

VIRGINIA: A REGULAR MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY GOVERNMENT CENTER ON MAY 5, 2011 AT 7:00 P.M.

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

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR  
 MR. WILLIAM HEFTY, HEFTY & WILEY, COUNTY ATTORNEY  
 MR. JOHN B. EDWARDS, JR., ASSISTANT COUNTY ADMINISTRATOR  
 MRS. MELISSA D. ROLLINS, DIRECTOR OF FINANCE  
 MS. RHONDA R. MACK, DIRECTOR OF PLANNING  
 MRS. DEBORAH NEE, COMMISSIONER OF REVENUE  
 SHERIFF ALVIN CLAYTON  
 MRS. MARY SHAW, TREASURER  
 MR. STACEY T. WILLIAMS, BUILDING OFFICIAL  
 MR. LLOYD HAMLIN, SUPERINTENDENT, SURRY COUNTY SCHOOLS  
 MRS. LUCILLE EPPS, REGISTRAR  
 MR. STACEY WILLIAMS, BUILDING OFFICIAL

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

The meeting was called to order by Chairman Harrison 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.

**CONSENT ITEMS**

1. Approval of April 7, 2011 Minutes, Board of Supervisors
2. Approval of April 28, 2011 Minutes, Board of Supervisors
3. Approval of May 2011 Accounts Payable:

	Accounts Payable	Additional	Total
General Fund	\$164,855.34	\$54,747.15	\$219,602.49
Debt Service	\$586.63	\$24,030.78	\$24,617.41
Capital	\$0.00	\$655.95	\$655.95
Water & Sewer	\$0.00	\$22,985.82	\$22,985.82
Indoor Plumbing	\$0.00	\$0.00	\$0.00
<b>Totals</b>	<b>\$165,441.97</b>	<b>\$102,419.70</b>	<b>\$267,861.67</b>

4. Appropriation Requests:

<b>School System - May 2011</b>	Instruction	\$950,000.00
	<b>Admin./Health</b>	<b>\$55,000.00</b>
	Pupil Transp.	\$85,000.00
	Operation/Maint.	\$185,000.00
	Food Serv.	\$50,000.00
	Debt Service	\$0.00
	Capital Projects	\$0.00
	Technology	\$50,000.00
	<b>Total</b>	<b>\$1,375,000.00</b>
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<b>Dept. of Social Serv. - May 2011</b>		<b>\$180,000.00</b>

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

2. Treasurer

A. INVESTMENT LETTER: Chairman Reginald Harrison read the investment letter submitted by Mary H. Shaw, Treasurer. He stated that as of April 7, 2011 the county had \$14,290,685.81 in the LGIP Fund. Since that report, accrued interest for March 2011 in the amount of \$2,364.99 had increased that balance to \$14,293,050.80. Chairman Harrison stated that as of April 30, 2011, \$1,000,000.00 was transferred from the LGIP account to the General Fund account leaving a balance of \$13,293,050.80 in the LGIP account. As of May 5, 2011 the county had \$14,293,050.80 in total investments, including two CD's valued at \$500,000.00 each.

3. County Administrator

A. Mr. Tyrone Franklin introduced a memo from Ms. Rhonda Mack proposing a utility easement for Mid-Atlantic Broadband Cooperative. Ms. Mack addressed the Board stating that the proposed easement documents had been forwarded to Ikon Engineering, Inc., engineering and consulting firm for the County's Broadband project, and that staff at Ikon had asked

that the matter be deferred for 30 days to consider alternatives that may result in a better coordination of both broadband projects.

Mr. Doug Herrod, a representative from Mid-Atlantic Broadband Cooperative, provided the Board with a brief summary of the Cooperative's history and explained the need for the easement. Ms. Mack again expressed the need to defer action on the matter stating that her goal was to determine the most effective coordination of the two projects. Board members agreed to defer action until June 2, 2011.

B. Mr. Franklin shared correspondence from Mrs. Valerie Pierce indicating that the term of Mrs. Earlene Sprouse, who represents the Surry District on the Surry County Social Services Board, will expire on June 30, 2011. Mrs. Sprouse is not eligible for re-appointment. Supervisor Seward indicated that he was not prepared at this time to recommend a replacement for Mrs. Sprouse.

C. Mr. Tyrone Franklin introduced correspondence from Mr. Marshall W. Smith, President of John Tyler Community College indicating that Ms. Stephanie Beckett's term on the John Tyler Community College Board will expire on June 30, 2011. Mr. Smith is requesting that the Board reappoint Ms. Beckett or a replacement for a term from July 1, 2011 through June 30, 2015. Mr. Franklin indicated that Ms. Beckett was agreeable to serving another term.

