

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD WEDNESDAY, DECEMBER 13, 2017, IN THE BOARD ROOM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

PRESENT: HON. BARBARA JARRETT-HARRIS, CHAIR, HON. JOHN W. ZUBROD, VICE-CHAIR, HON. FREDERICK A. HARRISON, SR., HON. BERNARD L. JONES, SR., HON. WELTON TYLER, BOARD OF SUPERVISOR MEMBERS; DR. CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR/CLERK; PAUL C. 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. Harrison, 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 regarding personnel.
- 2.2-3711.A.5: Consultation with legal counsel.

Ayes: Harrison, Jones, 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

(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. Harrison: Aye
Mr. Jones: 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 Zubrod gave the Invocation and Pledge of Allegiance.

Re: Approval of Agenda

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board approved the agenda with the following additions:

Move after Approval of Agenda

The Improvement Association, Rufus Tyler, Executive Director and Saint Paul's Head Start

Add under County Attorney's Report

Subdivision Ordinance Amendment

Add under New Business

Personnel

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

Re: Presentations

The Improvement Association and Saint Paul's Head Start

Mr. Rufus Tyler, Executive Director, The Improvement Association and Ms. Loretta L. Miller, Head Start Director, gave an overview of the Head Start Program.

The Improvement Association Saint Paul's Head Start Program students performed a variety of songs and wished everyone a joyous holiday season.

Re: Public hearings

Conditional Use Permit Case #17-025, Submitted by Mark and Shelia Andrews, Wood Waste Recycling Site in the Agricultural (A-1) Zoning District

Mr. George E. Morrison, III, Director of Planning, stated that the applicants are requesting approval of a conditional use permit to operate and maintain a wood waste recycling site. The subject property owned by Blackacre Hypothetical, LLC, is located on the west side of Triplet Road (State Route 672), at the intersection of Manning Drive (State Route 600) and Triplet Road, in the Powellton Magisterial and Election Districts.

The Planning Commission conducted a public hearing on this request at their November 14, 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 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 Conditional Use Permit Case #17-025, subject to the following conditions recommended by the Planning Commission:

1. Prior to the commencement of any type of construction work pertaining to the wood waste recycling site or materials storage, the permittees shall contact the Virginia Department of Environmental Quality for an exemption status of materials.
2. Prior to the commencement of any type of construction work pertaining to the wood waste recycling site or materials storage, the permittees shall meet the requirements of Article 27. Site Plan Requirements.
3. Prior to the commencement of any type of wood waste recycling being brought to the site there shall be a reduction of existing materials on site so as no more than a total of 1/3 of an acre of waste materials is stored on site and the waste pile does not exceed 15 feet in height above base grade.
4. The property shall be in compliance with the Virginia Solid Waste Management Regulations (9 VAC 20-81) and County Code within one (1) year to avoid compliance issues.
5. All ancillary structures, steps, landings, patios, and decks shall be constructed in compliance with the Uniform Statewide Building Code.
6. The permittees are required to conform with all terms and conditions of this permit, any and all rules and regulations of the Brunswick County Zoning Ordinance. The permittees' 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: Harrison, Jones, Tyler, Zubrod, Harris; Nays: None

Proposed Ordinance Establishing Date by which Applications must be made by Property Owners for Relief from County Reassessment of Real Estate and Date by which all Applications must be disposed of by the Board of Equalization

Ms. Leslie R. Weddington, Assistant County Administrator, stated that in accordance with Virginia State Code §58.1-3378, the governing body may provide by ordinance the date by which applications must be submitted by property owners for relief to the Board of Equalization. The proposed date for all applications to be submitted to the Board of Equalization is February 1, 2018. The governing body may also provide the deadline by which all applications must be disposed of by the Board of Equalization. The proposed date for final disposition by the Board of Equalization is April 30, 2018.

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 a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board adopted the following ordinance:

ORDAINED: Application for relief from Brunswick County reassessment of real estate must be made by property owners or lessees no later than February 1, 2018.

FURTHER ORDAINED: No later than April 30, 2018, the Brunswick County Board of Equalization shall dispose of all such applications received by it.

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

Re: Approval of Minutes

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board approved the minutes of the November 15, 2017, regular meeting.

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

Re: Virginia Department of Transportation

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

Maintenance Forces

- Secondary mowing and brush cutting is ongoing.
- State Route 600 pipe replacement project is complete.
- Patching potholes on various primary and secondary routes as needed.
- Cutting brush/limbs on various secondary routes.
- Machining National Highway System (NHS) roadways and hauling stone as needed.
- Performed routine maintenance and litter patrol on various routes.

