

At a regular meeting of the Charlotte County Board of Supervisors held in the Administration Building of said county on July 13, 2020 at 1:30 p.m.

Present: Garland H. Hamlett, Jr. Chairman  
Gary D. Walker, Vice Chairman  
Robert L. Shook, Jr.  
Kay M. Pierantoni  
Tony Reeves  
Donna Fore  
Will Garnett

Absent:

Chairman Hamlett called the meeting to order.

Tony Reeves gave the invocation.

Motion was made by Kay M. Pierantoni, seconded by Tony and carried with all other members present and voting yes to approve the agenda as presented.

Motion was made by Kay M. Pierantoni, seconded by Donna Fore and carried with all other members present and voting yes to approve the minutes as presented.

After due notice was given the Charlotte County Board of Supervisors held a public hearing to hear comments to amend the Ordinance for Assessment of Court Costs in Criminal or Traffic Cases for Courthouse Security.

Chairman Hamlett called the Public Hearing to order.

***Public Comment:*** - None

Being no further comments the Public Hearing was closed.

***Committee Reports:***

Tony Reeves – None

Will Garnett – None

Kay M. Pierantoni – Supervisor Pierantoni requested Supervisor Garnett check on Tri-County Community Action for upcoming programs and services being offered. Supervisor Pierantoni stated Social Services is continuing to take precautions with serving the public and they are working very hard to provide the services needed. Piedmont Area Prevention for Substance Abuse had not been able to meet but if any information is needed please contact Supervisor Pierantoni. Supervisor Pierantoni reported Mr. Witt would have an update from the Facilities Committee later in the meeting.

Robert L. Shook, Jr. – None

Donna Fore – None

Gary D. Walker - None

Garland H. Hamlett, Jr. – Chairman Hamlett stated he is continuing to update VDEM on COVID 19 for the County on a weekly basis.

***Public Comment:***

Ron Graves addressed the Board with concerns over removal of the Confederate Monument in Charlotte County. Mr. Graves encourages the Board to leave the Monument in place.

William G. Kennedy declined to address the Board after signing up.

Dean Foster addressed the Board with his concerns over removing the Confederate Monument in Charlotte County.

J. Shane Newcomb addressed the Board in defense of the Confederate Monument in Charlotte County.

R. Stanley Foster declined to address the Board after signing up.

Darlene Foster declined to address the Board after signing up.

Cathy Jo Palmer addressed the Board with concerns over removing the Confederate Monument in Charlotte County. Ms. Palmer requested the Board respect the history and memory of the soldiers the Memorial represents.

Cora StJohn addressed the Board with concerns over removing the Confederate Monument in Charlotte County.

George Toombs addressed the Board with concerns over removing the Confederate Monument in Charlotte County.

Ken Townsend addressed the Board with concerns over removing the Confederate Monument in Charlotte County. Mr. Townsend doesn't believe one person's views should constitute action for all citizens.

Michael Lucas addressed the Board and encouraged the decision not to remove the Confederate Monument, but also make sure all types of History is remembered in the County.

The following comments were submitted by Kathy Liston:

*"The Virginia Loggers Association is asking you to exempt logging equipment from Personal Property and Machinery and Tools Tax. Why should they get this exemption? Other businesses don't. Certain huge timber companies in the county are already getting tax breaks through questionable conservation easements, they don't need further breaks. Charlotte County cannot afford to lose one more cent of revenue for any reason. I ask that you not approve an exemption."*

*"I ask that you do approve the sales tax referendum. The 1% sales tax will potentially generate \$650,000-700,000 for school renovations."*

The following comments were submitted by Phillip Van Cleave, President of the Virginia Citizens Defense League:

*"With a state that few of us recognize any more, it is important that local government stand with the citizens and do not further endanger their right to self-defense. I urge you to support the resolution vowing that Charlotte County will not implement any local gun-control for its government buildings, parks, recreation and community centers, or permitted events and adjoining streets, as would be allowed under a new law effective on July 1<sup>st</sup>."*

The following comments were submitted by Joseph A. Reale:

*"Now at this time in American history we need to be able to protect ourselves more than ever. So continuing all this patchwork of no gun zones only hinders people's safety. I hope you will do the right thing and vote to help the American citizens."*

The following comments were submitted by Rebecca Daly:

