

VIRGINIA: A REGULAR MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS
HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY
GOVERNMENT CENTER ON JULY 5, 2012 AT 7:00P.M.

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

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR
MS. TERRI HALE, DIRECTOR OF FINANCE
MR. BRENDAN HEFTY, HEFTY AND WILEY, COUNTY ATTORNEY
MS. RHONDA R. MACK, DIRECTOR OF PLANNING
MRS. DEBBIE NEE, COMMISSIONER OF THE REVENUE
MRS. MARY SHAW, TREASURER
SHERIFF ALVIN W. CLAYTON, SR.
MR. STACEY WILLIAMS, BUILDING OFFICIAL

CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Lyttle who asked those gathered to remember the inspiring life and family of Senator Yvonne B. Miller who recently passed away. Chairperson Lyttle 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 June 7, 2012 Minutes, Board of Supervisors
2. Approval of July 2012 Accounts Payable:
(these figures represent the month of June 2012: FY 2011-2012)

	Accounts Payable	Additional	Total
General Fund	\$94,191.40	\$100,969.06	\$195,160.46
Debt Service	\$0.00	\$586.63	\$586.63
Capital	\$0.00	\$148,718.79	\$148,718.79
Water & Sewer	\$2,106.10	\$15,409.09	\$17,515.19
CSA	\$14,800.00	\$0.00	\$14,800.00
Indoor Plumbing	\$0.00	\$0.00	\$0.00
Totals	\$111,097.50	\$265,683.57	\$376,781.07

(these figures represent the month of July 2012: FY 2012-2013)

	Accounts Payable	Additional	Total
General Fund	\$31,750.00	\$0.00	\$31,750.00
Debt Service	\$0.00	\$0.00	\$0.00
Capital	\$0.00	\$0.00	\$0.00
Water & Sewer	\$0.00	\$0.00	\$0.00
CSA	\$0.00	\$0.00	\$0.00
Indoor Plumbing	\$0.00	\$0.00	\$0.00
Totals	\$31,750.00	\$0.00	\$31,750.00

3. Appropriation Requests:

School System - July 2012	Instruction	\$328,373.00
	Admin./Health	\$129,365.00
	Pupil Transp.	\$142,226.00
	Operation/Maint.	\$323,563.00
	Food Serv.	\$56,409.00
	Debt Service	\$0.00
	Capital Projects	\$0.00
	Technology	\$124,847.00
	Total	\$1,104,783.00
Dept. of Social Serv. - July 2012		\$150,000.00

4. General Fund 1st Quarter Appropriations:

General Government	\$2,273,727.00
Special Funds	\$133,908.00
Debt Service	\$1,000,000.00
Water & Sewer	\$75,000.00
Capital Projects	\$1,935,000.00
TOTAL	\$5,417,635.00

5. FY 12 Budget Amendment: Sheriff's Office \$21,646.00

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

PROGRESS REPORTS

1. VDOT

Mr. Rossie Carroll, VDOT Williamsburg Residency Administrator addressed the Board with regard to maintenance issues. He reported that the replacement of two drains along Route 10 between Rt. 618 and Rt. 626 was completed on June 19th, mowing of primary roads was completed on June 26, mowing of secondary roads is 75% complete, that maintenance crews were actively cutting brush and performing ditching in the Claremont area, and that crews had all roads open and cleared following the damaging storms on June 29 and 30.

Mr. Carroll introduced Mr. Ken McKinna, Engineer, to address some of the Board's concerns regarding the proposed Lebanon Road project. Mr. McKinna stated that he would try to address two issues: the extent of the planned improvements and the right-of-way impacts. ***(The VDOT presentation is attached as an integral component of these minutes.)*** Mr. McKinna reviewed the history of the project reporting that the original intent had been to improve Lebanon Road from its intersection with Route 618 to the limits of the Town of Surry. However, the cost of the project (\$3.8 million) had resulted in the narrowing of the project to only include the section of roadway from Route 618 to Dark Swamp Road which appears to have the most geometric challenges. The estimated cost of the current project is \$2.2 million, to be funded through federal, state and local sources. (Local funding contribution is \$250,000.) Mr. McKinna and Mr. Carroll discussed the chall

curve at the intersection with Route 618. They reported that a project to correct the curve would cost an estimated \$1 million.

With regard to right-of-way impact, Mr. McKinna reported that changes had been made to the project to lessen the impact on adjacent landowners and had significantly reduced (60%) the right-of-way that would need to be purchased from these landowners. He further stated that VDOT was in the process of acquiring right-of-way and had cleared six of the seven adjacent landowners. The next phase of the project would involve the relocation of utilities with advertisement of bids for construction scheduled for June 2013.

Supervisor Seward invited Mr. C. B. Faison, attorney and adjacent landowner, to address the Board and VDOT representatives with questions and concerns. Following further discussion, Supervisor Seward remarked that the Board wanted to continue to be sensitive to the Mr. Faison and his concerns. He further stated that it was

discouraging to undertake a project which would not provide the County with what it wanted while being so intrusive on residential property owners.

Mr. Franklin asked Mr. Carroll to provide additional information regarding the Route 460 project. Mr. Carroll responded that he only had information similar to that which has been made available to the press. Following brief discussion, Mr. Franklin announced that the project would include three interchanges which would serve Surry County: along Route 40, Route 602 and Route 617.

2. Treasurer

A. Investment Letter

Mrs. Mary H. Shaw, Treasurer stated that as of June 7, 2012 the County had \$14,311,775.53 in the LGIP Fund. Since that report, accrued interest for May 2012 in the amount of \$2,156.81 had increased that balance to \$14,313,932.34. Since the June 7, 2012 report, a total of \$2,000,000.00 was transferred from the LGIP account to the General Fund, leaving a balance of \$12,313,932.34 in the Local Government Investment Pool. As of June 7, 2012 the county had \$12,818,824.51 in total investments, including one CD valued at \$504,892.17 which matures January 18, 2013. Mrs. Shaw reported that the variable interest rate on the LGIP funds is .168%.