Mr. Johnson confirmed the date for the public information meeting on the Iron Bridge Replacement Project for February 15, 2018, at 6:00 p.m., in the Board Room of the Brunswick County Government Building.

Re: Brunswick County Public Schools Monthly Report

Mr. Darrell Owens, Director of Business Operations, presented an overview of the schools monthly financial report. This was provided for the Board's information. See attached report.

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:

- Donna Hargrove – Expressed concern about the proposed closing of two elementary schools and questions not being answered by the school system.
- Scotty Bottoms – Expressed concern about the reassessment value on his machinery and equipment as a small business owner.
- Falecia Goodrich – Expressed concern about combining schools and closing Meherrin Powellton and Red Oak-Sturgeon elementary schools

Re: Consent Calendar of Reports

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

- Roanoke River Service Authority, October 24, 2017, meeting minutes
- Industrial Development Authority, October 10, 2017, meeting minutes

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

Re: Finance Director's Report

Approval of Disbursements

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

- System checks dated December 7, 2017, in the amount of \$28,075.36
- System checks dated December 13, 2017, in the amount of \$396,760.75
- System checks dated December 14, 2017, in the amount of \$140,290.20

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried,

the Board approved disbursements in the amount of \$565,126.31, as presented.

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

FY18 – Additional Appropriations & Re-appropriations

Upon a motion by Mr. Zubrod, seconded by Mr. Tyler, and unanimously carried, the Board appropriated and re-appropriated the following :

- Re-appropriated \$1,000 to the applicable line items of the FY18 Fort Christanna departmental budget.
- Appropriated \$394,249 in debt proceeds to the applicable revenue and expenditure line items of the FY18 School Fund.
- Transferred \$5,449 from the FY18 Department of EMS fund to the applicable line items of the Fire and EMS departmental budget.

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

Resolution for the Adoption of Rate of Tax Relief for Tax Year 2017 for Qualifying Vehicles

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 was \$1,355,735.87.

Mrs. Reekes stated that the Board of Supervisors is required annually to set the rate of tax relief for distribution of this dollar amount to qualifying vehicles. Mrs. Reekes presented the draft resolution to set the rate for the 2017 tax year at fifty-four percent (54%) based on the effective tax rate of \$3.40.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried the Board adopted the following resolution:

WHEREAS, the Personal Property Tax Relief Act of 1998, Va. 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 of 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 2016, 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-four percent (54%).
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.

Re: Planning Director's Report

Schedule Public Hearing: Preliminary Subdivision Review Case #17-020 – Submitted by Custom Homes of Lake Gaston, LLC, applicant, James Hodges, owner, Residential, Limited, (R-1) District

Mr. Morrison stated that the applicant is requesting preliminary subdivision review approval for The Waters Edge at Lake Gaston in accordance with the Brunswick County Subdivision Ordinance. The subject property is located on the north side of Hendricks Mill Road (State Route 903), approximately 30 feet from the intersection of Popular Creek Road (a private drive) and Hendricks Mill Road, in the Meherrin Election District. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommend preliminary review approval of Case #17-

020 and requested the Board of Supervisors to schedule a public hearing for the Board's January 2018, regular meeting.

Upon a motion by Mr. Zubrod, seconded by Mr. Jones, and unanimously carried, the Board authorized the advertisement of a public hearing on Case #17-020 for the Board's regular January 2018, meeting.

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

Re: County Administrator's Report

Scheduling of 2018 Organizational Meeting

Dr. Charlette T. Woolridge, County Administrator, stated that each year in January the Board of Supervisors conducts an organizational meeting to establish the time, date and place of its regular meetings for the upcoming year. Additionally, the Board adopts its Rules of Order, makes various committee appointments and elects officers.

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board scheduled its 2018 Organizational Meeting to be held on Thursday, January 4, 2018 at 5:30 p.m. in the Board Room of the Brunswick County Government Building.

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

Re: County Attorney's Report

Subdivision Ordinance Amendment

Mr. Paul Jacobson, County Attorney, stated an amendment to section 7-2. Penalties of the Brunswick County Subdivision Ordinance is proposed to strengthen the enforcement provisions of the ordinance. Mr. Jacobson recommended the following amendments:

- 7-2-2. The Board of Supervisors or its designated Agent may institute any appropriate action or proceeding, at law or in equity, to prevent, restrain, correct or abate a violation or attempted violation, or to prevent any act which would constitute a violation, of this ordinance.
- 7-2-3. No permit shall be issued by any administrative officer or employee of Brunswick County for the construction of any building, structure, or improvement requiring a permit upon any land for which an approval pursuant to this chapter is required, unless and until the person seeking the permit complies with the requirements of this chapter and the subdivision within which such land is included is in compliance with the requirements of this chapter.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board referred the proposed subdivision ordinance amendment to the Planning Commission for a public hearing at their January 2018 meeting.

