

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

A. CALL TO ORDER – Vice Chairman Ricketts

Vice Chairman Ricketts called the meeting to order at 6:30 p.m.

Supervisor Duffey gave the invocation.

Vice Chairman Ricketts led the Pledge of Allegiance.

B. ATTENDANCE ROLL CALL

Board of Supervisors members attending were: Mr. L. Roller, ED2; Mr. H.W.H. Pannell, ED3; Mr. R. Duffey, ED4; Mr. D.E. Throckmorton, ED5; Mr. S. Brandon, ED6; Mr. G. Ricketts, ED7; and Mr. W.B. Claiborne, ED8.

Board of Supervisors members absent: Chairman C. Short, ED1; Mr. W. Smith, Tie Breaker.

Staff members attending were: Mr. Scott Simpson, County Administrator; Mrs. Stephanie Jackson, Director of Finance; Mr. Detrick Easley, Director of Planning/Zoning; Mr. Otis Vaughan, Director of Director of General Properties and Inspections; Ms. Olivia Epps, Strategic Program Coordinator; Mr. Jason Johnson, Emergency Services 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

C. ADOPTION OF AGENDA

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

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short

Absent During Meeting: Mr. C. Short

D. MINUTES CORRECTIONS / APPROVAL

- | | |
|---------------------|---|
| 1. January 3, 2023 | Board of Supervisors Regular Meeting |
| 2. January 11, 2023 | Finance Committee Meeting |
| 3. January 17, 2022 | Board of Supervisors & Planning Commission
Joint Meeting |
| 4. January 25, 2023 | Public Safety Committee Committee Meeting |
| 5. January 25, 2023 | Solid Waste Committee Meeting |
| 6. January 25, 2023 | Ordinance Committee Meeting |
| 7. January 30, 2023 | Buildings & Grounds Committee Meeting |

Motion made by Supervisor Claiborne, seconded by Supervisor Duffey, to adopt the minutes as presented.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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:	Mr. C. Short
Absent During Meeting:	Mr. C. Short

E. CONSENT AGENDA APPROVAL

1. Warrants – December 2022
2. Supplemental Appropriations
3. Treasurer’s Report –
 - a. November 30, 2022
 - b. December 31, 2022
4. Real Estate Purchase Agreement

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

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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:	Mr. C. Short
Absent During Meeting:	Mr. C. Short

F. RECOGNITIONS

1. None

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

G. CITIZENS' COMMENTS

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

Jack Dunavant

Mr. Dunavant introduced himself and he expressed concerns about solar farms. He said the citizens in the Alton area are seeing the devastation from the solar farms. He stated the County needs to put the brakes on solar farms until some guidelines are enforced to protect the land, neighbors, and citizens of the County. He commented the rules for setbacks and vegetation need to be reviewed. He stated when the solar companies spray 2,4-D to prevent any growth in the area nobody is required to replant the trees. He commented trees shade the solar panels and companies do not want any trees close to the solar panels. He read a tribute for the County to the Board members.

Vice Chairman Ricketts advised Mr. Dunavant that his time to speak during Citizens Comments' had expired.

Joyce Howerton

Ms. Howerton introduced herself and held up a dictionary. She read the definition of a farm to the Board members. She said she does not see anything that looks like a farm as she passes her neighbor's yard, but all that can be seen are solar panels in a residential area. She stated solar panels should not be in her backyard or her neighbor's backyard. She commented that she did not understand how a solar farm was approved in a residential area on Hyco Road. She asked the Board members who are the owners of the solar farms, and if the owners are American citizens.

Stacey Long

Ms. Long introduced herself and stated she lives in the Alton area. She thanked the Board members for letting her speak. She said she delivers mail in the Alton area. She commented she loves the area and enjoys outdoor activities such as hunting, fishing, and riding ATVs and horses, but now she feels those activities are in jeopardy due to solar farms being built. She stated their peaceful and quiet community is a mess, and the roads are crumbling due to the influx of large trucks and heavy equipment being brought in to build the solar facilities. She said the roads in the Alton area are too narrow for ordinary traffic, but now they are dangerous due to the large trucks and equipment. She stated the beautiful landscape is void of all nature, and the so-called green energy has taken away all trees, grass, and animal life.

Ms. Long said she has done extensive research on the negative aspects of solar facilities, and they adversely affect native vegetation and wildlife including walls of habitat, interference with rainfall and drainage, or direct contact causing injury or death to animals. She said even though solar farms are safe to operate, potentially toxic, heavy metals, and silicone products are used in the panels, and damaged units over time may release those contaminants into our environment. She commented there is also the possibility of contamination to the surface of groundwater with the use of chemicals at solar facilities, such as dust suppressants, dielectric fluids, and herbicides. She stated solar battery equipment produces some electromagnetic waves, and those waves can cause harm to human health. She said the long-term effects could potentially render the land useless for future generations because of the loss of topsoil and compacting of the soil, and the loss of all nutrients to ever sustain crops. She expressed concerns about what is going to be left behind for our children and grandchildren, the property value of the land, and the disposal process of the panels after the projects are complete.

Ms. Long commented she is aware of the fiscal responsibility to the County. She encouraged the Board members to ride through the Alton community or any other area in the County with a solar facility and talk to the people within the community. She said there is a petition online with over 300 signatures from people who are opposed to any more solar farms, and she asked the Board members to consider what people want instead of making decisions solely based on money.

