

VIRGINIA: AT A REGULAR MEETING OF THE BRUNSWICK COUNTY BOARD OF SUPERVISORS HELD WEDNESDAY, DECEMBER 16, 2020, IN THE BOARD ROOM OF THE BRUNSWICK COUNTY GOVERNMENT BUILDING

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

The meeting was conducted in the Board Room of the Brunswick County Government Building. All were required to wear face masks unless there's a medical exemption. Hand sanitizer was available for citizens and staff. All in attendance practiced social distancing.

Re: Closed Meeting – 6:00 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 performance of specific employees.
- 2-2.3711.A.5: Discussion concerning a prospective business or industry where no previous announcement has been made of the business' or industry's interest in locating in the community.
- 2-2.3711.A.7: Discussion with legal counsel pertaining to actual or probable litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body, specifically concerning Anne Edward Hartley v. Board of Supervisors of Brunswick County.

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

Reconvene in Open Meeting

Upon a motion by Mr. Zubrod, seconded by Mr. Tyler, 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. Jones: Aye
Dr. Seward: Aye
Mr. Tyler: Aye
Mr. Zubrod: Aye
Dr. Harris: Aye

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. Chair Harris 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 changes:

Add under Department/Agency Presentations
Economic Development

Delete under New Business
Personnel

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

Re: Public Hearings

Ordinance Amending the Brunswick County Code to Provide Exemption from Brunswick County Personal Property and Machinery and Tools Taxes to Equipment and Machinery used for Forestry Harvesting and Silvicultural Activities

Mrs. Keli Reekes, Director of Finance, stated that the Virginia General Assembly has recently amended Virginia Code Sections 58.1-3505 and 58.1-3506 to permit localities to exempt equipment and machinery used for forest harvesting and silvicultural activities from personal property taxes. The Virginia Logger's Association is requesting that the Board of Supervisors exempt forest harvesting and silvicultural equipment from all personal property and tools and machinery tax. The estimated financial impact of a tax exemption on eligible equipment is \$258,500. The Finance Committee recommends amending the Brunswick County Code to allow for such an exemption.

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

- Ron Jenkins, Executive Director, Virginia Logger's Association, Inc.- Spoke in favor of the ordinance amendment.

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

Upon a motion by Mr. Zubrod, seconded by Dr. Seward, and unanimously carried, the Board adopted the following ordinance amendment:

WHEREAS, pursuant to Brunswick County Code (the "County Code") Section 54-42 every taxpayer in Brunswick County owning tangible personal property subject to personal property taxation is required to file a return with the County Commissioner of the Revenue on or before February 28 each year in accordance with the Code of Virginia (the "Virginia Code"), Section 58.1-3518, such property to be subject to personal property or machinery and tools taxes levied by the County; and

WHEREAS, pursuant to Virginia Code Section 58.1-3506 forest harvesting and silvicultural activity equipment is a separate class of property and constitutes a classification for local taxation separate from other classifications of tangible personal property; and

WHEREAS, the Virginia General Assembly has recently amended Virginia Code Sections 58.1-3505 and 58.1-3506 to permit localities to exempt equipment and machinery used for forest harvesting and silvicultural activities from personal property taxes; and

WHEREAS, the Board of Supervisors of the County recognizes the importance of the logging industry in the County has decided that as of January 1, 2021, equipment and machinery used for forest harvesting and silvicultural activities shall no longer be subject to personal property tax imposed under Section 54-42 of the County Code and Section 58.1-3518 of the Virginia Code.

THEREFORE, BE IT ORDAINED that the Brunswick County Code of Ordinances is amended by the addition of Section 54-47 as follows: **Sec. 54-47. Forest harvesting and silvicultural activity equipment; exemption** Equipment used for forest harvesting and silvicultural activities shall be a separate class of property for purposes of taxation and shall be exempt from Brunswick County personal property and machinery and tools taxes.

This Ordinance shall take effect on January 1, 2021.

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

Re: Approval of Minutes

Upon a motion by Mr. Zubrod, seconded by Mr. Jones, and unanimously carried, the Board approved the November 18, 2020, regular meeting minutes as presented.

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

Re: Virginia Department of Transportation

The Virginia Department of Transportation (VDOT) monthly report was provided as follows:

Maintenance Forces

- Patched potholes on various routes.
- Cut brush and limbs on various routes.
- Performed pipe repairs and replacements on various routes.
- Performed ditching operations on various routes.
- Machined various National Highway System (NHS) routes and hauled stone as needed.
- Checked various routes for maintenance and safety issues.
- Performed litter patrol on various routes.

Re: Brunswick County Public Schools Monthly Report
FY21 School Budget Tracking Report

Dr. Kristy Somerville-Midgette, Superintendent, presented an overview of the schools monthly financial report. This was provided for the Board's information. See attached report.

FY21 Grant Appropriation

Dr. Midgette stated that Brunswick County Public Schools is requesting additional appropriation for the following grant:

- Security Grant \$250,000

Upon a motion by Mr. Jones, seconded by Dr. Seward, and unanimously carried, the Board approved the appropriation of new grant funds in the amount of \$250,000.

