500 square feet and increased the cost by an estimated \$950,000.

With regard to temperature and humidity concerns in the Records Room at the Surry County Historic Courthouse, Mr. Camden informed that following the repair of the existing system, Thermo-Trol has

assumed responsibility for monitoring the Automated Logistics System (ALS) which allows their technicians to observe how the unit is functioning on a daily basis. Thermo-Trol reports that from December 2016 through January 31, 2017 the unit has been functioning properly at the design set points of 70 degrees and 35-50% relative humidity.

#### B. Budget Amendment – Surry County Schools, Carry-Over Funds

Mr. Franklin informed Board members that the Surry County School Board was requesting a budgetary amendment to the FY 16-17 Operating Budget in the amount of \$261,222, to carry over unspent County funds from the approved FY 15-16 Operating Budget. The Schools have requested to use the funds for the replacement of the HVAC system chiller at Luther Porter Jackson Middle School. If approved, the amendment will assign funds to the Operations and Maintenance expenditure category of the School Operating Budget.

Supervisor Seward made a motion to authorize an FY17 budget amendment in the amount of \$261,222 and to appropriate funds to the Operations and Maintenance category of the School Operating Budget. The motion was seconded by Supervisor Drewry and passed with unanimous approval.

## **PUBLIC HEARINGS**

### 1. Dogs Deserve Better Tax Exemption (Ordinance 2017-01)

Chairperson Lyttle called the public hearing to order at 7:24pm. Mr. Franklin informed that the public hearing was being conducted to receive public comments regarding a proposed ordinance (2017-01) granting the organization known as Dogs Deserve Better, Inc. (DDB) an exemption from the payment of real estate and personal property taxes, as allowed by the Code of Virginia §58.1-3651(B).

Mr. Diallo K. Morris, Attorney for Dogs Deserve Better, Inc., addressed the Board introducing Ms. Elizabeth Kenty, CEO and President of DDB, Ms. Melissa Crampton, Canine Manager, and Ms. Tracey Lubawski, Facility and Office Manager. They stated the mission of their organization and requested that the Board consider an ordinance to provide DDB with an exemption from real estate and personal property taxes. If the ordinance were adopted, they explained, the organization would be able to invest those funds into the care and rehabilitation of the animals they care for. Supervisor Seward asked how many animals are normally housed at the facility in Surry County and was told that the number was about eighteen. Supervisor Drewry inquired why the organization had not requested funding from the County through the budgetary process which is done on an annual basis rather than asking for a permanent exemption.

Following the presentation by DDB staffers, Chairperson Lyttle opened the floor for public comments.

Ms. Savannah Williams (Surry District) addressed the Board to state that she had been unable to hear most of the presentation in the back of the courtroom. Board members and staff provided information to address her questions.

There being no further comments from the public, Chairperson Lyttle closed the floor and requested a summary from staff.

Following some discussion among Board members and the County Administrator, Supervisor Drewry made a motion not to approve the proposed ordinance granting Dogs Deserve Better, Inc. an exemption from real estate and personal property taxes. Supervisor Seward seconded the motion; all present voted affirmatively.

## 2. Transfer of County Owned Wastewater Facilities to Hampton Roads Sanitation District (HRSD)

Chairperson Lyttle called the public hearing to order at 7:49pm. Mr. Franklin informed that the public hearing was being conducted to receive public comments regarding the proposed transfer of the County's wastewater system facilities to the Hampton Roads Sanitation District.

Mr. Ted Henifin, Hampton Roads Sanitation District (HRSD) General Manager, addressed the Board stating that HRSD had been granted a court order allowing them to expand their territory to include Surry County and the Town of Surry. He stated that HRSD would assume ownership of, and would be responsible for daily operation of all County owned wastewater facilities. If, at any time, the County wishes to terminate its agreement with HRSD it may do so at a cost equivalent to the depreciated amount of improvements made to the system by HRSD.

Following Mr. Henifin's presentation, Chairperson Lyttle opened the floor for public comments.

Mr. Sam Edwards (Surry District) addressed the Board to inform that his ability to rebuild his business in Surry County was dependent upon the County's agreement with HRSD. He encouraged Board members to approve the proposed transfer of County owned wastewater facilities to the Hampton Roads Sanitation District.

Mr. Darryl Rickmond (resides in Williamsburg) appeared before the Board stating that the existing wastewater treatment system was old and at maximum capacity and that, in his professional opinion, the County would be required to consider building a new treatment plant which would be extremely costly. He further stated that the proposed service rates for HRSD

were in comparable with current utility rates charged by the County. Mr. Rickmond also stated that improvements to the system under HRSD ownership would make Surry County more attractive to new business and industry.

Mr. Mike Eggleston (Dendron District) addressed the Board to express his concern regarding the cost-effectiveness of the transfer of County owned wastewater facilities as well as the loss of control over how the facilities will be maintained and operated.