Barbara Coleman-Brown

Ms. Coleman-Brown introduced herself and said she is the President of the Halifax-South Boston Branch of the NAACP. She said last year it was brought to the Board's attention that the County did not mention in the 10-year plan anything about the need for diversity of housing. She stated it is alarming that the word diversity was used only once in the document and was used in reference to job growth. She commented we are going to be a bedroom community to the growing City of Danville and a plan for planned growth is far more organized and effective. She stated the NAACP is asking that housing developers be required to address the issue of offering a diverse landscape of options as being done in Roanoke, Lynchburg, and Danville. She commented a plan is needed for the development of low and middle-income housing.

Ms. Coleman-Brown said our County residents deserve choices and should not be relegated to having to purchase fixer-uppers because of their income. She commented developers can be required to include lower-income housing in their developmental projects. She said NAACP members attended community forums in each district and testified about the need for having all types of housing in Halifax County. She requested consideration for planned growth and access roads to the Staunton River State Park and Faulkner Farms Estate.

Faisal Abedeljalil

Mr. Abedeljalil introduced himself and said he has a problem with Animal Control. He stated he told Mr. Simpson a couple of weeks ago that Laura Midkiff took two puppies without checking them in. He said Mr. Simpson advised him the puppies were checked in and they are in foster care. He stated if he had not gone to Mr. Simpson, the two puppies would have been stolen and sold through a rescue group. He said the puppies should stay at the animal shelter for 10 days to allow time for the owners to come in and claim them. He expressed concerns that proper procedures are not being followed. He held up a picture for the Board members to see, and he stated one of the Animal Control Officers was helping unload a trailer of dog food for a rescue group. He stated the County Administrator is not helping the citizens.

Vice Chairman Ricketts advised Mr. Abedeljalil he can speak about his concerns, but he would not be allowed to speak about the County Administrator in a negative manner.

Mr. Abedeljalil referenced a letter from Chandler Hughes, which indicated Mr. Garrett gave money to Ms. Midkiff. He stated he has the disposition from Mr. Garrett's Court case. He commented the cow and donkey were not checked in and Ms. Midkiff is deceiving the County of that money. He said he has reported employees at Animal Control for drinking and driving a County vehicle during working hours. He stated the video was taken so nobody would know about it.

Vice Chairman Ricketts advised Mr. Abedeljalil that his time to speak during Citizens Comments' had expired.

Najeh Abedeljalil

Mr. Abedeljalil introduced himself and he said he has a problem with how things are being handled by Animal Control. He commented they are doing illegal things and there are no repercussions. He said according to the County Administrator's contract, he should act as a deterrent against any act of an employee's personal gain. He said complaints have been made over and over but nothing is being done. He said Ms. Midkiff took the puppies, and she also took the other animals from Mr. Garrett. He commented no animals were entered into the system. He stated the same incidents have occurred in other States, and those employees were charged because it is a criminal offense. He said the State Code calls for the animals to be held at the animal shelter for a certain amount of days.

Mr. Abedeljalil stated Mr. Garrett was not paid for his animals when they were sold. He commented that Ms. Midkiff took the money and they were never entered into the system. He said Chief Martinette was not qualified for the Chief Animal Warden position. He stated employees at the animal shelter are out of control and are costing the taxpayer's money because they are taking away from the citizens of the County. He emphasized enough time has been given and the issues need to be resolved.

Brad Lien

Mr. Lien introduced himself and he stated he has an issue with Animal Control. He said Najeh Abedeljalil has been his boss for years. He stated when he first met Mr. Abedeljalil, Laura Midkiff and Chief Martinette told him that Mr. Abedeljalil funds and gets all of his money through the Israeli mafia. He commented they should not be allowed to slander someone's name.

Cheryl Watts

Ms. Watts introduced herself and stated she has a long history with Animal Control. She said she worked with the Halifax County Humane Society for over 20 years. She noted when you take in a large animal there is nowhere at the shelter to keep them because they don't have the space. She said they can hold cats and dogs, but there are no pastures or holding areas for large animals. She commented the Halifax County Humane Society had 3 or 4 places they could hold larger animals.

Ms. Watts stated the Halifax County Humane Society did not charge anything to hold an animal. She said they rescued animals and if the animals were homeless, they could be taken to other rescue groups that were larger than the Humane Society. She commented she made many trips to Fauquier County to rescue groups that handled all the adopted funds. She stated when homes were found for the animals, the Humane Society did not receive any money for it. She noted the Humane Society made money from fundraisers. She said the Board members are not getting the full truth on how the rescue situation works because if it wasn't for the rescue groups, there would be tons of animals wandering around in the County with no help from anybody. She asked the Board members to take those things into consideration.

Jennifer Champion

Ms. Champion introduced herself and said lives in the Clover area. She stated she also has issues with Animal Control. She said she put together a spreadsheet, which shows the sheep, horses, chickens, and all of the other animals that came into Animal Control last year. She commented by giving them away and not abiding by the proper Code of Virginia for conduct, the County lost approximately \$95,000 comparable with Hollering Hill, and the USDA. She stated Halifax County is not a rich County, and Clover is not a rich Town. She stated Supervisor Pannell requested extra funding during the holidays for the foodbanks, which the County had to pull from surplus funds. She said this is County money that taxpayers should have made because the County should have had in place through the Code of Virginia an IFP, an RFQ, or an RFP for the animals to go to a sale with a contract through a company to pay a small percentage to diverse housing, funding for foodbanks or childcare, but we are losing money due to the actions of employees at Animal Control.