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

Re: Presentations

Recognition – Bridgette Clary – National Dog Show

The Board of Supervisors recognized Bridgette Clary for winning Best in Breed in the 2020 National Dog Show hosted by the Kennel Club of Philadelphia.

Re: Department/Agency Presentations

Preservation Trust Fund Public Access Grant

Ms. Dixie Walker, Tourism Coordinator, requested a letter of support for the Preservation Trust Fund Access Grant to assist with the development of county-owned property located off of Herman Road to be used for a public day use area.

Upon a motion by Mr. Jones, seconded by Dr. Seward, and unanimously carried, the Board authorized staff to prepare a letter of support for the Board chair's signature.

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

Economic Development

Upon a motion by Dr. Seward, seconded by Mr. Zubrod, and unanimously carried, the Board appropriated \$200,000 to the Industrial Development Authority from the undesignated fund balance for an economic development prospect. All other funding must be in place by the Industrial Development Authority before funds are dispersed to the Industrial Development Authority.

Ayes: Jones, Seward, 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. Jones, seconded by Dr. Seward, and unanimously carried, the Board acknowledged receipt of the following reports:

- Industrial Development Authority, November 10, 2020, meeting minutes
- Industrial Development Authority, November 24, 2020, meeting minutes
- Roanoke River Service Authority, October 27, 2020, meeting minutes

Ayes: Jones, Seward, 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 2, 2020, in the amount of \$250.00
- System checks dated December 3, 2020, in the amount of \$42,482.15
- System checks dated December 9, 2020, in the amount of \$619,777.55
- System checks dated December 16, 2020, in the amount of \$380,566.69

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board approved disbursements in the amount of \$1,043,076.39 as presented.

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

FY21 Grant Appropriation

Mrs. Reekes stated that the Sheriff's Office received two grants from the Virginia 911 Services Board through the FY21 Public Safety Answering Point (PSAP) Education Program as follows:

- \$8,000 for multi-jurisdictional E911 education and training opportunities
- \$3,000 for individual E911 education and training opportunities

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried, the Board appropriated grant funds totaling \$11,000 to the applicable revenue and expenditure line items of the FY21 Sheriff's Office E911 Communications departmental budget. Dr. Seward abstained as he is an employee of the Sheriff's Office.

Ayes: Jones, Tyler, Zubrod, Harris; Nays: None; Abstentions: Seward

Re: Planning Director's Report

Schedule Public Hearing: Conditional Use Permit Case #20-015 – Submitted by Bamman Consulting, LLC on behalf of Cellco Partnership (d/b/a Verizon Wireless) applicant, Telecommunications Tower in the Agricultural (A-1) Zoning District

Mr. George E. Morrison, III, Director of Planning, stated the applicant is requesting the approval of a conditional use permit to construct, operate and maintain a three hundred-foot (300') monopole cell tower in the Agricultural (A-1) Zoning District. The subject property is located on the west side of Old Stage Road (State Route 712), approximately two-tenths (0.2) of a mile north of the intersection of Sturgeon Road (State Route 630)

and Old Stage Road, located in the Sturgeon Magisterial and Election Districts, also identified as Tax Map 44, Parcel 97. The Planning Commission conducted a public hearing on the request at their December 8, 2020, meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommended approval of Conditional Use Permit Case #20-015 and requested the Board to hold a public hearing on the request at their January 2021 regularly scheduled meeting.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried the Board authorized the advertisement of a public hearing on Conditional Use Permit Case #20-015 during the January 2021, regularly scheduled meeting.

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

Schedule Public Hearing: Conditional Use Permit Case #20-016- Submitted by Lonnie R. Powell, applicant, Campground in the Agricultural (A-1) Zoning District

Mr. Morrison stated the applicant is requesting the approval of a conditional use permit to construct, operate and maintain a twenty-six (26) lot campground in the Agricultural (A-1) Zoning District. The subject property is located on the north side of Governor Harrison Parkway (Highway 58), approximately 1.25 miles east of the intersection of County Pond Road (State Route 638) and Governor Harrison Parkway, located in the Titora Magisterial District and Sturgeon Election District, also identified as Tax Map 55, Parcel 9B. The Planning Commission conducted a public hearing on the request at their December 8, 2020, meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommended denial of Conditional Use Permit Case #20-016 and requested the Board to hold a public hearing on the request at their January 2021 regularly scheduled meeting.

Upon a motion by Mr. Jones, seconded by Mr. Zubrod, and unanimously carried the Board authorized the advertisement of a public hearing on Conditional Use Permit Case #20-016 during the January 2021, regularly scheduled meeting.

