

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD ON WEDNESDAY, JANUARY 19, 2011, IN THE AUDITORIUM OF THE COUNTY GOVERNMENT BUILDING

PRESENT: BERNARD L. JONES, SR., CHAIRMAN; MARC L. FINNEY, VICE-CHAIRMAN; ROBERT H. CONNER, BARBARA JARRETT DRUMMOND, WELTON TYLER, BOARD OF SUPERVISOR MEMBERS; CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR; TAMMY W. NEWCOMB, DEPUTY CLERK

RE: CLOSED MEETING – 6:00 p.m.

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

2.2-3711.A.7

Consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel, to-wit:

- Contract

MOTION TO RECONVENE IN OPEN MEETING

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

CERTIFICATION OF CLOSED MEETING DISCUSSION

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.

Ayes: Conner, Drummond, Finney, Jones; Nays: None; Abstention: Tyler

Re: Regular Meeting at 7:00 p.m.

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

Re: Invocation and Pledge of Allegiance

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

Re: Approval of Agenda

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

Add under Finance Director's Report

- Virginia Tobacco Indemnification and Community Revitalization Commission Byways Visitors Center Grant – Award Appropriation

Add under County Administrator's Report

- Brunswick County, Brunswick County Industrial Development Authority and Town of Alberta regarding water and wastewater agreement

Add under New Business

- Comments regarding appropriation of funds to Brunswick County Public Schools

Add under Old Business

- Brunswick County/Lake Gaston Water Safety Committee

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Public Hearing – 7:00 p.m.

Rezoning Case #10-019 – Gail N. Canada, Agricultural (A-1) to the Rural Residential Manufactured Home District (RR-MH)

Mrs. Sullivan, Director of Planning, stated that the subject property is located on the west side of Country Lane (a private drive), approximately 0.4 of a mile south of the intersection of Country Lane and Oak Grove Road (State Route 667) in the Meherrin Magisterial and Election Districts.

The applicant is requesting to rezone approximately 29.94 acres to develop a four (4) lot residential development to be known as Lizard Creek Subdivision, Section III. The proposed four lot development will be adjoining Lizard Creek Subdivision Section II, consisting of eight (8) lots. The applicant has provided that each lot will be served by an individual well and septic system. The proposed four (4) lots will have access for ingress and egress off of Country Lane (a private drive).

The Planning Commission conducted a public hearing on this request at its December 14, 2010, meeting. No one spoke in favor of or in opposition to the request. The Planning Commission voted unanimously to recommend approval of Rezoning Case #10-019 to the Board of Supervisors.

The Chairman opened the public hearing. No one spoke in favor of or in opposition to Rezoning Case #10-019. After all citizens were provided an opportunity to express their views, the Chairman closed the public hearing.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved the Rezoning Case #10-019 as recommended by the Planning

Commission.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Approval of Minutes

Upon motion of Ms. Drummond, seconded by Mr. Tyler, and unanimously carried, the Board approved the minutes of the December 15, 2010, Regular Meeting and January 5, 2011, Organizational Meeting as recorded.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None

Re: Virginia Department of Transportation

The monthly report was submitted as follows:

Maintenance

- Brush cutting and reclaiming slopes.
- Patching pot holes on various primary and secondary routes.
- Machining non-hard surface roadways and adding stone.
- Cleaning and repairing equipment following snow removal operations.

Land Development and Permits

- Meherrin Regional Jail Off-site Utilities – Phase II and III plans have been reviewed and comments submitted.
- Silver Trail Subdivision – Waiting on warmer conditions to allow paving operations.

Construction

- Trench Widening Project and Overlay on State Route 611.
- Start date of March 15, 2011, with a fixed completion date of August 3, 2011.

Project Status

- Route 46 South bridge repair at Meherrin River scheduled to begin February/March (dependent upon the weather) and will include milling the existing overlay, patching the worst areas and re-overlaying.
- Route 712 bridge repairs is complete but requires a final acceptance inspection and a new load rating based upon the as-built conditions to determine the load capacity at which it can operate subsequent to the repairs. The bridge acceptance inspection is being delayed by inclement weather.

