

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD ON WEDNESDAY, AUGUST 19, 2015, IN THE BOARD ROOM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

PRESENT: HON. BARBARA JARRETT DRUMMOND, CHAIR; HON. BERNARD L. JONES, SR., VICE-CHAIR; HON. JOHN CATALDO, HON. WELTON TYLER, BOARD OF SUPERVISOR MEMBERS; DR. CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR/CLERK; PAUL JACOBSON, COUNTY ATTORNEY; LESLIE R. WEDDINGTON, DEPUTY CLERK/RECORDER OF MINUTES

ABSENT: HON. DENISE C. WILLIAMS

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**Re: Closed Meeting – 6:30 p.m.**

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board of Supervisors of Brunswick County, Virginia convened in Closed Meeting to discuss the following matter:

- 2.2-3711.A.1: Discussion regarding perspective candidates for employment.

Ayes: Cataldo, Jones, Drummond; Nays: None. Absent: Tyler, Williams

**Reconvene in Open Meeting**

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board of Supervisors of Brunswick County, Virginia, reconvened in Open Meeting.

**WHEREAS**, the Board of Supervisors of Brunswick County, Virginia (“Board”), convened a Closed Meeting on this date pursuant to an affirmative recorded vote in accordance with the provisions of the Virginia Freedom of Information Act; and,

**WHEREAS**, Section 2.2-3712 of the Code of Virginia, 1950, as amended, requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

**NOW, THEREFORE, BE IT RESOLVED** that the Board hereby certifies that to the best of each member’s knowledge:

(i) only public business matters lawfully exempted from Open Meeting requirements by Virginia law were discussed in the Closed Meeting to which this certification resolution applies, and

(ii) only such public business matters as were identified in the motion convening the Closed Meeting were heard, discussed or considered by the Board.

**WILL EACH MEMBER NOW SO CERTIFY:**

Mr. Cataldo - Aye  
Mr. Jones - Aye  
Ms. Drummond - Aye

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Mr. Tyler enters the meeting.

**Re: Call to Order - 7:30 p.m.**

Chair Drummond called the meeting to order and welcomed all citizens in attendance.

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**Re: Invocation and Pledge of Allegiance**

Chair Drummond invited anyone in the audience who would like to participate in the Invocation with the Board members to please stand and join them. Supervisor Tyler gave the Invocation and led the Pledge of Allegiance.

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**Re: Approval of Agenda**

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved the agenda with the following change:

Under New Business

- Personnel - Brunswick Emergency Medical Services EMT and Landfill Inspector

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Re: Public Hearings**

**Conditional Use Permit Case #15-016, submitted by Curtis V. Moore, Manufactured Home Park in the Agricultural (A-1) Zoning District**

Ms. Leslie Weddington, Interim Assistant to the County Administrator, stated that the applicant is requesting approval of a conditional use permit for a manufactured home park in the Agricultural (A-1) Zoning District. The subject property is located on the west side of Brunswick Drive (State Route 644), approximately 0.4 of a mile southwest of the intersection of Brunswick Drive and Christanna Highway (State Route 46), in the Red Oak Magisterial District and the Red Oak Election District. The Planning Commission conducted a public hearing on this request at their July 14, 2015, meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend approval of Conditional Use Permit Case #15-016 subject to the certain conditions.

The Chair opened the public hearing. No citizens spoke. After providing all citizens an opportunity to express their views, the Chair closed the public hearing.

Upon motion of Mr. Tyler, seconded by Mr. Jones, and unanimously carried, the Board approved Conditional Use Permit Case #15-016 subject to the conditions as recommended by the Planning Commission.

1. Prior to the commencement of any type of construction work pertaining to the manufactured home park, the permittee shall meet the requirements of Article 27. Site Plan Requirements.
2. The manufactured home park shall be served by public water and sewer systems or central systems where public systems are not available. These systems must be approved by the Virginia Department of Health and the county zoning administrator.
3. The storage of refuse in the manufactured home park shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in containers, which shall be located in reasonable proximity to the manufactured home park lot they serve.

Containers shall be provided in sufficient number and capacity to properly store all refuse.

