

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD ON WEDNESDAY, FEBRUARY 16, 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, BOARD OF SUPERVISOR MEMBERS; CHARLETTE T. WOOLRIDGE, COUNTY ADMINISTRATOR; TAMMY W. NEWCOMB, DEPUTY CLERK

ABSENT: WELTON TYLER, BOARD OF SUPERVISOR MEMBER

RE: CLOSED MEETING – 6:00 p.m.

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

2.2-3711.A.1

- County Administrator

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
- Redistricting

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

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 Old business

- Historic Courthouse

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

Re: Public Hearing – 7:00 p.m.

**Proposed Ordinance of Partial Vacation – East Lawrenceville “Vaughan Estate”
Section No. 4**

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 the adoption of an ordinance to vacate the streets as presented.

The Chairman opened the public hearing. No citizens spoke.

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

Upon motion of Mr. Conner, seconded by Ms. Drummond, and unanimously carried, the Board adopted the proposed ordinance to vacate Vaughan, South, Ridge and Cavell Streets as presented.

WHEREAS, the Brunswick County Board of Supervisors may, pursuant to Virginia Code § 15.2-2272(2) vacate all or any portion of a recorded subdivision plat after notice given pursuant to Virginia Code § 15.2-2204; and

WHEREAS, the Brunswick County Board of Supervisors wishes to vacate certain portions of a subdivision plat entitled “East Lawrenceville ‘Vaughan Estate’ Section No. 4” surveyed by Glaucus A. Bryant, C.E., recorded in the land records of the Brunswick County Circuit Court at Deed Book 67, Page 209, sheet 2 of 9 (hereafter, the “Subdivision Plat”), said portions to be vacated being those portions of Vaughan Street, Cavell Street, Ridge Street and South Street designated as “To Be Vacated” on Sheet 2 of 5 of that certain plat entitled “Final Plat of Silver Trail Subdivision – Phase 1, Located In The Totaro District, Brunswick County, Virginia” Surveyed by Larry E. Hartsoe, Land Surveyor, and Dated January 14, 2011, said Sheet 2 of 5 Entitled “Boundary Survey of the Two New Parcels Located in the Totaro District, Brunswick County, Virginia” (Said Sheet 2 of 5 being attached hereto and hereafter referred to as the “Vacation Plat”); and

WHEREAS, proper notice has been given as required by statute; and

WHEREAS, such vacation encourages economic development and redevelopment to the benefit of the citizens of the County.

NOW, THEREFORE BE IT ORDAINED by the Brunswick County Board of Supervisors that the following Ordinance is enacted:

1. That the portions of the Subdivision Plat shown as “To Be Vacated” on the Vacation Plat, being portions of Vaughan Street, Cavell Street, Ridge Street and South Street, are hereby VACATED; and
2. That the provisions of this Ordinance shall be effective upon adoption; and
3. That after the time designated by statute, a certified copy of this Ordinance shall be recorded in the land records of the Brunswick County Circuit Court, with all required costs and fees being paid by the landowner or its designee; and
4. That after recordation of a certified copy of this Ordinance and as provided by statute, the Clerk of the Circuit Court shall make a notation on the original Subdivision Plat that it is “partially vacated” and in such notation to make reference to the location in the land records of the Brunswick County Circuit Court at which a certified copy of this Ordinance has been recorded.

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

Re: Approval of Minutes

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried,

the Board approved the minutes of the January 19, 2011, Regular Meeting as recorded.

Ayes: Conner, Drummond, Finney, 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.

Land Development and Permits

- Meherrin Regional Jail Off-site Utilities – Phase II approved on January 25, 2011.
- Silver Trail Subdivision is substantially complete. Punch list issued on January 31, 2011.

Construction

- Trench Widening Project and Overlay on State Route 611.
- Preconstruction conference has been conducted and awaiting a requested start date from the contractor.
- Fixed completion date of August 3, 2011.

Traffic Studies/Special Requests

- Staff is conducting a safety review of State Route 712 at the request of Brunswick County. Final study should be completed by late February.

Project Status

- Program Manager will conduct a workshop on March 16, 2011, with the Board of Supervisors to discuss the Secondary Six Year Program project.

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 reschedule the worksession

on the proposed Secondary Six Year Plan 2012-2017 Priorities at its March 16, 2011, meeting at 6:30 p.m.

Upon motion of Ms. Drummond, seconded by Mr. Conner, the Board rescheduled the worksession on the proposed Secondary Six Year Plan 2012-2017 at 6:30 p.m. on March 16, 2011. Further, the Board requested that a representative attend the March 16, 2011, meeting to provide an update on Route 46 South bridge, deck and bridge replacement projects.