- Box culvert repairs are scheduled for Route 677 (Rattlesnake Creek) upon completion of the bridge rehabilitation on Route 712. The bridge crew scheduled to complete this work has been on snow removal duty during the past three weeks. There is also a pipe lining project that must be completed prior to this project on Route 762 (road is currently closed).

This was provided for the Board's information.

Worksession on Proposed Secondary Six Year Plan 2012-2017 Priorities

Ms. Woolridge, County Administrator, stated that the Virginia Department of Transportation has requested that the Board of Supervisors schedule a worksession on the proposed Secondary Six Year Plan 2012-2017 Priorities at its February 16, 2011, meeting. Once the Board of Supervisors has reviewed and finalized the Secondary Six Year Plan, it shall schedule a public hearing for its March 16, 2011, meeting and subsequently approve the plan.

Upon motion of Ms. Drummond, seconded by Mr. Finney, the Board scheduled a worksession on the proposed Secondary Six Year Plan 2012-2017 at 6:30 p.m. on February 16, 2011.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Department/Agency Presentations

Brunswick County Sheriff's Office – Sheriff Brian Roberts

Sheriff Charles E. Jett, Stafford County, presented the Brunswick County Sheriff's Office with the Certificate of Re-Accreditation on behalf of the Virginia Law Enforcement Standards Commission.

The Board of Supervisors commended Sheriff Roberts and his staff for achieving

and maintaining this professional standard of excellence.

Re: Citizen Comments

The Chairman opened the citizen comment period and advised that each citizen will be allotted three (3) minutes to speak. The following citizens spoke:

- A.W. Hyde, Sr., expressed concern regarding an overgrown tree that is located in the VDOT right-of-way near the Route 46 N bridge. He feels that the tree is causing a traffic hazard and should be removed.
- Neil Corum, 3034 Antioch Road, Warfield, Virginia, mentioned the Board of Supervisors attire.

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

Re: Consent Calendar of Reports

Upon motion of Mr. Conner, seconded by Ms. Drummond, and unanimously carried, the Board approved the Consent Calendar of Reports as presented for the following organizations:

- A. Lawrenceville-Brunswick Airport Monthly Report – December 2010
- B. Sheriff's Office Monthly Report – December 2010
- C. Southside Community Services Board Minutes
- D. Industrial Development Authority Minutes
- E. Planning Commission Minutes – December 14, 2010

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None

Re: Brunswick County Public Schools – Monthly Report

There was no report.

Re: Finance Director's Report

Approval of Disbursements

Upon motion of Mr. Jones, seconded by Mr. Conner, and unanimously carried, the Board approved the disbursements as follows:

- System checks dated January 12, 2011, in the amount of \$68,371.99
- System checks dated January 19, 2011, in the amount of \$674,478.90
- System checks dated January 20, 2011, in the amount of \$2,160.00

Upon motion of Mr. Finney, seconded by Mr. Conner, and unanimously carried, the Board approved disbursements in the amount of \$745,010.89 as presented.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None

FY11 Quarterly Fiscal Report

Mrs. Reekes, Director of Finance, stated that all major departmental expenditures appear to be on target for the six month baseline of 50% unexpended appropriations except for the following:

Fund 100 (General):

- Electoral Board (Dept 13100)
- Sheriff – Law Enforcement and Traffic Control (Dept 31200)
- School Resource Officer (Dept 31700)
- Sheriff – Correction and Detention (Dept 33100)
- Probation Office (Dept 33300)
- Maintenance of Buildings and Grounds (Dept 43200)

Fund 213:

- Drug Task Force Expenditures (Dept 31700)

Fund 214:

- Courthouse Maintenance Expense (Dept 43200)

Staff recommends the following to address upcoming expenditures:

- Appropriate an additional \$10,000 to both revenue and expenditure line items of the Drug Task Force Fund.
- Appropriate an additional \$10,000 to both revenue and expenditure line items of the Courthouse Maintenance Fund.