4. Each manufactured home must have a minimum lot size of 5,000 square feet.
5. All ancillary structure, steps, landings, patios, carports, and garages shall be constructed in compliance with the Uniform Statewide Building Code.
6. The permittee is required to conform with all terms and conditions of this permit, any and all rules and regulations of the Brunswick County Zoning Ordinance. The permittee's failure to do so will constitute a violation of the Brunswick County Zoning Ordinance, which in turn may result in the revocation of the conditional use permit and require the permittee's immediate removal of the manufactured homes from the subject property.
7. No more than six (6) manufactured/mobile homes shall be permitted on the subject property at any time.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Conditional Use Permit Case #15-018, submitted by William V. White, III, Campground in the Agricultural (A-1) Zoning District**

Ms. Weddington, stated that the applicant is requesting approval of a conditional use permit for a campground in the Agricultural (A-1) Zoning District. The subject property is located on the west side of Browns Creek Road (State Route 623), approximately 0.3 of a mile northwest of the intersection of Browns Creek Road and Fort Hill Road (State Route 686), in the Meherrin Magisterial District and the Meherrin Election District. The Planning Commission conducted a public hearing on this request at their July 14, 2015, meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend approval of Conditional Use Permit Case #15-018 subject to certain conditions.

The Chair opened the public hearing. No citizens spoke. After providing all citizens an opportunity to express their views, the Chair closed the public hearing.

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the

Board approved Conditional Use Permit Case #15-018 subject to the conditions as recommended by the Planning Commission.

1. Prior to the commencement of any type of construction work pertaining to the campground, the permittee shall meet the requirements of Article 27. Site Plan Requirements.
2. The campground shall be served by public water and sewer systems or central systems where public systems are not available. These systems must be approved by the Virginia Department of Health and the county zoning administrator.
3. The storage of refuse in the campground shall be so conducted as to create no health hazard, rodent harborage, insect breeding areas, accident or fire hazards or air pollution. All refuse shall be stored in containers, which shall be located in reasonable proximity to the campground lot they serve. Containers shall be provided in sufficient number and capacity to properly store all refuse.
4. Each camper/travel trailer must have a minimum lot size of 5,000 square feet.
5. All ancillary structures, steps, landings, patios, carports, and garages shall be constructed in compliance with the Uniform Statewide Building Code.
6. The permittee is required to conform with all terms and conditions of this permit, any and all rules and regulations of the Brunswick County Zoning Ordinance. The permittee's failure to do so will constitute a violation of the Brunswick County Zoning Ordinance, which in turn may result in the revocation of this conditional use permit and require the permittee's immediate removal of the manufactured homes from the subject property.
7. No more than two (2) camper/travel trailers shall be permitted on the subject property at any time.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Conditional Use Permit Case #15-019, submitted by J.J. Sanderson, LLC, Country General Store in the Agricultural (A-1) Zoning District**

Ms. Weddington, stated that the applicant is requesting approval of a conditional use permit for a country general store in the Agricultural (A-1) Zoning District. The subject property is located on the west side of Liberty Road (State Route 634) approximately 0.2 of a mile north of the intersection of Liberty Road and Old Stage Road (State Route 712) in

the Sturgeon Magisterial District and the Sturgeon Election District. The Planning Commission conducted a public hearing on this request at their July 14, 2015 meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend approval of Conditional Use Permit Case #15-019 subject to certain conditions.

The Chair opened the public hearing. No citizens spoke. After providing all citizens an opportunity to express their views, the Chair closed the public hearing.

Upon motion of Mr. Tyler, seconded by Mr. Cataldo, and unanimously carried, the Board approved Conditional Use Permit Case #15-019 subject to the conditions as recommended by the Planning Commission.

1. The country general store shall be constructed, operated, and maintained in accordance with all rules and regulations of the Brunswick County Zoning Ordinance, with any and all terms and conditions of this conditional use permit, and in compliance with all federal, state, and other local laws and regulations for this use.
2. Prior to the issuance of a zoning permit for the proposed country general store the permittee shall submit a site plan for County approval in accordance with provisions of Article 27 of the Brunswick County Zoning Ordinance.
3. Permittee shall secure and maintain all federal, state, and local licenses and certificates required to do business in the Commonwealth of Virginia and the County of Brunswick.
4. All documents received by the County from the permittee shall be public records subject to the Virginia Freedom of Information Act.
5. Only a country general store is permitted on the subject property.
6. This conditional use permit shall expire if the use of the site as a country general store ceases for two (2) years.