Ms. Champion said through her investigation only one Palestinian and one black veteran have been prosecuted. She stated the white man, who the County said was the worst case, drug his dogs to death, paid no fine, did no criminal time, and his name was not slandered in the newspapers or by the Blue Ridge Jail Authority. She commented a process needs to be put in place through the Code of Virginia. She stated the animals that were placed in the newspaper were given away, and the money should have been recouped by the County to be spent on low-income housing or some other service.

Ms. Champion stated several County employees have stolen from the County and now the County is losing money with Animal Control. She commented the Code of Virginia states if the County has a surplus over \$500, it needs to be sold, labeled as assets, and vouchered. She stated those procedures are not being followed. She commented the County does not have a purchasing officer with certifications to be a VCO or a VCA to put those practices into effect. She said the County needs a process and procedure through the VCA and Code of Virginia that states the County has a Virginia Contract Officer that can put these establishments in place. She stated there is no proof that the County received any of the funds because the animals were given away without a sale.

Michael Wilkerson

Mr. Wilkerson introduced himself and said he resides in Clover. He stated when he comes to the meetings to speak to the Board members, he does not come with assumptions or hearsay, but he does come to present facts to avoid wasting time. He said everyone is talking about solar farms, and those issues need to be dealt with. He commented Animal Control in the County is running amuck, and if it is not addressed, the problem will continue to get bigger.

Mr. Wilkerson said he spoke with the County Administrator, but nothing has been done. He stated he is standing up for Halifax County and animal owners. He commented he spoke with Mr. Garrett, and Mr. Garrett said Animal Control took his cows and donkey. He said employees at Animal Control said Mr. Hughes gave the animals to Mr. Garrett, and they do not even know each other. He said Mr. Garrett and Mr. Hughes are willing to stand up and speak the truth about what is going on. He said when a ship goes down, the captain goes down with it. He commented the problem needs to be fixed and somebody needs to stand up and do something.

Casey Abedeljalil

Mr. Abedeljalil introduced himself and said he brought transcripts from his court case. He said comments have been made about Animal Control being out of control. He recognized services from Animal Control are needed, but the right people need to be behind it. He said employees currently working at Animal Shelter are not being held accountable and tell lies while testifying in Court. He commented Animal Control took his bird, and the veterinarian did not know what type of bird it was and misdiagnosed the condition of the bird which resulted in the bird losing weight while in the veterinarian's care. He said the same thing happened when they took his brother's bird.

Mr. Abedeljalil stated Animal Control took puppies and the puppies were all healthy. He said Laura Midkiff took the puppies to her house, and one of the puppies was electrocuted in the bathroom. He commented he does not know why these actions are being allowed. He said the owner of the puppies wanted them back. He stated Chief Martinette stated in Court that he had owned the bird for a long time, but he only owned the bird for a little over two weeks. He said she testified that he was the manager of the pet store and it's not true. He stated he had an appointment set up for the bird to be seen. He said the bird incident took place in October 2020 and appointments at that time were 6 weeks out due to the Covid pandemic. He stated Chief Martinette testified in Court that nobody was wearing masks, which is not true.

Vice Chairman Ricketts advised Mr. Abedeljalil that his time to speak during Citizens Comments' had expired.

Tammy Abedeljalil

Mrs. Abedeljalil introduced herself and said her sons and husband had previously commented tonight during Citizens Comments. She stated she also has issues with Animal Control because they are spreading rumors about her husband and sons, and making statements that her children are drug dealers and involved in the Arabic mafia. She said both of her sons are educated men with college degrees. She commented she saved Facebook posts from 2017 where Ms. Midkiff made remarks about her son's business, and she has been after him for 7 years now. She said the County has been added to a Federal lawsuit, and the situation will only get worse moving forward if something is not done.

Randy Bailey

Mr. Bailey introduced himself and said he has been attending Board meetings for 22 years. He stated nothing has ever been done about the issues with Animal Control. He stated the decision for abortion was left up to the State back in the sixties. He said the emblems of Christ was taken out of government building in the sixties or seventies, and it's all gone downhill since then. He stated since it is black history month, he would like for black people to rise up. He commented he does not participate in the Pledge of Allegiance because the flag left him behind while he was in a war. He stated it is not "One Nation Under God" because it is divided, and "Justice and Liberty for All" is foolish. He said when you are fighting Satan, you have to fight him full blast. He stated the newspapers do not report anything bad about Halifax.

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

Danyelle Villines

Ms. Villines introduced herself and said she is from the Southern-end of the County. She stated she spoke to the Board members back in August or September 2022. She expressed concern about the bridge on Highway 711. She said there are quite a few semi-trucks and large utility vehicles on Highway 711, and the highway, more specifically the bridge, is not able to handle the weight of those types of vehicles. She stated the bridge has an extended gap and there is now a separation of about two and a half inches on each side of the bridge. She expressed concerns because there is not any specific delineation for the weight of the heavy trucks. She asked if a study could be completed on the bridge to avoid a collapse or catastrophe event happening.

Supervisor Claiborne stated before moving to the next item on the agenda, he would like to comment and ask a question about the Animal Control issue. He commented he has done some research and stated Court action was taken and the animals were confiscated. He said when animals are confiscated, there is a Court order to get the animals, sell them, and take off the expenses, and if there is any money left, it goes back to the person who owned the animals.