3. County Administration

A. Subdivision Appeal: Pamela Jones

Ms. Rhonda Mack provided the Board with information regarding the subdivision appeal of Ms. Pamela L. Jones. The Planning Commission considered the request of a proposed parcel split for property owned by Ms. Jones and located off Martin Luther King Highway (Tax Parcel # 23A-1-8). The Commission deferred consideration to permit the applicant's attendance to address questions related to the odd configuration of the proposed boundary line adjustment. Ms. Mack further explained that the County's Subdivision Ordinance permits applicants to request approval directly from the Board of Supervisors of requests to amend parcel boundary lines when the existing lots are nonconforming and the reconfiguration does not result in one or more standard lots. ***(A copy of Ms. Mack's presentation is attached as an integral component of these minutes.)***

In response to the questions raised by the Planning Commission, Ms. Mack reported that the applicant advised staff that the odd lot configuration is temporary and designed to permit the construction of a second dwelling. The applicant further stated that it is her intent to demolish the existing residence upon completion of the new dwelling.

Ms. Jones and her surveyor, Mr. Buddy Sheckler, were present to address the Board. Mr. Sheckler explained the configuration of the lots and Ms. Jones explained her purpose in dividing the two lots in order to secure financing on only one lot for the building of the new dwelling. This would eliminate the need to have the current dwelling and second lot included in the financing of the new home.

Following a period of discussion, Supervisor Wooden made a motion that the Board authorize the proposed subdivision boundary line adjustment as presented; Supervisor Holmes seconded the motion. Supervisor Seward expressed concern that the Board might be setting a precedent and stated general concern with regard to the overall project. Chairperson Lyttle called for a vote; Supervisors Lyttle, Blount, Seward, Wooden and Holmes voted affirmatively.

B. Land Purchase: Resolution 2012-15

Mr. Franklin reported that following the closure of the Mantura Road Dumpster site in April 2010, staff had aggressively sought a location for a third manned solid waste collection site in the Bacon's Castle area. Staff have now identified a parcel at the intersection of Route 627 and Old Route 10 which is currently owned by Ms. Mary Wilson Worthington and family members. The Worthington family have signed a Purchase contract indicating their willingness to sell the property to Surry County for a purchase price of \$10,000 with necessary funds coming from the County's Capital Fund.

Supervisor Seward made a motion that the Board authorize Resolution 2012-15 which would 1) authorize the purchase of a tract of land at the intersection of Route 627 and Old Route 10 (Tax Map # 43-66) belonging to Ms. Mary Wilson Worthington and family members, and 2) authorize the County Administrator to execute any documents relative to said purchase. Supervisor Blount seconded the motion; the motion passed with unanimous approval.

C. Land Purchase: Resolution 2012:16

Mr. Franklin reported that the FY 2013-2017 Surry County Capital Improvement Plan includes \$150,000 for the purchase of property to be developed for use as a warehouse/garage facility for the benefit of both the School System and the County. Staff have identified a parcel at the intersection of Hollybush and New Design Roads which is currently owned by Holly Bush Hills, LLC. Mr. William Riddick of the firm Riddick Babineau in Smithfield, acting as legal representative for Holly Bush Hills, LLC, has signed a Purchase Contract indicating their willingness to sell the property to Surry County for a purchase price of \$150,000.

Supervisor Blount made a motion that the Board authorize Resolution 2012-16 which would 1) authorize the purchase of a tract of land at the intersection of Hollybush and New Design Roads (Tax Map #39-11A, Lot 1) currently owned by Holly Bush Hills, LLC, and 2) authorize the County Administrator to execute any documents relative to said purchase. Supervisor Wooden seconded the motion; the motion was unanimously approved.

D. Certification Request: Commissioner of the Revenue

Mr. Franklin presented the Board with a Certification Request from Mrs. Deborah Nee, Commissioner of the Revenue. The Commissioner has requested that the Board approve a refund of Tangible Business Personal Property taxes in the amount of \$1,280.00 due to Deep Run Logging pursuant to Section 58.1-3981 of the Code of Virginia. Subject taxes were erroneously assessed and paid on a 2005 Prentice Log Loader for tax year 2011.

Supervisor Holmes made a motion that the Board authorize the requested refund of \$1,280.00 to Deep Run Logging as enumerated in the Certification Request from the Commissioner of the Revenue. The motion was seconded by Supervisor Seward; Supervisors Lyttle, Blount, Wooden, Holmes and Seward voted affirmatively.

E. Re-appropriation of Funds: Sheriff's Department

Mr. Franklin presented correspondence from Sheriff Clayton requesting that \$7,500 which had been appropriated in the FY 11-12 budget for the purchase of new weapons be re-appropriated in FY 12-13. Sheriff Clayton was present to respond to the Board's questions and concerns. Following brief discussion, the Board agreed to refer the matter to the Fiscal Affairs sub-committee for further consideration.

F. Approval of Contract to Update E911 System

Ms. Terri Hale reported that the County has received grant funds from the E911 Wireless Board to upgrade the existing E911 telephone system, which is obsolete and no longer maintained by Verizon. The proposed contract has been reviewed and approved by the County Attorney, Mr. William Hefty. The upgrade is completely grant funded and is included in the County's Capital Improvement Plan.

Supervisor Seward made a motion that the Board authorize the County Administrator to execute the Verizon contract in the amount of \$149,495.94 and to appropriate the funds in FY 12-13. The motion was seconded by Supervisor Wooden and met with unanimous approval.

G. Update on Surry County Broadband Implementation

Ms. Rhonda Mack addressed the Board with a report on progress related to the Broadband Implementation Project. Ms. Mack reported that construction activity was now visible within the County. RACO, subcontractor for Mid-Atlantic Broadband Cooperative (MBC) began construction during the week of June 17, 2012. The broadband project has served as a catalyst to apply for Miss Utility membership and retain a Utility Location Service provider. Ms. Mack further reported that Buggs Island Telephone Cooperative (BIT) has advised that subscriber services will be available in mid-September.

Ms. Mack reported on new signage present in the County calling attention to the project and its funding sources. Additionally, Ms. Mack reported that 27 of the grant stipulated 31 jobs have been created and attributed this success to the County's industry partners, S. W. Edwards & Sons, Inc. and Windsor Mills.

H. Request for Public Hearing CUP 2012-05

Ms. Rhonda Mack addressed the Board regarding the Planning Commission's request for a public hearing to consider Conditional Use Permit (CUP) 2012-05, an application by the tidewater Council, Boy Scouts of America, to permit a motorcycle race as a conditional use from November 5-6, 2005 at the Pipsico Scout Reservation (Tax Parcel # 13-6). The Planning Commission considered and approved the CUP at their June 25, 2012 meeting subject to nine additional conditions. A public hearing is requested for the Board's August 2, 2012 meeting. The applicant was in attendance and spoke briefly.

