

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

PRESENT: WELTON TYLER, VICE-CHAIRMAN; JOHN CATALDO, BERNARD L. JONES, SR., DENISE C. WILLIAMS, BOARD OF SUPERVISOR MEMBERS; PHYLLIS KATZ, COUNTY ATTORNEY; TAMMY W. NEWCOMB, ASSISTANT TO COUNTY ADMINISTRATOR/DEPUTY CLERK

ABSENT: BARBARA JARRETT DRUMMOND, CHAIRPERSON; CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR/CLERK

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**Re: Call to Order – 7:30 p.m.**

Vice-Chair Tyler called the meeting to order and welcomed all citizens in attendance.

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**Re: Invocation and Pledge of Allegiance**

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

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**Re: Approval of Agenda**

Upon motion of Mrs. Williams, seconded by Mr. Cataldo, and unanimously carried, the Board approved the agenda as presented.

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

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**Re: Public Hearing**

**Conditional Use Permit Case #13-007 submitted by Lonnie R. and Joyce G. Powell, Campground in the Agricultural (A-1) Zoning District**

Ms. Leslie Sullivan, Director of Planning, stated that 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 (Route 638) and Governor Harrison Parkway, located in the Totaro Magisterial District and the Powellton Election District.

The applicant is requesting approval of a conditional use permit to operate and maintain a three (3) lot campground for camper/travel trailers for temporary use. The subject property was used as a non-conforming mobile home park until 2008. The property contained hook-ups for six (6) mobile homes. All of the homes were removed off of the property in 2008 except for one (1). The use of the property since 2009 has been for one (1) manufactured home site.

Camper/travel trailers are vehicular structures mounted on wheels which are designed as temporary living accommodations for recreation, camping and travel use. The Comprehensive Plan does not address travel and camper trailers directly. As the proposed use of camper/travel will not be for recreational purposes, staff finds that allowing camper/travel trailers in the approved manufactured home park is not the highest and best use of the subject property. As a result, staff recommends denial of Case #13-007 for a conditional use permit to operate and maintain a campground park for temporary use.

The Planning Commission conducted a public hearing on this request at their June 11, 2013, meeting. At the conclusion of the public hearing the Planning Commission recommended approval of Case #13-007 by vote of 9 to 1.

The Vice-Chairman opened the public hearing. No citizen spoke.

After all citizens were provided an opportunity to express their views, the Vice-Chairman closed the public hearing.

Upon motion of Mr. Cataldo, seconded by Mrs. Williams, and unanimously carried, the Board approved Case #13-007 as recommended by the Planning Commission and subject to the following conditions:

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 three (3) camper/travel trailers shall be permitted on the subject property. Camper/travel trailers shall be permitted to locate on the subject property from the date of approval of this conditional use permit by the Board of Supervisors and shall be removed by December 31, 2016.

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

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**Re: Approval of Minutes**

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

Board approved the minutes of the June 19, 2013, regular meeting and July 9, 2013, special meeting as recorded.

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

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

The monthly report was submitted as follows:

Maintenance Forces

- Patched potholes on various routes.
- Repaired signs on Routes 609 and 644.
- Machined shoulders on various routes.
- Conducted tree/debris removal.
- Asphalt patching with grader on secondary routes.
- Replaced cross pipe on Route 629 and 675.
- Performed brush cutting on various secondary routes.
- Cleaned drop inlets on primary routes.
- Applied chloride to non-hard surface roadways for dust control.
- Stone added to mailboxes on various secondary routes.
- Crews currently mowing Route 1 and various secondary routes within the Lawrenceville area.

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**Re: Presentation**

**Central Virginia Health Services, Inc. – Sheena Mackenzie, Development Director**

Ms. Sheena Mackenzie, Development Director, Central Virginia Health Services, Inc., provided an update on the services provided through the Southside Community Health Center highlighting the following:

- A nonprofit health center that serves residents of Brunswick County and the surrounding areas.
- Provides family practice medical services such as physicals, chronic disease management, immunizations and screenings for various diseases.
- Provides general dentistry, including preventative, restorative, and periodontal care.
- Offers pharmacy services and enrollment in medication assistance programs.