Supervisor Claiborne asked Mr. Simpson if that procedure was followed. Mr. Simpson said there was an invitation for Letters of Interest, which ran in the newspaper. Supervisor Claiborne asked if there was an RFP because the animals were supposed to be sold and not given away. Mr. Simpson stated none of the animals were able to be sold because of the ongoing care costs associated with them. Supervisor Claiborne wanted to know if any money was gained from the animals.

Supervisor Claiborne asked Mr. Simpson if he could get a summary from Animal Control. He said if the animals were sold, the money should come back to the County. Supervisor Claiborne said the Citizens want to know if the proper process had been followed, and if not, the County would need to take further action.

H. PUBLIC HEARINGS

1. None

I. PRESENTATIONS

1. Southside Behavioral Health – Beth Engelhorn

Vice Chairman Ricketts said Ms. Beth Engelhorn, Executive Director of Southside Behavioral Health, would like to present an update on the current year operations of the organization.

Ms. Engelhorn introduced herself and also Dr. Betty Adams, Vice Chair, and Alicia Rice, Clinical Director. She discussed the economic impact on the County and stated Southside Behavioral Health (SBH) employs over 200 people, there are 26 job openings, and there is an average turnover rate of 22 percent. She said a high percentage of employees are trying to work from home with remote positions, and SBH is trying to make changes in the agency to allow that kind of growth and provide proper services. She commented when employees leave the agency, pay rate is cited as the number one reason for leaving. She stated mental health services have never been compensated well through Medicaid or insurance rates.

Ms. Engelhorn discussed the number of buildings SBH owns in 3 Counties and noted SBH owns 5 buildings in Halifax County and one 10-unit apartment complex. She stated SBH makes every effort to contract local vendors, and seek local businesses for business needs and any repairs or upgrades needed on the buildings. She noted SBH has purchased over \$100,000 in vehicles this year from a business in Halifax and all vehicle repairs, upkeep, and agency events are held locally.

Ms. Engelhorn stated SBH served over 3,456 people across 3 Counties and 1,382 were in Halifax County. She said over 164,000 services are provided to people across 3 Counties. She noted Prevention provides free training and support to over 4,000 additional people so in total SBH has brought service to approximately 8,000 individuals across three Counties. She discussed the types of services provided and noted SBH offers services 24 hours a day, 7 days per week, and 365 days per year because they never shut down. She said the children's services are the same with the exception of offering school-based counseling and early intervention. She noted that school-based counseling is done within a school setting, and it is funded through grant monies, so there is no cost to the school.

Ms. Engelhorn said SBH provides Addiction, Recovery, and Treatment Services. She stated SBH is working hard with Sentara Halifax Regional Hospital to provide a continuum of care. She said SBH also offers Opiate Outpatient Treatment providing medication assisted treatment for individuals when it is appropriate. She discussed new initiatives and said SBH is in the process of remodeling a building in South Hill which will house all emergency services and provide 24-7 TDO drop-off services. She said Adult Behavioral Services will also be in the same building, which will allow quick access to emergency services. Telehealth services will be offered across all departments for easier access to services for everyone. She commented there will be an increased presence in the School Systems and partnerships are being made with community leaders to increase access to opioid treatment across the catchment area.

Ms. Engelhorn said SBH had revenue last year of approximately \$14.9 million, expenses were \$14.1 million, and there was approximately a \$700,000 surplus last year. She stated the budget for this year is \$17.6 million, which is a 15 percent increase over last year mostly due to a 12.5 percent increase in Medicaid rates, growth, services, and staffing programs required by the Department of Behavioral Health and Developmental Services. She commented during the annual audit, there were no issues of concern regarding management practices, all general accounting principles are followed, and SBH is in a stable financial position.

Ms. Engelhorn discussed the Local Match Request and stated 10 percent is required from localities. She noted SBH understands any request will require the County budget to stretch dollars further. She noted there is a decrease for Halifax County and the request is for \$222,730 because fewer people were served. She stated hiring qualified staff has been difficult because they are required to have the proper certification to provide mental health counseling in the State of Virginia. She noted Dr. Adams is going to speak next about restricted funds.

Dr. Adams thanked the Board members for appointing her to the Board of Southside Behavioral Health and noted this is her sixth year of serving. She said it has been quite an education and there is no other agency in the County besides SVHEC that does a better job of managing and operating their organization. She said SBH is much larger than SVHEC, and they do a superb job because their funding is restricted and limited to how it can be utilized. She asked the Board members to please carefully consider their request and know that funds are being well managed and going to outstanding purposes to benefit everyone in the County. She commented during the Covid pandemic, SBH never closed its doors and continued to provide great services to the citizens of our County.

Ms. Engelhorn thanked the Board members for all of their support over the 50 years. She commented they are working hard to make sure services are provided to everyone that needs them, and they will continue improving the quality of operations in response to community needs.

2. Fire Commission Update – Jason Johnson, Emergency Services Coordinator

Vice Chairman Ricketts said Jason Johnson, Emergency Services Coordinator, would like to provide an update to the Board regarding the Fire Commission's quarterly activities.

Mr. Johnson introduced himself and he said EMS inspections were held on January 24th and noted everything went well with no issues being reported. He stated air packs were purchased in November 2022 for all fire departments. He noted each fire department received 2 air packs and 7 spare bottles to go with them. He reported the call volumes have increased and stated there were 6,810 calls last year and the number includes EMS transport calls for North Halifax VFD and Turbeville VFD. He said the Rescue Squad had 4,910, so the County had approximately 10,000 fire and EMS calls for service.

