

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD WEDNESDAY, JANUARY 18, 2017, IN THE BOARD ROOM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

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

Re: Closed Meeting – 6:30 p.m.

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

- 2.2-3711.A.1: Discussion concerning a prospective business or industry.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Reconvene in Open Meeting

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, 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

- 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
- 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. Jones: Aye
Mr. Harrison: Aye
Mr. Tyler: Aye
Mrs. Zubrod: Aye
Mrs. Harris: Aye

Re: Call to Order – 7:30 p.m.

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

Re: Invocation and Pledge of Allegiance

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

Re: Approval of Agenda

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board approved the agenda as presented.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: Public Hearings

Application for Use Not Provided For Case #16-022: Submitted by Malique A. Seward, Amendment to the Brunswick County Zoning Ordinance to allow an Adult Day Support Center in the Agricultural (A-1) Zoning District with a conditional use permit

Mr. George E. Morrison, III, Director of Planning, stated that the applicant is requesting an ordinance amendment to the Brunswick County Zoning Ordinance for a use not provided for to allow an adult day support center as a permitted use in the Agricultural (A-1) Zoning District, with the approval of a conditional use permit.

The Planning Commission conducted a public hearing on this request at their January 10, 2017, 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 the request.

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

Upon a motion by Mr. Tyler, seconded by Mr. Zubrod, and unanimously carried, the Board approved Use Not Provided For Case #16-022.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Conditional Use Permit Case #16-024 – Submitted by Bobby Thompson, Marina in the Business (B-1) Zoning District

Mr. Morrison stated that the subject property is located at the northwest quadrant of the intersection of Hendricks Mill Road (State Route 903) and Marina Road (A private drive), in the Meherrin Magisterial District and the Meherrin Election District. The applicant is requesting approval of a conditional use permit to operate and maintain a marina in the Business (B-1) Zoning District.

The Planning Commission conducted a public hearing on this request at their January 10, 2017, 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 the request.

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

- Dan Moyles, President, Poplar Creek Estates Home Owners Association - No objections to the request, but expressed concerns regarding noise from the business.

- Jerimiah Johnson – Employee, Poplar Pointe Marina - Spoke in favor of the request.
- Christine Zubrod – Office Manager, Poplar Pointe Marina - Spoke in favor of the request.
- Bobby Thompson, Owner, Poplar Pointe Marina – Spoke in Favor of the request.
- Jimmy Theim, Hager Smith Design – Spoke in favor of the request.

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

Upon a motion by Mr. Zubrod, seconded by Mr. Jones, and unanimously carried, the Board approved Conditional Use Permit Case #16-024, subject to the following conditions recommended by the Planning Commission:

1. Prior to the commencement of any type of construction work pertaining to the marina expansion, the permittee shall meet the requirements of Article 27. Site Plan Requirements.
2. All present and future phases of development/expansion pertaining to this marina shall be submitted on one site plan indicating dates developed and proposed developmental timeframes when permittee submits final site plan.
3. The permittee must provide approval documentation from the Virginia Department of Health for the existing well and septic systems' capacity to serve the expanded marina. These systems must be approved by the Virginia Department of Health and the county zoning administrator.
4. All ancillary structures, steps, landings, patios, and decks shall be constructed in compliance with the Uniform Statewide Building Code.
5. The permittee is required to conform with all terms and conditions of this permit, 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.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Conditional Use Permit Case #16-025 – Submitted by William and Sarah Brewer, Public Garage in the Agricultural (A-1) Zoning District

Mr. Morrison stated that the subject property is located on the south side of Chalk Level Road (State Route 652), approximately 0.9 of a mile east of the intersection of Christanna Highway (State Highway 46) and Chalk Level Road, in the Red Oak

Magisterial District and the Red Oak Election District. The applicant is requesting approval of a conditional use permit to operate a public garage in the Agricultural (A-1) Zoning District.

