

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD ON WEDNESDAY, SEPTEMBER 17, 2014, IN THE BOARD ROOM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

PRESENT: BERNARD L. JONES, SR., CHAIRMAN; WELTON TYLER, VICE-CHAIRMAN; JOHN CATALDO, BARBARA J. DRUMMOND, DENISE C. WILLIAMS, BOARD OF SUPERVISOR MEMBERS; DR. CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR/CLERK; PHYLLIS KATZ, COUNTY ATTORNEY; TAMMY W. NEWCOMB, DEPUTY CLERK/RECORDER OF MINUTES

Re: Closed Meeting – 6:30 p.m.

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

- 2.2-3711.A.5: Discussion concerning prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community.
- 2.2-3711.A.7: Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel.

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

The County Attorney attended the closed meeting.

Reconvene in Open Meeting

Upon motion of Mr. Cataldo, seconded by Ms. Drummond, 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
Ms. Drummond: Aye
Mr. Tyler: Aye
Mrs. Williams: Aye
Mr. Jones: Aye

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

Chairman Jones called the meeting to order and welcomed all citizens in attendance.

Re: Invocation and Pledge of Allegiance

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

Re: Approval of Agenda

Upon motion of Mr. Tyler, seconded by Ms. Drummond, and unanimously carried, the Board approved the agenda with the following revision:

Add under New Business:

- Letter of Support – Virginia Eco Industries, LLC

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

Re: Approval of Minutes

Upon motion of Ms. Drummond, seconded by Mrs. Williams, and unanimously carried,

the Board approved the minutes of the August 20, 2014, regular meeting as presented.

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

Re: Virginia Department of Transportation (VDOT) Monthly Report

Mr. Billy Smith, Residency Administrator, presented the monthly report as

follows:

Maintenance Forces

- Route 633 (Pocahontas Road) and Route 740 (Johnson Run Road) projects are ongoing.
- Performed patching of potholes on various primary and secondary routes.
- Performed machining of non-hard surfaced roadways and hauling away stone.
- Repaired signs on various routes.
- Completed mowing on primary and secondary routes.

Supervisor Williams requested that VDOT conduct a site visit on Five Forks Road. She received a complaint from a citizen that there are trees overhanging the road. Mr. Smith stated that he would investigate the area and provide the appropriate maintenance.

FY16 Revenue Sharing Program

Dr. Woolridge stated that in order to participate in the FY16 Revenue Sharing Program, the Board is required to adopt the resolution below and submit an application. She advised that funding is designated for improvements to Doctor Purdy Road (State Route 659), located in the Meherrin Election District.

Upon motion of Mrs. Williams, seconded by Mr. Cataldo, and unanimously carried, the Board adopted the resolution to participate in the FY16 Revenue Sharing Program.

WHEREAS, the Brunswick County Board of Supervisors desires to submit an application for an allocation of funds of up to \$25,000 through the Virginia Department of Transportation Fiscal Year 2015-16 Revenue Sharing Program; and,

WHEREAS, these funds are requested to fund improvements to Doctor Purdy Road (State Route 659) in the Meherrin Election District; and,

NOW, THEREFORE, BE IT RESOLVED THAT the Brunswick County Board of Supervisors hereby supports this application for an allocation of \$25,000 through the Virginia Department of Transportation Revenue Sharing Program.

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

Re: Brunswick County Public Schools Monthly Report

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

This was provided for the Board's information.

Re: Department/Agency Presentations

Southside Community Services Board FY15-16 Performance Contract – Don Burge, Executive Director

Mr. Don Burge, Executive Director, provided an overview of the FY15-16 Performance Contract and the programs and services administered through Southside Community Services Board. A copy of the report is available in the County Administrator's Office.

Upon motion of Mr. Tyler, seconded by Ms. Drummond, and unanimously carried, the Board approved the FY15-16 Southside Community Services Board Performance Contract as presented.

Ayes: Cataldo, Drummond, Tyler, Williams, Jones; 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. No citizens spoke.

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 Ms. Drummond, seconded by Mrs. Williams, and unanimously carried, the Board acknowledged receipt of the following reports:

- A. Roanoke River Services Authority Meeting Minutes
- B. Industrial Development Authority Meeting Minutes

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

Re: Finance Director's Report

Approval of Disbursements

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

- System checks dated August 22, 2014 (FY14), in the amount of \$1,080.00.
- System checks dated August 22, 2014 (FY15), in the amount of \$2,208.31.
- System checks dated September 10, 2014, in the amount of \$1,146.89.
- System checks dated September 11, 2014, in the amount of \$51,002.06.
- System checks dated September 17, 2014, in the amount of \$183,126.99.
- System checks dated September 18, 2014, in the amount of \$15,945.09.
- System checks dated September 19, 2014, in the amount of \$168.00.

