

At a regular meeting of the Charlotte County Board of Supervisors held in the Administration Building of said county on February 13, 2019 at 7:00 p.m.

Present: Garland H. Hamlett, Jr. Chairman
Nancy R. Carwile, Vice Chairman
Gary D. Walker
Kay M. Pierantoni
Robert L. Shook, Jr.
Donna Fore
Royal S. Freeman

Absent:

Chairman Hamlett called the meeting to order.

Motion was made by Gary D. Walker, seconded by Royal S. Freeman and carried with all other members present and voting yes to approve the agenda as amended. The agenda was amended to vote on the Planning Commission's recommendation of the Condition Use Permit submitted by Mr. John Esh as soon as the Planning Commission dismissed their meeting and to delete the School Update by Dr. Nancy Leonard.

Motion was made by Kay M. Pierantoni, seconded by Robert L. Shook, Jr. and carried with all other members present and voting yes to approve the minutes for January 9, 2019 board meeting and January 29, 2019 Solid Waste Committee meeting.

Chairman Hamlett recessed the Board of Supervisor meeting to call for the Joint Public Hearing.

Chairman Hamlett called the Public Hearing to order to receive public comment on a Conditional Use Permit submitted by Mr. John Esh for a cheese factory.

Chairman Haskins called the Public Hearing to order for the Planning Commission.

Monica Elder, staff representative for the Planning Commission addressed the Board and provided information on the Conditional Use Permit.

Being no public comment the Public Hearing was adjourned by Chairman Haskins for the Planning Commission and Chairman Hamlett for the Board of Supervisors.

Committee Reports

Gary Walker – The Heartland Authority Board met and currently has prospects interested in the Park. Mr. Walker stated the Heartland Board is also pursuing a partnership with Buckingham Branch Railroad to bring another business to the park.

Donna Fore – None

Royal Freeman – None

Kay Pierantoni – None

Robert Shook – None

Nancy Carwile – Mrs. Carwile is not longer the representative for Go Virginia and has given the schedule of events and meetings to Chairman Hamlett and he will take her place with Go Virginia. She also received an invitation from Mid Atlantic Broadband Commission who is hosting a Southern Virginia Innovation Forum on Collaborative IT Workforce Partnership on Tuesday February 19, 2019 from 11:00 a.m. until 4:00 p.m. at the Southern Virginia Higher Ed Center in South Boston.

Garland H. Hamlett, Jr., - Public Safety- Chairman Hamlett met with FEMA and VDEM and inspected the Drakes Branch Recycle Center. FEMA and VDEM advised Mr. Hamlett and Lisa Myers of the proper paperwork to turn in for storm damage at that location.

Garland H. Hamlett, Jr. -Solid Waste – Met on January 29, 2019. The Drakes Branch Convenience Center was discussed for storm damage and driveway issues. Personnel matters were also discussed for the convenience centers. Commercial tire transportation was discussed and options are being reviewed on how to continue to handle the tires and trash for commercial use in the county. The solid waste committee also discussed the litter problem in the county. Chairman Hamlett would like to see the Board members as well as the citizens have a county wide trash pickup day in March or April.

Motion was made by Kay M. Pierantoni, seconded by Nancy R. Carwile and carried with all other members' presents and voting yes to approve the 2019 Committee Assignments as presented.

Public Comment Period

Terry Ramsey addressed the Board with concerns that the Board of Supervisors are not receiving proper updates on the PPEA for Phenix Elementary and Bacon District Elementary Schools.

Angela Cook addressed the Board. She supports providing a public comment period at the end of the Board meeting. She expressed concerns over the lack of radio communication in the county but is also concerned with the money being spent on other projects. She asked if there were other avenues the county could pursue for funding of the updated radio system.

Being no further comments the public comment period was closed.

Chairman Haskins of the Planning Commission addressed the Board with their recommendation for the approval of the conditional use permit for Mr. John Esh.

Motion was made by Nancy R. Carwile, seconded by Royal S. Freeman and carried with all other members present and voting yes to accept the recommendation of the Planning Commission for Mr. John Esh with the following conditions:

1. The applicant shall adhere to all federal, state, and local laws, regulations, ordinances and permit requirements for the construction and operation of the proposed facility.
2. An Erosion and Sediment Control plan must be reviewed and approved by the Southside Soil & Water Conservation District prior to any land disturbance.
3. If the total amount of land cleared exceeds one (1) acre, a Stormwater Management Plan must be reviewed and approved by the Virginia Department of Environmental Quality (DEQ) prior to any land disturbance.
4. The facility shall be constructed in compliance with the approved site plan, with allowances for changes required by the Erosion and Sediment Control review process and DEQ's stormwater management review process.
5. In accordance with the laws of the state of Virginia, the land owner will obtain a building permit for the proposed structure before construction and will obtain all required building inspections.
6. The County Administrator, Building Official, Zoning Administrator, or any other parties designated by those County officials, shall be allowed to enter the property to check for compliance with the provisions of this permit, with reasonable advanced notice and subject to the security, health and safety standards and regulations that apply to the project site.

7. Any infraction of the above-mentioned conditions may lead to a stop order and revocation of the Conditional Use Permit, if it be the wishes of the Charlotte County Board of Supervisors.

Motion was made by Gary D. Walker, seconded by Royal S. Freeman and carried with all other members present and voting yes to approve the Conditional Use Permit for Mr. John Esh.

Steven Mulroy, Managing Director with VML/VACo Finance addressed the Board with information on their municipal advisory services for Charlotte County. They discussed their qualifications and ability to assist the County with any financing options needed.