*"I am asking you to delay any vote today on this gun reform resolution. Given the time of the meeting and the number of people who want to comment on it I believe it deserves a public hearing. Both sides have a right to be heard on this issue and it*

*undermines protections put in place for protection of the public. Any issue this serious warrants careful review and citizen input.”*

The following comments were submitted by David Lucado:

*“I would like to praise the Piedmont Area Veterans’ Council for the wonderful job that they are doing for area veterans. I served in Vietnam 1970-1971. The Veterans Administration ignored my generation until recent years. With the help of the Piedmont Area Veteran’s Council I have received assistance with some problems I was having dealing with the Veterans Administration. I hope that the Charlotte County Board of Supervisors will continue to provide financial assistance to this group. There are mainly volunteers who are doing a wonderful job helping veterans in this area.”*

The following comments were submitted by James Morton:

*“I’m writing because as Mayor of Charlotte Court House you have the duty and power to service the interest of the community. I’m writing to you as a regular citizen, who thinks about how policy affects our lives and how we engage with each other, not as Republican or Democrat.”*

*“The reason for my email is the Charlotte County Confederate Monument. Monuments, statues, schools, seals, and even road names celebrate people and put them on a pedestal (sometimes literally). The Confederacy was many things, and Southern History is a proud one. But the Confederacy also fought preserve the enslaving of Americans, and the oppression and murdering of many African Americans. I believe these actions do not reflect the values of the community and are deeply hurtful to decent people everywhere. It is also important to remember that many Confederate monuments and names were dedicated in the first half of the 1900’s when minorities were trying to gain human rights.”*

*“If we want to remember this part of Southern History, we should do it in a museum, where people can learn about it while understanding the context of time. Virginia, and Charlotte County for that matter, should continue to be a welcoming place for businesses and all people, and I think it is of utmost importance to remove the Charlotte County Confederate Monument. I’m not passing judgement on anyone in the community, please believe me. I also believe in the 1<sup>st</sup> amendment, and people being able to voice their opinions. This is about government-sanctioned honoring of these people. This isn’t about erasing or hiding history, its about finding the right way to remember it. If you find it in your heart, please also take time to talk to your council members. I am also contacting them separately.”*

Motion was made by Tony Reeves, seconded by Gary D. Walker and carried with Donna Fore voting no and all other members present and voting yes to approve a conditional use permit application for U. S. Cellular tower with the conditions proposed. (See public hearing minutes May 28, 2020 for details)

Motion was made by Gary D. Walker, seconded by Tony Reeves and carried with Donna Fore voting no and all other members present and voting yes to approve the Planning Commission’s Zoning Amendment Recommendation as presented concerning Town Boundary for Utility Scale Solar. (See public hearing minutes May 28, 2020 for details).

Patricia Berkeley, Treasurer addressed the Board. Ms. Berkeley provided information and updated the Board on revenue being received and how it has been affected by COVID 19. Revenue collected for 2020 is at 92% and compared to last year revenue collected was at 91%. Ms. Berkeley stated the sales tax has been trending upward since March. Revenue being collected is slowly increasing from other county office such as the DMV, Courts, and the Sheriff’s Department.

Virginia Loggers Association Request:

Daniel Witt addressed the Board. Mr. Witt stated staff received a request from the VLA requesting the Board exempt forestry and silvicultural equipment from

personal property tax and machinery & tools tax. New legislation went into effect on July 1, 2020 that gives this authority to the Board.

Mr. Witt stated Staff worked with Patricia and Naisha to determine the impact to the County's budget as that is an important consideration for the Board when reviewing this request. There were several challenges when determining this, so the information provided is our best estimate. Challenges and concerns include:

- Naisha assesses and without knowing what would qualify for the exemption and because of that Trisha has no way of knowing what the revenue impact would be.
- A concern is Section B as it relates to Section A. Currently, the logging industry is asking for the exemption and this could lead to farming or other types of exemptions. If that happens and the exemptions are granted, it would be a larger impact.
- The County has no business licenses and if 'logging' is not in the business name, it may not have been pulled, but would still be eligible for an exemption.