Mrs. Helen Eggleston (Dendron District) also expressed concern about what she described as the County giving away its infrastructure. She further voiced concern about potential rate increases and asked Board members to carefully consider their action.

Mrs. Diane Price (Surry District) addressed the Board stating that she felt that the County had much to gain by the transfer. She asked Board members to be mindful of the increased ability to attract and retain businesses as a result of the transfer of utilities to HRSD.

Ms. Teresa Greg (Surry District) spoke in support of the proposed transfer of wastewater treatment facilities.

Mr. Thomas Byrd (Dendron District) appeared before the Board to speak in opposition to the proposed transfer. He stated that he did not anticipate a benefit to the citizens in the Town of Dendron and that he expected utility service rates to increase.

There being no further comments from the public, Chairperson Lyttle closed the floor and requested a summary from staff.

Mr. Tyrone Franklin stated that, in his twelve years of experience in Surry County, he had learned a great deal about wastewater treatment and the necessity of having such infrastructure in place in a community that desires to attract business and industry. He stated that the expansion of HRSD into Surry County was an opportunity to provide improved wastewater treatment services for current residents as well as being an investment in the County's future, as it relates to economic growth.

Following additional comments by Board members, Supervisor Seward made a motion that the Board approve the transfer of the County's existing wastewater system facilities as per the proposed contract agreement, to the Hampton Roads Sanitation District. Supervisor Wooden seconded the motion; Supervisors Lyttle, Drewry, Holmes, Seward and Wooden voted affirmatively.

3. FY 16-17 Budget Amendment: Loan Satisfaction for Wastewater Facilities  
Chairperson Lyttle called the public hearing to order at 8:31pm. Mr. Franklin informed that the public hearing was being conducted to receive public comments regarding a proposed amendment to the FY 16-17 Operating Budget and appropriation of funds, not to exceed \$600,000, for the purpose of satisfying two loans obtained by the County relative to its wastewater treatment facilities. Mr. Franklin informed that the loans must be satisfied prior to the transfer of wastewater facilities to HRSD and that the amount of the amendment would be transferred from the Fund Balance.

Chairperson Lyttle opened the floor for public comments.

Mr. Mike Eggleston (Dendron District) addressed the Board to inquire whether or not the facilities would need to be improved to Department of Environmental Quality (DEQ) standards prior to the transfer. Mr. Ted Henifin, Hampton Roads Sanitation District (HRSD) General Manager, informed that the facilities would be transferred "as is".

There being no further comments from the public, Chairman Lyttle closed the floor and requested a summary from staff. Mr. William Hefty, County Attorney, informed the Board that both lenders were agreeable to early pay off of the loans without penalty.

Supervisor Holmes made a motion that the Board approve an amendment to the FY 16-17 Operating Budget and appropriation of funds, not to exceed \$600,000, for the purpose of satisfying two loans obtained by the County relative to its wastewater treatment facilities, with the funds being transferred to the General Fund from the Fund Balance. The motion was seconded by Supervisor Seward; all present voted affirmatively.

## **PROGRESS REPORTS (cont'd)**

### 3. County Administration

#### C. Certification Request – Commissioner of the Revenue

Mrs. Debbie Nee, Commissioner of the Revenue, addressed the Board to request a refund of \$1,130.57, plus interest to Beechland Farms, II, Beechland Road, Elberon, Virginia for real estate taxes erroneously paid for tax years 2014, 2015, and 2016 on Tax Map Parcel #50-66.

Supervisor Seward made a motion that the Board authorize a refund as enumerated in the Certification Request presented by the Commissioner of the Revenue in the amount of \$1,130.57, plus interest. The motion was seconded by Supervisor Wooden and passed by unanimous vote.

#### D. Surry County Comprehensive Plan Update

Ms. Rhonda Russell, Director of Planning and Community Development addressed the Board to inform that Surry County

retained the Hampton Roads Planning District Commission (HRPDC) to support staff and a Steering Committee of Citizen Representatives in the development of the County's Comprehensive Plan. The support provided by the HRPDC in developing the Subdivision Ordinance, coupled with significant cost savings, bode favorably for this selection decision.

Ms. Russell presented a draft schedule outlining a project timeline which commences in March 2017. HRPDC staff and Surry County Administrative staff expect to develop the respective plan elements as outlined and present the same for review, comment and revisions to a Steering Committee for feedback. This model ensures that proposed Plan elements and recommendations are developed with continual feedback throughout the development process.

Surry Planning & Community Development staff recommends that the Board of Supervisors permit Planning Commission representatives to serve as the Steering Committee members for this initiative. Specifically, a subcommittee of Commissioners would work frequently with Staff and HRPDC representatives to develop the prescriptive plan elements and report progress and recommendations periodically to the full Commission. This process would ebb and flow over the course of several months until the draft plan is complete and presented for broad community input at scheduled community meetings.

