

**HALIFAX COUNTY BOARD OF SUPERVISORS**  
**County Administration Building**  
**Board of Supervisors Meeting Room**  
**1050 Mary Bethune Street**  
**Halifax, Virginia**  
**January 3, 2023 / 6:30 PM**

**A. CALL TO ORDER – County Administrator**

County Administrator Scott Simpson called the meeting to order at 6:30 p.m.

Supervisor Pannell gave the invocation.

Mr. Simpson led the Pledge of Allegiance.

**B. ATTENDANCE ROLL CALL**

Board of Supervisors members attending were: Mr. C. Short, ED1; Mr. L. Roller, ED2; Mr. H.W.H. Pannell, ED3; Mr. R. Duffey, ED4; Mr. D.E. Throckmorton, ED5; Mr. S. Brandon (arrived at 6:31p.m.), ED6; Mr. G. Ricketts, ED7 and Mr. W.B. Claiborne, ED8 (arrived at 6:31 p.m.).

Staff members attending were: Mr. Scott Simpson, County Administrator; Mrs. Stephanie Jackson, Finance Director, Detrick Easley, Planning/Zoning Administrator, Mr. Otis Vaughan, General Properties and Inspections Director; Ms. Olivia Epps, Strategic Program Coordinator, and Mrs. Charlene Hendricks, Executive Assistant.

News reporters attending were: Miranda Baines, The Gazette-Virginian and Victoria Thompson, The News & Record.

Security was provided by: Halifax County Sheriff's Department

Mr. Simpson welcomed everyone to the Board of Supervisors new board meeting room. He recognized Otis Vaughan, General Properties Director, and his staff noting they performed all of the work for the room except for the countertops. He commented the American Rescue Plan Act funding is what funded the majority of the work.

**C. ADOPTION OF AGENDA**

Mr. Simpson stated the first item to be addressed is the adoption of the agenda.

Motion made by Supervisor Pannell, seconded by Supervisor Throckmorton, to adopt the Agenda as presented in the Board packet.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

**D. ORGANIZATION**

1. Election of Officers – Calendar Year 2023

1. Chairman

Mr. Simpson stated the first portion of the agenda is the organizational meeting beginning with the election of officers.

Mr. Simpson opened the floor for nominations of Chairman for calendar year 2023.

Motion made by Supervisor Roller, seconded by Supervisor Throckmorton, to nominate Supervisor Short to serve as Chairman for 2023.

Mr. Simpson asked if there were any other nominations for Chairman.

Motion made by Supervisor Brandon, seconded by Supervisor Ricketts, to close nominations.

Mr. Simpson indicated the Board would vote on the motion to close nominations and do so by voice vote.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Mr. Simpson said the Board would use a Roll Call vote to signify their vote on the question of Supervisor Short for Chairman.

**ROLL CALL VOTE**

Supervisor Stanley Brandon	Yes
Supervisor Bryant Claiborne	Yes
Supervisor Ronnie Duffey	Yes
Supervisor Hubert Pannell	Yes
Supervisor Garland Ricketts	Yes
Supervisor Larry Roller	Yes
Supervisor C. Ricky Short	Yes
Supervisor Dean Throckmorton	Yes

Mr. Simpson stated Supervisor Short had been elected Chairman for calendar year 2023 by an 8-0 vote.

Mr. Simpson relinquished control of the meeting to Chairman Short.

2. Vice Chairman

Chairman Short said the Board would now open nominations for Vice Chairman.

Motion made by Supervisor Throckmorton, seconded by Supervisor Brandon, to nominate Supervisor Ricketts to serve as Vice Chairman for 2023.

Chairman Short asked if there were any other nominations for Vice Chairman.

Motion made by Supervisor Roller, seconded by Supervisor Brandon, to close nominations.

Chairman Short indicated the Board would vote on the motion to close nominations and do so by voice vote.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Chairman Short indicated he would take nominations in order as they were presented, beginning with the nomination for Supervisor Ricketts. He said the Board would use a Roll Call vote to signify their vote on the question of Supervisor Ricketts for Vice Chairman.

**ROLL CALL VOTE**

Supervisor Stanley Brandon	Yes
Supervisor Bryant Claiborne	Yes
Supervisor Ronnie Duffey	Yes
Supervisor Hubert Pannell	Yes
Supervisor Garland Ricketts	Abstained
Supervisor Larry Roller	Yes
Chairman C. Ricky Short	Yes
Supervisor Dean Throckmorton	Yes

The election of Mr. Ricketts as Vice Chairman passed by a 7-0 vote.

Chairman Short stated Supervisor Ricketts had been elected Vice Chairman for calendar year 2023 by a 7-0 vote.

**3. Appointment of Clerk – voice vote**

Chairman Short said the Board would now accept nominations for Clerk of the Halifax County Board of Supervisors.

Motion made by Supervisor Claiborne, seconded by Supervisor Brandon, to appoint County Administrator Scott Simpson as Clerk of the Halifax County Board of Supervisors.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one  
Absent During Vote: No one  
Absent During Meeting: No one

#### 4. Appointment of Deputy Clerk – voice vote

Chairman Short said the Board would now accept nominations for Deputy Clerk of the Halifax County Board of Supervisors.

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to appoint Olivia Epps as Deputy Clerk of the Halifax County Board of Supervisors.

#### **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one  
Abstained: No one  
Absent During Vote: No one  
Absent During Meeting: No one

#### 2. Confirmation of Seating Assignments

Chairman Short said seating assignments would remain the same as last year, which is in the following order from left to right: Supervisor Roller, Supervisor Pannell, Supervisor Duffey, Vice Chairman Ricketts, Chairman Short, Supervisor Throckmorton, Supervisor Brandon, and Supervisor Claiborne.

#### 3. Adoption of Resolution 2023-1 Meeting Schedule

Chairman Short referred the Board members to pages 7-9 of the meeting packet and he said meetings are usually held the first Monday of each month at 6:30 p.m. He noted there are two instances where the meetings are moved to a Tuesday due to Holidays.

Motion made by Supervisor Pannell, seconded by Supervisor Brandon, to adopt Resolution 2023-1 establishing the Board of Supervisors meeting schedule for 2023.