Estimated loss in revenue:

Personal Property summary: estimated \$12, 600.00

Classes: Hwy Construction & BFE

Personal Property Detail: estimated \$73,000.00

Classes: Vehicles, Trailers, Tractors

If sawmills and/or lumber is included: estimated over \$540,000.00

Classes: Machinery & Tools, Machinery & Tools (D)

Mr. Witt stated if the Board grants this exemption, it must also consider ways to replace the lost revenue, and/or cut the budget.

Chairman Hamlett tabled the Virginia's Loggers request until the 2021 Budget Session.

Chris Russell, 911 Coordinator addressed the Board. Mr. Russell provided a quarterly update for the Emergency 911 office.

**Call Volume Summary 1/1/20 to 7/1/20**

- 4,691 calls for service
- 2,610 calls from 911

**First and Second Quarter achievements**

- Installation of back-up dispatch center (CARES Act)
- Install testing, training and operation of new radio system
- CPR tele communicator by 2022 (state mandate)
- Emergency Medical Dispatch by 2024 (state mandate)
- Established COVID -19 protocols for dispatch, jail and employees
- Integrated foreign language interpreters into the 911 CHE system
- Improved MSAG and RCL addressing errors from 4% to under 2%
- Replaced, repaired or new install of 128 911 signs and markers
- Created 13 new 911 addresses
- Install of new TEXT-911 router and cabling

**Third Quarter goals**

- Configuring Vesta call handling equipment for TXT-911
- Testing of equipment and training of dispatchers on TXT-911 operation
- Public education of TXT-911 (availability and purpose)
- Going live TXT-911 countywide

- Applying for RSAF grant for Emergency Medical Dispatch(EMD) equipment purchase (EMD compliant by 2024)
- Working with Verizon and AT&T on placement of NG911 redundant fiber optic cables to dispatch center

#### **Future Goals and Deadlines**

- Continuing to correct addressing errors
- Cutover to Next Generation 911(NG911)

Daniel Witt addressed the Board and provided information on local allocation for Federal CARES Coronavirus Relief Funds. Mr. Witt stated the \$63,394.06 expended so far included \$49,000 – 50,000 for Resource Officers for the months of March, April, May and June due to the fact they were working specifically for the Sheriff's Dept. dealing with COVID matters, PPE, office barriers at the School Board office and the Commissioner of Revenue's office and lock boxes for all offices. Mr. Witt stated he has offered to go to all four towns to discuss distribution of CARES funds to each town. Mr. Witt stated there is a need to provide a separate space for a 911 phone station from where it is currently located within the Sheriff's Office in case an employee who handles the inmates were to be exposed, 911 could operate in a separate location. Mr. Witt stated Charlotte County does not have a designated food pantry and DSS provides food service to citizens. \$12,000 of the CARES funds will go to DSS for the food pantry. Mr. Witt stated he received an estimate on laptops for employees who may need to work from home. Other expenditures for consideration would be extra uniforms for deputies, body camera's and a communication tower for broadband.

Chairman Hamlett requested Mr. Witt to look into the availability of the machine needed for Corona Virus testing.

#### **Discussion of Body Camera's for Sheriff's Department:**

Sheriff Freeman addressed the Board. Mr. Freeman stated he would like to procure the body camera's equipment thru the CARES Act Funding. Mr. Freeman stated employees are not able to work from home, they must continue to serve the public daily. Deputies may encounter a person who could test positive for COVID, but not know the results for several days after exposure. Body cameras would help with tracking and identifying all persons that could possible have been exposed. Mr. Freeman stated public transparency is needed and body cameras would provide a visual of all calls made by deputies.

William Green, Commonwealth's Attorney addressed the Board. Mr. Green stated he agrees with the points Sheriff Freeman presented and believes body cameras should be acquired. Mr. Green explained the obligation of the Commonwealth's Attorney's office to review, document, retain and report all body camera footage. Mr. Green stated this will require a huge increase in manpower hours for his office and require the County fund an Assistant Commonwealth's Attorney position. Mr. Green stated there would be expenses for his office, a new computer and software to review all footage. Mr. Green stated he is limited on office space and would require a renovation or use of another space to handle personnel and equipment. Mr. Green stated he wanted to make the County aware this could potentially be an expensive endeavor for the County.