Ms. Russell requested that the Board consider deferring appointment of Steering Committee to support development of the Comprehensive Plan to a subset of members of the Surry County Planning Commission elected at the Commission's next regularly scheduled meeting.

Following some discussion, Supervisor Drewry made a motion that the full Planning Commission be responsible for the development of the Comprehensive Plan. Supervisor Wooden seconded the motion; all present voted affirmatively.

#### E. Surry County Broadband Initiatives Update

Ms. Rhonda Russell, Director of Planning and Community Development, presented an update regarding the County's Broadband initiatives. She reminded Board members that at their December, 2016 meeting she had informed that the County had submitted a joint grant application to the Virginia Department of Housing and Community Development (VDHCD) with SCS Broadband, Inc. Staff is still awaiting notification regarding the grant award. The decision to implement 4G technology as opposed to WiFi will be determined by whether or not the grant funding becomes available. Ms. Russell further informed that staff had published a solicitation for tower management services.



F. Resolution 2017-01: VA Broadband Deployment Act Opposition

Ms. Rhonda Russell, Director of Planning and Community Development, and Mr. William Hefty, County Attorney, informed the Board regarding a bill presented to the House of Delegates (HB 2108) which they believe favors the large providers and inhibits expansion of fiber based networks in rural localities. Staff has composed Resolution 2017-01 in opposition to HB 2108, the Virginia Broadband Deployment Act.

Supervisor Seward made a motion that the Board approve Resolution 2017-01 in opposition to HB 2108. Supervisor Drewry seconded the motion; the motion was passed with unanimous support.

G. Board of Supervisors By-Laws

Mr. William Hefty presented Board members with revisions to the proposed By-Laws which they had reviewed at their January 19, 2017 Work Session.

Supervisor Drewry made a motion that the By-Laws be adopted with the identified revisions. The motion was seconded by Supervisor Holmes and unanimously approved.

H. Appointments: Youth Services Citizen Board

Mr. Franklin informed the Board that appointments were needed to the Surry County Youth Services Citizen Board.

Supervisor Wooden made a motion that the following appointments to the Youth Services Citizen Board be approved:

James D. Charity, Jr. (Bacon's Castle) July 1, 2016 – June 30, 2020  
Rev. Anthony Washington (Claremont) July 1, 2016 – June 30, 2020  
Ms. LaRita Pierce (Dendron) July 1, 2016 – June 30, 2020  
Mr. Jason Wiedel (At-Large) July 1, 2016 – June 30, 2020  
Miss. Toni Newby (High School) unexpired term ending Sept. 30, 2017  
Miss Kristina Godette (Middle School) unexpired term ending Sept. 30, 2017

The motion was seconded by Supervisor Holmes and unanimously approved.

**UNFINISHED BUSINESS**

1. Appointments: Surry County Economic Development Authority

No action.

2. Appointment: Highway Transportation Safety Commission

No action.

3. Appointments: Planning Commission

Supervisor Holmes made a motion that the Board re-appoint Mr. Kevin Monahan (Carsley District) for a term beginning January 15, 2016 and ending on January 14, 2020. The motion was seconded by Supervisor Seward and unanimously approved.

4. Appointments: Board of Zoning Appeals

No action.

5. Appointments: Board of Historic and Architectural Review

Supervisor Holmes stated that he was agreeable to continue serving on the Board of Historic and Architectural Review, although his appointment does not expire until June, 2017.

6. Appointment: Surry county Wetlands Board

Supervisor Holmes made a motion that the Board re-appoint Mr. Kevin Monahan (Carsley District) to the Surry County Wetlands Board for a term beginning January 13, 2017 and ending January 12, 2020. Supervisor Seward seconded the motion; all present voted affirmatively.

7. Appointment: Virginia's Gateway Region Board

Supervisor Seward made a motion that Mr. Ernest Blount be appointed to serve on the Virginia's Gateway Region Board for a term beginning March 1, 2017 and ending on February 28, 2018. Supervisor Drewry suggested that he would like to see a recommendation for this appointment come from the Surry County Economic Development Authority. Supervisor Wooden seconded the motion. Supervisors Lyttle, Holmes, Seward and Wooden voted affirmatively. Supervisor Drewry did not vote in support of the motion.

## **NEW BUSINESS**

Supervisor Drewry stated that he had discussed with the County Administrator the need to have Board packets publicly available on the County's website. Mr. Franklin responded by reporting that staff was working to comply with his request.

Supervisor Drewry further requested that the Board consider a workshop session to review the need for some of the County's boards and commissions which seem to be outdated or unnecessary. He stated that citizens desire to be involved in local government.

**CITIZEN COMMENTS**

Mr. Mike Eggleston (Dendron District) appeared before the Board to address concerns broadband.

Mr. Sam Edwards (Surry District) thanked Board members for their positive action on the HRSD facilities transfer.

**ADJOURNMENT**

There being no further business before the Board, Supervisor Wooden made a motion to adjourn. The motion was seconded by Supervisor Drewry and unanimously approved.