#### **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one  
Abstained: No one  
Absent During Vote: No one  
Absent During Meeting: No one



# HALIFAX COUNTY BOARD OF SUPERVISORS

1050 Mary Bethune Street  
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CAVIN "RICKY" SHORT - ED01  
CHAIRMAN  
GARLAND B. RICKETTS - ED07  
VICE CHAIRMAN  
LARRY D. ROLLER - ED02  
H. W. H. PANSELL - ED04  
RONNIE E. DUFFEY - ED04  
DEAN E. THROCKMORTON - ED06  
STANLEY BRADSHAW - ED06  
W. BRYANT CLAIBORNE - ED08

SCOTT R. SIMPSON, P.E., MPA  
County Administrator  
[scs@halifaxva.gov](mailto:scs@halifaxva.gov)

## 2023-1 RESOLUTION

### HALIFAX COUNTY BOARD OF SUPERVISORS MEETING SCHEDULE

The Board of Supervisors of Halifax County, Virginia (the "Board"), at its regular meeting on the 3<sup>rd</sup> day of January, 2023 adopts the following resolution:

**WHEREAS**, pursuant to Virginia Code §15.2-1416, the Board desires to establish the dates for its regular meetings during the 2023 calendar year, and

**WHEREAS**, pursuant to Virginia Code §15.2-1416, the Board desires to establish the date to which a regular meeting will be continued if the chairman or vice-chairman finds and declares that a regular meeting is to be postponed due to hazardous weather or other conditions.

**NOW THEREFORE, BE IT RESOLVED**, by the Halifax County Board of Supervisors, the Board shall hold the following meetings on the following dates:

#### REGULAR MEETINGS – all at 6:30 p.m.

- February 6, 2023
- March 6, 2023
- April 3, 2023
- May 1, 2023
- June 5, 2023
- June 26, 2023 (July meeting)
- August 7, 2023
- September 5, 2023 (Tuesday)(Due to Labor Day)
- October 2, 2023
- November 6, 2023
- December 4, 2023

#### BUDGET MEETINGS

- |                   |           |   |
|-------------------|-----------|---|
| January 11, 2023  | 1:00 p.m. | Finance Committee Work Session – Administration conf. rm                                |
| February 6, 2023  | 3:30 p.m. | Work Session with Board of Supervisors  |
| February 22, 2023 | 1:00 p.m. | Finance Committee Work Session – Administration conf. rm                                |
| March 6, 2023     | 3:30 p.m. | Work Session with Board of Supervisors  |
| March 20, 2023    | 6:00 p.m. | Public Hearing on Entire County Budget and School Budget/<br>Work Session After Hearing |
| March 30, 2023    | 1:00 p.m. | Finance Committee Work Session–Administration conf. rm                                  |
| April 3, 2023     | 6:30 p.m. | Adoption of FY2024 Budget / 2023 Tax Rates Set  |

**BE IT FURTHER RESOLVED** that all of the above meetings shall be held in the Board of Supervisors Meeting Room in the County Administration Building, 1050 Mary Bethune Street, unless otherwise noted, and;

**BE IT FURTHER RESOLVED** that any regular meeting which is continued for hazardous weather or other conditions in accordance with Virginia Code §15.2-1416 shall be continued to the Monday one week immediately following the postponed regular meeting, and;

**BE IT FURTHER RESOLVED** that the organizational meeting for 2024 and the January Regular Meeting be held on Tuesday, January 2, 2024 at 6:30 p.m.

Adopted this the 3<sup>rd</sup> day of January 2023.

Calvin R. Short, Chairman  
Halifax County Board of Supervisors

ATTEST:

Scott R. Simpson, P.E., Clerk  
Halifax County Board of Supervisors

#### 4. Adopt Bylaws, Meeting Guidelines, Code of Ethics, and Standards of Conduct

Chairman Short said the Board of Supervisors Bylaws and Procedural Rules, Meeting Guidelines, Code of Ethics, and Standards of Conduct need to be adopted. He said the guidelines assist with keeping the procedural flow for the meetings as well as establish baseline levels of conduct for the Board and the latest version was adopted at the June 6, 2022 meeting.

Motion made by Supervisor Throckmorton, seconded by Supervisor Duffey, to reaffirm the current 2023 Bylaws and Procedural Rules, Meeting Guidelines, Code of Ethics, and Standards of Conduct.

#### VOTE

Motion passed 8-0 by the following vote:

**Ayes:** Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

**Nays:** No one

**Abstained:** No one

**Absent During Vote:** No one

**Absent During Meeting:** No one

#### 5. Confirmation of Director of Emergency Services (Chairman)

Chairman Short explained the next order of business would be confirmation of the Director of Emergency Services.

Motion made by Supervisor Pannell, seconded by Supervisor Brandon, to confirm Chairman Short as the Director of Emergency Services.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

6. Adopt 2023 Holiday Calendar

Chairman Short referred the Board members to page 29 of the board packet and he explained Halifax County has traditionally followed the published State Holiday Calendar on the Department of Human Resource Management website and has also observed any amendments to this calendar by the Governor throughout the year.

Motion made by Supervisor Brandon, seconded by Supervisor Roller, to adopt the holiday calendar as presented in the Board packet, as published by the state of Virginia, and as may be amended by the Governor.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

**E. MINUTES CORRECTIONS / APPROVAL**

- 1. December 5, 2022 Board of Supervisors Regular Meeting
- 2. December 13, 2022 Board of Supervisors Courthouse Committee Meeting
- 3. December 15, 2022 Board of Supervisors Policy & Personnel Committee Meeting
- 4. December 20, 2022 Board of Supervisors & Planning Commission Joint Meeting
- 5. December 21, 2022 Board of Supervisors Ordinance Committee Meeting

Motion made by Supervisor Pannell, seconded by Supervisor Throckmorton, to approve the minutes as presented in the Board packet.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

## **F. CONSENT AGENDA APPROVAL**

1. Warrants – November 2022
2. Supplemental Appropriations

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to approve the Consent Agenda as presented.

## **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

## **G. RECOGNITIONS**

1. None

Chairman Short said there are no formal recognitions on the agenda; however, he recognized Ms. Noble's government class from the high school being in attendance.

## **H. CITIZENS' COMMENTS**

Chairman Short opened Citizen Comment time and asked anyone desiring to speak to come forward one at a time and to state their name and address.

### **Norman Talley**

Mr. Talley introduced himself as the pastor at Union Christian Church located in Virginia. He stated VDOT advised him to come before the Board of Supervisors with his concerns to close a road that connects directly to the church's parking lot. He said there have been issues for the last two months, with dogs and one of them had bitten him. He stated he has called animal control and the Sheriff's Department so they are aware of the issue.

Mr. Talley emphasized he is concerned for the congregation, children, and elderly members of the church. He noted he had to step in front of a dog to prevent him from biting one of the children. He commented it is to a point now he is afraid someone is going to get hurt. He stated one of the elderly members who uses a cane could not get to his gun when the dog approached him. He explained he does not want any trouble with the dog's owners. He noted the church has asked the owners to put the dogs on a leash for safety reasons, but they won't do it. He stated he has evidence that the dogs were recently on the church's property. He commented 9th Street is the road that goes directly through the church's parking lot and he asked the Board members to look into the issue for a possible resolution.

### **Faisal Abedeljalil**

Mr. Abedeljalil introduced himself and he said he has concerns with animal control. He stated he has a notarized letter signed by a gentleman whose animal was confiscated in a raid. He said the statement indicates the animal control officer took the money and put it in her pocket and made the comment that she would use the money to buy groceries.