Motion was made by Kay M. Pierantoni, seconded by Donna Fore to adopt the following Sales Tax Resolution:

**IT IS HEREBY RESOLVED** by the Board of Supervisors ("Board") of Charlotte County, Virginia ("County"), pursuant to Virginia Code Section 58.1-605.1 as follows:

1. The County Attorney is authorized and directed to petition the Circuit Court for Charlotte County, Virginia for entry of an Order calling a referendum on the question of whether the County should levy and additional local general retail sales tax at a rate not to exceed one percent (1%), and providing that the revenues from

the additional sales tax shall be used solely for capital projects for new construction or major renovation of schools in the County, including bond and loan financing costs related to such construction or renovation.

2. The capital projects for the construction or renovation of schools in the County will be financed by bonds or loans, and the additional sales tax shall expire on the date by which such bonds or loans shall be repaid, which is August 1, 2050.

3. The proposed question to be placed on the ballot for determination by referendum shall read as follows:

“Should Charlotte County, Virginia, be authorized to levy an additional local general retail sales tax at a rate not to exceed one percent (1%), provided that the revenues from the additional sales tax shall be used solely for capital projects for new construction or major renovation of schools in the County, including bond and loan financing costs related to such construction or renovation? If this additional sales tax is levied, it shall expire on August 1, 2050.

4. The County Attorney, County Administrator, and such other appropriate County officers, are authorized and directed to execute, deliver and file all required pleadings with the Circuit Court for Charlotte County, Virginia, to initiate the above referenced referendum to be held on Tuesday November 3, 2020.

5. The County Attorney, County Administrator, and such other appropriate County officers are authorized and directed to execute, deliver and file all documents, pleadings, petitions, certificates and instruments, and to take all such further actions as may be necessary, expedient or desirable in connection with, and that are in conformity with , the purposes, spirit and intent of this resolution. Without limiting the foregoing, the County Attorney, County Administrator, and other such appropriate County officers are specifically authorized to modify the ballot question as stated herein as they deem necessary to conform to the requirements of Virginia law, and of the Circuit Court for Charlotte County, Virginia, the State Board of Elections, and/or the Local Electoral Board.

6. This resolution shall take effect immediately.

Roll call vote as follows: Kay M. Pierantoni-Aye; Donna Fore-Aye; Will Garnett-Aye; Tony Reeves-Aye; Robert L. Shook, Jr.-Aye; Gary D. Walker-no and Garland H. Hamlett, Jr.-Aye.

Chairman Hamlett tabled the Second Amendment Resolution and set a Public Hearing for August 10, 2020 at 6:10 p.m.

Chairman Hamlett tabled the Charlotte County Confederate Monument discussion until the August Board meeting.

Broadband Update – Chandler Vaughan, County Intern:

Mr. Vaughan provided a power point presentation on Broadband progress in the County. Mr. Vaughan provided mapping for the Federally Funded and Federally Eligible areas for Broadband expansion. Mr. Vaughan provided information on various internet service providers and proposed tower locations.

Chairman Hamlett set a Broadband work session for Tuesday August 4<sup>th</sup> at 6:00 p.m.

Board of Zoning Appeals Annual Report:

The BZA held an organizational meeting on July 7<sup>th</sup> at 6:00 pm. In attendance at the meeting were Kurtis Jones, Linda Adams, Steven Morris, Kenneth Walker, and Phillip Staton. Absent were Tammy Lee and Myra Trent. The members present

elected Linda Adams Chairman, and Kurtis Jones Vice-chairman. Monica Elder was appointed as clerk. Daniel Witt was also present.

After the organizational meeting the BZA had a hearing to consider an application for a variance submitted by the Trustees of Hermon Presbyterian Church. The church desired to subdivide the 3.71 acre lot containing the church building and the cemetery to establish separate parcels for the cemetery (2.29 Acres) and the church (1.42 acres). This would allow for a transfer of the cemetery property to "Hermon Presbyterian Church Cemetery, Inc." and ensure ownership of the cemetery property was retained locally if the church closed in the future. Since the minimum lot size in the General Agriculture District is 3-acres, a variance was required. The BZA unanimously approved the variance.

The BZA is requesting that the Board of Supervisors consider asking the Planning Commission to review the zoning ordinance section and determine if it would be appropriate to exempt cemeteries from the 3-acre minimum lot size requirement. If deemed appropriate, and such a change were to be made, staff can handle this type of subdivision in the future and save the applicant the \$300 application fee.