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

Re: Department/Agency Presentations

Brunswick County Financial Report Year Ended June 30, 2010 – Robert Huff, Robinson, Farmer Cox Associates

Mr. Robert Huff, Robinson, Farmer Cox Associates, presented the findings in the Brunswick County Financial Report Year Ended June 30, 2010. Mr. Huff stated that Brunswick County ended the fiscal year in good standing.

Upon motion of Ms. Drummond, seconded by Mr. Conner, and unanimously carried, the Board of Supervisors accepted the Brunswick County Financial Report Year Ended June 30, 2010, as prepared and presented by Robinson, Farmer Cox Associates.

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

Brunswick County/Lake Gaston Tourism Association – Brunswick Stew at Capitol

Mr. Bobby Conner, Brunswick County/Lake Gaston Tourism Association, stated that the 11th annual Brunswick Stew Day at the Capitol held on January 26, 2011, was a success.

Governor McDonnell visited with the Stewmaster and the volunteers. Also, the Stewmaster, volunteers, and the Hicks family were recognized on the House floor for preparing and serving Brunswick Stew at the Capitol.

He also thanked Robinson, Farmer Cox Associates for sponsoring the event and stated that Robinson, Farmer Cox Associates have agreed to sponsor the event again in January 2012.

Brunswick County/Lake Gaston Tourism Association – Virginia’s Retreat

Bobby Conner, Brunswick County/Lake Gaston Tourism Association, presented an overview of the Virginia’s Retreat 2010 Annual Report.

This was provided for the Board’s information.

Brunswick County Committee of the Virginia Sesquicentennial of the American Civil War– The Civil War 150 Legacy Project: Document Digitization and Access

Bobby Conner, Brunswick County/Lake Gaston Tourism Association, stated that the Brunswick County Committee of the Virginia Sesquicentennial of the American Civil War is sponsoring the Civil War 150 Legacy Project: Document Digitization and Access on March 5, 2011, in the auditorium of the County Government Building. The purpose of the project is to protect and preserve original documents relating to the period 1859-1867 that reflect social, political, military, business and religious life prior to and during the Civil War and the early period of Reconstruction. This project is a partnership with the Library of Virginia and the state Sesquicentennial Commission. There is no cost to participate.

This was presented for the Board's information.

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:

- John Goldsberry presented a complaint against the Building Official.
- Shirley Penn presented a complaint against the Building Official.

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. Finney, 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 – January 2011
- B. Sheriff's Office Monthly Report – January 2011
- C. Southside Community Services Board Minutes
- D. Roanoke River Service Authority Minutes
- E. Industrial Development Authority Minutes

Ayes: Conner, Drummond, Finney, 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 21, 2011, in the amount of \$6,095.00
- System checks dated January 24, 2011, in the amount of \$246.68
- System checks dated February 9, 2011, in the amount of \$57,494.88
- System checks dated February 16, 2011, in the amount of \$427,304.05
- System checks dated February 17, 2011, in the amount of \$86,311.73

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved disbursements in the amount of \$577,452.34 as presented.

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

FY12 Local Choice Health Benefits Program

Keli Reekes, Director of Finance, stated that the Local Choice renewal for Brunswick County will result in an increase of 5.6% in comparison to the FY11 rates. Brunswick County currently pays \$5,220 per employee, per year, for health insurance. The rate increase will cost Brunswick County \$5,532 per employee, per year. This results in an increase of \$312.00 per employee, per year.

The proposed rates effective from July 1, 2011, through June 30, 2012, are as follows:

<u>Program</u>	<u>Single</u>	<u>Dual</u>	<u>Family</u>
Key Advantage Expanded	\$538	\$995	\$1,453
Key Advantage 500	\$461	\$853	\$1,245

Note: The contract with Local Choice must be executed by April 1, 2011.

The County Administrator stated that the Board of Supervisors can discuss this matter during the budget process. This item was continued.

Re: Planning Director's Report

Silver Trail Subdivision – Final Plat Approval

Mrs. Sullivan, Director of Planning, stated that the subject property is located on the south side of Lawrenceville Plank Road (Business Highway 58), approximately 250' from the intersection of Lawrenceville Plank Road and Poor House Road (State Route 642) in the Totaro Magisterial District and the Sturgeon Election District.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved the final plat for Silver Trail Subdivision, Phase I, as recommended by the Planning Commission.