Supervisor Seward made a motion that the Board authorize a public hearing for the August 2, 2012 meeting for the purpose of considering CUP 2012-05. The motion was seconded by Supervisor Blount; all present voted affirmatively.

I. Declaration of Surplus Equipment

Mr. Franklin informed the Board that staff are working to advertise sealed bids for surplus County equipment and asked that they add a 1982 Chevrolet Fire Truck (VIN# 1GBL7D1E1CV115616) to the surplus inventory.

Supervisor Holmes made a motion that the Board 1) declare the 1982 Chevrolet Fire Truck, as described above, as non-usable surplus and 2) authorize County staff to remove it from the County's inventory. Supervisor Seward seconded the motion; Supervisors Lyttle, Blount, Wooden, Holmes and Seward voted affirmatively.

J. Appointments: Highway Transportation Safety Commission

Mr. Franklin provided the Board with correspondence from the Planning Department indicating the need for appointments to the Surry County Highway Transportation Safety Commission.

Supervisor Blount made a motion that the Board re-appoint Mr. Kenneth Pittman, representative of the Dendron District, to the Highway Transportation Safety Commission for a term beginning July 1, 2012 and ending June 30, 2016. The motion was seconded by Supervisor Seward and passed with unanimous approval.

The appointment of a representative from the Surry District was tabled.

K. Appointments: Youth Services Citizens Board

Mr. Franklin provided the Board with correspondence from the Office on Youth indicating the need for appointments to the Surry County Youth Services Citizen Board.

Supervisor Blount publicly thanked Mrs. Gwen Brown for her years of service to Surry County both through her employment and volunteer service. He then made a motion that the Board appoint Ms. LaRita Pierce to replace Mrs. Brown as the Dendron District representative to the Youth Services Citizen Board for a term from July 1, 2012 through June 30, 2016. The motion was seconded by Supervisor Holmes; Supervisors Lyttle, Wooden, Seward, Blount and Holmes voted affirmatively.

Supervisor Wooden made a motion that the Board re-appoint Rev. Anthony Washington, Sr. as the Claremont District representative to the Youth Services Citizen Board for a term from July 1, 2012 through June 30, 2016. Supervisor Seward seconded the motion; the motion met with unanimous approval.

Appointments for the Bacon's Castle District and Member-at-Large were tabled.

L. Appointment: Industrial Development Authority

Mr. Franklin advised the Board that an appointment was needed to the Surry County Industrial Development Authority from the Carsley District as the term of Ms. Jennifer Gwaltney had expired effective June 30, 2012. He further reported that efforts to contact Ms. Gwaltney to determine if she was willing to continue to serve had not been successful. After brief discussion the Board recommended that County staff further attempt to contact Ms. Gwaltney and table the appointment until a later date.

UNFINISHED BUSINESS

Supervisor Seward inquired of Ms. Rhonda Mack, in reference to earlier consider of the Jones Subdivision Appeal, whether this particular matter would be addressed in the anticipated revision of the County's Subdivision Ordinance. Board members continued discussion of the issue with input from Mr. Brendan Hefty and Ms. Mack.

NEW BUSINESS

Mr. Franklin requested that the Board consider scheduling a public hearing to consider two ordinances currently being drafted by the County Attorney. The first ordinance addressed disorderly conduct and is being updated to contain language that is consistent with the State Code. The second ordinance addresses loitering. Both ordinances are being developed with the assistance of the Commonwealth's Attorney and will be available in draft form to be considered at the Board's August 2, 2012 meeting.

Supervisor Holmes made a motion that the Board schedule a public hearing for their August 2, 2012 meeting to consider two draft ordinances addressing disorderly conduct and loitering. Supervisor Wooden seconded the motion; the motion passed with unanimous support.

Supervisor Blount informed the Board that he had been approached by some area farmers concerned about secondary roadside mowing. He suggested that the farmers may be available as subcontractors for VDOT in the event that VDOT is unable to complete mowing of secondary roads due to damaged or non-working equipment.

Supervisor Blount commented on the poor condition of the County welcome signs and requested that County staff look into having them refurbished.

Supervisor Blount reported that he had been contacted by the Town of Dendron and informed that the Council had appointed an individual to oversee emergency services operations in the Town. Since the County and the Town of Dendron have a good working relationship, Supervisor Blount asked that County staff incorporate this representative from the Town into discussions and/or training opportunities related to emergency services. Mr. Franklin responded that the County has had great success recently in working with the Towns in emergency situations, although coordination of efforts have usually taken place through the mayors. He stated that he had not been aware that the Town Council had appointed anyone else to that position, but that the County would respond to Supervisor Blount's request.

Supervisor Blount inquired regarding the process for referring citizens to Habitat for Humanity.

Chairperson Lyttle reported that 2012 was the 360th anniversary of the creation of Surry County; the County having been established in 1652. Supervisor Holmes added that the County should consider erecting signs or banners to announce the anniversary and further suggested that a resolution commemorating the event be presented to the Board for consideration. Mr. Franklin agreed to meet with Supervisor Holmes to discuss appropriate actions.

CITIZENS COMMENTS

Mr. Mike Eggleston (Dendron District) addressed the Board with questions regarding the County's land purchases, gang violence, the proposed Lebanon Road project and County employment opportunities. Chairperson Lyttle informed Mr. Eggleston that he should submit his questions to the County Administrator for answers.

Mrs. Helen Eggleston (Dendron District) addressed the Board with concerns regarding School System funding.

CLOSED SESSION

There being no further comments from the public, Supervisor Seward made a motion that the Board move to Closed Session to discuss two personnel matters involving specific employees, Virginia Code § 2.2-3711(A)(1). Supervisor Wooden seconded the motion. Supervisors Seward, Holmes, Lyttle, Harrison and Blount voted in favor of the motion.

Supervisor Seward 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.

Supervisor Seward made a motion that the Board authorize Mr. Tyrone W. Franklin, County Administrator, to enter into a contract with Sheriff Clayton regarding the supervision of the Emergency Communications Manager. The motion was seconded by Supervisor Wooden and unanimously approved.

ADJOURNMENT

Supervisor Seward made a motion that the Surry County Board of Supervisors adjourn; Supervisor Blount seconded the motion. Supervisors Lyttle, Holmes, Wooden, Blount and Seward voted in favor of the motion.