The Planning Commission conducted a public hearing on this request at their January 10, 2017, 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 the request.

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

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board approved Conditional Use Permit Case #16-025, subject to the following conditions recommended by the Planning Commission:

1. No stockpiling of inoperable vehicles shall be permitted on or around this site.
2. The permittee must provide approval documentation from the Virginia Department of Health for the existing well and septic system's capacity to serve the public garage. These systems must be approved by the Virginia Department of Health and the county zoning administrator.
3. All automotive fluids including, but not limited to gasoline, motor oil, and transmission fluid, shall be disposed of accordingly and in compliance with the Virginia Department of Environmental Quality.
4. The permittees are required to conform to 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.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: Approval of Minutes

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board approved the meeting minutes of the December 14, 2016, regular meeting.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: Virginia Department of Transportation

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

Maintenance Forces

- Secondary cleanup mowing is ongoing.
- Machining National Highway System (NHS) roadways and hauling stone as needed.
- Patching potholes on Primary and Secondary routes.
- Machining shoulders on various routes.
- Performing litter patrol on various routes.
- Cutting trees/brush on various routes.
- Performing snow removal operations and routine maintenance on various routes.

Mr. Smith reported on the following projects:

- I-85 Bridge Project is making progress. There is no completion date at this time.
- Doctor Purdy Road will be completed next week.
- Quail Hollow Road (State Route 631), between Old Bridge Road (State Route 606) and Sturgeon Road (State Route 630), will be closed on January 23, 2017 for repairs.
- Sturgeon Road (State Route 630) will be closed January 25, 2017, between Persimmon Hill Road (State Route 682) and Great Oak Road (State Route 632) for repairs.

Re: Brunswick County Public Schools Monthly Report

The Board of Supervisors held a joint meeting with the Brunswick County School Board on Tuesday, January 17, 2017. Mrs. Dora Wynn, Superintendent of Schools and Richard Rush, Director of Business Operations presented the FY 2016-2017 budget update.

Re: Citizens 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:

- Will Ford – Expressed concern regarding citizens dumping trash on his property near the Ebony Convenience Center when the center is closed. He suggested placing a dumpster outside the gate after hours to prevent dumping on his property.
- E. B. Matthews – Expressed concern regarding trash on the sides of the road near Ebony Convenience Center.
- Kimberly Lowe – Expressed concern regarding illegal trash dumping in the county and further expressed the need for the county to invest in industrial hemp.
- Peggy Smith – Stated that Rawlings Community Clean-Up Day was a success and gave thanked Supervisors Jones for his assistance.
- Mike Dotti – Expressed concern regarding illegal dumping and the need for a dumpster outside of the Ebony Convenience Center when the center is closed.

Re: Finance Director's Report

Approval of Disbursements

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

- System checks dated December 16, 2016,, FY17, in the amount of \$7,682.50
- System checks dated December 22, 2016, FY17, in the amount of \$158,587.12
- System checks dated January 3, 2017, FY17, in the amount of \$6,000.00
- System checks dated January 12, 2017, FY17, in the amount of \$112,628.87
- System checks dated January 18, 2017, FY17, in the amount of \$1,104,543.16
- System checks dated January 19, 2017, FY17, in the amount of \$180,828.69

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board approved disbursements in the amount of \$1,570,270.34, as presented.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

FY17 Fiscal Report

Mrs. Reekes stated that expenditures relative to the repair and maintenance of the Albertis S. Harrison Courthouse's HVAC system were higher than anticipated. An additional appropriation of \$25,000 is necessary to account for estimated expenses through June 2017. Funds are available in the Courthouse Maintenance Fund and no local funds are needed.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board appropriated \$25,000 from the Courthouse Maintenance fund balance to the FY17 Courthouse Maintenance Fund budget.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: Planning Director's Report

Schedule Public Hearing: Conditional Use Permit Case #16-023 – Submitted by Mailque A. Seward, Adult Day Support Center in the Agricultural (A-1) Zoning District