3. Library Update – Jay Stephens, Library Director

Vice Chairman Ricketts said Jay Stephens, Director of the Halifax County South Boston Public Library would like to present an overview of their organization's activities and future initiatives.

Mr. Stephens introduced himself and thanked the Board members for letting him speak. He said Jenna Austin, Branch Manager at the South Boston Library, is also present. He stated they would like to provide a mid-year update on what is going on at the library. He said provided an update a few months ago regarding summer activities, and he would like to provide an update on fall activities and activities that the library is currently engaged in right now. He said the Deaf Culture and Sign Language Program is going on at the South Boston Library, there were contest drawings for school supplies at both libraries, there was a Fall Fest Children's Program at the South Boston Library along with a Snacks in the Stacks Halloween candy hunt, the Library participated in The Prizery's Trunk or Treat event, Library Card sign up month was in September, Home School Solutions tour was at the Halifax Branch in September, there was a Library table at the South Boston Harvest Festival, and Mental Health Awareness training was held on Staff Development Day in October.

Mr. Stephens stated some other activities include: the New Pop Up Library which stops at the SVHEC and the Visitors Center, Staff member Paul Dyer earned his IT certification through the SVHEC's IT Academy, the Library received a \$3,000 grant from the Kyler Foundation, The Library's Early Literacy Fundraiser raised \$1,082, the "End of the Year End Caps" which is a new fundraiser and there were four participants, and the Library had a successful annual fund drive raising \$5,125. He commented the ongoing programs are continuing to grow. He said there is an influx of homeschooled families, and they are bringing children to the story time programs. He noted the Library has an art program for young people, which is going well, and there is the Library Book Club, which meets once a month at St. John's Episcopal Church in Halifax. He said there is a Veteran's Administration Representative who comes to the South Boston Library two times each month, which allows veterans to ask questions regarding their benefits.

Mr. Stephens said the library is an important partner with the local chapter of the Dolly Parton Imagination Library. He stated currently there are over 500 children enrolled in the program in Halifax County and over 170 that have already graduated from the program. He noted the program provides free books to the children in the County and there is no cost to them. He also shared a few pictures with the Board members from various library activities throughout the year.

Mr. Stephens said currently there is a Race to Read contest going on at the Library until February 28th, and all participants will receive a completion certificate. He stated the person in each category who reads and logs the most books will receive 2 tickets to the March 18th South Boston Speedway season opener including pace car rides on race day. He noted in upcoming months the Library will have a partnership with the Speedway to help promote reading, racing, and literacy in Halifax County.

Mr. Stephens said from July to November, both of our branches circulated over 24,000 items, welcomed 1,365 children and adults to library programs, there were almost 3,600 users of our internet services, and 22,569 visitors came through the doors. He emphasized the Library appreciates the support from the Board members and noted it is invaluable.

Mr. Stephens concluded his presentation by reading a letter to the Board members, which was received during the Christmas holiday, from a young female in the community who used the Halifax library to complete a 30-hour online driving course and will soon go to take the test again at the DMV. She stated in her letter that she has struggled with getting her driver's license and thanked the Library staff for being a loving staff to the community and making the Library a safe haven. He commented the letter speaks well of the Library staff and services offered.

Supervisor Pannell thanked Mr. Stephens for the outstanding work done at the Library. He asked Mr. Stephens to explain the Veterans Administration person. Mr. Stephens stated Judy Owens is the Veterans Administration person and she comes to the South Boston Branch on the first and third Tuesday of each month from 11:30 a.m. to 3:00 p.m. and appointments are not necessary because it is on a first-come, first-served basis.

J. COMMITTEE REPORTS

1. Finance Committee Meeting – January 11,

Vice Chairman Ricketts said the Finance Committee met on January 11th. The Committee made 3 recommendations.

Mr. Simpson said at the Finance Committee Meeting on January 11th, the Committee was presented with the proposal from Robinson, Farmer, Cox Associates for auditing consulting services for the next three fiscal years. The Committee made a unanimous recommendation to recommend to the Board of Supervisors to accept the proposal and engage Robinson, Farmer, Cox Associates for auditing services for the next three fiscal years.

Motion made by the Finance Committee to accept the proposal from Robinson, Farmer, Cox Associates for auditing and consulting services.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

Mr. Simpson said the second item discussed in the Committee meeting was a request from the Virginia Department of Health. He stated they had a surplus in the amount of \$14,287 in FY2022, and they are requesting to retain the funds to be allocated to purchase Hepatitis A and Shingles vaccines, which is also the Committee's recommendation. He noted since the Committee meeting, the Virginia Department of Health has also increased the budget for the upcoming fiscal year, and the amount is approximately \$13,500.

Motion made by the Finance Committee to approve the request from the Virginia Department of Health for \$14,287 in surplus FY2022 funds to be allocated to purchase Hepatitis A and Shingles vaccine.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

Mr. Simpson said the last item the Committee discussed is authorizing the County Administrator to submit a factual memorandum on behalf of the Board of Supervisors to verify a commitment and payment stream has already been established for the borrowing of \$105 million for the high school project. He noted this is one of the checklist items on the grant application for school funding to show a commitment toward the project.

Supervisor Claiborne asked if the payment stream has been coordinated with the School System. Mr. Simpson said the payment streams are for the debt service on the \$105 million, which were established when the funds were borrowed.