Mr. Abedeljalil said a few years back, the women working at the animal control office were involved in a sex scandal. He said one of the officers got pregnant by an inmate while the inmate was still in prison.

He stated the two women who were involved in the incident are still working for animal control. He noted he has complained to the Commonwealth Attorney, the County Administrator, and the State Police but no action has been taken. He commented the animal control officers would help dress the inmate in regular clothes and take him out into the general public.

Mr. Abedeljalil referenced a seizure of animals in Clover where animals were confiscated. He said the animal control officers sold those animals for thousands of dollars and pocketed the money. He stated the County could have sold those animals and wanted to know why didn't the pet owners get compensated. He commented the County gave those animals away and if the animals had been sold, the money could have been used to pay court fees. He stated he spoke with some of the individuals on the list and they did not answer the ad which ran in the newspaper. He said those individuals were given the animals because they deal with animal control. He stated animal control gave away cows and horses and even sold them for thousands of dollars.

Chairman Short advised Mr. Abedeljalil that his time to speak during Citizens Comments' had expired. He asked Mr. Abedeljalil if he could provide proof where the employees at animal control sold the animals. Mr. Abedeljalil commented he did not have proof but he could obtain that information.

### **Michael Wilkerson**

Mr. Wilkerson introduced himself and he noted he spoke during Citizens Comment time at the December meeting with regards to animals being seized on the farm where he resides. He commented he did not have enough time at that meeting to complete his statement. He brought the necropsy report and court transcript for the Board members to review.

Mr. Wilkerson stated animal control had been granted possession of all the animals seized on the farm he resides at by Court order. He said it was their responsibility to take care of every last one of those animals. He noted animal control left five animals behind on the farm and once they figured out they could not catch those animals, they never came back to retrieve them. He stated they left behind two hogs, two cows, and one sheep. He said he told the officers if they left the sheep behind, the pit bulls in the neighborhood or coyotes would kill the animal. He stated the animal control officer looked him in the eyes and told him he had bigger things to worry about other than the pit bulls and that dogs are allowed to walk all over Halifax County without a leash law. He said he spoke with the County Administrator and he was told he could not do anything about it.

Mr. Wilkerson provided a copy of the necropsy report and court transcript to the Board members and explained the Court transcript shows the damage done to the farm. He stated he could not call animal control about the sheep so he took it to Virginia Tech and they did a necropsy report and took DNA from the dog's bite in the neck. He commented he later caught the dog and collected the dog's DNA and he knows exactly who owns the dog. He stated animal control said there was no water on the farm but that is not correct because there are two ponds and all of the animals had access to the ponds.

### **Casey Abedeljalil**

Mr. Abedeljalil introduced himself and he said there is a problem with animal control. He said his bird was taken from his brother's pet store. He stated he told Chief Martinette that he had only owned the bird for approximately two weeks. He said Chief Martinette testified in Court that he had owned the bird for a long time, she lied in Court about a speeding violation, and she indicated that masks were not mandated in October 2020, and businesses were shut down. He noted he had a veterinarian appointment scheduled for the bird. He stated the Court found him not guilty of the charges.

Supervisor Claiborne asked Mr. Abedeljalil when the incident occurred. Mr. Abedeljalil said his bird was taken on October 15, 2020 but his Court case was finalized 2 months ago.

### **Randy Bailey**

Mr. Bailey introduced himself and said Supervisor Pannell commented in the newspaper that the County Administrator should have fired Todd Moser and there are three other Board members who agree. He stated he is asking the Board members to take a vote and determine if the County Administrator should be dismissed. He said Mr. Moser has cost the County over \$14,000 and the County Administrator has cost the County more than that because Mr. Moser is receiving retirement. He said Mr. Moser's



sentencing hearing will be on January 6<sup>th</sup> and he encouraged everyone to attend the sentencing hearing.

Mr. Bailey commented the good old boy's system exists here. He said the new Board room looks good but he hoped it is not trashed by hanging pictures of former Board members because some of them hated white people, some of them hated black people, and some of them were liars and thieves. He said the County Administrator needed to retire and move on. He stated there are also thieves and liars working in the law enforcement agencies.

Chairman Short advised Mr. Bailey that his time to speak during Citizens Comments' had expired.

### **Jack Dunavant**

Mr. Dunavant introduced himself and he said he did not come prepared with a statement. He said someone called him shortly before the meeting and told him the Board members would be discussing the approval of funds to be given to the School System for the new high school. He stated there are several issues with the design of the building and the proposed location. He commented he could not go into all of those details because it would take longer than three minutes. He asked the Board members to consider holding the funds until a reasonable design for the school could be presented. He commented if you sit at the intersection at Walmart and you look to the right, you will not see the new high school because it will be behind trees of a residence. He said the roof on the new high school will be flat, ugly, and a cheap edifice that will more than likely cost around \$150 million.

Mr. Dunavant expressed concern that the School System will request additional funding for the project. He said the project has been mishandled from the beginning and he hoped any additional funding would not be approved until a decision is made amenable to the people. He stated he would be glad to serve on any committee to come back to the Board of Supervisors and make recommendations that are contrary to what has been shown and given. He said Mecklenburg County had built a school for \$150 million, but that's two schools in one and it's right out on the highway so you can see every car that goes east and west and the building is beautiful. He said the proposed new high school for our County is tucked away behind two cheap gas stations where you can't even see it and Halifax County deserves better than that. He thanked the Board members for their time and service and commented the Board members are doing a wonderful job.

### **Glenn Williamson**

Mr. Williamson introduced himself and stated that he lives in the Southwest part of the County. He thanked the Board members for having community forums over the past few months. He said the community forums have been good. He noted he heard some things that he liked and a few things which disturbed him. He said he hoped the County would continue to do the forums because it does mean something to keep the lines of communication open.

### **Chris Hudson**

Mr. Hudson introduced himself and thanked the Board members for the hard work they do for the County. He commented he is proud to say that he lives in Halifax County. He said the Board members have a hard job making business decisions for the County. He expressed gratitude to the Board members for their continued support in Emergency Services and the funding provided to the fire departments throughout the County. He said without that support, it would be hard for the fire departments to be able to move forward and prosper and serve the citizens of the County.

### **Tatianna Abedeljalil**

Mrs. Abedeljalil introduced herself and said she is Casey Abedeljalil's wife. She noted that she had not planned on speaking tonight, but she wanted to follow up on his comments. She said the animal control officers have vendettas against her husband. She commented they were on Facebook talking about them before they even opened the pet store. She said the animal control officer lied in Court because she said Casey was the manager of the pet store and that he had owned the bird forever, which is not

true. She said her husband had only owned the bird for a few weeks. She explained that the bird had a crooked beak and they had scheduled an appointment to have it examined but due to Covid restrictions, appointments were pushed out. She said the animal control officer made the statement in Court that masks were not mandatory in October 2020 and an appointment for the bird could have been made for the next day. She commented that is not true for a regular citizen because appointments were pushed out and masks were required. She said her husband was supposed to get the bird back but they basically stole his bird because they are not planning on giving the bird back to him.