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

Green Acres Project – Acquisition of Property by Condemnation

Mrs. Sullivan, Director of Planning, stated that staff has been working with Dominion Power to relocate Dominion's utility poles out of the right-of-way along Green Acres Road and Lincoln Street. However, Dominion Power has been unsuccessful in obtaining voluntary easement rights to relocate the utility poles from the Estate of Fannie Mae Jacobs.

Since an easement has not been obtained by voluntary conveyances, the County must obtain the easement through the process of condemnation. As a result, staff is requesting approval to move forward with the acquisition of the property by condemnation.

Upon motion of Mr. Finney, seconded by Ms. Drummond, and unanimously carried,

the Board authorized the Director of Planning to obtain the easement through condemnation as requested and further authorized the advertisement of a public hearing on the matter at its March 16, 2011, meeting.

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

Fair Housing Resolution

Mrs. Sullivan, Director of Planning, stated that annually, the Virginia Department of Housing and Community Development (DHCD) requires localities that have been awarded a Community Development Block Grant (CDBG) to perform a fair housing activity. Mrs. Sullivan presented a draft resolution for the Board's review and approval.

Upon motion of Mr. Finney, seconded by Ms. Drummond, and unanimously carried, the Board adopted the Fair Housing Resolution as presented.

WHEREAS, Brunswick County has received a Community Development Block Grant from the Virginia Department of Housing and Community Development and;

WHEREAS, the Virginia Department of Housing and Community Development requires the County to take any action to affirmatively further Fair Housing and;

WHEREAS, Brunswick County endorses Title VIII of the Civil Rights Act of 1968 and the Virginia Fair Housing Law which forbids the discrimination on the basis of race, color, religion, sex, national origin, elderly, parenthood and handicapped in the selling, renting or financing of housing and;

WHEREAS, these laws prohibit discrimination in the sale or rental of housing by making property unavailable, changing the terms of conditions of sale or rental, representing a preferential type of buyer or renter through print or publication, or blockbusting. These laws also prohibit the discrimination in the financing of housing.

NOW, THEREFORE, BE IT RESOLVED, that the Brunswick County Board of Supervisors adopts this resolution.

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

County Administrator's Monthly Report

Ms. Woolridge, County Administrator, provided an overview of the January monthly report. She also stated that the House and Senate have approved the County's request to increase the transient occupancy tax to 5%.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved the County Administrator's monthly report as presented.

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

Brunswick Academy – Request to Use Lawrenceville-Brunswick Airport to hold Virginia Beef and Dairy Festival

Ms. Woolridge, County Administrator, presented a request from Brunswick Academy to utilize the grounds at the Lawrenceville-Brunswick Airport to hold the annual Virginia Beef and Dairy Festival on Friday, May 13, 2011.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved the request as submitted by Brunswick Academy to hold the annual Virginia Beef and Dairy Festival on Friday, May 13, 2011, at the Lawrenceville-Brunswick Airport.

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

Lawrenceville Lions Club – Annual Seafood Feast

Ms. Woolridge, County Administrator, presented a request from Lawrenceville Lions Club to utilize the grounds at the Lawrenceville-Brunswick Airport to hold the annual Seafood Feast on Wednesday, May 4, 2011.

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board approved the request as submitted by Lawrenceville Lions Club to hold the annual Seafood Feast on Wednesday, May 4, 2011, at the Lawrenceville-Brunswick Airport.

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

Re: Old Business

Historic Courthouse

Supervisor Conner requested that staff provide options to fund the rehabilitation of the historic courthouse.

Re: Appointments

Lake Country Development Corporation

This was continued.

Local Board of Public Welfare

Upon motion of Ms. Drummond, seconded by Mr. Finney, and unanimously carried, the Board appointed Mrs. Sandra P. Shye to serve a four (4) year term on the Local Board of Public Welfare representing Red Oak Election District.

The Meherrin Election District appointment was continued.

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

Brunswick County Litter Control Council

Upon motion of Mr. Finney, seconded by Ms. Drummond, and unanimously carried,

the Board appointed Beverly Fowler and Paula Sadler as Co-Chairs of the Brunswick County Litter Control Council.

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

Brunswick County Planning Commission

This item was continued.

Re: Adjourn

Upon motion of Mr. Conner, seconded by Mr. Finney, and unanimously carried, the Board adjourned until March 3, 2011, at 6:00 p.m. in the auditorium of the County Government Building.

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

Bernard L. Jones, Sr., Chairman

Charlette T. Woolridge, Clerk