The Board of Supervisors thanked Ms. Mackenzie for her presentation.

This was provided for the Board's information.

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**Re: Department/Agency Presentations**

**Emergency Services Advisory Board – Emergency Medical Services Response Plan – Aubrey Hyde, Jr., Emergency Management Coordinator**

Mr. Aubrey Hyde, Jr., Emergency Management Coordinator, presented the Emergency Medical Services (EMS) Response Plan. This plan is implemented to provide the necessary basis for coordination of emergency medical responses in Brunswick County. He stated that this EMS Response Plan has been approved by the Brunswick County Emergency Services Advisory Board.

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved the Emergency Medical Services Response Plan as recommended by the Emergency Services Advisory Board.

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

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**Emergency Services Advisory Board – Emergency Medical Services Minimum Staffing Exemption Request – Aubrey Hyde, Jr., Emergency Management Coordinator**

Mr. Hyde presented a request for emergency medical services minimum staffing exemption for Advanced Life Support ambulances for Alberta Volunteer Fire Department, Inc., Brunswick Rescue Squad, Inc. and Central Lifesaving and Rescue Squad, Inc.

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

the Board adopted the resolution of support for implementation of an Emergency Medical Services minimum staffing exemption as recommended by the Brunswick County Emergency Services Advisory Board.

**WHEREAS**, Section 15.2-955 of the Code of Virginia, 1950, as amended, requires local governing approval of any emergency medical service organization operating within that locality; and,

**WHEREAS**, Alberta Volunteer Fire Department, Inc., Brunswick Volunteer Rescue Squad, Inc., and Central Lifesaving and Rescue Squad, Inc. have appeared before the Brunswick County Board of Supervisors, to request approval to modify their agency license, by an exemption, to provide Advanced Life Support services in the absence of a Basic Life Support member on board, as required by 12VAC5-31-1250 Advanced Life Support Vehicle Transport; and

**WHEREAS**, the Brunswick County Board of Supervisors has determined it to be in the best interest of the citizens of Brunswick County for Alberta Volunteer Fire Department, Inc., Brunswick Volunteer Rescue Squad, Inc., and Central Lifesaving and Rescue Squad, Inc. to provide these services;

**NOW, THEREFORE, BE IT RESOLVED**, the Brunswick County Board of Supervisors supports the exemption request for the Alberta Volunteer Fire Department, Inc., Brunswick Volunteer Rescue Squad, Inc., and Central Lifesaving and Rescue Squad, Inc., for said regulation pertaining to minimum staffing requirements for Advanced Life Support ambulances per approval of the Office of Emergency Medical Services, Virginia Department of Health.

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

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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 citizen spoke.

- Jerry Marston questioned why a public hearing was not held regarding the resolution adopted by the Board of Supervisors on July 9, 2013, relative to the reimbursement of certain expenditures pertaining to infrastructure for the Dominion Virginia Power plant project.

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

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**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 – June 2013
- B. Industrial Development Authority Monthly Report

Ayes: Cataldo, Jones, Williams, Tyler; 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 June 20, 2013 (FY13), in the amount of \$4,870.95.
- System checks dated June 28, 2013 (FY13), in the amount of \$55,013.05.
- System checks dated July 1, 2013 (FY14), in the amount of \$1,110,798.07.
- System checks dated July 11, 2013 (F13), in the amount of \$233.97.
- System checks dated July 12, 2013 (FY13), in the amount of \$78,264.24.
- System checks dated July 16, 2013 (FY14), in the amount of \$3,780.00.
- System checks dated July 17, 2013 (FY14), in the amount of \$268,583.30.
- System checks dated July 18, 2013 (FY13), in the amount of \$100,611.62.
- System checks dated July 19, 2013 (FY14), in the amount of \$559.02.