(Note: No additional local funds are required)

Upon motion of Mr. Conner, seconded by Mr. Finney, and unanimously carried, the Board approved the additional appropriation of funds as requested.

Supervisor Conner expressed concern regarding the overage in the FY11 Probation Office budget. He requested a report regarding juvenile intake and detention, electronic monitoring, outreach detention and community service work.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

**Virginia Tobacco Indemnification & Community Revitalization Commission
Brunswick Byways Visitors Center – Appropriation**

Mrs. Reekes, Director of Finance, stated that in November 2010, the Board accepted a grant in the amount of \$458,375 from the Virginia Tobacco Indemnification & Community Revitalization Commission for the Brunswick Byways Visitors Center. In order for funds to be expended, an appropriation to the FY11 General Capital Improvement Project revenue and expenditure line items is required. There are no local funds required for this appropriation.

Upon motion of Mr. Conner, seconded by Mr. Finney, and unanimously carried, the Board approved the appropriation in the amount of \$458,375 to the FY11 General Capital Improvement Project revenue and expenditure line items as requested.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Planning Director's Report

Final Plat Approval – Lizard Creek Subdivision Section III

Mrs. Sullivan, Director of Planning, stated the subject property is located on the west side of Country Lane (a private drive), approximately 0.4 of a mile south of the intersection of Country Lane and Oak Grove Road (State Route 667), the Meherrin Magisterial and Election Districts.

The applicant is requesting final plat approval for Lizard Creek Subdivision, Section III, in accordance with the Brunswick County Subdivision Ordinance. The proposed subdivision consists of four (4) lots located off of Country Lane (a private road). These lots have been rezoned from Agricultural (A-1) to the Rural Residential Manufactured Home District (RR-MH), which requires a one (1) acres minimum lot size. Lot sizes range from 4.75 to 10.03 acres. Each lot will have access off of Country Lane. Each lot has also been approved by Craig Allen, Environmental Health Specialist Sr., with the Brunswick County Health Department, for an individual well and septic system.

The Brunswick County Planning Commission approved the preliminary subdivision plat for Lizard Creek Subdivision, Section III on December 14, 2010, and recommends approval of the final plat as submitted.

Upon motion of Mr. Conner, seconded by Mr. Finney, and unanimously carried, the Board approved the final plat for Lizard Creek Subdivision, Section III as recommended by the Planning Commission.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Planning Commission 2010 Annual Report

Mrs. Sullivan, Director of Planning, presented the Brunswick County Planning Commission 2010 Annual Report.

Upon motion of Ms. Drummond, seconded by Mr. Conner, and unanimously carried, the Board accepted the Brunswick County Planning Commission 2010 Annual Report.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Board of Zoning Appeals 2010 Annual Report

Mrs. Sullivan, Director of Planning, presented the Brunswick County Board of Zoning Appeals 2010 Annual Report.

Upon motion of Mr. Finney, seconded by Mr. Conner, and unanimously carried, the Board accepted the Brunswick County Board of Zoning Appeals 2010 Annual Report.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Schedule Public Hearing – Proposed Ordinance to Vacate a portion of Vaughan Estate

Mrs. Sullivan, Director of Planning, stated that the Brunswick County Housing Production Project, Silver Trail Subdivision, is being developed on a portion of the Vaughan Estate that was originally platted in 1915. The Vaughan Estate plat contained several streets that were never constructed, commonly known as paper streets.

In 1998, a plat prepared by George McFarland, licensed surveyor, showed that these paper streets were to be vacated. However, no action was taken by the Board of Supervisors at that time to have these paper streets vacated.

In order for the final subdivision plat for Silver Trail Subdivision to be approved, the following paper streets must be vacated by an ordinance adopted by the Board of Supervisors: Vaughan, South, Ridge and Cavell Streets.

Staff recommends that the Board of Supervisor authorize the advertisement of a public hearing on the proposed ordinance to vacate the streets as presented for its February meeting.

