

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD WEDNESDAY, DECEMBER 12, 2018, 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 matters.
- 2.2-3711.A.5: Discussion concerning a prospective business/industry.

Ayes: Harrison, Jones, 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

- (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
Mr. Tyler: Aye
Mr. 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 Tyler gave the Invocation and Pledge of Allegiance.

Re: Approval of Agenda

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

Move after Approval of Agenda

The Improvement Association-Saint Paul's Head Start Program

Add under New Business

Personnel

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

Re: Presentations

The Improvement Association Saint Paul's College

Ms. Loretta L. Miller, The Improvement Association Head Start Director, gave an overview of the Head Start Program.

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

Re: Public Hearing

Rezoning Case #18-025 – Submitted by Robert C. Clary, to rezone the subject property from Agricultural (A-1) to Residential, Limited (R-1) Zoning District

Mr. George Morrison, III, Director of Planning, stated that the applicant is requesting to rezone the subject property from Agricultural (A-1) to Residential, Limited (R-1) to use the property for residential purposes. The subject property is located on the north side of Hendricks Mill Road (State Road 903), approximately 30' feet from the intersection of Poplar Creek Road (a private drive) and Hendricks Mill Road, in the Meherrin Magisterial and Election Districts.

The Planning Commission conducted a public hearing regarding this request at their November 13, 2018, 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 citizen spoke:

- Dan Moyles, 239 Marina Road, Poplar Creek Subdivision – Spoke in opposition to 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. Harrison, and unanimously carried, the Board approved Rezoning Case #18-025.

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

Conditional Use Permit Case #18-028 – Submitted by SCS Engineers, construct, operate and maintain a solid waste convenience center in the Agricultural (A-1) Zoning District

Mr. Morrison stated that the applicant is requesting approval of a conditional use permit to construct, operate and maintain a solid waste convenience center in the Agricultural (A-1) Zoning District. The subject property is located on the east side of Evans Creek Road (State Road 623), approximately 0.7 of a mile from the intersection of Governor Harrison Parkway (VA State Highway 58) and Evans Creek Road, in the Meherrin Magisterial and the Red Oak Election District.

The Planning Commission conducted a public hearing on this request at their November 13, 2018, 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. Jones, seconded by Mr. Harrison, and unanimously carried, the Board approved Conditional Use Permit Case #18-028 subject to the following conditions recommended by the Planning Commission:

1. Permittee shall construct, operate and maintain the facility in accordance with all rules and regulations of the Brunswick County Zoning Ordinance, with any and all terms and conditions of this conditional use permit, and in compliance with all federal, state and local laws will result in enforcement action by the County which may include revocation of this permit by the Board of Supervisors.
2. Prior to the issuance of a zoning permit for the proposed facility or any accessory structures and/or equipment, the applicant shall submit a site development plan to the County for review and approval in accordance with the provisions of Article 27 of the Brunswick County Zoning Ordinance.