Upon motion of Mrs. Williams, seconded by Mr. Cataldo, and unanimously carried, the Board approved disbursements in the amount of \$254,677.34 as presented.

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

FY14 Additional Appropriations

Mrs. Reekes stated that the following appropriations need to be made in order to close out FY14:

- Brunswick County received a grant award from the Federal Emergency Management Agency (FEMA) for the purchase of two generators for repeater sites in August 2013. Originally, the grant application included a 25% local match. The County has recently received notice that the state will meet the 20% match requirement. As a result, an additional appropriation in the amount of \$2,770 in federal funds is necessary.

- The Department of Social Services received additional state and federal funds totaling \$31,250 for various public assistance programs. An appropriation is necessary to account for the expenditures.

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

- Appropriated \$2,770 to the applicable revenue and expenditure line items of the FY14 Fire and Rescue Services departmental budget.
- Appropriated \$17,300 in state funds and \$13,950 in federal funds to the applicable revenue and expenditure line items within the FY14 Department of Social Services Fund.

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

FY15 Appropriations and Re-Appropriations

Mrs. Reekes presented the following departments that require additional appropriations and re-appropriations in FY15:

Additional Appropriations:

- Commonwealth's Attorney – Final revenue figures are now available from the State Compensation Board and, as a result, an additional appropriation of revenues and expenditures is necessary due to pay increases in FY14 and FY15 for the two Assistant Commonwealth's Attorneys. Revenues need to be increased by \$15,000 and expenditures increased by \$9,700. No local funds required.
- Sheriff's Office – Final revenue figures are now available from the State Compensation Board and, as a result, a reduction in the amount of \$24,000 to the projected revenues appropriation is necessary. The Sheriff's Office lost funding for one deputy due to a decrease in Brunswick County's population according to the 2012 census.
- Sheriff's Office – Contractual Events – Additional contracts have been signed to provide security to outside agencies and an additional appropriation of \$20,000 is necessary to account for the related payroll expenses. No local funds required.
- Victim-Witness Program Grant – The Criminal Justice Services Board approved a 3% increase to local Victim-Witness Programs. The increase totaling \$1,721

is funded from the state special fund and can be used to support any appropriated grant purpose, such as salary increases, training, supplies, etc. No local funds required.

- Solid Waste – Insurance proceeds were received in the amount of \$2,195 in FY14 for damage to the Solid Waste Department office flooring. An appropriation is needed in FY15 to account for the expenses to repair the flooring. No local funds required.
- Department of Social Services – Final revenue figures are now available from the applicable state and federal agencies requiring an additional appropriation totaling \$18,317 to the FY15 Social Services Fund. No local funds required.

Re-Appropriations

- Sheriff's Office-Renovations – Local funds in the amount of \$14,389.04 remain unexpended at the end of FY14 and it has been requested that these funds be re-appropriated to account for the expenses that incurred in July and August to complete the Sheriff's Office renovations.
- Sheriff's Office-EOC Upgrade Grant – Grant funds were not expended in full in FY14 and remaining funds in the amount of \$19,076.59 need to be re-appropriated in FY15.
- Fire and Rescue Services – Local funds in the amount of \$17,309.84 remain unexpended at the end of FY14 and it has been requested that these funds be re-appropriated in FY15 to assist with costs relative to enhancements to the current communications system.
- Historic Courthouse Renovation Project – Funds in the amount of \$250,000 need to be re-appropriated in FY15 to account for the costs to complete the renovation in FY15.
- Fort Christanna – Local funds in the amount of \$4,004.05 remain unexpended at the end of FY14 and it has been requested that these funds be re-appropriated in FY15 to assist with ongoing maintenance costs.

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

- Appropriated \$15,000 to the FY15 revenue line item and \$9,700 to the FY15 applicable expenditure line items of the Commonwealth's Attorney departmental budget.

- Reduced the Sheriff's Office revenue appropriation included in the FY15 general fund adopted budget by \$24,000.
- Appropriated \$42,233 to the applicable FY15 revenue and expenditure line items of the above mentioned departmental budgets.
- Re-appropriated \$304,779.52 to the applicable FY15 revenue and expenditure line items of the above referenced departmental budgets.