Mr. Morrison stated that the applicant is requesting approval of a conditional use permit for an adult day center in the Agricultural (A-1) Zoning District. The subject property is located on the south side of Boydton Plank Road (State Highway 1), approximately 0.3 of a mile southeast of the intersection of Millville Road (State Route 763) and Boydton Plank Road, in the Red Oak Magisterial District and the Totaro Election District. The Planning Commission conducted a public hearing on this request at their January 10, 2017. 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 #16-023 and request that the Board of Supervisors schedule a public hearing for their February 2017 regularly scheduled meeting.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board authorized the advertisement of Conditional Use Permit Case #16-023 for the February 2017 regularly scheduled meeting.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Schedule Public Hearing: Conditional Use Permit Case #16-027, Amendment to Conditional Use Permit Case #14-009 – Submitted by Rebecca Evans and Bernard Scruggs, Campground in the Agricultural (A-1) Zoning District

Mr. Morrison stated that the applicant is requesting approval of an amendment to their original conditional use permit to extend the expiration date for their temporary campground park. The subject property is located off of Salem Road (a private drive), approximately 0.2 of a mile southeast of the intersection of County Pond (State Route 638) and Salem Road, in the Totaro Magisterial District and the Sturgeon Election District.

Upon a motion by Mr. Zubrod, seconded by Mrs. Harris, and unanimously carried, the Board authorized the advertisement of Conditional Use Permit Case #16-024 for the January 2017 regularly scheduled meeting. The Planning Commission conducted a public hearing on this request at their January 10, 2017. 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 #16-027, Amendment to Conditional Use Permit Case #14-009 and request that the Board of Supervisors schedule a public hearing for their February 2017 regularly scheduled meeting.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Comprehensive Plan Update

Mr. Morrison stated that staff has been diligently working with Hill Studio in preparing a draft of the Brunswick County Comprehensive Plan 2037. In April 2016, district meetings were held in each election district to gather input from citizens and stakeholders. During the summer of 2016 the consultant met with several entities to

receive additional input and toured Brunswick County taking photographs. In the fall of 2016 county staff met with the consultant to provide information for the plan update.

The Planning Commission will hold a work session on Tuesday, January 31, 2017, at 6:00 p.m. in the Board Room of the Brunswick County Government Building. This work session is open to the public. In addition a draft of the Comprehensive Plan will be available on the county's website www.brunswickco.com on Monday, January 23, 2017.

Flat Rock Road Housing Improvement Project – Resolution and Program Design

Upon a motion by Mr. Tyler, seconded by Mr. Jones, and unanimously carried, the Board adopted the following resolution and approved the Housing Rehab Program Design and the Project Management Plan:

WHEREAS, Brunswick County has been awarded a Community Improvement Grant (CIG) from the Virginia Department of Housing and Community Development (DHCD) for the Flat Rock Road Project in the amount of \$956,088 (Nine hundred fifty-six thousand and eighty-eight dollars). The amount of \$300,000 is hereby appropriated for the current fiscal year, and the County will appropriate additional CIG funds every fiscal year through the formal action by the governing body in accordance with the Code of Virginia.

WHEREAS, project activities include Rehabilitation of seventeen (17) LMI owner-occupied housing units to DHCD Housing Quality Standards (HQS); rehabilitation of three (3) LMI investor-owned housing units to DHCD HQS; Substantial Reconstruction of three (3) LMI single family owner occupied units that present a blighting influence to DHCD HQS; Demolition of four (4) vacant substandard building units; and the clearance of junk, debris, weeds, and inoperable vehicles from the project area.