Upon motion of Mr. Finney, seconded by Ms. Drummond, and unanimously carried, the Board authorized the advertisement of a public hearing on the proposed ordinance to vacate Vaughan, South, Ridge and Cavell Streets for its February 16, 2011, meeting.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

County Administrator's Monthly Report

Ms. Woolridge, County Administrator, provided an overview of the December monthly report.

Ms. Woolridge reported that she attended the General Assembly's Finance Committee meeting on January 18, 2011, to present Brunswick County's request to increase the transient occupancy tax by an additional 3%. The Finance Committee recommended approval of the request as presented and has forwarded the request to the Senate for consideration and approval.

Additionally, Ms. Woolridge suggested that the Board of Supervisors consider forwarding a letter to legislators in regard to their position regarding the re-opening of Brunswick Correctional Center.

Upon motion of Mr. Conner, seconded by Ms. Drummond, and unanimously carried, the Board approved the County Administrator's monthly report as presented and further approved a letter of support to be forwarded to legislators regarding the re-opening of Brunswick Correctional Center.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Treasurer – Salary Adjustment

Ms. Woolridge, County Administrator, stated that the Treasurer served as Interim Director of Finance from June 2009, until the new Director of Finance was hired in October 2010. The Board authorized the Treasurer to receive a salary supplement in the amount of \$3,000 per month until the Director of Finance is hired and trained for a period of three months. The three month training period ended December 2010, however; additional training is needed for a period of two months to prepare and train the Director of Finance for the FY12 budget process.

The County Administrator recommends that the Board approves a salary supplement in the amount of \$1,000 per month, for the months of January and February 2011, for the Treasurer.

Upon motion of Mr. Tyler, seconded by Ms. Drummond, and unanimously carried, the Board approved a salary supplement in the amount of \$1,000 per month, for the months of January and February 2011, for the Treasurer.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Brunswick County, Brunswick County Industrial Development Authority, and Town of Alberta regarding water and wastewater agreement

Upon motion of Mr. Conner, seconded by Ms. Drummond, and unanimously carried, the agreement between Brunswick County, Brunswick County Industrial Development Authority and the Town of Alberta regarding water and wastewater was approved as presented.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Old Business

Comments regarding appropriation of funds to Brunswick County Public Schools

Supervisor Conner stated that all departments and agencies have had their operating expenses reduced by 10% for the past several years. He expressed concern regarding whether Brunswick County Public Schools should continue to receive level funding of the local appropriation for FY12.

Re: New Business

Brunswick County/Lake Gaston Water Safety Committee

Supervisor Conner stated that Jean McCarter has resigned as Chair of the Brunswick County/Lake Gaston Water Safety Committee and there is no other individual interested in serving as Chair. He advised that the Lake Gaston Water Safety Committee has expressed an interest in taking on the responsibilities of the Brunswick County/Lake Gaston Water Safety Committee. He stated that he would like to meet with them to discuss the responsibilities and invite them to attend the February Board of Supervisors meeting.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board authorized Mr. Conner to contact the Lake Gaston Water Safety Committee to discuss taking over the responsibilities of the Brunswick County/Lake Gaston Water Safety Committee, and invite them to attend the February 16, 2011, meeting with the understanding that Mr. Conner will provide a written report of the outcome of the meeting to the Board of Supervisors prior to its February 16, 2011, meeting.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Re: Appointments

Lake Country Development Corporation

This was continued.

Local Board of Public Welfare

This was continued.

Brunswick County Litter Control Council

This was continued.

Brunswick County Planning Commission

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board reappointed Mary Truman to a four (4) year term on the Brunswick County Planning Commission representing Totaro Election District.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

The remaining Totaro Election District appointment was continued until next month.

Re: Adjourn

Upon motion of Mr. Finney, seconded by Ms. Drummond, and unanimously carried, the Board adjourned until February 16, 2011, at 6:30 p.m. in the auditorium of the County Government Building to conduct a worksession on the proposed Secondary Six Year Plan 2012-2017 Priorities with Virginia Department of Transportation.

Ayes: Conner, Drummond, Finney, Tyler, Jones; Nays: None.

Bernard L. Jones, Sr., Chairman

Charlette T. Woolridge, Clerk