3. Prior to commencing land disturbing activities on the subject property, the applicant shall submit to the County for review and approval an Erosion and Sediment Control Plan in accordance with the provisions of the Brunswick County Erosion Control Ordinance and the Virginia Erosion and Sediment Control Handbook and Regulations. This approval includes the permittee obtaining a Land Disturbance Permit from the County.
4. A copy of any and all permits and/or licenses from any federal, state, local or other governmental agency regulating this use must be on file with the County prior to the issuance of site plan approval.
5. Permittee shall secure and maintain all federal, state and local licenses and certifications required to do business in the Commonwealth of Virginia and the County of Brunswick.
6. Permittee shall submit to the County all proposed design, construction and operational plans, permit applications and other documents that are submitted to local, state or federal agencies in connection with the facility.
7. All documents received by the County from permittee shall be public records.
8. Storm water runoff from the facility shall be managed and discharged in accordance with applicable federal and state regulations.
9. No use other than a manned solid waste convenience center is authorized unless described in this permit.
10. Access to the site shall be limited to a single access point. No trucks or materials shall enter the facility except through this point. Prior to the issuance of zoning and building permits for the proposed facility, the permittee shall submit to the County a copy of an approved commercial entrance permit from the Virginia Department of Transportation (VDOT).
11. Operations of the facility shall not involve the use of any external speakers.
12. This conditional use permit shall expire if the use of the site for a solid waste convenience center ceases for two (2) years or more.
13. Permittee shall not accept hazardous wastes at the collection sites.
14. Permittee shall keep the site and adjacent public rights-of-way clean of debris/trash.
15. Permittee's site operational plan shall include measures to control odor, dust and vectors which may be associated with solid waste collection.
16. Should it be determined by the Director of Planning that the minimum visual buffer does not provide an adequate screen, the permittee shall submit a landscaping plan for supplementation to these buffers for review and approval by the Director of Planning. If additional landscaping is required, permittee shall install this supplemental landscaping in accordance with this approved landscaping plan prior to the issuance of a certificate of occupancy.
17. The site shall not be used for the storing or parking of vehicles used for the collection of solid waste (trash trucks).
18. The conditions hereof are not severable. Should one or more be deemed unenforceable, this permit shall be void.

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

Ordinance Amendment Case #18-031 – Proposed Ordinance Amendment to the Code of Brunswick Chapter 30. Environment, Article II. Erosion and Sediment Control

Mr. Morrison stated that the proposed ordinance amends the County's Erosion and Sediment Control Ordinance as recommended by the Commonwealth of Virginia Department of Environmental Quality (DEQ). Chapter 30 of the Code of Brunswick was amended as follows:

- Section 10-1. Title, Purpose, and Authority
- Section 10-2. Definitions
- Section 10-3. Local Erosion and Sediment Control Program
- Section 10-4. Submission and Approval of Plans: Contents of Plans
- Section 10-5. Permits: Fees – Security for Performance
- Section 10-6. Monitoring, Reports and Inspections
- Section 10-7. Penalties, Injunctions and Other Legal Actions
- Section 10-8. Appeals and Judicial Review.

The Planning Commission conducted a public hearing regarding this request at their November 13, 2018, 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 Ordinance Amendment Case #18-028.

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. Harrison, seconded by Mr. Jones, and unanimously carried, the Board approved Ordinance Amendment Case #18-025.

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

FY19 Budget Amendment

Mrs. Keli Reekes, Director of Finance, stated that the Board of Supervisors is acquiring land for the purposes of economic development at a total cost of \$3,996,529. In order to account for the land acquisition, an additional appropriation of \$3,996,529 in debt proceeds is needed. This appropriation exceeds 1% of the total expenditures of the currently adopted budget; therefore, according to §15.2-2507 of the Code of Virginia, a public hearing is required.

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

- Gene Wiley, 220 Reedy Creek Road, Freeman, Virginia – Requested clarification about the public hearing. He later expressed support of the appropriation.

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. Jones, and unanimously carried, the Board appropriated \$3,996,529 in debt proceeds to acquire land for the purposes of economic development.

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

Re: Approval of Minutes

Upon a motion by Mr. Harrison, seconded by Mr. Jones, and unanimously carried, the Board approved the minutes:

- November 8, 2018, adjourned meeting
- November 14, 2018, 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

- Patching potholes on various routes.
- Primary and secondary mowing is ongoing.
- Route 648, Great Creek Road and Route 605, Lewis Drive, Rural Rustic Project is ongoing.
- Machining National Highway System (NHS) roadways and hauling stone as needed.
- Performing routine maintenance and litter patrol on various routes.

Mr. Johnson reported on the following projects:

- Route 648, Great Creek Road Rural Rustic Update. The first .4 of a mile is completed, including the tar and gravel riding surface. VDOT crews will complete the remaining .6 of a mile in spring of 2019.
- Route 605, Lewis Drive Project – Work has stopped on the road for the winter. VDOT crews will complete the project in spring of 2019.