Route 626, Lebanon Rd, Surry County

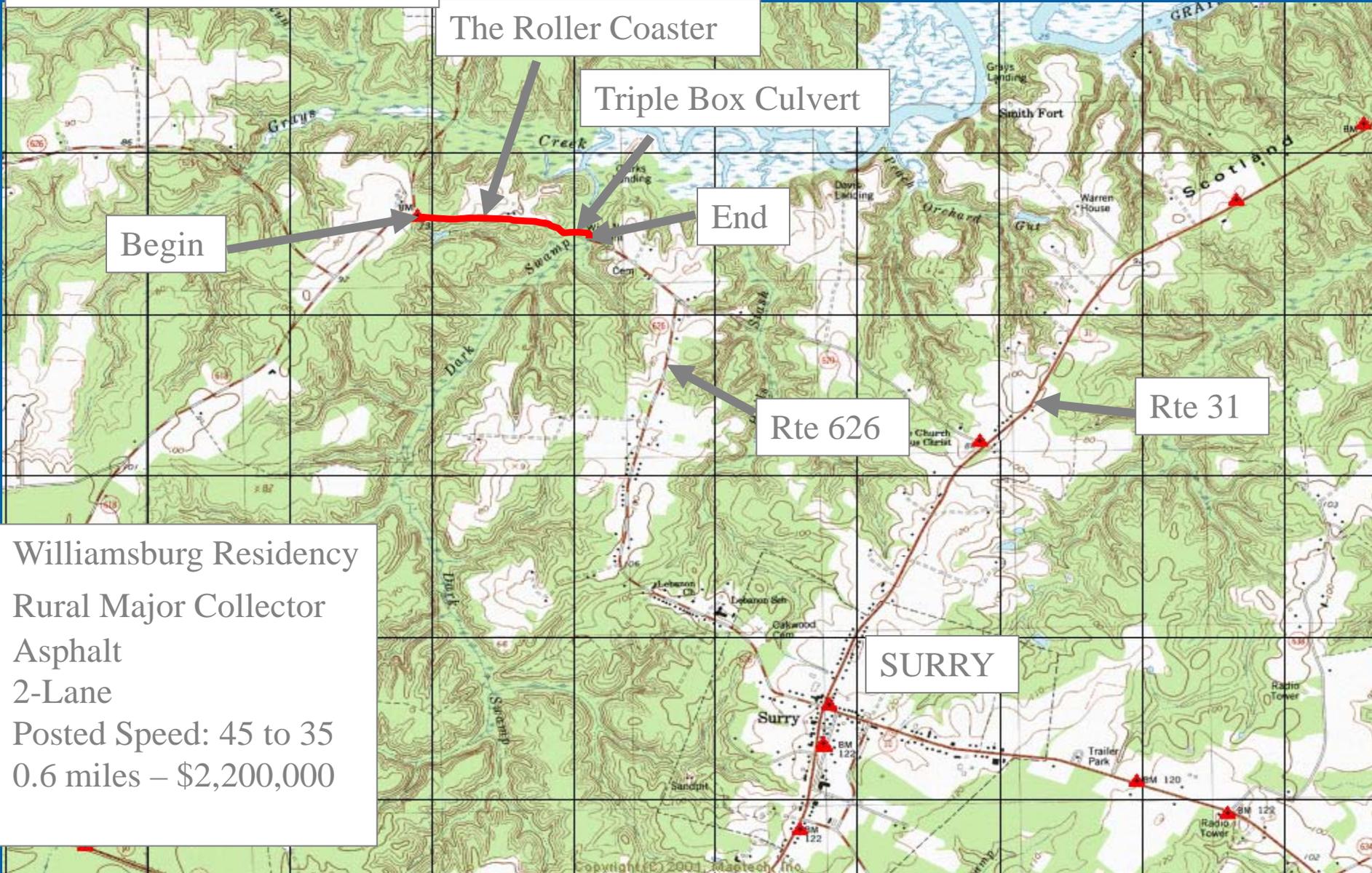
State Project: 0626-090-171

(UPC: 14924)

- Project Information
- Impacts to Parcel 002 (Corner of Rte 626 & 618)

Current Project Limits

Route 626, Lebanon Road



The Roller Coaster

Triple Box Culvert

Begin

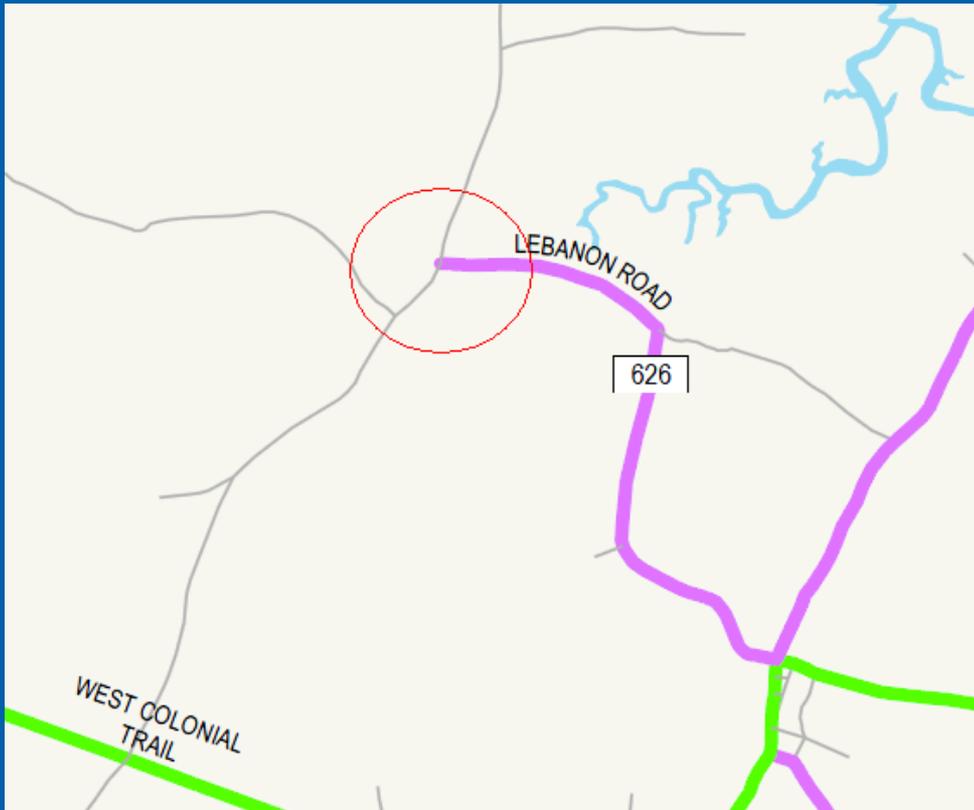
End

Rte 626

Rte 31

Williamsburg Residency
Rural Major Collector
Asphalt
2-Lane
Posted Speed: 45 to 35
0.6 miles – \$2,200,000