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

Schedule Public Hearing: Ordinance Amendment Case #20-017 – Proposed Amendment to Article 31-2: Violation of provisions of ordinance; penalty of the Brunswick County Zoning Ordinance

Mr. Morrison stated that the proposed ordinance amendment is an update to Article 31-2 of the Brunswick County Zoning Ordinance. This update reflects the change in law of the Code of Virginia governing misdemeanor penalties for violation of the zoning ordinance. The proposed ordinance amendment is as follows:

Any person, firm or corporation, whether as principal, agent, employed or otherwise, violating, causing or permitting the violation of any of the provisions of this ordinance shall be guilty of a misdemeanor punishable by a fine of not more than \$1,000. If the violation is uncorrected at the time of conviction, the court shall order the violator to abate or remedy the violation in compliance with the zoning ordinance, within a time period established by the court. Failure to remove or abate a zoning violation within the specified time period shall constitute a separate misdemeanor offense punishable by a fine of not more than \$1,000; any such failure during a succeeding 10-day period shall constitute a separate misdemeanor offense punishable by a fine of not more than \$1,500; and any such failure during any succeeding 10-day period shall constitute a separate misdemeanor offense or each 10-day period punishable by a fine of not more than \$2,000.

The Planning Commission conducted a public hearing on the ordinance amendment at their December 8, 2020, meeting. No one spoke in opposition to the request. At the conclusion of the public hearing the Planning Commission voted unanimously to recommended approval of Ordinance Amendment Case #20-017 and requested the Board to hold a public hearing on the request at their January 2021 regularly scheduled meeting.

Upon a motion by Mr. Jones, seconded by Dr. Seward, and unanimously carried the Board authorized the advertisement of a public hearing on Ordinance Amendment Case #20-017 during the January 2021, regularly scheduled meeting.

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

Re: County Administrator's Report

COVID-19 Update

Dr. Woolridge stated that the number of COVID-19 cases are surging across the U.S While Virginia is faring better than most states, the number of positive COVID-19 cases in Virginia are rising.

Locally, the number of cases in Brunswick County are also increasing. Since the inception of the COVID-19 pandemic, a total of five hundred fifty-three (533) positive cases have been reported in the County. As of this morning, December 16, 2020, there are fifty-one (51) active COVID-19 cases in the County.

Health officials predict that early January 2021 is set to have the highest spike in positive cases since the start of COVID-19 pandemic. This is serious! Therefore, it is vital that everyone continue to take proactive steps to prevent the spread of the COVID-19 pandemic.

Please continue to share with your employees, family, friends and our citizens the importance of continuing to follow federal and state guidelines to prevent the spread of COVID-19 by:

- Practicing social distancing.
- Wearing a face covering.
- Washing your hands often with soap and water for at least 20 seconds. Use an alcohol-based hand sanitizer only if soap and water are not available.
- Avoiding gatherings of 10 or more people.
- Avoiding touching your eyes, nose, and mouth.

- Covering your mouth and nose with a tissue or your sleeve (not your hands) when coughing or sneezing.
- Cleaning and disinfecting frequently touched objects and surfaces.
- Avoiding contact with sick people.
- Contacting your doctor if you are experiencing symptoms.
- For more information, visit www.vdh.virginia.gov/coronavirus and www.cdc.gov/coronavirus.

Together, we can prevent the spread of the COVID-19 pandemic and keep our community safe!

Scheduling 2021 Organizational Meeting

Dr. Woolridge 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 2021 Organizational Meeting to be held on Wednesday, January 6, 2021, at 6:00 p.m., in the Board Room of the Brunswick County Government Building.

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

Re: Old Business

Memorial for War Veterans Monument

Dr. Woolridge stated that the Memorial for War Veterans Monument was removed from Courthouse Square and relocated to the Oakwood Cemetery on Saturday, December 12, 2020, as scheduled. The following were present to oversee the removal and relocation process:

- Supervisor Dr. Barbara Jarrett Harris
- Supervisor Bernard L. Jones, Sr.
- Dr. Charlette T. Woolridge, County Administrator
- Ricky Woodard, Facilities and Grounds Supervisor

The contractor and his team did a phenomenal job with the removal and relocation of the monument. They handled the monument with great care and all pieces of the monument are intact.

The Brunswick County Historical Society is raising funds to have the monument erected at Oakwood Cemetery.

Dr. Woolridge thanked:

- James Jefferson, Southside Grave & Vault, Inc/Newsom Monument Co.
- Board of Supervisors and County Staff
- Brunswick County Historical Society
- Town of Lawrenceville
- Sheriff's Office
- Virginia Department of Transportation

Re: New Business

VACo Virtual Meeting Update

Chair Harris reported that she participated in the virtual 2020 VACo Annual Meeting on November 9, 2020. Governor Ralph Northam addressed VACo members. COVID-19, rural broadband and virtual learning for students were among the many topics he discussed. Subsequently, there was a breakout session to provide an update regarding the state budget.

American Education Week 2020

Chair Harris reported that she participated in American Education Week 2020 and read to the kindergarden class at Red Oak-Sturgeon Elementary School virtually. The students enjoyed the reading and were engaged.

Re: Appointments

Brunswick County Board of Zoning Appeals

This matter was continued.

Lake Country Area Agency on Aging Board of Directors

This matter was continued.

Re: Adjourn

Upon a motion by Mr. Zubrod, seconded by Mr. Jones, and unanimously carried, the Board adjourned until Wednesday, January 6, 2021, at 6:00 p.m. for the Board's Organizational Meeting.

Hon. Dr. Barbara Jarrett Harris, Chair

Charlette T. Woolridge, Ph.D., Clerk