Chairman Adams requested the Board of Supervisors consider refunding the \$300 fee to Hermon Presbyterian Church because other churches within the county have performed similar subdivisions without going through the BZA and did not have to pay the \$300. Staff explained that some of the churches are located within the towns and do not fall under the County's zoning regulations, and in the most recent case, the church hired an attorney and was issued a court order to allow the subdivision. Staff noted the \$300 is to cover costs associated with advertising and providing adjacent landowner notifications required by the State Code.

Motion was made by Will Garnett, seconded by Kay M. Pierantoni and carried with all other members present and voting yes to authorize the Planning Commission to consider changing the Zoning Ordinance to address cemetery lot sizes.

Motion was made by Will Garnett, seconded by Kay M. Pierantoni and carried with all other members present and voting yes to approve a refund request for Hermon Presbyterian church in the amount of \$300.00 for their Board of Zoning Appeals variance application fee.

Chairman Hamlett tabled the Strategic Plan discussion until the August 10<sup>th</sup> meeting.

Nan Lambert, Registrar addressed the Board with a request for a full-time employee in her office. Ms. Lambert had requested for a full-time position during budget discussions. Ms. Lambert stated there should be Comp Board funding allocated by the State that would go towards the funding of a full-time person and would not increase her budget.

Motion was made by Kay M. Pierantoni, seconded by Gary D. Walker and carried with Donna Fore voting no, Robert L. Shook, Jr. absent and all other members present and voting yes to deny the request by Nan Lambert, Registrar for a full time position and request the Electoral Board review the need and bring back a request if needed.

Daniel Witt gave the Administrator's report.

***Public Comment:***

George Toombs addressed the Board. Mr. Toombs is concerned about the numerous requests for more funding in the County related to COVID 19. Mr. Toombs is concerned about the removal of the Confederate Monument in Charlotte County.

Michael Lucas addressed the Board. Mr. Lucas is concerned about the history in our Country.

Motion was made by Gary D. Walker, seconded by Donna Fore and carried with all other members present and voting yes to approve the following appropriations for July 2020:

		<b>Expenditure</b>	<b>Revenue</b>
<b>10-3202-5616</b>	<b>Fire Program Funds</b>	<b>1,891.00</b>	
<b>10-240410</b>	<b>Fire Program Funds</b>		<b>1,891.00</b>
<b>10-3106-5413</b>	<b>Asset Forfeiture Funds-Sheriff</b>	<b>1,245.02</b>	
<b>10-230109</b>	<b>State Asset Forfeiture Funds</b>		<b>1,245.02</b>
<b>Total</b>		<b>3,136.02</b>	<b>3,136.02</b>

Motion was made by Gary D. Walker, seconded by Kay M. Pierantoni and carried with all other members present and voting yes to approve the invoices for July FY-2020 and FY2021 in the amount of \$483,426.43.

Motion was made by Gary D. Walker, seconded by Will Garnett and carried with all other members present and voting yes to approve Change Order No. 2 to the Charlotte County Radio System Contract in the amount of \$269,980.96.

Chairman Hamlett tabled the Event Permitting discussion until the August 10<sup>th</sup> meeting for County owned property only.

***Board Member Other Comments:***

Tony Reeves – None

Will Garnett – None

Donna Fore – None

Robert L. Shook, Jr. - None

Kay M. Pierantoni – Supervisor Pierantoni stated she is disappointed in U. S. Cellular for not working with the County on towers space.

Gary D. Walker – None

Garland H. Hamlett, Jr. – None

Motion was made by Donna Fore, seconded by Robert L. Shook, Jr. and carried with all other members present and voting yes approve the following ordinance amendment for Court Fees:

*Pursuant to Section 53.1-120 of the Code of Virginia, the County hereby assesses the sum of Twenty Dollars (\$20.00) as part of the cost of each criminal or traffic case in the District or Circuit Court within the County in which the defendant is convicted of a violation of any statute or ordinance. The Clerk of the appropriate Court shall collect such assessment and remit the same monthly to the County Treasurer. The Treasurer shall hold such funds subject to disbursement by the Board of Supervisors to the Sheriff's office for the funding of Courthouse security personnel.*

Being no further business, the meeting was adjourned.