SURREY

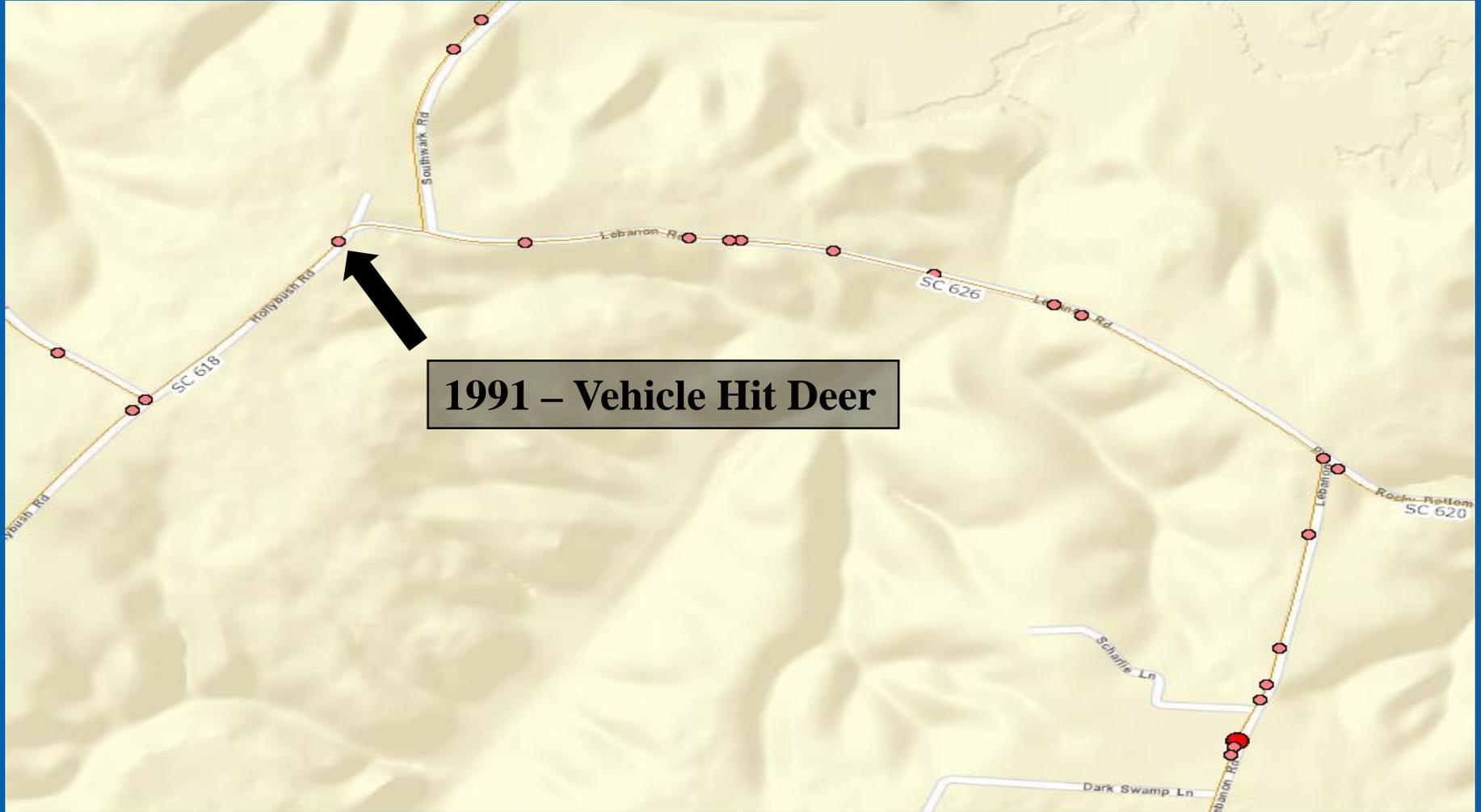


- Pink = Rural Major Collector (Eligible For Federal Funds)
- Grey = Rural Local (Not Eligible For Federal Funds)



Project Budget

Source	Previous - % of Total	2014-2018
Revenue Sharing – County	\$250,000 – 11.6%	\$0
Revenue Sharing – State	\$250,000 – 11.6%	\$0
Telecommunications – County	\$75,422 – 3.5%	\$24,962 Each Year
Federal Funds & State Match of Federal Funds	\$1,583,432 – 73.3%	\$0
Totals	\$2,158,854	\$24,962 Each Year