Supervisor Lyttle made a motion that the Board reappoint Ms. Beckett to the John Tyler Community College Board for a term from July 1, 2011 to June 30, 2015. The motion was seconded by Supervisor Seward; all present voted affirmatively.

D. Mr. Franklin reported that the Board was scheduled to take action on the Proposed FY 2011-2012 School System Budget as outlined. Supervisor Lyttle made a motion that the Board adopt the FY 2011-2012 School System Budget as proposed below. The motion was seconded by Supervisor Seward; Supervisors Harrison, Seward, Holmes, Blount and Lyttle voted in favor of the motion. The Board agreed to meet again on Thursday, May 12, 2011 to approve categorical transfers as had been previously requested by the School System.

<b><u>EXPENDITURES</u></b>	<b>FY10-11</b>	<b>FY 11-12</b>	<b>Net Change FY 12 over</b>	
	<b>Adopted</b>	<b>Requested</b>	<b>FY 11 Adopted Budget</b>	
	<b>Budget</b>	<b>Budget</b>	<b>Dollar (\$)</b>	<b>%</b>
<b><u>Categories</u></b>				
Instruction	\$10,508,107	\$10,682,843	\$174,736	1.66%
Administration & Health	\$828,621	\$844,084	\$15,463	1.87%
Pupil Transportation	\$1,044,508	\$1,099,141	\$54,633	5.23%
Operation & Maintenance	\$1,779,806	\$1,876,531	\$96,725	5.43%
Technology	\$824,658	\$828,561	\$3,902	0.47%
Food Service	\$585,662	\$598,062	\$12,400	2.12%
Debt Service	\$264,890	\$86,250	\$178,640	-67.44%
<b>Total Operating Expenditures</b>	<b>\$15,836,252</b>	<b>\$16,015,472</b>	<b>\$179,220</b>	<b>1.13%</b>

<b><u>REVENUE</u></b>	<b>FY10-11</b>	<b>FY11-12</b>	<b>Net Change FY 12 over</b>	
	<b>Adopted</b>	<b>Adopted</b>	<b>FY 11 Adopted Budget</b>	
	<b>Budget</b>	<b>Budget</b>	<b>Dollar (\$)</b>	<b>%</b>
<b><u>Sources</u></b>				
State	\$3,343,780	\$3,097,069	(\$246,711)	-7.38%
Federal	\$948,821	\$924,289	(\$24,532)	-2.59%
Local Miscellaneous	\$300,000	\$300,000	\$0	0.00%
Local Appropriation	\$11,243,651	\$11,694,114	\$450,463	4.01%
<b>Total Proposed Revenue</b>	<b>\$15,836,252</b>	<b>\$16,015,472</b>	<b>\$179,220</b>	<b>1.13%</b>

E. Mr. John Edwards, Assistant County Administrator, addressed the Board with regard to the recent Emergency Medical Service Request for Proposals. He reported that the County had recently solicited proposals from firms to provide contract emergency medical services 24 hours a day, seven days per week to support the Surry Volunteer Rescue Squad. Three firms responded to the request for proposals and all three were interviewed. The firms were:

- Medical Transport LLC
- Eagle Medical Transports LLC
- Life Star Ambulance Services, Inc.

The interview panel consisted of the County Administrator, Assistant County Administrator/Emergency Services Coordinator and the Captain of the Surry Volunteer Rescue Squad. Based on the proposals and interviews the panel selected Life Star Ambulance Services and Medical Transport as the top two firms and entered into cost negotiations with both firms. Based on the information provided in the proposals, discussions during the interviews, and the amended cost proposals, the panel believes that Life Star Ambulance Services, Inc. is the best choice for providing highly skilled and compassionate emergency medical care to the citizens of Surry County in the most cost effective manner. Awarding the contract to Life Star Ambulance Service will save the County \$12,264.00 over the term of the contract.

Mr. Edwards discussed the criteria used to evaluate the three firms including references and services to other rural communities: specifically that Life Star Ambulance Service also provides service to the communities of Emporia, Hopewell, Courtland, Richmond and Stony Creek in Sussex County. He further reported that the current service provider was aware of the recommendation to contract with Life Star Ambulance Services and had agreed to provide a seamless transition.

Supervisor Seward made a motion that the Board authorize the County Administrator to execute a contract with Life Star Ambulance Services, Inc. to provide one Advanced Life Support ambulance crew 24 hours per day, seven days per week for a fee of \$341,640 per year for a three year period beginning on July 1, 2011. Supervisor Blount seconded the motion; the Board voted unanimously in favor of the motion.