Upon motion of Mrs. Williams, seconded by Mr. Jones, and unanimously carried, the Board approved disbursements in the amount of \$1,622,714.22 as presented.

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

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## FY13 Quarterly Fiscal Report

Mrs. Reekes presented the following departments that require supplemental appropriations and budget transfers in FY13 in order to reconcile year-end expenditures at this time.

- *Board of Supervisors (Department 11010)* – Expenditures associated with County Attorney fees exceeded the FY13 appropriation.  
**Transfer unexpended FY13 funds from County Administration:       \$5,000**  
**Supplemental funding needed:   \$15,340**
  
- *Probation Office (Department 33300)* – Expenditures for youth housing services were higher than anticipated due to a continuous increase in the number of juveniles in detention.  
**Supplemental funding needed:   \$10,010**
  
- *Circuit Court-Judges (Department 21100)* – Expenditures for costs associated with Grand Jury and shared administrative support exceeded the FY13 appropriation.  
**Supplemental funding needed:   \$1,954**
  
- *General-J&DR District Courts (Department 21500)* –Telephone expenditures exceeded the FY13 appropriation.  
**Transfer unexpended FY13 funds from Magistrates:                       \$512**
  
- *Sheriff's Office-Law Enforcement and Traffic Control (Department 31200)* – Expenditures associated with repair and maintenance of vehicles and vehicle supplies were higher than anticipated.  
**Transfer unexpended FY13 funds from E911 Communications:       \$30,001**
  
- *Maintenance of Buildings and Grounds (Department 43200)* – Supplemental funding needed due to relocation expenses.  
**Transfer unexpended FY13 funds from Maintenance Admin.:       \$9,310**
  
- *Fire and Rescue Services (Department 32400)* – Additional Four for Life proceeds received.  
**Additional appropriation needed:   \$1,518**
  
- *Victim Witness (Department 21910)* – Additional proceeds received from the state.  
**Additional appropriation needed:   \$306**

- *Sheriff's Office-Drug Forfeiture (Department 31700)* – Additional appropriation needed for police supplies.  
**Appropriate from Drug Forfeiture Fund Balance: \$2,955**
  
- *Sheriff's Office-Courthouse Security Fund (Department 21800)* – Additional appropriation needed due to leave payout.  
**Appropriate from Courthouse Security Fund Balance: \$945**
  
- *Qualified Zoning Academy Bonds (QZAB) Project* – Reappropriation needed to account for FY13 expenditures.  
**Reappropriation from unexpended FY12 funds: \$1,306,981**
  
- *Historic Courthouse Renovations Project* – Expenditures for construction fees exceeded the FY13 appropriation.  
**Additional appropriation needed: \$23,152**

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board approved the following actions:

- Appropriate \$27,304 from the FY13 undesignated general fund balance to the above-mentioned departments in order to reconcile expenditures with appropriated departmental totals.
- Transfer \$44,823 from the FY13 unexpended appropriations of the above-mentioned departmental budgets in order to reconcile expenditures with appropriated department totals.
- Appropriate an additional \$1,518 to the revenue and expenditure line items of the FY13 Fire and Rescue Services departmental budget.
- Appropriate an additional \$306 to the revenue and expenditure line items of the FY13 Victim-Witness Assistance Program departmental budget.
- Appropriate an additional \$2,955 from the FY13 Drug Forfeiture fund balance to the applicable revenue and expenditure line items of the Drug Forfeiture Fund.
- Appropriate an additional \$945 from the FY13 Courthouse Security fund balance to the applicable revenue and expenditure line items of the Courthouse Security Fund.
- Reappropriate \$1,306,981 to the applicable revenue and expenditure line items of the FY13 QZAB Project Fund.

- Appropriate an additional \$23,152 to the applicable revenue and expenditure line items of the FY13 Historic Courthouse Renovations Project Fund.