CONSTRUCTION ESTIMATE

\$594,263

PRELIMINARY ENGINEERING ESTIMATE

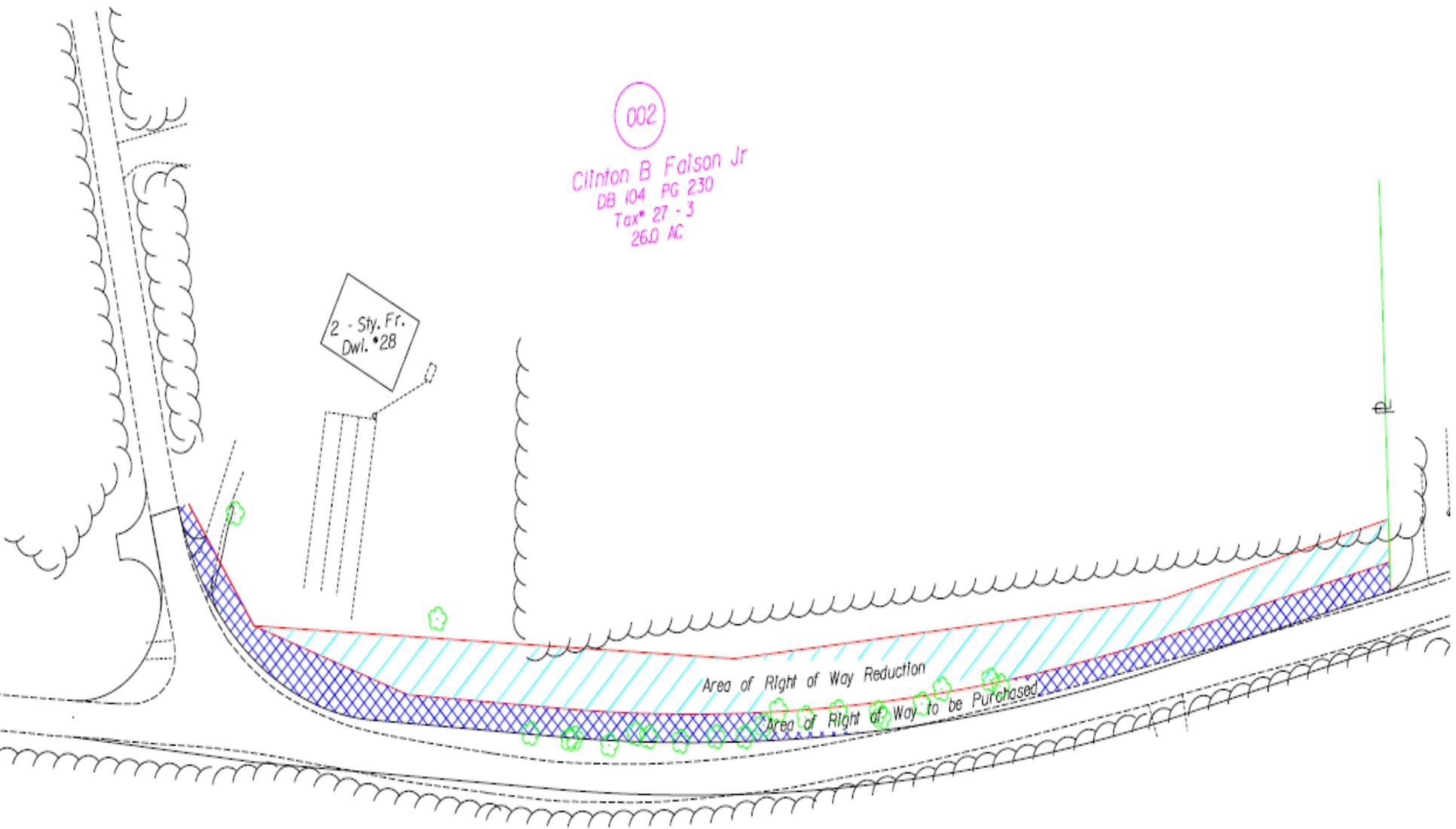
\$115,691

RIGHT-OF-WAY & UTILITIES ESTIMATE

\$257,261

TOTAL PROJECT ESTIMATE

\$967,215



002

Clinton B Faison Jr
DB 104 PG 230
Tax* 27 - 3
26.0 AC

2 - Sty. Fr.
Dwl. *28

Area of Right of Way Reduction
Area of Right of Way to be Purchased

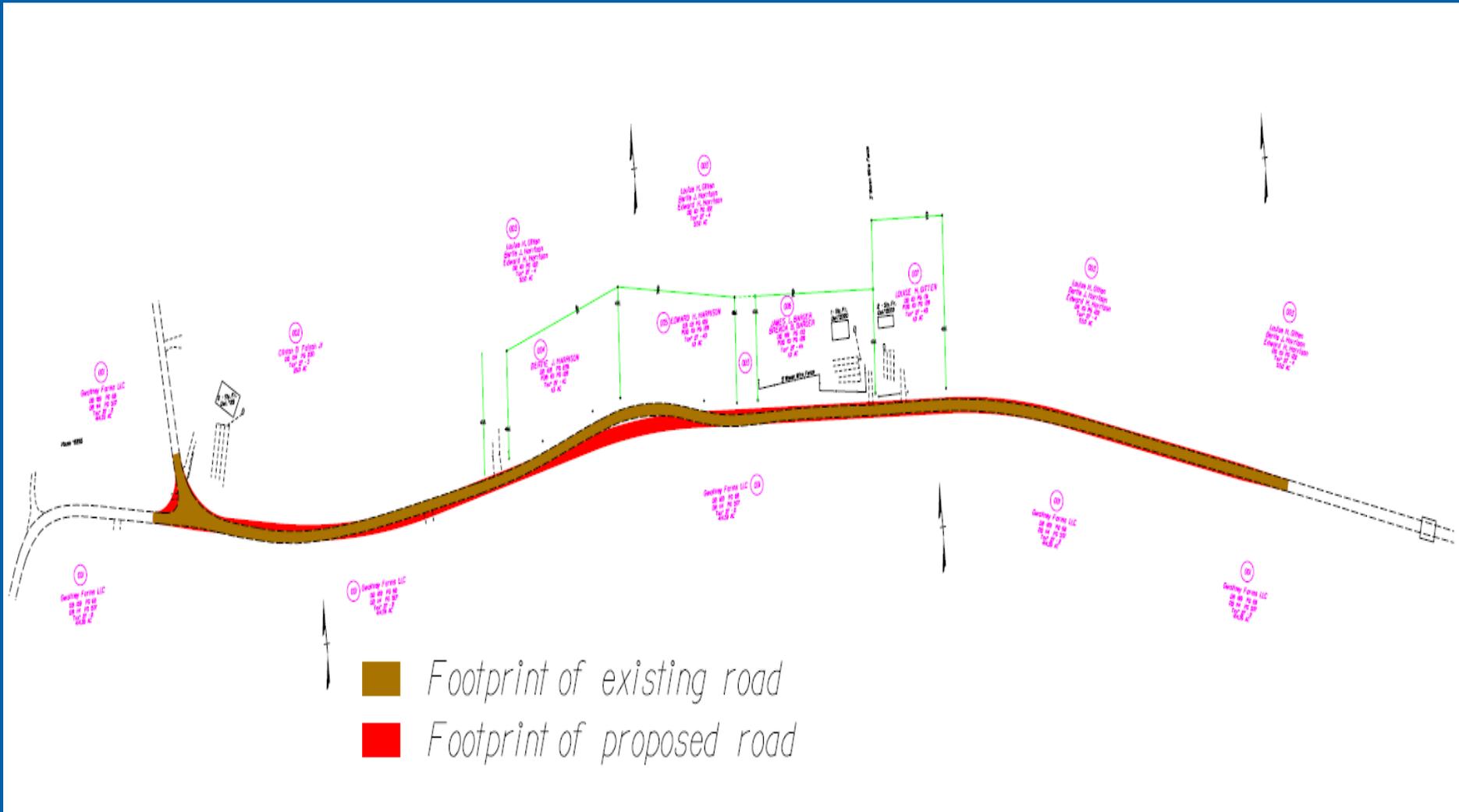
Parcel 002 Corner of Rte 626 & 618

	Initial (sq. ft.)	Revised (sq. ft.)	% Change
Right of Way Purchase	25,495	9,606	62.3% Decrease
Permanent Utility Easement	15,937	30,951	94.2% Increase
Temp. Const. Easement	9,211	11,517	25.0% Increase