Motion made by the Finance Committee to authorize the County Administrator to recommend County Staff submit a factual memorandum on behalf of the Board of Supervisors to verify a commitment and payment stream has already been established for the borrowing of \$105 million for the high school project

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

2. Solid Waste Committee Meeting – January 25, 2023

Vice Chairman Ricketts said the Solid Waste Committee met on January 25, 2023 and rendered 1 recommendation.

Mr. Simpson said the Solid Waste Committee recommend to approve the proposal from Dewberry Engineering for the County Landfill monitoring. He stated the closed landfill on Bethel Road requires continuous monitoring and enters into an annual agreement with Dewberry to perform the semi-annual monitoring. He said the costs are 5 percent higher than they were in the previous agreement, and the Committee is recommending entering into the agreement for calendar year 2023.

Motion made by the Solid Waste Committee to accept Dewberry's proposal for the Groundwater Monitoring Agreement at Halifax County Landfill for calendar year 2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
 Absent During Meeting: Mr. C. Short



Dewberry Engineers Inc. 434.797.4497
 551 Piney Forest Road 434.797.4341 fax
 Denville, VA 24548 www.dewberry.com

Mr. Ricky Nelson
 December 2, 2022

Item II - Verification Re-sampling
 If a constituent is detected at a concentration which exceeds the GPS or has not been historically detected, a verification re-sample may be required. Dewberry will notify DEQ within fourteen (14) days of the exceedance or detection and the verification event will be conducted within the thirty (30) day compliance period.

Item III - Groundwater Annual Report
 In order to satisfy the requirements of 9VAC20-81-250.E.2.a(1) an annual report summarizing the groundwater monitoring activities of the year is required. The Groundwater Annual Report will be prepared for groundwater data collected throughout the groundwater monitoring year and submitted to DEQ no later 120 days from receipt of the second semiannual event laboratory report.

Item IV - Additional DEQ Correspondence
 Frequent regulatory changes within the groundwater program have led to repeated additional requests from DEQ for technical information concerning the groundwater monitoring program at the Facility. Dewberry will coordinate with, prepare, and provide the necessary correspondences to DEQ. This line item does not include any extensive studies, but rather letter reports and request for additional information correspondences.

FEES

As outlined below, Dewberry's services will be provided either lump sum or hourly as per Dewberry's Standard Hourly Billing Rate Schedule (**Attachment A**).

Item I - Groundwater Monitoring	
1 st Semiannual Event (March 2023)	\$8,400 (Lump Sum)
2 nd Semiannual Event (September 2023)	\$8,400 (Lump Sum)
Item II - Verification Re-sampling	
	(Hourly as Needed)
	(\$1,800 Hourly Estimate per Event If Needed)
Item III - Groundwater Annual Report	
	\$6,300 (Lump Sum)
Total Lump Sum Estimate	\$23,100
Item IV - Additional DEQ Correspondence	
	\$5,000 (Hourly Not to Exceed)

The fees listed above do not include fees charged by the laboratory for analytical costs. All laboratory fees will be paid directly by Halifax County. This represents a 15% cost savings to the County.

If DEQ requires adding additional sampling locations to the monitoring program, the cost for groundwater monitoring will be re-evaluated at that time.

To accept this proposal, please sign both the original and the enclosed copy of this proposal and send either the signed original or the signed copy to our office.

Mr. Ricky Nelson
 December 2, 2022

Dewberry appreciates the opportunity to provide environmental services to Halifax County and thanks the County for their continued loyalty. If you should have any questions regarding any part of this proposal or the groundwater monitoring program, please feel free to contact me.

Sincerely,

Troy A. Shelton

Troy A. Shelton
 Environmental Department Manager
 Senior Environmental Scientist

Brian K. Bradner

Brian K. Bradner, P.E.
 Vice President | Business Unit Manager

TAS/has/vnl

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The foregoing proposal of Dewberry Engineers Inc. is accepted:

Halifax County, VA
 Print (Type) Individual, Firm, or Corporate Name
Scott R. Simpson 02/07/2023
 Signature of Authorized Representative Date
Scott R. Simpson, County Administrator
 Print (Type) Name of Authorized Representative and Title

This proposal includes information that shall not be disclosed outside of the CLIENT and shall not be duplicated, used, or disclosed, in whole or in part, for any purpose other than to evaluate this proposal. If, however, a contract is awarded to this offeror as a result of, or in connection with, the submission of this information, CLIENT shall have the right to duplicate, use, or disclose the information to the extent provided in the resulting contract. This restriction does not limit CLIENT's right to use information contained in this information if it is obtained from another source without restriction.

December 2, 2022

Mr. Ricky Nelson
 Public Works Director
 Halifax County
 P.O. Box 699
 Halifax, VA 24558

RE: Proposal for 2023 Groundwater Monitoring
 Professional Services Agreement Dated January 23, 2017
 Halifax County Landfill Facility Permit No. 92

Dear Mr. Nelson,

Dewberry Engineers Inc. (Dewberry) is pleased to present our proposal to conduct groundwater and surface water monitoring activities for the 2023 monitoring year required under 9VAC20-81-250.B.3 of the Virginia Solid Waste Management Regulations (VSWMR) at the Halifax County Landfill Facility. This proposal includes the yearly Groundwater Annual Report which will summarize all the groundwater monitoring activities as well as the accompanying laboratory analytical results collected during the monitoring year. This proposal is subject to our conditions included in our open-end contract with Halifax County for professional services.