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

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#### **Sheriff's Office – Byrne Justice Assistance Grant**

Mrs. Reekes stated that the Sheriff's Office has received \$1,476 in federal funds from the Virginia Department of Criminal Justice, with a required local match of \$164.00. The funds are provided to localities to assist with their efforts to reduce crime and improve public safety. The local match is available in the FY14 Sheriff's Office – Law enforcement and Traffic Control departmental budget.

Upon motion of Mr. Jones, seconded by Mrs. Williams, and unanimously carried, the Board accepted and appropriated the amount of \$1,476 to the applicable revenue and expenditure line items of the FY14 Sheriff's Office – Law Enforcement and Traffic Control departmental budget.

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

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#### **Sheriff's Office - Byrne One-Time Equipment Grant**

Mrs. Reekes stated that the Sheriff's Office has received \$31,500 in federal funds from the Virginia Department of Criminal Justice, with a required local match of \$3,500. The one-time grant funds are provided to localities to assist with office infrastructure. The local match is available in the FY14 Drug Forfeiture fund balance.

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board accepted and appropriated the amount of \$31,500 to the applicable revenue and expenditure line items of the FY14 Sheriff's Office – Law Enforcement and Traffic

Control departmental budget.

Upon motion of Mr. Jones, seconded by Mr. Cataldo, and unanimously carried, the Board approved a budget transfer in the amount of \$3,500 from the FY14 Drug Forfeiture fund balance to the applicable line items in the FY14 Sheriff's Office-Law Enforcement and Traffic Control departmental budget.

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

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### **Virginia Retirement System Hybrid Retirement Plan**

Mrs. Reekes stated that the Virginia Retirement System (VRS) Hybrid Retirement Plan combines the features of a defined benefit plan and a defined contribution plan. The plan will apply to members hired on or after January 1, 2014, with no creditable service or account balance, and current employees who elect to opt into the plan during a one-time election period beginning January 1, 2014, and ending April 30, 2014. Hazardous duty employees covered under enhanced benefits (i.e. Sheriff's Office employees) are not eligible to participate in the Hybrid Retirement Plan and will be covered under their current plans.

The Hybrid Retirement Plan is funded through mandatory and voluntary contributions made by the employee and employer to both the defined benefit and the defined contribution components of the plan. Through this plan, employers must pay one blended employer retirement contribution rate for Plan 1, Plan 2 and the Hybrid Retirement Plan. The chart below details the employer and employee contribution amounts of the Hybrid Retirement Plan.

<b>Defined Benefit (DB) Plan Contributions</b>		
	<b>Employee</b>	<b>Employer</b>
Mandatory Contribution	4%	Actuarially determined amount, less employer DC contributions
<b>Defined Contribution (DC) Plan Contributions</b>		
	<b>Employee</b>	<b>Employer</b>
Mandatory Contribution	1%	1%
Voluntary Contribution	Up to 4% additional contribution	1% match on the employee's first 1% + .25% match for each additional .50%
<b>Maximum DC Plan Contributions</b>	<b>5%</b>	<b>3.5%</b>
<b>Total Maximum Contributions (DB &amp; DC)</b>	<b>9%</b>	<b>Actuarial Rate</b>

Recent stated legislation requires political subdivisions and school divisions to provide an employer-paid disability benefit to all participants in the VRS Retirement Plan. The disability program requirements are outlined in Chapter 11 of Title 51.1 of the Code of Virginia. The program focuses on assisting employees with their recovery and helping them to make a safe return to their full work duties, if possible, and provides income protection if any employee is out of work on short-term or long-term disability.

The recent changes to the legislation also created the Virginia Local Disability Program (VLDP). Participants in the VRS Hybrid Retirement Plan are automatically covered in the VLDP unless the governing body elects to opt out and provide a comparable employer-paid program. In an effort to assist political subdivisions and school divisions, the Virginia Association of Counties Risk Pool (VACoRP) Supervisory Board contacted multiple vendors that provided comparable disability plans, and recently voted to endorse an opt out solution to the VLDP. The plan, provided by

Standard Insurance Company, is a customized coverage plan that meets or exceeds the comparable plan requirements of the Code of Virginia.