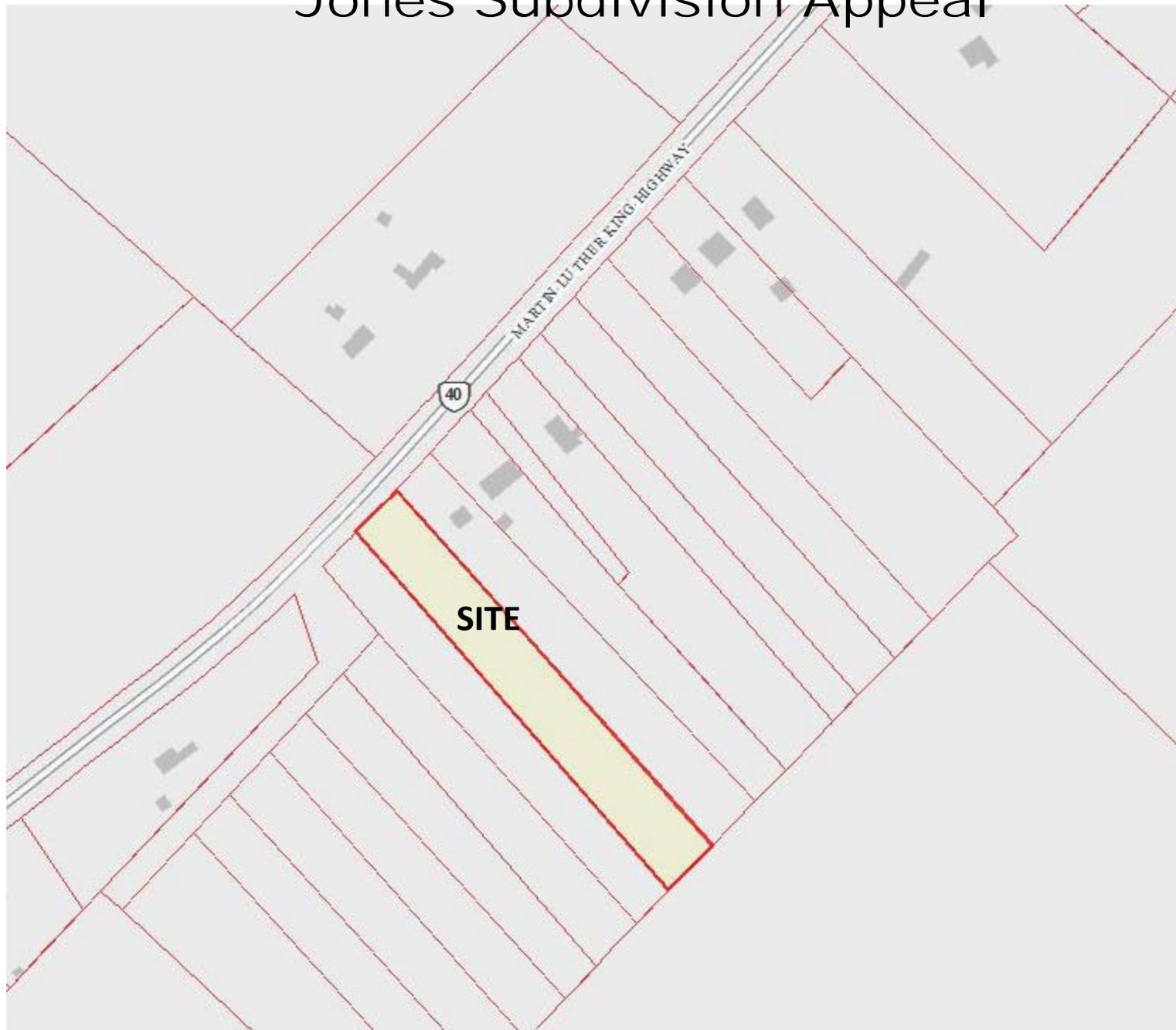
Extra Information

- Environmental Document Complete
- Posted for willingness to hold a public hearing
- Approved to acquire RW
- RW acquisition cleared on 6 of 7 parcels