UNDERSTANDING OF THE PROJECT

The Facility is monitoring groundwater under the Assessment Monitoring Program due to the concentrations of certain monitoring parameters being shown in excess of the Groundwater Protection Standards (GPS). The Facility is currently monitoring semiannually under Corrective Action as outlined in the permit amendment issued by the Department of Environmental Quality (DEQ) in November 2, 2012.

To fulfill the requirements of the VSWMR, groundwater samples collected during the 1st semiannual monitoring event will be analyzed for the Table 3.1 Column B constituents, daughter products of the Constituents of Concern (COC) and the designated Monitored Natural Attenuation (MNA) and Long-Term Performance (LTP) constituents. The second semiannual monitoring event will be analyzed for the Table 3.1 Column A suite, historically detected Column B constituents, daughter products of the COC and the designated MNA/LTP parameters.

Reports will be submitted to DEQ which discuss the analytical results and statistical analysis of the data from the sampling events.

SCOPE OF SERVICES

Item I - Groundwater Monitoring

Dewberry will perform semiannual groundwater and surface water sampling as outlined in Solid Waste Permit 092, the Corrective Action Plan (CAP) and Corrective Action Monitoring Plan (CAMP) for the Facility.



3. Buildings & Grounds Committee Meeting – January 30, 2023

Vice Chairman Ricketts said the Buildings & Grounds Committee met on January 30, 2023 and rendered 3 recommendations.

Mr. Simpson said the first recommendation was a bid for the rehabilitation of the law buildings on the Courthouse Square. He stated JE Burton Construction was the low bidder at \$605,000 for the rehab of the buildings. He commented the buildings will receive outside work with the same roofing as the Courthouse. He referred the Board members to page 106 of the Board packet, which contains a listing of available funds. In 2016, the Board of Supervisors instituted a 2-cent tax increase related to the Courthouse project, and those funds were escrowed for several years until the actual borrowing of the Courthouse funds occurred.

Mr. Simpson said the remaining cost for the Courthouse project is approximately \$280,000 of retainage for work owed to the architect and contractor, which leaves a remaining balance of \$832,000. He stated the bid from JE Burton Construction of \$605,000 is within the County's available funding, and it will leave a remaining balance of approximately \$227,000 of reserve funds, which can be utilized at the Courthouse in the future.

Supervisor Claiborne asked how many bids were submitted. Mr. Simpson stated there were two bids received. He said the bid from Blair Construction was \$836,000 and the bid from JE Burton Construction was \$605,000.

Motion made by the Buildings & Grounds Committee to approve the contract for JE Burton Construction to provide renovation services to the Courthouse Lawn Buildings.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short

Absent During Meeting: Mr. C. Short

Mr. Simpson said the second item the Committee discussed was the portraits of former Board members that were in the previous Board of Supervisors Meeting Room. He said there was a lengthy discussion about what to do with the portraits, and the recommendation of the Committee was to research all former Board of Supervisors members who have served the County throughout the years for the development of a Commemorative Plaque of past and current Board members, including the names and years of service. He said the Board members' portraits could then be returned to the family members.

Supervisor Claiborne stated he has a problem with the recommendation from the Committee. He stated the reason the portraits are displayed is to recognize the history of the Board of Supervisors and the people who made significant contributions to the County. He commented one of the Board members served 44 years, and the first lady to serve on the Board of Supervisors is displayed. He said those are milestones that should continue to be recognized. He noted there is no possible way for every Board member who has served to be displayed, but those portraits were put up for a purpose. He stated that the young people in the future need to see those accomplishments because history is important, and we should be proud that we have a diverse County. He said there are limitations for the portraits, and a Board member had to serve at least three terms.

Supervisor Pannell said when he read the Board meeting packet, he was somewhat concerned. He stated he called a former Chairman of the Board of Supervisors and they had a discussion about how the portraits come to be for Halifax County. He commented he received some enlightening information and agrees with Supervisor Claiborne that the status quo of the portraits should remain. He stated Mrs. Lottie Nunn's portrait should have been included among the portraits along with Mrs. Ruth Neal. He stated he is not opposed to including a Commemorative Plaque, but he feels the portraits should remain in the meeting room.

Supervisor Brandon said he serves as Chairman of the Buildings & Grounds Committee, and after listening to some of the comments, the portraits hold significance. He recognized the importance of Mrs. Ruth Neal being the first woman to serve on the Board of Supervisors and noted it is a milestone as well as many other leaders that have served on the Board who have had exemplary service. He stated history runs deep in Halifax County regardless of race or gender and said the recommendation should be reconsidered.

Supervisor Throckmorton stated his concern was the limited wall space going forward. There was further discussion between the Board members and a consensus was reached to reject the recommendation from the Buildings & Grounds Committee.

Vice Chairman Ricketts asked Supervisor Brandon if it is acceptable to refer the matter back to the Buildings & Grounds Committee.

Supervisor Claiborne asked if the Board members could vote on the issue now since everyone is in agreement.

Vice Chairman Ricketts stated a motion is on the floor from the Buildings & Grounds Committee which needs to be addressed before moving forward.

Motion made by the Buildings & Grounds Committee to approve the research of former Board of Supervisors who have served the County throughout the years for the development of a Commemorative plaque of past and current Board members including their names and years of service, and return the Board Member Portraits back to family members.