Re: Brunswick County Public Schools Monthly Report

FY19 School Budget Tracking Report

The schools monthly financial report was provided for the Board's information. See attached report.

FY19 Additional Grant Appropriation Request

Dr. Charlette T. Woolridge, County Administrator, presented a request from the Brunswick County School Board for the appropriation of the following grant:

- Vision Screening Grant #351 \$3,661.00

Upon a motion by Mr. Tyler, seconded by Mr. Zubrod, and unanimously carried, the Board approved the appropriation of grant funds in the amount of \$3.661.00.

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

Re: Department/Agency Presentations

Buggs Island Telephone Cooperative - Broadband Deployment Initiative

Ms. Michelle Taylor, General Manager with Buggs Island Telephone Cooperative, requested that the County serve as applicant, with Buggs Island Telephone Cooperative serving as the co-applicant, to apply for a Commonwealth of Virginia Broadband Grant. This grant will enhance broadband capabilities on Hendricks Mill Road, Barker Road and Lake Point Circle.

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board approved to serve as applicant, with Buggs Island Telephone Cooperative serving as the co-applicant, to apply for a Commonwealth of Virginia Broadband Grant.

Ayes: Harrison, Jones, Tyler, Zubrod, Harris; 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.

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 report:

- Roanoke River Service Authority, October 23, 2018, meeting minutes

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

Re: Finance Director's Report

Approval of Disbursements

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

- System checks dated December 6, 2018, in the amount of \$869,291.28
- System checks dated December 6, 2018(A), in the amount of \$248,008.18

Upon a motion by Mr. Harrison, seconded by Mr. Zubrod, and unanimously carried, the Board approved disbursements in the amount of \$1,117,299.46, as presented.

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

Re: County Administrator's Report

Scheduling of 2019 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. Zubrod, seconded by Mr. Jones, and unanimously carried, the Board scheduled its 2019 Organizational Meeting to be held on Thursday, January 3, 2019, at 5:30 p.m., in the Board Room of the Brunswick County Government Building.

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

Re: New Business

Tower Lease Agreement

Supervisor Zubrod stated that the tower lease agreement between Mid-Atlantic Broadband Communities Corporation (MBC) and Brunswick County needs to be amended to allow for the installation of additional power at the site. The amendment is as follows:

1. Landlord (Mid-Atlantic Broadband Communities Corporation) consents to the installation of a single (1) new 15 amp, 115 volt outlet from the generator and that the existing power continue to feed the existing breaker box currently installed in the building on the premises.

2. The Tenant (County of Brunswick, Virginia) agrees to assume responsibility for the existing Dominion Energy Power meter and monthly electric bill for the tower location and facilitate the account transfer for the meter, effective December 1, 2018. Tenant acknowledges responsibility for timely payment of the Dominion Energy bill to maintain utility services at the property and failure to do so will be consider default under Section 11 (a) (i) of this agreement and landlord may cure immediately with Dominion Energy without tenant consent.

Upon a motion by Mr. Tyler, seconded by Mr. Jones, and unanimously carried, the Board approved the amendment to the tower lease agreement to allow for additional power at the site.

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

Personnel – Brunswick Emergency Medical Services

Upon a motion by Mr. Jones, seconded by Mr. Harrison, and unanimously carried, the Board appointed Lance Cordell as full-time Basic Life Support and Chelsea Mayton as part-time Basic Life Support for Brunswick Emergency Medical Services, effective January 2, 2019, and pending successful background check.

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

Re: Appointments

Industrial Development Authority

This matter was continued.

Southside Community Services Board of Directors

This matter was continued.

Re: Adjourn

Upon a motion by Mr. Zubrod, seconded by Mr. Harrison, and unanimously carried, the Board adjourned to December 18, 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