## **PUBLIC HEARING**

1. Chairman Harrison called the Public Hearing to order. Mr. Tyrone Franklin stated that a Public Hearing was scheduled for this evening for the purpose of hearing comments regarding an application by Tidewater Academy Booster Club, Conditional Use Permit 2011-01, to permit a fixed number of motorcycle racing events annually as a conditional use at 10662 Rolfe Highway. The subject property is zoned Agricultural Rural Residence District (A\_R) and located on the south side of Rolfe Highway, beginning approximately 500'± east of the intersection of Rolfe Highway/SR 10 and Goodson Path/SR 660. The Tax Parcel Identification Number is 40-5.

Mr. Tony Seward spoke representing the applicant. Mr. Seward indicated that this was an application to renew a five year Conditional Use Permit allowing the motorcycle races as a fund raising event for the Tidewater Booster Club. He discussed several of the conditions required by the Planning Commission and added that campers and participants in the event would contribute to the local economy during their stay in the County.

Ms. Rhonda Mack, Director of Planning and Community Development, addressed the Board to further discuss the conditions that the Planning Commission had placed on the applicant and recommended approval of Conditional Use Permit 2011-01 subject to the ten conditions as follows:

1. *The Conditional Use Permit authorizes only one event annually, not to exceed two days until 2015. Race events may not be held Monday-Friday. Written notice at least thirty days prior to the event must be provided to the Surry County administrator by registered mail.*
2. *Motorcycle racing shall be limited to 8:00AM-8:00PM daily.*
3. *A copy of the contract for use of the property as proposed and a certificate of insurance naming Surry County as additionally insured must be submitted at least thirty days prior to the event to the Surry County Administrator by registered mail.*
4. *Compliance with all health department regulations is required.*
5. *Onsite lavatory facilities are required for public use.*
6. *Private disposal of all refuse is required. Applicant is required to submit evidence demonstrating compliance with this requirement no less than thirty days prior to the event to the Surry County Administrator by registered mail.*
7. *Onsite security and emergency medical personnel must be available onsite during the entire event. Applicant is required to submit evidence demonstrating compliance with this requirement no less than thirty days prior to the event to the Surry County Administrator by registered mail.*
8. *Vehicles shall not be parked in the public right-of-way and/or obstruct two-way traffic movement along the public right-of-way.*
9. *The applicant shall submit a report to the Surry County Administrator outlining events to include medical emergencies and/or other anomalies during the annual race event within ten days after the annual race event. (Added by Planning Commission at 3/28/11 Meeting)*
10. *Prior to the April 22, 2011, the applicant/owner shall retain a licensed surveyor to mark the boundary lines of tax parcel 40-5 and 40-6, and coordinate a site visit with Surry County Staff, Adjacent Property Owner, the Current Property Owner and Race Promoters to identify and verify the property line boundaries. (This is requirement for the 2011 race event only.) Once the property line has been established as specified above, the race course shall be maintained a minimum of 100' from the shared property line. (Added by Planning Commission at 3/28/11 Meeting)*

Chairman Harrison opened the floor for public comments. No citizens came forward to speak; Chairman Harrison closed the floor for public comments and asked for comments from staff and fellow Board members. There was some discussion with regard to the disposal of solid waste resulting from the event. Supervisor Blount made a motion that the Board approve Conditional Use Permit 2011-01 subject to the conditions recommended by the Planning Commission. The motion was

seconded by Supervisor Lyttle. Supervisors Harrison, Seward, Holmes, Blount and Lyttle voted in favor of the motion.

2. Chairman Harrison called the second Public Hearing to order. Mr. Tyrone Franklin stated that a Public Hearing was scheduled for this evening for the purpose of hearing comments regarding proposed Ordinance 2011-01 to retain the existing Election Districts previously adopted July 24, 2003 in response to the results of the 2010 Census. Based upon the 2010 Census, each of the five Election Districts have an ideal population of 1,412 persons. According to the Census, the current Election Districts have the following populations:

<u>Election District</u>	<u>Population</u>	<u>Percent of Deviation from Ideal</u>
Bacon's Castle	1,443	+2.20%
Carsley	1,375	-2.62%
Claremont	1,447	+2.48%
Dendron	1,363	-3.47%
Surry	<u>1,430</u>	+1.27%
	7,058	

A deviation of 10% from the ideal population is considered acceptable under state and federal law. Given the above deviations, the ordinance will reflect no changes in the Election Districts based on the 2010 Census.