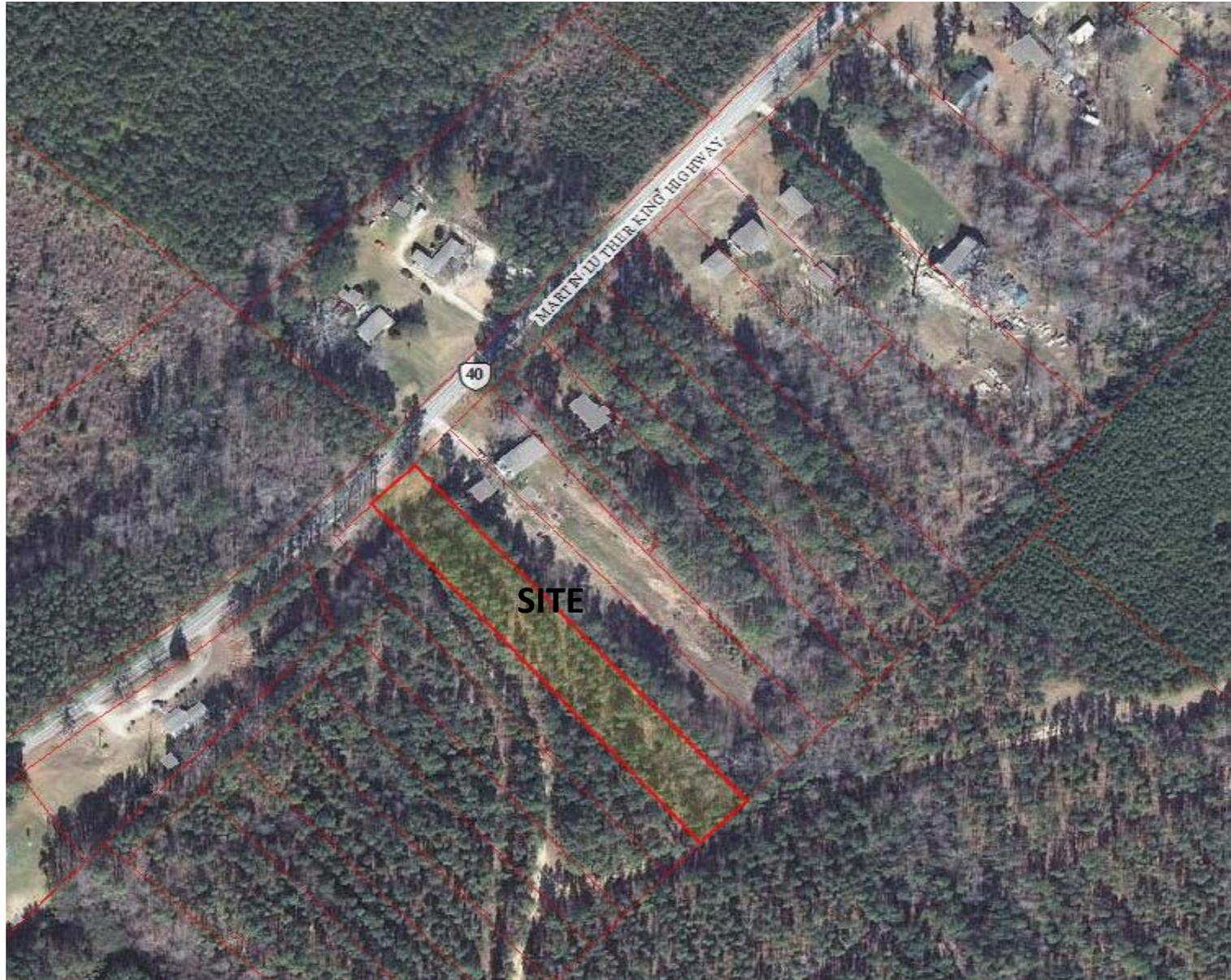


	Estimate	Expended
PE	\$352,000	\$301,749
RW	\$490,396	\$18,557
CN	\$1,360,232	\$0
Total	\$2,202,628	\$320,306

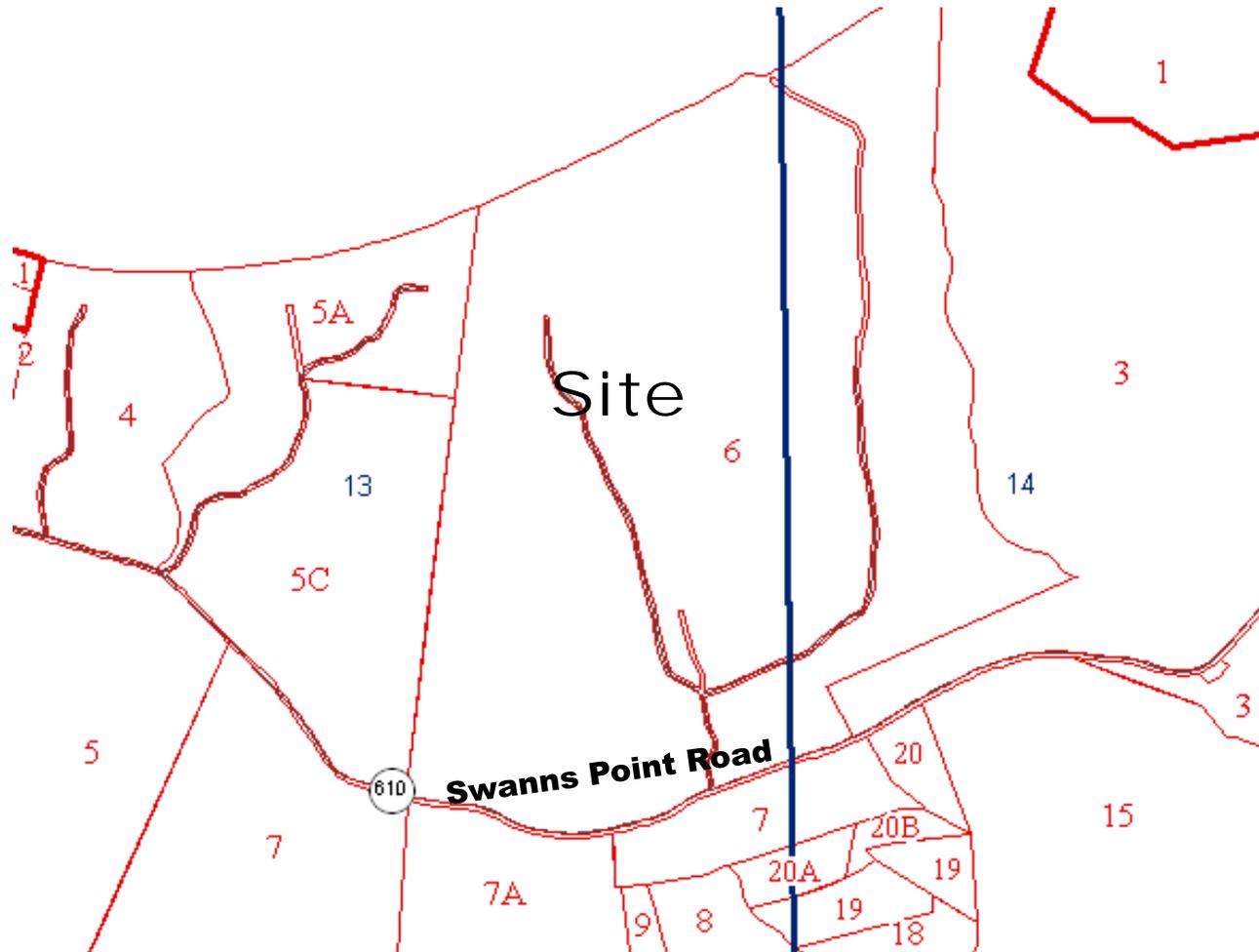
Jones Subdivision Appeal



Jones Subdivision Appeal



PIPSICO CONDITIONAL USE PERMIT



PIPSICO CONDITIONAL USE PERMIT