Supervisor Pannell commented in fairness to the Citizens, Mr. Abedeljalil, and the County Administrator, the Board of Supervisors are researching the issues. He said the Policy & Personnel Committee has held a meeting, the transcript has been reviewed, and he emphasized the issue is being discussed.

With no one else wishing to speak, Chairman Short declared Citizens' Comment time complete.

## **I. PUBLIC HEARINGS**

1. Potential Disposal of Real Property owned by Halifax County  
Parcel: PRN# 14211

Chairman Short said the Buildings and Grounds Committee met on November 29, 2022, and recommended to declare the former Bruce Library Building as potential surplus; on December 5<sup>th</sup> the Board of Supervisors directed the publication and notification of the public hearing to receive input. The Board also directed Staff to solicit proposals from interested parties and those proposals are due on Friday, January 20, 2023.

Mr. Simpson said the public hearing is for the potential disposal of the Bruce Library Building located at 726 Mountain Road. He stated proper advertisement took place in the News & Record on December 22<sup>nd</sup> and December 29<sup>th</sup>.

Chairman Short opened the Public Hearing.

With no one wishing to speak, Chairman Short closed the Public Hearing.

## **J. PRESENTATIONS**

1. Halifax Industrial Development Authority

Chairman Short said Rick Harrell, Chairman of the Industrial Development Authority, will provide an annual recap and update regarding the IDA and its efforts.

Mr. Harrell introduced himself and stated his discussion tonight will be only his thoughts and he is not representing anybody else. He noted he had gathered these thoughts from the last five years during his service with the Virginia Economic Development Partnership, the Economic Arm of the State, and four years with Halifax IDA. He emphasized he is not speaking for either Board or anybody else. He noted his remarks are not an all-encompassing study but they are some pertinent thoughts he would like to share. He said Halifax County had three major positive economic development announcements last fall. He stated it is unusual for our County and it's unusual for any locality in the State. He commented he would like to briefly go over how this was achieved and list a few contributing factors. He noted he will clarify what the IDA is charged with doing and what it's not charged with doing because there are some misconceptions out in the public. He said he will also briefly discuss our future economic development.

Mr. Harrell stated he wanted to discuss some of the reasons for the IDA's success. He noted, individually and collectively, the first reason is the Board of Supervisors. He said the Board of Supervisor's partnership has enabled the IDA to make progress. He said the Board of Supervisors have listened to ideas from the IDA, asked questions and offered criticisms, and IDA has tried to respond to those criticisms. He noted the Board of Supervisors appointed several of their Board members to joint committees. He stated, most importantly, IDA prepared a strategic plan for economic development for the County and the Board of Supervisors have been willing to help with some financial support and guarantees. He commented one really important change made four years ago was to appoint the County Administrator, Scott Simpson, as an ex officio member of IDA. He said Mr. Simpson has added immeasurably to what the IDA has done and he has acted as a conduit for communication so information can be shared between the Board of Supervisors and IDA. He stated, however, Mr. Simpson himself has enabled the IDA to make progress due to his engineering background, superior intelligence, and intellectual honesty. He emphasized Mr. Simpson has been invaluable to the Board of Supervisors and IDA and he hoped for the County's sake, he stays here.

Mr. Harrell stated another reason for IDA's success is they had something to sell explaining viable sites, land, and buildings are necessary. He said it's simple because you can't sell somebody something unless you've got something to sell. He noted the economic development arena has changed dramatically in just the last few years and when someone calls the State to discuss possible locations to expand, they are also calling other States because they want a site or building to be ready immediately. He stated Virginia has traditionally been more conservative than most other States and they have not wanted to spend a lot of money to get things ready ahead of time. He noted other States are not as conservative and Virginia has fallen behind. He explained other States have spent hundreds of millions of dollars in getting locations ready with graded pads, water, sewer, rail, natural gas, highways, and environmental approvals which is why huge plants have been built in Tennessee, Georgia, Alabama, and North Carolina. He said Virginia is catching up, the Governor is pushing progress, and the General assembly is catching on so we have to be ready if we are going to flourish as a County. He said the IDA shell building has brought more interest to Halifax County than anything we've ever done. He noted the County was lucky enough in an interim period to have Mike Davidson, a good neighbor who lives just North of Chairman Short's district, to serve in an interim capacity for us. He said Mr. Davidson had spent a lifetime in economic development in Campbell County. He said while Mr. Davidson served in an interim capacity here, he saw more interaction in that one shell building than what he had seen in a number of years while serving in Campbell County.

Mr. Harrell said the next reason IDA has had success is that they have worked more closely with County partners and State partners. He noted the IDA has been more active in listening to our large industrial partners. He said Hitachi became one of the three successes; however, Hitachi is not the only one that the IDA has worked closely with. He commented the IDA has worked with a number of others who were offered alternatives. He noted some of those industries didn't want the publicity or maybe the IDA couldn't fill their need if their need was changing, or they selected another location because of the bureaucracies going on up to the international level. He stated the IDA helped RTP because they had an urgent need for warehouse space. He stated at the regional level Linda Green, executive director of the Southern Virginia Regional Alliance, has helped the IDA. He said Ms. Green is located in Danville and the Institute is paying most of her salary. He said the County is a beneficiary of her efforts because she acts as a conduit between the IDA and the State. He commented Ms. Green has tremendous experience on her own and she is charged with economic development for Halifax, Pittsylvania, Henry Patrick, and the cities of Martinsville and Danville. He stated at the State level, we have been helped by a number of folks at the Virginia Economic Development Partnership because they have brought us leads, appointed individuals to help shepherd our success and projects, provided advice, and given us markers to use to measure our potential success.

Mr. Harrell said the most important reason for our success is Kristy Johnson. He stated Ms. Johnson has been the Executive Director for the IDA for a little over a year and she has been somewhat of a human dynamo for the County. He noted Ms. Johnson has worked closely with Blair Jeffress, Operations Manager, in an effort to fill the place of about four employees. He commented he did not think anybody could keep up that kind of effort forever and commended Ms. Johnson for her daily

details and strategic solutions necessary to achieve success. He said Mr. Johnson has orchestrated closer relationships with all the key people and organizations in our County, Region, and State and she has handled all the twists and turns that have come up regarding not only the recent three projects but a much larger number of issues for all the existing buildings that the IDA owns and maintains for all of these activities. He commended her for being thorough but willing to change plans as necessary in a short notice.