WHEREAS, the Flat Rock Road Oversight Board (the "Oversight Board") will provide project oversight services on behalf of the Brunswick County Board of Supervisors for the Flat Rock Road Project; and

WHEREAS, the Flat Rock Road Housing Rehabilitation Project Rehab Program Design and the Housing Rehabilitation Oversight Board Bylaws, and the Flat Rock Road Program Income Plan will provide rules and guidelines under which the Oversight Board will operate to successfully administrator this Community Development Block Grant in compliance with requirements of the Virginia Department of Housing and Community Development;

WHEREAS, Charlette T. Woolridge, Ph.D., County Administrator, Leslie R. Weddington, Assistant County Administrator, George E. Morrison, III, Director of Planning, and David H. Tucker, Building Official, have been appointed by Brunswick County to serve on the Housing Rehabilitation Oversight Board.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors to adopt these documents to serve as guidelines for the Flat Rock Road Project.

BE IT FURTHER RESOLVED that the County Administrator and/or Chairmen of the Board of Brunswick County are authorized and directed to execute these documents. The Brunswick County Board of Supervisors also authorizes, Charlette T. Woolridge, Ph.D., County Administrator, to execute all contracts and agreements and submit all appropriate documentation necessary for the successful implementation of the project.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: County Administrator's Report

DMV Select

Dr. Charlette T. Woolridge, County Administrator, stated that DMV Select will open on February 6, 2017, in the Brunswick County Conference Center. A ribbon cutting ceremony will be coordinated with state officials.

Brunswick Stew Day at the Capitol

Ms. Leslie Weddington, Assistant County Administrator, stated that the 15th Annual Brunswick Stew Day at the Capitol will be held on Wednesday, January 25, 2017. The winners of the 2016 Taste of Brunswick Festival, Chad Steed and Bill Steed, will be cooking stew on that day.

Re: Old Business

Emergency Communication System Update

Supervisor Zubrod provided an update on the emergency communication system efforts and stated that the committee had met with a representative from the state in January. It was suggested that the county proceed with obtaining necessary frequencies.

Board of Supervisors Vision 2035

Dr. Woolridge presented the draft Board Vision 2035 for review. It was a consensus of the Board to table until the February 2017 meeting.

Ebony Convenience Center

Supervisor Zubrod made a motion to establish a six (6) month pilot project to place a dumpster outside the Ebony Convenience Center to determine if this results in the reduction of illegal dumping of trash. The motion failed to receive a second.

Upon a motion by Mr. Tyler, seconded by Mr. Harrison and unanimously carried, the Board approved for the request to be reviewed by the Solid Waste Committee for recommendation.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: New Business

Virginia Department of General Services – Firearms Rider

Dr. Woolridge stated that on October 15, 2015, Governor Terry McAuliffe issued Executive Order 50, which included a prohibition of firearms in state offices. This is an effort to protect citizens and state employees from gun violence. The executive order required the Department of General Services (DGS) to develop guidance for the

prohibition of openly carried firearms on premises owned, leased or controlled by executive branch agencies and to propose regulations for the prohibition of concealed firearms on these premises, thus requiring an update to the Virginia Department of Health lease with a Firearms Rider.

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board authorized the County Administrator to sign the Firearms Rider between the Virginia Department of General Services and the Brunswick County Board of Supervisors with respect to the Virginia Department of Health lease. In addition, the County Administrator was authorized to sign any future Firearms Riders.

Ayes: Jones, Harrison, Tyler, Zubrod, Harris; Nays: None

Re: Appointments

Board of Zoning Appeals

This matter was continued.

Brunswick County Litter Control Council

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board approved the appointment of Marilyn Marston and Becky Walker to the Brunswick County Litter Control Council representing the Powellton Election District.

Ayes: Harris, Harrison, Tyler, Zubrod, Jones; Nays: None

Local Board of Public Welfare

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board appointed Dolores Webster to the Local Board of Public Welfare representing the Powellton Election District.

Virginia WWI and WWII Commemoration Commission

This matter was continued.

Re: Adjourn

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board adjourned.

Hon. Barbara Jarrett-Harris, Chair

Charlette T. Woolridge, Ph.D., Clerk