

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD ON WEDNESDAY, APRIL 17, 2013, IN THE AUDITORIUM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

PRESENT: BARBARA JARRETT DRUMMOND, CHAIRPERSON; JOHN CATALDO, BERNARD L. JONES, SR., DENISE C. WILLIAMS, BOARD OF SUPERVISOR MEMBERS; CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR/CLERK; PHYLLIS KATZ, COUNTY ATTORNEY; TAMMY W. NEWCOMB, DEPUTY CLERK

ABSENT: WELTON TYLER, VICE-CHAIRMAN

Re: Closed Meeting – 6:30 p.m.

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

- 2.2-3711.A.1: Personnel- discussion of prospective candidate for employment:
 - Buildings and Grounds Worker I position
- 2.2-3711.A.7: Consultation with legal counsel regarding a contractual issue for which legal advice is required.

Aye: Cataldo, Jones, Williams, Drummond; Nay: None.

The County Attorney attended the closed meeting.

Reconvene in Open Meeting

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

Aye: Cataldo, Jones, Williams, Drummond; Nay: None.

Certification of Discussions in Closed 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;
Mrs. Williams, Aye;
Ms. Drummond, Aye;
Nay: None.

Re: Call to Order – 7:30 p.m.

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

Re: Invocation and Pledge of Allegiance

Supervisor Cataldo gave the Invocation and led the Pledge of Allegiance.

Re: Approval of Agenda

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried,

the Board approved the agenda with the following addition:

Add under New Business

- Building and Grounds Worker I position

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

Re: Public Hearings

Virginia Department of Transportation – Proposed Secondary Six Year Plan for years 2014-2019

Mr. Tommy Johnson, Maintenance Operations Manager, presented the proposed Secondary Six Year Plan for years 2014-2019 as follows:

- Dry Bread Road (Route 611) – spot stabilization from Route 644 to Route 46.
- Old Stage Road (Route 712) – Bridge replacement over Waqua Creek.
- Old Stage Road (Route 712) – Bridge replacement over Sturgeon Creek.
- Johnson Run Road (Route 740) – Reconstruction with added capacity as a Revenue Sharing Project.
- Pocahontas Road (Route 633) – Resurfacing as a Rural Rustic Road project.
- Wilson Drive (Route 683) – Resurfacing as a Rural Rustic Road project.
- Great Creek Road (Route 648) – Resurfacing as a Rural Rustic Road project.
- Traffic services – New signs, pavement markings, or guardrail.

The Chair opened the public hearing. No citizens spoke.

After all citizens were provided 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 the Six Year Secondary Plan for years 2014-2019 as follows:

WHEREAS, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and,

WHEREAS, this Board had previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a public hearing on the proposed Plan (2014 through 2019) as well as the Construction Priority List on April 17, 2013, after duly advertised so that all citizens of Brunswick County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and,

WHEREAS, Billy Smith, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six Year Plan for Secondary Roads (2014-2019) and the Construction Priority List for Brunswick County; and,

NOW, THEREFORE, BE IT RESOLVED that since said Plan appears to be in the best interest of the Secondary Road System in Brunswick County and of the citizens residing on the Secondary System, said Secondary Six Year Plan (2014 through 2019) and Construction Priority List are hereby approved as presented at the public hearing.

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

Proposed FY14 Brunswick County Public School Budget

Dr. Oliver Spencer, Division Superintendent, provided an overview of the proposed FY14 Brunswick County Public School Budget as follows:

			DOLLAR
	APPROPRIATED	PROPOSED	INCREASE/
REVENUES	FY 2012-2013	FY 2013-2014	(DECREASE)
Special	\$ 267,000	\$ 194,000	\$ (73,000)
Food Service	\$ 1,217,640	\$ 1,217,640	\$ -
State	\$ 14,303,243	\$ 13,702,919	\$ (600,324)
Federal	\$ 2,876,759	\$ 1,723,084	\$ (1,153,675)
Local	\$ 5,045,888	\$ 4,866,272	\$ (179,616)
Totals	\$ 23,710,530	\$ 21,703,915	\$ (2,006,615)
EXPENDITURES			
Instruction	\$ 16,154,436	\$ 14,336,410	\$ (1,818,026)
Admin/Attend/Health	\$ 771,156	\$ 722,985	\$ (48,171)
Transportation	\$ 1,831,810	\$ 1,848,600	\$ 16,790
Operations/Maintenance	\$ 2,295,896	\$ 2,310,822	\$ 14,926
Food Service	\$ 1,217,640	\$ 1,217,640	\$ -
Technology	\$ 986,376	\$ 818,500	\$ (167,876)
Debt Service	\$ 453,216	\$ 448,958	\$ (4,258)
Totals	\$ 23,710,530	\$ 21,703,915	\$ (2,006,615)

The Chair opened the public hearing. The following citizens spoke:

- Jerry Marston, 2024 Iron Bridge Road, Lawrenceville, Virginia, expressed concern regarding Brunswick County Public School system operations.
- Bill Hudson, 108 Rollingwood Drive, Lawrenceville, Virginia, suggested that the Brunswick County School Board consider establishing an audit committee to review receipts.
- Bob Abernathy, Gasburg, Virginia, expressed concern regarding the elimination of technical educational programs in the Brunswick County Public School system.
- Gwen McMillan, 351 Fresh Meadow Road, Lawrenceville, Virginia, spoke in support of the FY14 Brunswick County Public School budget.

After all citizens had an opportunity to express their views, the Chair closed the public hearing.

Re: Approval of Minutes

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved the minutes of the March 13, 2013, adjourned meeting; March 19, 2013, adjourned meeting; March 20, 2013, regular meeting; March 25, 2013, adjourned meeting; and April 4, 2013, adjourned meeting as recorded.

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

Re: Virginia Department of Transportation (VDOT) Monthly Report

Mr. Tommy Johnson, Maintenance Operations Manager, presented the monthly report as follows:

Maintenance Forces

- Repaired signs on various primary and secondary routes.
- Repaired shoulders on Route 712.
- Performed snow removal operations on all routes due to recent snow storm and cleaned equipment.
- Performed debris removal on various secondary routes.
- Performed ditching in problem areas on primary and secondary routes.
- Machined non-hard surface roadways and hauled stone where needed.
- Patched potholes on various secondary routes.

Mr. Johnson reported that the safety study regarding the Alberta I-85 Interchange project has been completed. VDOT is in the process of scheduling the work. He will keep the Board informed as the project moves forward.

Re: Special Presentation

Mr. Shelton H. Jones, Sr., Animal Control Officer, is retiring from Brunswick County Government effective May 1, 2013. He was honored for twelve (12) years of dedicated service in the Department of Animal Control and overseeing maintenance at

County Park at Great Creek.

Re: Presentations

Lake Gaston Clean-up Day 2013 - Resolution

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board adopted the resolution in support of Take Pride in Lake Gaston Clean-up Day 2013 as follows:

WHEREAS, there is a need to improve the appearance of Lake Gaston by removing litter and debris that create eyesores and harm the environment; and

WHEREAS, a clean Lake Gaston environment positively impacts water safety, economic development, travel, tourism and quality of life; and

WHEREAS, the Lake Gaston Association is sponsoring Take Pride in Lake Gaston Clean-up of the Lake on June 1, 2013, in an effort to educate citizens on the harmful effects of litter; and

WHEREAS, there is a need for citizen participation in maintaining the beauty of our county; and

WHEREAS, it is in the interest of Brunswick County to support our volunteers in efforts to improve the appearance of the county;

NOW, THEREFORE BE IT RESOLVED by the Brunswick County Board of Supervisors that it endorses and supports the Take Pride in Lake Gaston Clean-up Day 2013 initiative.

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

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.

- A. Wayne Hyde, expressed appreciation regarding the progress of the Alberta I-85 Interchange clearing project.
- Jerry Marston, 2024 Iron Bridge Road, Lawrenceville, Virginia, expressed concern regarding the FY14 Brunswick County budget process.

After providing all citizens an opportunity to express their views, the Chair closed the Citizen Comment period.