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

Personal Property Tax Relief Act Resolution

Mrs. Reekes stated that in December 2005, the Board of Supervisors adopted an ordinance to implement 2004-2005 changes to the Personal Property Tax Relief Act (PPTRA) of 1998. Effective March 2006, the Auditor of Public Accounts advised the Treasurer that Brunswick County's allocation of the \$950 million PPTRA allotment is \$1,355,735.87. As a result, the Board of Supervisors is required to set the rate of tax relief for distribution of this dollar amount to qualifying vehicles annually.

Upon motion of Mrs. Williams, seconded by Mr. Cataldo, and unanimously carried, the Board adopted the resolution setting the rate of tax relief for tax year 2014 at 59% based on the effective tax rate of \$3.40.

WHEREAS, the Personal Property Tax Relief Act of 1998, Virginia Code §58.1-3523 et seq. ("PPTRA"), has been substantially modified by the enactment of Chapter 1 of the Acts of Assembly, 2004 Special Session I (Senate Bill 5005), and the provisions of Item 503 of Chapter 951 of the 2005 Acts of Assembly (the 2005 revisions to the 2004-06 Appropriations Act).

WHEREAS, by its enactment of an ordinance on December 21, 2005, ("Ordinance"), the Board of Supervisors of Brunswick County, Virginia (the Board of Supervisors") has previously implemented such modifications of the PPTRA.

WHEREAS, the Board of Supervisors now desires to set the rate of tax relief for tax year 2014, for purposes of the Ordinance.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BRUNSWICK COUNTY, VIRGINIA:

1. For purposes of §3(c) of the Ordinance, the rate of tax relief with respect to qualifying vehicles with assessed values of more than \$1,000, and applied to the first \$20,000 in value of each such qualifying vehicle, shall be fifty-nine percent (59%).
2. All other provisions of the Ordinance shall be implemented by the Commissioner of the Revenue or the County Treasurer, as applicable, including, without limitation, those set forth in §3(b) of the Ordinance, pertaining to the elimination of personal property taxation of each qualifying vehicle with an assessed value of \$1,000 or less, and in §4, pertaining to liability of taxpayers whose taxes with respect to a qualifying vehicle for tax year 2005 or any prior tax year remain unpaid.
3. This Resolution shall take effect immediately upon its adoption.

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

Re: Planning Director's Report

Schedule Public Hearing: Rezoning Case #14-016, submitted by Erwin L. Maitland Residential (R-1) to Business (B-1)

Ms. Weddington, Director of Planning, stated that the applicant is requesting a rezoning of the subject property from Residential (R-1) to Business (B-1) for future commercial use. The subject property is located on the west side of Christanna Highway (Highway 46), approximately 0.2 of a mile south of the intersection of Christanna Highway and Cattail Drive (State Route 694), in the Totaro Magisterial District and the Totaro Election District, also identified as Tax Map 62 Parcel 33A.

The Planning Commission conducted a public hearing on this request at their September 9, 2014, 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 Rezoning Case #14-016 and requested that the Board of Supervisors schedule a public hearing for the Board's October 2014 regular meeting.

Upon motion of Ms. Drummond, seconded by Mrs. Williams, and unanimously carried, the Board authorized the advertisement of a public hearing on Rezoning Case #14-016 for its October regular meeting as recommended by the Planning Commission.

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

Re: New Business

Letter of Support – Virginia Eco Industries, LLC

Upon motion of Mr. Tyler, seconded by Ms. Drummond, and unanimously carried, the Board approved to send a letter of support to the Virginia Tobacco Indemnification and Community Revitalization Commission as requested by Virginia Eco Industries, LLC.

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

Re: Appointments

Brunswick County Litter Control Council

This matter was continued.

Economic Development Coordinating Council

This matter was continued.

Lake Country Area Agency on Aging Board of Directors

Upon motion of Mr. Tyler, seconded by Ms. Drummond, and unanimously carried, the Board appointed Ms. Darleen Ferguson to serve a three year term on the Lake Country Area Agency on Aging Board of Director representing Brunswick County.

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

Workforce Investment Board

This matter was continued.

Lake Country Soil and Water Conservation Board of Directors

Upon motion of Mr. Tyler, seconded by Mrs. Williams, and unanimously carried, the Board endorsed the appointment of Austin Puryear, as requested by the Lake Country Soil and Water Conservation Board, to serve a four year term on the Lake Country Soil and Water Conservation Board of Directors as an at-large member.

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

Re: Adjourn

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

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

Hon. Bernard L. Jones, Sr., Chairman

Charlette T. Woolridge, Ph.D., Clerk