Mr. Harrell said it is unlikely that the IDA will be able to duplicate the success accomplished in 2022 going into 2023. He commented the IDA currently does not have a bunch of stuff to sell but the foundation can be laid for continued success if we continue to work closely with present employers and remember that economic development should be focused on basic businesses. He explained basic businesses have customers outside of the County and employees inside the County which bring money into the County and they are not living off the retail trade. He noted there's nothing wrong with retail trade and nothing wrong with building that up, but money needs to come into this County and pay for those jobs that they wouldn't have otherwise. He noted these businesses need to bring their own financing and know-how. He commented we must be good stewards of money for Halifax County. He said if the IDA requests help from the Board of Supervisors for a project, the request will only be at the margin so that we can be competitive with another locality or another State. He stated the State will come in and help incentivize. He explained several recent projects to come into Halifax County came down to two or more States being considered.

Mr. Harrell emphasized we want people who want to be successful in business and don't just come here asking for a handout. He said it is of utmost importance to build another shell building as soon as possible. He stated a site is available and the planning process has begun. He said financing needs to be discussed and we need to identify and work on some larger prospective sites in the County. He stated once the process is started, requests can be made for funding from the Tobacco Commission or Go Virginia, and possibly the State. He said we need to continue working with our local partners, the Chamber of Commerce, and workforce education to meet the local needs of employers to enhance the opportunities for our Halifax County citizens. He stated economic development is a competitive process and we have shown Halifax County can compete. He commented the IDA and Board of Supervisors need to continue our focus and work together for the common good.

## **K. COMMITTEE REPORTS**

### **1. Courthouse Committee – December 13, 2022**

Chairman Short said the Courthouse Committee met on December 13, 2022 and recommended to pursue Option 1 for a resolution to the Air System Sound Noise Reduction.

Committee Chairman Claiborne stated there have been ongoing issues with the HVAC system for several months. He stated the Committee and County staff have been working on a resolution that would cost the County the least amount of money for the repair. He said the County Administrator is researching the possibility of a liability issue and obtaining a favorable resolution from the project architect.

Mr. Simpson said the total amount for Option 1 is \$43,175 and the repair would include installing isolation frames and springs, flexible ductwork and pipe, and conduit work around the unit to keep the vibration from the unit resonating through the building. He stated he had a meeting today with CJMW Architecture right before the Board meeting and out of the \$43,175, they are willing to participate in the amount of \$34,000, which is a large majority of the difference.

Mr. Simpson stated the second item recommended by the Committee members is to authorize County staff to pursue the proposal for the Juvenile Judge's bench, which includes cutting the walls down

6 inches in front of the Judge's bench in the Juvenile Court and the cost being approximately \$22,312. He said the major issue is the wall has bulletproof material that cannot be cut with traditional blades and saws. He stated there is a \$5,000 allowance for unforeseen items so the real cost is \$17,312. He noted the architects are willing to participate a hundred percent in the repair. He stated with the allowance reduction, the request to be approved is \$60,485 to resolve both issues. He said CJMW is willing to participate in the amount of \$51,312 leaving a County obligation of \$9,173.

Mr. Simpson stated County staff feels that both of these solutions should satisfy the concerns of the Court and once those repairs have been completed, the Courthouse project can be closed out.

Committee Chairman Claiborne wanted to verify that the reason CJMW agreed to participate is because of the placement and design of the unit. Mr. Simpson said the design has not worked well so fixing those errors is the majority of their responsibility.

Chairman Short asked Mr. Simpson to verify the amount to repair the Juvenile Court bench. Mr. Simpson said the total amount is \$22,320 but included in that amount is a \$5,000 allowance for unforeseen items so the real number is approximately \$17,000.

Chairman Short said the first recommendation from the Courthouse Committee is to authorize County staff to pursue Option 1 for a resolution to the Air System Sound Noise Reduction.

Supervisor Brandon said he appreciates the work, efforts, and research of the Committee members and County staff. He stated a lot of time has been committed to the issues with the Courthouse project. He commented he has a problem with CJMW because it does not appear they are meeting the full responsibility of the design. He said when the County hired CJMW, the County guaranteed funds for their services. He noted there were expectations with spending those funds and he is disappointed the County has not received a guarantee for services rendered. He commented the Courthouse is brand new and the County spent good monies and funds from our constituents. He emphasized CJMW should be held responsible because he does not think they have done enough.

Committee Chairman Claiborne said he understands Supervisor Brandon's concerns. He stated in terms of saving the County money, CJMW is paying approximately 83 percent of the repairs. He commented with the issues that have come up, negotiations are needed in order to obtain an agreement to avoid potential litigation. He noted if the matter went to Court, the result could possibly be less so he believes the Committee members and Mr. Simpson did a great job of reaching an agreement.

Supervisor Brandon said he understands but he still believes it is unfair. He commented CJMW covered Option 2 for the Judge's bench in the Juvenile Court at 100 percent, but he believes the noise issue is due to their design and they are only standing behind 83 percent of the cost. He stated CJMW is the company that presented problems with the engineering company and cost the County thousands of dollars.

Chairman Short asked if there was any further discussion.

Motion made by the Courthouse Committee to recommend to the Board of Supervisors to authorize County staff to pursue Option 1 for a resolution to the Air System Sound Noise Reduction with the cost being \$43,175.

## **VOTE**

Motion passed 7-1 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: Mr. S. Brandon

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by the Courthouse Committee to recommend to the Board of Supervisors to pursue the proposal for Option 2 which includes cutting the walls down 6 inches in front of the Judge's Bench in the Juvenile Court and with the cost being approximately \$22,312.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

2. Policy & Personnel Committee – December 15, 2022

Chairman Short said the Policy & Personnel Committee met on December 15, 2022 and authorized County staff to move forward with hiring a mid-cost-level consultant to conduct a Staff Salary Analysis with the results being presented to the Board of Supervisors.

Motion made by the Policy & Personnel Committee to authorize County staff to move forward with hiring a mid-cost-level consultant to conduct a staff Salary Analysis with the results being presented to the Board of Supervisors.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Chairman Short said the Policy & Personnel Committee members also authorized County staff to make the discussed edits to the Advisory Committee Bylaws.

Motion made by the Policy & Personnel Committee to authorize County staff to make the discussed edits to the Advisory Committees Bylaws.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

3. Ordinance Committee – December 21, 2022

Chairman Short referred the Board of Supervisors to page 106 of the meeting packet, and he said the Ordinance Committee met on December 21, 2022 and recommended to the Board of Supervisors to amend the Solar Revenue Share ordinance as presented.