7. These conditions shall be binding on any person, entity, including the permittee, its assigns, successors, and any subsequent assignee(s), successor (s), owner(s), or lessee (s), owning operating, or leasing the country general store situated on the subject property.
8. Permittee shall allow designated County representatives or employees access to the country general store at any time for inspection purposes. Reports of such inspections shall be provided to the Director of Planning to determine compliance with permit.
9. Prior to the issuance of site plan approval, the permittee shall provide a copy of an approved commercial entrance permit for all proposed accesses to the subject property from the Virginia Department of Transportation.
10. Prior to commencing land disturbing activities on the subject property, the permittee shall submit to the County for review and approval an Erosion and Sediment Control Plan in accordance with the provisions of the Brunswick County Erosion Control Ordinance and the Virginia Erosion and Sediment Control Handbook and Regulations.
11. Storm water runoff from the property shall be managed and discharged in accordance with applicable federal and state regulations.
12. Violation of any local, state, or federal law, regulation, or ordinance or violation of any conditions of this permit shall be grounds for revocation of this permit by the County in accordance with law.
13. In the event the permittee is notified of any violations of applicable laws, regulations or permit conditions of the subject property, permittee shall notify the county and shall promptly and diligently cooperate with the applicable regulatory agency and take other reasonable actions in an attempt to cure the violation. Permittee shall promptly notify the County thereof and shall provide the County with all information pertinent thereto and details of the applicant's action to remedy said violation.
14. Prior to the commencement of any type of construction, the permittee shall submit a site plan for review and approval.
15. Prior to the commencement of any type of construction, the permittee shall submit construction documents to the Building Official for review and approval.

16. Prior to the commencement of any type of construction, the permittee shall obtain the approval of a zoning and building permit.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Conditional Use Permit Case #15-020, submitted by Lonnie R. and Joyce Powell, Country General Store in the Agricultural (A-1) Zoning District**

Ms. Weddington, stated that the applicant is requesting approval of a conditional use permit for a country general store in the Agricultural (A-1) Zoning District. The subject property is located on the north side of Governor Harrison Parkway (Highway 58), approximately 1.25 miles east of the intersection of County Pond Road (State Route 638) and Governor Harrison Parkway, located in the Totaro Magisterial District and the Sturgeon Election District. The Planning Commission conducted a public hearing on this request at their August 11, 2015 meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend approval of Conditional Use Permit Case #15-020 subject to certain conditions.

The Chair opened the public hearing. No citizens spoke. After providing all citizens an opportunity to express their views, the Chair closed the public hearing.

Upon motion of Mr. Jones, seconded by Mr. Tyler, and unanimously carried, the Board approved Conditional Use Permit Case #15-020 subject to the conditions as recommended by the Planning Commission.

1. The country general store shall be constructed, operated, and maintained in accordance with all rules and regulations of the Brunswick County Zoning Ordinance, with any and all terms and conditions of this conditional use permit, and in compliance with all federal, state, and other local laws and regulations for this use.

2. Prior to the issuance of a zoning permit for the proposed country general store the permittee shall submit a site plan for County approval in accordance with provisions of Article 27 of the Brunswick County Zoning Ordinance.
3. Permittee shall secure and maintain all federal, state, and local licenses and certificates required to do business in the Commonwealth of Virginia and the County of Brunswick.
4. All documents received by the County from the permittee shall be public records subject to the Virginia Freedom of Information Act.
5. Only a country general store is permitted on the subject property.
6. This conditional use permit shall expire if the use of the site as a country general store ceases for two (2) years.
7. These conditions shall be binding on any person, entity, including the permittee, its assigns, successors, and any subsequent assignee(s), successor (s), owner(s), or lessee (s), owning operating, or leasing the country general store situated on the subject property.
8. Permittee shall allow designated County representatives or employees access to the country general store at any time for inspection purposes. Reports of such inspections shall be provided to the Director of Planning to determine compliance with permit.
9. Prior to the issuance of site plan approval, the permittee shall provide a copy of an approved commercial entrance permit for all proposed accesses to the subject property from the Virginia Department of Transportation.
10. Prior to commencing land disturbing activities on the subject property, the permittee shall submit to the County for review and approval an Erosion and Sediment Control Plan in accordance with the provisions of the Brunswick County Erosion Control Ordinance and the Virginia Erosion and Sediment Control Handbook and Regulations.
11. Storm water runoff from the property shall be managed and discharged in accordance with applicable federal and state regulations.