Participation in either the VLDP or Standard Insurance Company's disability program requires the employer to pay a premium on the Hybrid Retirement Plan covered payroll. The VLDP program rate is 0.91% and is valid through June 30, 2014. Standard Insurance Company's program rate is 0.79% and is guaranteed until December 31, 2016. These rates are in addition to the current retirement and group life insurance rates Brunswick County is currently paying.

Please note that the decision to participate or opt out of VLDP is irrevocable. By September 1, 2013, Brunswick County must either submit a resolution to VRS opting out of VLDP, deciding to provide a comparable plan; or request an extension to the resolution until November 1, 2013.

Upon motion of Mrs. Williams, seconded by Mr. Jones, and unanimously carried, the Board voted to opt out by resolution of the Virginia Local Disability Program and elected to participate in the VACoRP endorsed disability program provided by Standard Insurance Company.

#### **Irrevocable Election Not to Participate in Virginia Local Disability Program**

**WHEREAS**, by enacting Chapter 11.1 of Title 51.1 of the *Code of Virginia*, the Virginia General Assembly has established the Virginia Local Disability Program ("VLDP") for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

**WHEREAS**, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before September 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or

exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the *Code of Virginia*, with the exception of long term care coverage, by January 1, 2014; and

**WHEREAS**, it is the intent of the County of Brunswick (55112), to make this irrevocable election to request that its eligible employees not participate in VLDP;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** that the County of Brunswick irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees; and it is further

**RESOLVED** that, as an integral part of making this irrevocable election, the County of Brunswick certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

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

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**Re: Appointments**

**Brunswick County Litter Control Council**

Mrs. Tammy W. Newcomb, Assistant to the County Administrator/Deputy Clerk, presented a memorandum from Ella Ridley, Director of Solid Waste Management, outlining a recommendation from the Brunswick County Litter Control Council regarding the appointment and removal of certain litter council members. Additionally, Mrs. Newcomb presented a letter of resignation from Alfonzo Seward, Sturgeon District representative.

Mrs. Williams motioned to accept the recommendation from the Litter control Council to remove the following individuals from the Litter Control Council:

- Cecilia Taylor, Red Oak District
- Paula Sadler, Powellton/Meherrin District
- Captain Brent Wright, Sheriff's Office

The County Attorney advised that she would like to research the matter and make a

recommendation to the Board regarding removal of individuals from appointment to Boards/Committees.

Mrs. Williams withdrew her motion.

Mrs. Williams motioned to accept the resignation of Mr. Alfonzo Seward and appoint Virginia Myrick as the representative for Sturgeon District. Mr. Jones stated that he would like to contact Mrs. Myrick to discuss her appointment since she is a property owner in the Red Oak District. Mrs. Williams amended her motion to remove the appointment of Virginia Myrick. Mr. Jones seconded the motion to accept the resignation of Alfonzo Seward. The motion unanimously carried.

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

The matter was continued to allow the County Attorney sufficient time to research the matter and provide a recommendation.

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#### **Economic Development Visioning Committee**

This matter was continued.

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#### **Brunswick County Board of Zoning Appeals**

This matter was continued.

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#### **Meherrin River Regional Jail Authority**

Upon motion of Mr. Tyler, seconded by Mr. Jones, and unanimously carried, the Board appointed Hon. Denise C. Williams to serve as the Alternate Board of Supervisors representative on the Meherrin River Regional Jail Authority.

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

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**Southside Virginia Education Center Board of Directors**

Upon motion of Mr. Cataldo, seconded by Mrs. Williams, and unanimously carried, the Board reappointed Hon. Bernard L. Jones, Sr., to serve a four (4) year term on the Southside Virginia Education Center Board of Directors representing Brunswick County.

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

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**Lawrenceville-Brunswick Airport Commission**

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, Williams; Nays: None.

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Welton Tyler, Vice-Chairman

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Tammy W. Newcomb, Deputy Clerk