Mr. Simpson stated the State Code changed earlier this year and it no longer exempts any solar projects from revenue share. He said the Revenue Share Ordinance is available to be applied to all solar facilities. He noted 5 megawatts and smaller are no longer exempt so procedurally the Ordinance for Revenue Sharing requires an amendment to strike the last portion of Section B for 5 megawatts or less. He stated the protocol requires a public hearing in order to adopt ordinances but since revenue sharing is part of the zoning code, it will need to through the Planning Commission and Board of Supervisors. He commented it is too late to get the matter on the Agenda for the Planning Commission and Board of Supervisors joint meeting in January. He recommended proceeding with the advertisement for the public hearing to be held at the Planning Commission and Board of Supervisors Joint Meeting on February 21<sup>st</sup>.

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to authorize County staff to proceed with advertising the Public Hearing for the amendment to the Solar Revenue Share Ordinance.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

**L. NEW BUSINESS**

1. Conditional Use Permit Application ED #7

Applicant:	Christopher Hudson and Brad Miller
Landowner:	Dale E. Miller
PRN:	25929
Location:	1093 Whitt Loop
Business Name:	4 Meats Processing Facility
Proposed Use:	Meat Processing

Chairman Short said the next item on the agenda is the Conditional Use Permit (CUP) for the 4 Meats Processing Facility. He asked Mr. Easley to provide an overview of the matter.

Mr. Easley stated County staff is in receipt of an opposition letter from Sandra Yarboro. He noted the opposition letter had been received after the public hearing took place and has been distributed to the Board. He said there is a recommendation from the Planning Commission to approve the CUP for 4 Meats Processing Facility with a few amendments for consideration. He said one of the amendments would require the owner of the property to install a new entrance to the facility on their own property. He commented there had been some discussion about ownership of the existing road. The Planning Commission recommended approval of the CUP with the new entrance constructed for the facility. He said Mr. Brad Miller is present and he has a letter from Mayo Grove Church that gives him permission to use the easement to get to his property. He said if the Board of Supervisors gives consideration to the letter, County staff recommends the agreement to be legally recorded in the Circuit Court. He noted the

Board of Supervisors could also continue with the recommendation from the Planning Commission, which requires a new entrance to be constructed.

Mr. Easley referred the Board members to page 120 of the meeting packet and he said there are some additional conditions that need to be considered. He said number 20 of the site conditions states that when at all possible, the applicant shall coordinate with Bethel Hill Baptist Church to avoid any disruption of any church services or events held at the church. He commented Mr. Hudson and Mr. Miller have agreed to work with the church to prevent any disruption of their services or events. He referenced the following Site Conditions: number 24 requires that they have an adequate amount of liability insurance for the business, number 25 is requiring 4 Meats Processing Facility to obtain a County business license for operations, and number 26 states if for any reason 4 Meats Processing Facility is not in operation for more than two consecutive years, the CUP becomes null and void. He noted all of the items listed in red in the site conditions are recommendations from the Planning Commission. He stated Mr. Hudson and Mr. Miller are present and will answer any questions.

Supervisor Claiborne asked who is the property owner of the proposed facility. Mr. Miller stated that his father, Dale Miller, is the property owner. Supervisor Claiborne asked the property owner to come forward. He advised Mr. Miller that an easement needed to be prepared with the signatures of the proper authorities at the church so it could be recorded. He noted the cost of the easement would be at the property owner's expense. He asked Mr. Miller if he is willing to do that and Mr. Miller verified that he would get it done.

Supervisor Brandon wanted to know if the Code allows for an increase in traffic on an easement. Mr. Easley stated the Code prohibits any entity to create traffic without a deeded easement or the owner agreeing to the traffic increase.

Supervisor Brandon said at the Joint Meeting, Mr. Miller agreed to construct a new driveway. Mr. Miller stated if a new driveway is necessary, they will get it constructed. He noted at the December 20<sup>th</sup> Planning Commission and Board of Supervisors Joint Meeting, he was advised to go back and speak with the church to see if an agreement could be reached.

Supervisor Brandon asked if the driveway would be used in its entirety to get to the proposed facility. He said the driveway is close to the church especially when it comes along the rear corner. Mr. Miller verified the entirety of the driveway would be used. There was some additional discussion about the driveway entrance starting out on Mr. Miller's property, crossing over to property owned by the church, and then back over to Mr. Miller's property. Supervisor Brandon wanted to verify that the church is now in agreement that they can use the existing driveway to have access to the proposed facility and Mr. Miller stated that is correct.

Supervisor Pannell wanted to verify the deacons, trustees, pastor, and congregation have all agreed that the existing driveway can be used to get to the proposed facility and Mr. Miller said that is correct.

Vice Chairman Ricketts said the proposed facility has been contentious in the neighborhood and he noted the County has taken extra steps to try to accommodate both sides to insure it can be done carefully and without undue effects on the neighborhood or the church. He said the County has the authority to terminate the CUP. He wanted to be sure that the church members and citizens in the community understand there is a procedure that can be followed if there are problems with the performance of the operators of the business. He noted he would like to add a site condition stating the permit needs to be reviewed annually for full compliance by County staff. He said if there are any concerns or issues that the CUP is not being followed rigorously, citizens can bring any concerns to the County, so the County can take action as needed.

Motion made by Vice Chairman Ricketts recommending the Board of Supervisors approve the CUP application, the letter from the church being duly put in legal form and recorded in the Courthouse so it is binding to both parties, changing Site Condition number 28 to state the CUP will become null and void if 4 Meats Processing Facility has not commenced operation in two years instead of three years, and adding Site Condition number 30 requiring County staff to review the CUP annually for full compliance.



Mr. Easley wanted to verify if Vice Chairman Ricketts is requesting a site condition to be added for the recording of the deeded easement. Chairman Short said he would recommend it being added to site condition number 19.

Supervisor Claiborne commented the deeded easement would need to be properly recorded in the Clerk's Office.

Supervisor Pannell said he is somewhat in agreement with trying to protect the church's interest and the applicants but he reminded the Board members that an annual review is not required for any other business. He commented a business is started to make money and you want to see a business grow and he expressed concern about having too many restrictions on small businesses. He stated the church, deacons, pastor, Mr. Hudson, and Mr. Miller have reached an agreement with the existing driveway and they agree to continue working on concerns and issues that may arise. He stated all parties have come a long way and the process should be made easier for everyone.

Vice Chairman Ricketts commented his suggestion is not meant as an additional burden on the business owner but it is meant to formalize the intent of the CUP process.

Supervisor Claiborne reminded the Board members that any CUP could be voided by the Board of Supervisors, if deemed necessary.

Supervisor Brandon stated he has two issues to discuss. He said he understands the meat processing facility is required to meet the State Regulatory Guidelines which will far exceed the requirements of the CUP. He agreed with Supervisor Claiborne and emphasized the CUP could be revoked by the Board of Supervisors at any time. He stated the other issue is Site Condition number 28. He said he would like the 3 years' time period to remain the same and not replace it with 2 years. He commented some of the solar facility projects are allowed 3 years to get started and that does not mean in full operation. He said those types of restrictions put a burden on small businesses. He noted he agrees with Vice Chairman Ricketts to have the deeded easement recorded to protect all parties involved.