Re: Consent Calendar of Reports

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board approved the Consent Calendar of Reports as presented for the following organizations:

- A. Lawrenceville-Brunswick Airport Monthly Report – March 2013
- B. Roanoke River Service Authority Minutes
- C. Industrial Development Authority Report

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

Re: Finance Director's Report

Approval of Disbursements

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

- System checks dated March 21, 2013, in the amount of \$27,316.88
- System checks dated April 3, 2013, in the amount of \$24,750.00
- System checks dated April 11, 2013, in the amount of \$45,201.30
- System checks dated April 17, 2013, in the amount of \$670,074.76
- System checks dated April 18, 2013, in the amount of \$8,615.60

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved disbursements in the amount of \$775,958.54 as presented.

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

FY13 Quarterly Fiscal Report

Mrs. Reekes stated that the majority of departmental expenditures appear to be on target for the nine-month baseline of 25% unexpended appropriations. However, as it relates to the probation office departmental budget, youth housing services are higher than anticipated due to the number of juveniles in detention. In order to account for all estimated expenditures through June 2013, an additional appropriation in the amount of \$39,135 is required.

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved an additional appropriation in the amount of \$39,135 from the FY13 undesignated general fund balance to the applicable revenue and expenditure line items in the probation office departmental budget.

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

Drug Forfeiture Fund – FY13 Additional Appropriation

Mrs. Reekes stated that the Commonwealth’s Attorney is requesting an additional appropriation in the amount of \$10,000 from the Drug Forfeiture fund balance in order to account for estimated expenditures through June 2013. No local funds are required.

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board approved an additional appropriation in the amount of \$10,000 from the FY13 drug forfeiture fund balance to the applicable revenue and expenditure line items of the Commonwealth’s Attorney drug forfeiture departmental budget.

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

Re: Planning Director's Report

Schedule Public Hearing – Case #13-001, Amendment to Conditional Use Permit Case #02-026, Manufactured Home Park submitted by Scott Brandt

Ms. Leslie Sullivan, Director of Planning, stated that the subject property is located off of Knob Hill Lane as it intersects with Governor Harrison Parkway (Highway 58), in the Powellton Election District. The applicant is requesting approval to amend the original conditional use permit (Case #12-026) that was approved for a 34 lot manufactured home park. The purpose of the amendment is to allow six (6) lots in the approved manufactured/mobile home park to be used temporarily for camper/travel trailers.

The Planning Commission conducted a public hearing on this request at their March 12, 2013, meeting. At the conclusion of the public hearing the Planning Commission deferred action to allow staff to obtain additional information. At the Planning Commission's April 9, 2013, meeting, the Planning Commission recommended approval of Case #13-001 by a vote of eight (8) to one (1), and requested that the Board of Supervisors schedule a public hearing for the Board's May 2013 regular meeting.

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board authorized the advertisement of a public hearing on Case #13-001 for its May regular meeting as recommended by the Planning Commission.

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

Special Entertainment Permit – Relay for Life 2013

Ms. Sullivan stated that the American Cancer Society is requesting approval of a

special entertainment permit in accordance with the Brunswick County Outdoor Musical/Entertainment Festivals Ordinance for the 2013 Relay for Life event scheduled for Saturday, May 18, 2013, beginning at 12:00 noon until 6:00 a.m. on Sunday, May 19, 2013.

The applicant has provided an event narrative to outline the activities of the proposed event. Also included in the narrative is a list of information required by the ordinance regarding plans for the following:

- Crowd control
- Sanitation facilities
- Traffic control
- Medical facilities
- Food
- Garbage, trash and litter disposal
- Liability insurance
- Signage
- Attendance of minors

Further, the applicant requests to waive the following ordinance requirements:

- Extension of time limitation
- Lodging and camping on-site
- Waiver of performance bond and tax
- Waiver of application fee

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board approved the Special Entertainment Permit for the Relay for Life 2013 as requested by the American Cancer Society.