12. Violation of any local, state, or federal law, regulation, or ordinance or violation of any conditions of this permit shall be grounds for revocation of this permit by the County in accordance with law.
13. In the event the permittee is notified of any violations of applicable laws, regulations or permit conditions of the subject property, permittee shall notify the county and shall promptly and diligently cooperate with the applicable regulatory agency and take other reasonable actions in an attempt to cure the violation. Permittee shall promptly notify the County thereof and shall provide the County with all information pertinent thereto and details of the applicant's action to remedy said violation.
14. Prior to the commencement of any type of construction, the permittee shall submit a site plan for review and approval.
15. Prior to the commencement of any type of construction, the permittee shall submit construction documents to the Building Official for review and approval.
16. Prior to the commencement of any type of construction, the permittee shall obtain the approval of a zoning and building permit.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Re: Approval of Minutes**

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and carried, the Board approved the minutes of the July 15, 2015, regular meeting as presented.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Re: Virginia Department of Transportation (VDOT) Monthly Report**

Mr. Tommy Johnson, Assistant Residency Administrator, presented the monthly report as follows:

Maintenance Forces

- Second round of primary mowing ongoing.
- Patching potholes on various routes as needed.

- Machining shoulders on various primary routes as needed.
- Machining NHS roadways and hauling stone as needed.
- Route 726 Pipe Replacement Project ongoing.
- Route 642 Rural Rustic Project ongoing.
- Removing dead animals and performing litter patrol on various routes.
- Performing routine maintenance on various routes.

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**Re: Brunswick County Public Schools Monthly Report**

Mr. Richard Rush, Director of Business Operations, presented an overview of the schools monthly financial report. See report attached.

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**Re: Presentations**

**Dominion Virginia Power – Atlantic Coast Pipeline Project Update**

Mr. Ernest Greene, External Affairs Manager, Dominion Virginia Power, introduced Ms. Carla Picard, External Affairs Manager, Dominion Energy. Ms. Picard gave the Board an update on the Atlantic Coast Pipeline Project. See power point presentation attached.

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**Re: Citizen Comments**

The Chair opened the citizen comment period and advised that each citizen will be allotted three (3) minutes to speak. The following citizens spoke:

No citizens spoke.

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**Re: Consent Calendar of Reports**

Upon motion of Mr. Tyler, seconded by Mr. Jones, and unanimously carried, the Board acknowledged receipt of the following reports:

- Lawrenceville-Brunswick Airport Monthly Report
- Brunswick County Industrial Development Minutes and Executive Director’s Report

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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## **Re: Finance Director's Report**

### **Approval of Disbursements**

Mrs. Keli Reekes, Director of Finance, presented disbursements as follows:

- System checks dated July 21, 2015, in the amount of \$3,240.00.
- System checks dated July 30, 2015, in the amount of \$1,147.83.
- System checks dated August 11, 2015, in the amount of \$183,949.41.
- System checks dated August 12, 2015, in the amount of \$39,583.51.
- System Checks dated August 19, 2015, in the amount of \$266,818.88.
- System checks dated August 20, 2015, in the amount of 41,219.20.

Upon motion of Mr. Tyler, seconded by Mr. Cataldo, and unanimously carried, the Board approved disbursements in the amount of \$535,958.83 as presented.

Ayes: Cataldo Jones, Tyler, Drummond; Nays: None.

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### **FY16 Additional Appropriations**

Mrs. Reekes stated that the following additional appropriations have been requested:

- Water Safety – Expenditures associated with the repair and maintenance of the boat were higher than anticipated. Funds are available in the Water Safety Fund Balance. Additional appropriation from the Water Safety Fund Balance: \$1,734.61.
- DMV Select – Expenditures exceeded the total appropriation. Funds are available in the DMV Select Fund Balance. Additional appropriation from DMV Select Fund Balance: \$70.69.
- Department of Emergency Services – An additional appropriation is necessary to cover start-up costs and payroll expenses through June 2015. Additional appropriation from the undesignated General Fund balance: \$34,251.86.
- Fire and Rescue – A grant award in the amount of \$1,000 was received by the Virginia Department of Fire Programs that was used by Gasburg Volunteer Fire Department to purchase equipment.
- Fire and Rescue – Additional Four-for-Life funds were received than anticipated in the amount of \$1,182.96, and an appropriation is needed to account for the difference.
- Silver Trail – Additional grant proceeds totaling \$7,349.98 were received in FY15 that need to be appropriated.
- Simmons Drive – Additional grant proceeds totaling \$75.33 were received in FY15 that need to be appropriated.