Supervisor Duffey said while reviewing the 67 signatures on the Petition, he noticed there are signatures of individuals who live in different locations and communities ranging from the Nathalie area to Roxboro, North Carolina. Chairman Short said it is not unusual for some of the church members to live in different locations. Supervisor Pannell concurred with Chairman Short.

Supervisor Claiborne commented if the property owner and church are now in agreement, he does not understand why the Board members are trying to make the process difficult.

Chairman Short wanted to verify that the 67 individuals who signed the Petition are now okay with proceeding with the meat processing facility. Supervisor Claiborne pointed out that the 67 individuals who signed the Petition are not necessarily members of the church.

Mr. Dale Miller said when the public hearing was held, he was told to speak with the pastor and proper representatives of the church to see if an agreement could be reached regarding the existing driveway. He said he has spoken with the pastor and the Chairman of the deacons. He said the agreement has been signed by the authorities within the church. Mr. Miller noted that the majority of the signatures on the Petition are not actual church members. There was additional discussion regarding the timeline for the commencement of operation and the recording of the deeded easement for the right of way to the existing driveway.

Supervisor Brandon emphasized it is unfair to implement a 2-year deadline for commencement of operation for the facility. He stated large solar facilities are granted 3 years to startup operation. He noted Mr. Hudson and Mr. Miller are community members and deserve the same consideration.

Supervisor Claiborne asked Mr. Miller if 4 Meats Processing Facility would be in operation in 2 years. Mr. Miller said he anticipates it will be in operation in 2 years but weather conditions among other factors could put a burden on a 2-year deadline.

Vice Chairman Ricketts noted when Mr. Hudson and Mr. Miller presented the business plan to the Planning Commission and the Board of Supervisors, it indicated operations would commence within 12 months.

The Motion on the floor was amended as follows:

Motion made by Vice Chairman Ricketts, seconded by Supervisor Claiborne, to approve and issue the Conditional Use Permit (CUP) for the 4 Meats Processing Facility with amending Site Condition number 19 to remove the requirement of a property access road and to allow recordation for a new Deed of Easement across Church property, and adding Site Condition number 30 requiring an annual Administrative Review of the CUP for compliance.

## **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

### 2. Consideration of Foxhound Solar Agreement

Chairman Short stated the next item on the Agenda is consideration of the Foxhound Solar Agreement on page 129 of the Board packet. He asked Mr. Simpson to provide an overview.

Mr. Simpson said a few years ago, the Waterstrider Solar Project in the Nathalie area of the County agreed to donate \$1 million to the County and since then those funds have been disbursed. He noted the Foxhound Solar Project was approved about the same time. He explained this project is located in Supervisor Roller's district and the construction process is now beginning. He said the Foxhound Solar Project agreed to donate funds to the County in the amount of \$200,000 and he referenced the Development Support Agreement included in the Board packet on pages 130 and 131.

Motion made by Supervisor Roller, seconded by Vice Chairman Ricketts, to authorize County staff to execute the Development Support Agreement and in exchange Foxhound Solar will donate \$200,000 to the County for use at the discretion of the Board of Supervisors as identified in the agreement.

## **VOTE**

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: Mr. H. W. H. Pannell

Absent During Meeting: No one

### 3. Adopt High School Project into Official Capital Improvement Program of Halifax County

Chairman Short asked Mr. Simpson to provide an overview for the adoption of the High School Project into the Official Capital Improvement Program of Halifax County.

Mr. Simpson said the Guidelines established by the Department of Education for the School Construction Assistance Program were issued in late November 2022. He referred the Board members to pages 137-139 of the meeting packets and he said items 1 through 11 list the Competitive Application Criteria. He noted the Board of Supervisors won't have any input on those items but he explained how they award a different number of points which are based on whether the project is being renovated or if it is a new construction. He said the guidelines outline several components to gain points in their application matrix. He discussed items 6 and 7 and he said those items have a number of points that the Board of Supervisors could have some input and be proactive in obtaining the number of maximum points in the application for the School System. He read item number 6 to the Board members and stated it would be 5 easy points if the planned construction project is adopted into the County's Capital Improvement Plan. He stated due to the holidays, he has not been able to speak with anyone from the School System so the deadline for the application is unclear. He emphasized if the Board of Supervisors adopt this into the Capital Improvement Plan, it is not a commitment for any additional funds.

Supervisor Brandon motioned to adopt the addition of the High School construction project at an estimated project amount of \$125,500,000 to the County's formal Capital Improvement Plan.

Vice Chairman Ricketts said further discussion is needed and he referenced page 132 of the meeting packet. He recommended changing the wording to state the High School capital project. He said the Board of Supervisors have never actually endorsed the construction of a new high school. He noted the Board of Supervisors has endorsed funding for high school projects to be defined by the School System.

Supervisor Claiborne emphasized the School System can only spend the funding on Capital Improvement.

Supervisor Brandon was in agreement to amend the motion to change the wording to state High School capital project.

Motion made by Supervisor Brandon, seconded by Vice Chairman Ricketts, to re-state the motion on the floor to adopt the addition of the High School capital project to the County's formal Capital Improvement Plan at an estimated project amount of \$125,500,000.

## **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Mr. Simpson said the second item is number 7 on page 138 which is a Maximum of 5 points for Commitment. He explained if there is an agreement by the local governing body to maintain or increase the percentage of local revenues dedicated to public education throughout the duration of the financing proposed for the project; and if project design and site acquisition for the project has been fully or substantially completed prior to applying for grant funds under this program. He commented knowing what the School System has accomplished already, they have acquired land and they will have construction plans that are substantially complete.

Mr. Simpson stated the first item states the local governing body to maintain or increase the percentage of local revenues dedicated to public education. He said historically for the last few years, the Board of Supervisors has maintained or increased local funding to the School System based on the composite index and required local effort being increased annually. He stated reviewing the projections for the upcoming year, he anticipates there will be another increase of local effort. He noted the concerning

word in that sentence is the percentage because it is unclear what it is a percentage of, such as the total budget or a requirement of local effort. He stated it would be appropriate for the Board of Supervisors to consider a commitment to maintain or to increase local funding as necessary and mutually determined.

Vice Chairman Ricketts said he thinks it is premature on this particular portion to make any consideration until the wording is determined and some feedback from the School System or the State has been obtained. He recommended postponing any action until clarification has been received. He noted Supervisor Roller brought up a good point that in the next few years as some of the existing school debt is paid off, does it mean a portion of those monies would have to continue being spent. He said it would be better to refer the matter to the Finance Committee and County Administration to get a better understanding as to avoid any unfavorable obligation.