Ted Cole, Senior Vice President of Davenport and Company addressed the Board with an overview of their qualifications for providing financial advisory services as well as their proposed scope of services and related fee proposals.

The budget schedule provided was approved.

Michele Laaksonen with Madeline's House addressed the Board. She provided the Board with information on the areas served by Madeline's House and also requested funding for the upcoming year.

Monica Elder, staff representative for the Planning Commission addressed the Board requesting an extension on the review for Moody Creek Solar Farm.

Motion was made by Nancy R. Carwile, seconded by Kay M. Pierantoni to adopt the following resolution requesting an extension for the review on the Moody Creek Solar Farm:

Recitals

- R-1 Charlotte County, Virginia, received from Moody Creek Solar LLC ("Applicant") an application for review of its proposed solar facility pursuant to Va. Code Ann. § 15.2-2232 ("Application").
- R-2 By letter dated January 18, 2019, the Applicant requested that the Planning Commission defer action on the Application until February 26, 2019.
- R-3 When the Applicant's letter was received, the Board of Supervisors had already conducted its January meeting.
- R-4 To accommodate the Applicant, the Board of Supervisors scheduled consideration of the Applicant's extension request for its February 13 meeting.
- R-5 After discussion, the Board of Supervisors has decided to extend the time period for the Planning Commission to review the Application as requested by the Applicant.

Resolution

NOW, THEREFORE, IT IS HEREBY RESOLVED by the Board of Supervisors of Charlotte County, Virginia, as follows:

1. The Board of Supervisors hereby extends the time period for the Planning Commission to the review the Application to March 29, 2019.

Roll call vote as follows: Nancy R. Carwile-Aye; Kay M. Pierantoni-Aye; Robert L. Shook, Jr.-Aye; Donna Fore-Aye; Royal S. Freeman-Aye; Gary D. Walker-Aye; and Garland H. Hamlett, Jr.-Aye.

Motion was made by Donna Fore and seconded by Kay M. Pierantoni to approve the following Communications Resolution;

WHEREAS, prior to May 2015 the Board of Supervisors (“Board”) of Charlotte County, Virginia (“County”) recognized the need for a new radio communications system for use by law enforcement, fire departments, rescue squads and schools;

WHEREAS, in May 2015 the Board appointed a Communications Committee (“Committee”) to assist the Board by securing proposals for provision to the County of a new radio communications system;

WHEREAS, on April 12, 2018, the Committee issued a Request for Proposal;

WHEREAS, on January 9, 2019, in closed meeting the Committee requested that it be authorized to negotiate a contract with the offeror it recommended, and in open meeting the Committee shared with the Board information which had been secured by the Committee, including information submitted in response to the Request for Proposals; and

WHEREAS, given that any proposal will require a substantial commitment of County funds, and given the Board’s responsibility to make financial decisions for the County, the Board will now assume responsibility for taking all action necessary from this point forward with a goal of securing a new radio communications system for the County on the earliest date possible.

IT IS, ACCORDINGLY, HEREBY RESOLVED that the Board will take such action as is necessary for the County to acquire a new radio communications system, including an evaluation of the information provided to the Board by the Committee, and including negotiations of price and contract terms with offerors.

IT IS FURTHER RESOLVED that County staff is hereby directed to consider the information provided by the Committee, consider any other information deemed relevant by County staff, and assist the Board in moving forward as quickly as possible to select an offeror and finalize a contract with the offeror selected.

IT IS FURTHER RESOLVED that the Board hereby expresses its appreciation for the work done by the Committee over a term of nearly four years.

Roll call vote as follows: Donna Fore-Aye; Kay M. Pierantoni-Aye; Royal S. Freeman-Aye; Nancy R. Carwile-Aye; Robert L. Shook, Jr.-Aye Gary D. Walker-Aye; and Garland H. Hamlett, Jr.-Aye.

Chairman Hamlett appointed Kay M. Pierantoni and Donna Fore to work with staff and the engineering firm on the communications upgrade.

Motion was made by Donna Fore, seconded by Gary D. Walker and carried with all other members present and voting yes to re-appoint Clark Poindexter to the Charlotte County Planning Commission with a term of 4 years representing District F (Phenix/Aspen District).

County Administrator Daniel Witt updated the Board on the reassessment. Each Board member was asked to nominate someone from their district to serve on the Board of Equalization at the March 2019 meeting. Mr. Witt was asked by the Board to contact Pearson Appraisal to address the Board in March.

Daniel Witt gave the Administrator’s update.

Royal Freeman asked Chairman Hamlett to record a change in his vote on the Communications Resolution from Aye to No. (9:08 p.m.)

Motion was made by Gary D. Walker, seconded by Robert L. Shook, Jr. and carried with other members present and voting yes to approve the invoices in the amount of

\$1,040,644.77 for February FY 2019. Staff was asked to send a letter to Gretna Tire concerning the past due invoices being paid in February 2019.

Supervisors Discussion

Kay Pierantoni – Board members need to continue reviewing bills each month.

Robert L. Shook, Jr. – No Comments

Gary Walker – No comments

Donna Fore – No Comments

Royal S. Freeman – No comments

Nancy R. Carwile –The open fencing law needs to be revisited. She is afraid we aren't protecting the citizens as we should. What has been reviewed before was not effective for the county. She asked the fencing ordinance be added to the March agenda for discussion.

Donna Fore requested the Noise Ordinance be added to the March agenda. Mrs. Pierantoni suggested Mrs. Fore be giving the research the County Attorney has done on the noise ordinance for review.

Garland H. Hamlett, Jr. – He appreciates the citizens attending the meeting and being involved in learning the county business.

The meeting was adjourned until March 13, 2019 at 1:30 p.m.