Upon motion of Mr. Tyler seconded by Mr. Jones, and unanimously carried, the

Board approved the following:

- Appropriated \$1,734.61 from the FY15 Water Safety Fund Balance to the applicable revenue and expenditure line items of the Water Safety departmental budget.
- Appropriated an additional \$70.69 from the FY15 DMV Select Fund Balance to the applicable revenue and expenditure line items of the DMV Select Fund.
- Appropriated \$34,251.86 from the FY15 Undesignated General Fund Balance to the applicable line items of the Department of Emergency Services Budget.
- Appropriated \$2,182.96 to the applicable revenue and expenditure line items in the FY15 Fire and Rescue departmental budget.
- Appropriated \$7,349.98 to the applicable revenue and expenditure line items in the FY15 Silver Trail departmental budget.
- Appropriated \$75.33 to the applicable revenue and expenditure line items in the FY15 Simmons Drive departmental budget.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Lawrenceville-Brunswick Municipal Airport – FY16 Additional Appropriation**

Mrs. Reekes stated that the Lawrenceville-Brunswick Airport Commission had received bids for the purchase of a tractor and related equipment for the Lawrenceville-Brunswick Municipal Airport. The following bids were received:

- Crewe Tractor and Equipment - \$44,790.00
- Spaulding Equipment Company - \$41,100.00
- James River Equipment - \$40,186.13

James River Equipment is the lowest bidder for a total cost \$40,186.13. The Department of Aviation will provide funding at 50% of the total cost. Excess funds totaling \$25,000 are available for reappropriation from the FY15 Maintenance Administration and Maintenance of Buildings and Grounds departmental budgets to the FY16 Airport Fund.

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board approved to reappropriate an amount not to exceed \$25,000 from the FY15 Maintenance Administration and Maintenance of Buildings and Grounds departmental

budgets to the FY16 Airport Fund for the purchase of a tractor and related equipment.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Re: Planning Director’s Report**

**Green Acres Road/Lincoln Street Resolution**

Ms. Weddington stated that Brunswick County had received a community development block grant from the Virginia Department of Housing and Community Development for the Green Acres Community Improvement Project. A portion of the funds were used to improve Green Acres Road and Lincoln Street to the Virginia Department of Transportation standards for acceptance into the Virginia’s secondary system of state highways. VDOT requires a resolution adopted by the Board guaranteeing an unrestricted right-of-way.

Upon motion of Mr. Jones, seconded by Mr. Tyler, and unanimously carried, the Board adopted the following resolution and approved for signature the Certificate of Acceptance and VDOT Form AM-4.3 for Green Acres Road and Lincoln Street:

**Green Acres Road/Lincoln Street**

**RESOLUTION**

**WHEREAS**, the street(s) described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk's Office of the Circuit Court of Brunswick County, and

**WHEREAS**, the Area Land Use Engineer for the Virginia Department of Transportation has advised this Board the street(s) meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

**NOW, THEREFORE, BE IT RESOLVED**, this Board requests the Virginia Department of Transportation to add the street(s) described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to §33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

**BE IT FURTHER RESOLVED**, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Area Land Use Engineer for the Virginia Department of Transportation.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Re: County Administrator’s Report**

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**Re: Old Business**

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**Re: New Business**

**Virginia Association of Counties Update**

Dr. Charlette T. Woolridge, County Administrator, stated that she and Mr. Cataldo attended the Virginia Association of Counties’ County Officials Summit on Thursday, August 13<sup>th</sup> and Friday, August 14<sup>th</sup>. Dr. Woolridge and Mr. Cataldo provided an overview of the summit regarding the following areas: 2016-2018 budget issues, federal issues affecting counties, workforce development/economic development, transportation/land use, GO Virginia, and steering committee report.

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**Personnel – Brunswick Emergency Medical Services EMT and Landfill Inspector**

Upon a motion by Mr. Jones, seconded by Mr. Tyler, and unanimously carried, the Board appointed Erica Newton to the Brunswick Emergency Medical Services EMT position effective September 1, 2015, and Dennis Layton to the Landfill Inspector position effective September 1, 2015.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None

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**Re: Appointments**

**Brunswick County Litter Control Council**

This matter was continued.

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**Economic Development Coordinating Council**

This matter was continued.

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**Lake Country Development Corporation**

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board reappointed Dr. Charlette T. Woolridge and Mr. Andrew Nash to the Lake Country Development Corporation for a two (2) year term.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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**Meherrin Regional Library Board**

This matter was continued.

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**Southside Community Services Board of Directors**

This matter was continued.

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**Re: Adjourn**

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board adjourned.

Ayes: Cataldo, Jones, Tyler, Drummond; Nays: None.

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Hon. Barbara Jarrett Drummond, Chair

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Charlette T. Woolridge, Ph.D., Clerk