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

Re: County Administrator's Monthly Report

Dominion Virginia Power – State Corporation Commission Public Hearing

Ms. Woolridge, County Administrator, advised that a public hearing will be held on April 24, 2013, at 10:00 a.m., by the State Corporation Commission to receive public comments regarding Dominion Virginia Power's application to locate a power plant in Brunswick County. Ms. Woolridge stated that the Board of Supervisors adopted a resolution in support of Dominion Virginia Power's application before the State Corporation Commission. Transportation is being provided to carry citizens and officials to the hearing. Citizens needing transportation should contact the County Administrator's Office by 3:00 p.m. on Thursday, April 18, 2013, to reserve a seat.

Department of Solid Waste – Warfield Solid Waste Convenience Center Electrical Upgrade

Ms. Woolridge stated that bids were solicited to upgrade the electrical system from single to three-phase power at the Warfield Solid Waste Convenience Center as follows:

COMPANIES	JONES ELECTRIC	TUCKER MECHANICAL	HICKS ELECTRICAL	WHITEHEAD ELECTRICAL
Southside Electric Cooperative	\$18,710	\$18,710	\$18,710	\$18,710
External wiring three-phase	(\$3,600) allowance \$15,110	(\$3,600) allowance \$15,110	(\$3,600) allowance \$15,110	(\$3,600) allowance \$15,110
Interior wiring upgrade	\$2,157	\$1,919	No bid submitted	No bid submitted

Funds are available, in the amount of \$13,256, in the FY13 Department of Solid Waste Machinery and Equipment line item which may be utilized towards this project.

Additionally, the Department of Solid Waste is requesting that the balance of funds in the amount of \$3,773 be transferred from the Board of Supervisors contingency funds.

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board accepted the bid, in the amount of \$1,919, from Tucker Mechanical and the bid, in the amount of \$15,110 from Southside Electric Cooperative to upgrade the Warfield Solid Waste Convenience Center wiring and interior electrical service from single to three-phase power as recommended by the Director of Solid Waste Management.

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

Re: New Business

Request for Proposals – Brunswick County Historic Courthouse (Tax Credits)

Upon motion of Mr. Cataldo, seconded by Mr. Jones, and unanimously carried, the Board adopted the declaration to procure tax credit consulting services and to authorize the issuance of a request for proposal.

**Declaration Regarding Procurement of Tax Credit Consulting Services
(Courthouse Renovation Project)**

The Board of Supervisors (“Board”) desires to obtain the services of a consultant to assist in determining whether historic tax credits can be used in connection with the planned renovation of the County’s historic courthouse. The objective is to determine whether it is feasible to put a structure in place in which equity derived from tax credit investors in the project can be used to lower the amount the County would otherwise borrow for the project while allowing the County to use the property as its primary County government building as currently planned. The scope of work desired from the consultant includes assistance in determining whether renovation of the property qualifies for historic tax credits, and assistance in determining whether a transaction can be structured permitting both the County’s long-term use of the property and the receipt of the tax credit by third-party investors. The consultant would also assist the County in identifying potential investors and developers for the project. As the work to be performed by the consultant is advisory in nature, and consideration of the background and experience of the consultant is of primary importance in the selection process, price

will not be the sole determining factor in the consideration and review of proposals. Accordingly, pursuant to Section 2.2-4303(C) of the Virginia Public Procurement Act, the Board determines that competitive sealed bidding is not appropriate or practicable to procure the services desired for this project, and determines that procurement of such services via competitive negotiation is in the County's best interest.

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

Personnel Committee Recommendation – Buildings and Grounds Worker I Position

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board appointed Mr. Alfred Mason to the position of Buildings and Grounds Worker I, effective June 3, 2013.

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

Re: Appointments

Brunswick County Litter Control Council

This matter was continued.

Economic Development Visioning Committee

This matter was continued.

Brunswick County Board of Zoning Appeals

This matter was continued.

Community Criminal Justice Board

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board reappointed Charlette T. Woolridge to serve a two (2) year term on the

Community Criminal Justice Board representing Brunswick County.

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

Re: Adjourn

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

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

Barbara J. Drummond, Chair

Charlette T. Woolridge, Clerk