Mrs. Lucille Epps, Registrar, appeared before the Board and spoke in support of the proposed ordinance which retains the existing election districts. Chairman Harrison opened the floor for public comments. No citizens came forward to speak; Chairman Harrison closed the floor for public comments and asked for comments from staff and fellow Board members. There was no discussion. Supervisor Lyttle made a motion that the Board adopt Ordinance 2011-01 retaining the established election districts, precincts and polling places in response to the 2010 Census data. The motion was seconded by Supervisor Blount; the Board voted unanimously in favor of the motion.

Mrs. Epps again addressed the Board to provide an update on state redistricting and its effect on the County. She reported that Governor McDonnell signed the redistricting bill on Friday, April 29, 2011. Surry County will now be represented in the State Senate by Senator Louise Lucas of the 18<sup>th</sup> District, although a small portion of the County at Hog Island would be represented by Senator Tommy Norment of the 3<sup>rd</sup> District. In the House of Delegates the districts of Surry, Bacon's Castle, Claremont and Carsley will be represented by Mr. William Barlow of the 64<sup>th</sup> District and Dendron would be split between Mr. Barlow and Mrs. Roslyn Tyler of the 75<sup>th</sup> District. Mrs. Epps further stated that as she was made aware of further developments, she would forward that information to the Board. She also reported that the State Board of Elections would be mailing out new voter cards and that according to 2010 Census data only 130 individuals of voting age were not registered to vote resulting in 98% voter registration rate for Surry County.

3. Chairman Harrison called the third Public Hearing to order. Mr. Tyrone Franklin stated that a Public Hearing was scheduled for this evening for the purpose of hearing comments regarding proposed Ordinance 2011-02 to allow the operation of

utility vehicles on State Highway Route 650 between the security entrance to the Surry Power Station and the entrance to the Hog Island Wildlife Refuge, pursuant to Section 46.2-916.2 of the Code of Virginia. Mr. William Hefty, County Attorney, and Mr. Joe Del Principe, a representative of Surry Power Station, provided information regarding the type of vehicles used, the purpose for their use and the area of their usage (approximately 0.6 miles) at a speed limit of 15 MPH.

Chairman Harrison opened the floor for public comments. No citizens came forward to speak; Chairman Harrison closed the floor for public comments and asked for comments from staff and fellow Board members. There was no further discussion. Supervisor Holmes made a motion that the Board adopt Ordinance 2011-02 allowing the use of utility vehicles on that portion of State Route 650 between the Surry Power Station and the entrance to Hog Island Refuge Area, which is a distance of approximately 0.6 miles. The motion was seconded by Supervisor Lyttle; all present voted affirmatively.

## **UNFINISHED BUSINESS**

Supervisor Lyttle asked the Board to consider approving two more manned solid waste collection sites so that no citizen would have to travel more than seven miles to reach a collection site. Chairman Harrison reminded fellow Board members that such approval would necessitate an increase in the County's budget. Following brief discussion, Supervisor Blount suggested that the Building and Grounds Committee consider the issue and return to the Board with a recommendation.

Supervisor Blount asked staff to present information regarding Emergency Services cost recovery billing.

## **NEW BUSINESS**

Supervisor Seward addressed recent news reports regarding the sale of the former Michael Vick property to an animal rehabilitation organization. He assured the public that the Board and County staff were aware of the situation and that any use of the property would be in line with the uses specified in the County's current zoning ordinance.

## **CITIZEN COMMENTS**

Mrs. Valerie Delgado addressed the Board as a citizen and a member of the Surry County SPCA. She expressed concerns with regard to the lack of access to the Surry County Animal Shelter. She suggested changes in operating hours to allow for access on evenings and weekends. Mrs. Delgado also suggested changes to fees for surrendering an animal and for adoption of animals. Additionally, she suggested some restrictions to pet adoption.

There was some discussion among Board members and staff regarding the Animal Control Volunteer Program.

Supervisors also responded to correspondence from Mr. Paulin Cheatham regarding the hours of operation at the County's solid waste collection sites.

### **CLOSED SESSION**

There being no further comments from the public, Supervisor Seward made a motion that the Board move to Closed Session to discuss a personnel matter involving the appointment or promotion of particular officers or employees, Virginia Code § 2.2-3711(A)(1) and the acquisition of real property for public purposes where discussion in an open meeting would adversely affect our bargaining position, Virginia Code § 2.2-3711(A)(3). Supervisor Lyttle seconded the motion. Supervisors Harrison, Holmes, Lyttle, Seward and Blount voted in favor of the motion.

### **ADJOURNMENT**