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

Re: Old Business

Emergency Communication System Update

Dr. Woolridge stated that several years ago, emergency services personnel and county staff expressed great concerns regarding the existing antiquated emergency communications system. To be specific, the existing system was installed in 1978 and has far surpassed its life expectancy. This outdated system is ineffective and has on many occasions hindered emergency personnel's ability to communicate effectively during an emergency situation. This compromises the safety of emergency services personnel and citizens.

As a result, this matter became a priority of the Board of Supervisors. First, in the Board of Supervisors' Vision for 2035, Healthy and Secure Community Environment, it includes language to implement a County wide emergency communications system.

Second, in September 2016, the Board of Supervisors appointed a committee and charged the members with analyzing the existing emergency communications system and providing a recommendation to the Board for replacing the current system. The committee members are:

- Supervisor John Zubrod
- Supervisor Bernard Jones, Sr.
- Dr. Charlette T. Woolridge
- Sheriff Brian Roberts
- Buddy Hyde
- Neal Puryear

Third, the Board committed to appropriate initial funding to cover costs associated with the implementation of the new system.

The committee focused on conducting an evaluation of the system as follows:

- A. Current System Description
- B. Modern Use Frequency Spectrum Choice
- C. System Choices
- D. Tower Site Locations
- E. Site Equipment
- F. Subscriber Equipment

Based on the committee's analysis, request for proposals were issued in September 2017 and the closing date was November 15, 2017. The County received a total of five (5) proposals and two (2) firms were interviewed by the Committee. The firms interviewed were:

- Radio Communications of Virginia
- Tactical Public Safety

The Committee recommends selecting Radio Communications of Virginia to provide a state approved UHF P25 Digital simulcast system.

Upon motion of Mr. Zubrod, seconded by Mr. Harrison and unanimously carried, the Board adopted the following Resolution:

WHEREAS, the Brunswick County Board of Supervisors issued a request for proposals for the County to procure a radio communications network to support critical communications for first responders within the County;

WHEREAS, the Board has received proposals from vendors in response to this request and has negotiated with two or more vendors and the Board of Supervisors has selected Radio Communications of Virginia as the vendor that has made the best proposal and intends to enter into a contract with Radio Communications of Virginia to procure this radio network, subject to negotiating the final terms of such contract and procuring financing for acquisition of the radio network.

BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF BRUNSWICK COUNTY that County employees and representatives are authorized to send a Letter of Commitment to Radio Communications of Virginia stating the matters set forth above and to proceed with negotiations for such a contract, and County employees and representatives are further authorized to work with the County's financial advisor, Davenport & Company LLC, for issuance of a request for proposals to financial institutions for the Board of Supervisors to consider lease purchase or similar financing for acquisition of this radio network.

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

Re: New Business

Personnel – Director of Economic Development

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board appointed Mr. Carthan Currin, III, to the position of Director of Economic Development.

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

Re: Appointments

Brunswick County 300th Anniversary Committee

This matter was continued.

Brunswick County Board of Equalization

Upon a motion by Mrs. Harris, seconded by Mr. Harrison, and unanimously carried, the Board appointed Donald Seward, representing the Totaro District, to the Brunswick County Board of Equalization.

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

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board appointed David Pierce, representing the Powellton District, to the Brunswick County Board of Equalization.

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

Brunswick County Industrial Development Authority

This matter was continued.

Brunswick County Litter Control Council

This matter was continued.

Brunswick County Planning Commission

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board reappointed C.B. Waller to the Brunswick County Planning Commission for a four year term.

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

Community Criminal Justice Board

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board reappointed Everette Gibson, Chief of Police, Town of Lawrenceville, and

Crystal Willet, Superintendent, Meherrin River Regional Jail to the Community Criminal Justice Board for a two year term.

Work Ready Community Initiative Committee

Upon a motion by Mr. Tyler, seconded by Mr. Harrison, and unanimously carried, the Board appointed Supervisor Jones and Supervisor Zubrod to the Work Ready Initiative Committee.

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

Re: Adjourn

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board adjourned to Thursday, January 4, 2018, at 5:30 p.m., in the Board Room of the Brunswick County Government Building.

Hon. Barbara Jarrett-Harris, Chair

Charlette T. Woolridge, Ph.D., Clerk