Mr. Simpson said the Finance Committee will meet next week as part of the budget process and there is also a scheduled meeting with staff for the School System so it would allow efforts to vet out some of the information. He stated the information could be brought back to the Board of Supervisors at the Regular Meeting on February 6<sup>th</sup>.

Supervisor Brandon wanted to know when the Committee appointments for 2023 would be available. Chairman Short stated the Committee appointments should be determined by the first of next week. Mr. Simpson said once the Committee appointments are determined, those notices will be sent out to the Board members.

Motion made by Vice Chairman Ricketts, seconded by Supervisor Brandon, to refer Item number 7 of the Competitive Application Criteria section in the Guidelines for Implementing the School Construction Assistance Program to the Finance Committee to obtain clarification and then brought back to the Board of Supervisors for further consideration.

## **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Mr. Simpson said those are the last items in the School Construction Grant Program that the Board of Supervisors can directly affect for any of the awarded points. He stated the remaining guidelines seem to be fiscal stress designations and the benchmarks which are defined by third parties.

## **M. PENDING MATTERS/UNFINISHED BUSINESS**

### **1. Board/Citizen Requests Update Information**

Chairman Short said responses to requests from the Board and Citizen are the next item on the agenda. He referred the Board members to page 141 of the meeting packet. He stated there was also an additional packet included with responses to questions during Citizens' Comments from the Board of Supervisors Regular Meeting in December 2022 regarding animal control issues. He said some of the questions presented had previously been turned over to the Attorney General's office or were Court cases and the Board of Supervisors have no control over any of those issues. He commented for public record, those issues and concerns had been addressed in detail.

Chairman Short said County staff and CivicPlus have been working on the development of the new County website over the past several months. He stated Ms. Epps has led this endeavor and will provide an overview of the website which is now live.

Ms. Epps said plans for the new website started in the summer of 2022. She stated citizens are greeted by a public notice which indicates the meetings will take place in the new Board room. She commented there are hot buttons located at the bottom of the page which are topics visited the most on the website. She noted when citizens visit the website, they are particularly interested in calendar events, agendas, meeting minutes, and County job postings. She said GIS mapping is used by citizens and County staff, online tax payments are available to the citizens, and citizens will have the ability to sign up for emergency alerts. She said going forward if there are more pertinent items, changes can be made to the hot buttons. She referenced the mega menus, which are located at the top of the website page, and explained in detail their representation noting that the County Seal will always take you back to the homepage. She stated the Community section was organized by a live, play, and work method because those are things that pertain to the lives of County Citizens.

Ms. Epps discussed where forms and ordinances can be located, how Citizens can access the Agendas, Board packets, Meeting Minutes, and Quick Links to several outside organizations. She stated the website and all documents are ADA compliant. She commented the website is certainly a fluid document, so moving forward continued changes can be made to make the site better and user-friendly.

Chairman Short commented the new website for the County looks good.

#### **N. MOTION TO ENTER CLOSED SESSION PURSUANT TO VIRGINIA CODE §2.2-3711**

Motion made by Supervisor Brandon, seconded by Supervisor Throckmorton, to enter into closed session pursuant to Virginia Code §2.2-3711, subsection (a)(1), and (a)(3) to discuss appointments and real property.

**Subsection (a)(1):** Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion of the performance of specific individuals. (Appointments)

**Subsection (a)(3):** Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body. (Disposal or Acquisition of Public Real Property)

#### **VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

The Board entered into Closed Session at 8:35 p.m.

**O. MOTION TO RECONVENE IN OPEN SESSION**

Motion made by Supervisor Brandon, seconded by Supervisor Throckmorton, that the Board arise from Closed Session and return to its Regular Meeting.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

The Board reconvened in Open Session at 9:09 p.m.

**P. MOTION TO ADOPT RESOLUTION FOR CERTIFICATION OF CLOSED SESSION**

Motion made by Supervisor Throckmorton, seconded by Supervisor Duffey, and carried, to adopt the following certification:

WHEREAS, the Halifax County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, § 2.2-3712 of the Code of Virginia requires a certification by this governing body that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that this governing body 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 governing body.

**ROLL CALL VOTE:**

Supervisor Stanley Brandon	Yes
Supervisor Bryant Claiborne	Yes
Supervisor Ronnie Duffey	Yes
Supervisor Hubert Pannell	Yes
Vice Chairman Garland Ricketts	Yes
Supervisor Larry Roller	Yes
Chairman C. Ricky Short	Yes
Supervisor Dean Throckmorton	Yes

Motion passed 8-0.

**Q. ACTION RESULTING FROM CLOSED SESSION**

1. Appointments

Motion made by Supervisor Throckmorton, seconded by Supervisor Claiborne, to reappoint Shirley Archer to the Agriculture Development Advisory Committee to serve a three-year term from January 1, 2023 to December 31, 2025.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Roller, seconded by Supervisor Brandon, to reappoint Jeffrey Francisco to the Agriculture Development Advisory Committee to serve a three-year term from January 1, 2023 until December 31, 2025.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Throckmorton, seconded by Supervisor Roller, to reappoint Brian Burton to the Airport Advisory Committee to serve a three-year term from January 1, 2023 until December 31, 2025.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Roller, seconded by Supervisor Throckmorton, to reappoint Edwin Lacks to the Halifax County Improvement Council to serve a three-year term from January 1, 2023 until December 31, 2025.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Pannell, seconded by Supervisor Throckmorton, to reappoint Bruce Pearce to the Halifax County Planning Commission to serve a four-year term from January 1, 2023 until December 31, 2026.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Duffey, seconded by Supervisor Throckmorton, to reappoint Woody Bane to the Recreation Advisory Committee to serve a three-year term from January 1, 2023 until December 31, 2025.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

Motion made by Supervisor Roller, seconded by Supervisor Pannell, to reappoint Richard Harrell, III to the Halifax County Industrial Development Authority to serve a four-year term from February 1, 2023 until January 31, 2027.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one



Motion made by Supervisor Throckmorton, seconded by Supervisor Roller, to appoint Stuart Comer to the Southside Behavioral Health Board to fulfill the remaining term, ending June 30, 2023, following the resignation of Joe Trickey.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

**R. SUPERVISOR COMMENTS**

None

**S. CONTINUE MEETING TO JANUARY 17, 2023 AT 6:30 P.M. BOARD OF SUPERVISORS & PLANNING COMMISSION JOINT MEETING**

Motion made by Supervisor Brandon, seconded by Supervisor Duffey, to continue the meeting to January 17, 2023 at 6:30 p.m. for the joint public hearings with the Planning Commission.

**VOTE**

Motion passed 8-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, Mr. R. E. Duffey, Mr. D. E. Throckmorton, Mr. S. Brandon, Mr. G.B. Ricketts, and Mr. W.B. Claiborne

Nays: No one

Abstained: No one

Absent During Vote: No one

Absent During Meeting: No one

The meeting recessed at 9:15 p.m.