VOTE

Motion failed 7-0 by the following vote:

Ayes: No one

Nays: 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

Abstained: No one

Absent During Vote: Mr. C. Short

Absent During Meeting: Mr. C. Short

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to continue with the existing procedures for the Board Member Portraits.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short

Absent During Meeting: Mr. C. Short

Mr. Simpson said the last item from the Committee is the Letters of Interest received for the former Bruce Library Building and relocation for the Friends of the Library, which needs to be discussed during Closed Session under disposal of property.

Motion made by the Buildings & Grounds Committee to recommend discussion of the Letter of Interest for the former Bruce Library and the relocation of the Friends of the Library to be discussed during Closed Session at the Board of Supervisors Regular Meeting on February 6, 2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short

Absent During Meeting: Mr. C. Short

K. NEW BUSINESS

1. Consider Proposed Solar Siting Agreement with Sedge Hill Solar, LLC (ED #4)

Vice Chairman Ricketts said Virginia Code Section 15.2-2316.7 designates that any applicant for a solar project or an energy storage project shall give to the host locality written notice of the applicant's intent to locate in such locality. Pine Gate Renewables (Sedge Hill Solar) and County staff have met, discussed, and negotiated an agreement.

Mr. Simpson said the Planning Commission and Board of Supervisors held a public hearing as required by State Code last month regarding the Siting Agreement. He stated Siting Agreements are authorized by State Code for solar projects and they give the host locality, which would be Halifax, the ability to offset certain impacts of a proposed solar facility project. He said a meeting with the developers of Sedge Hill Solar Project has taken place, and the Siting Agreement is the same Siting Agreement presented at the Public Hearing. The Planning Commission recommended that the Board of Supervisors approve and execute the Siting Agreement.

Supervisor Duffey asked if there is a representative present from Sedge Hill Solar. It was noted Mr. Drew Chandler, Project Manager for Sedge Hill Solar, was present. Supervisor Duffey said he wanted to thank Sedge Hill Solar for taking the time to go out to a residence house adjacent to the solar project. He stated the property owner had sent him an email, and she is very satisfied.

Motion made by Supervisor Duffey, seconded by Supervisor Brandon, to approve and authorize County staff to enter into the Siting Agreement from Sedge Hill Solar, LLC as presented.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

2. Conditional Use Permit Application ED #5

Applicant: Sedge Hill Solar, LLC
Landowners: Earnest & Connie Smith, Albert III & Elizabeth Zimmerman, Konrad Bergandy, Billy & Shirley Duffey, Cheryl Roberts or Cynthia Swain, Hazel Hayes, Kenneth Hodges, Michael Epps, Russell & Brenda Ashby and Thomas & Ian McFadden
PRN: 22982, 27308, 21240, 11504, 8738, 33187,8408, 33351, 12219, 6197, and 18394
Location: Howard P. Anderson Rd, Dudley Rd, and L.P. Bailey Memorial Hwy
Proposed Use: Install an 80 MW Solar Facility

Vice Chairman Ricketts said the Virginia Code §15.2.2232 requires the local planning commission and overning body to consider if the general location, character, and extent of the proposed solar facility is substantially in accordance with the County's Comprehensive Plan. He said the Halifax County Planning Commission conducted a review and recommended to approve the location of the proposed Staunton Solar, LLC project at their December 20, 2022 joint meeting.

Mr. Chandler said based on the Planning Commission's recommendation at the December meeting, the setbacks have been modified and increased to 75 feet.

Mr. Easley referred the Board members to page 126 of the meeting packet and he said Code §15.2-2232 needs to be approved and the site plan is the next item on the agenda. He stated the Planning Commission conducted a review to verify the parcels for Sedge Hill Solar.

Motion made by Supervisor Duffey, seconded by Supervisor Pannell, pursuant to Virginia §15.2-2232 (A), that the Halifax County Board of Supervisors find that the general location or approximate location, character, and extent of the proposed Sedge Hill Solar facility is substantially in accord with the adopted Halifax County Comprehensive Plan and, furthermore, that the proposed, Sedge Hill solar facility be approved as being substantially in accord with the adopted Halifax County Comprehensive Plan.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

Mr. Easley said there is a recommendation from the Planning Commission with a 7-1 vote to approve the Sedge Hill solar project with some amendments to the Site Conditions. He referred the Board members to page 138 of the Board meeting packet and stated the first change is to Site Condition number 11 to verify that chain-link fencing will be used around the solar facility. He stated when Sedge Hill Solar submitted the application, the setback conditions were under a previous version of the Solar Ordinance. He noted the Planning Commission increased the 25 feet to 75 feet to adjacent property owners for the setbacks.

Mr. Easley said Mr. Chandler, Project Manager, updated the site plan for Sedge Hill solar to reflect the 75 foot increase. He stated Mr. Chandler will go through the site plan and review the layout for the setbacks and buffers on Chaffin Trail to identify and ensure the setback increase is included.

Mr. Chandler said a community meeting was held in compliance with the County Ordinance, and Sedge Hill solar invited all adjoining property owners resulting in one of the neighbors expressing concerns. Mrs. Randall located on Chaffin Trail expressed concerns regarding the setback and buffers that front her property. He stated he met with Mrs. Randall earlier today, and she was satisfied with the setback of approximately 300 feet and the proposed solution for additional vegetative buffers.

Supervisor Duffey asked about the fencing on the side of Mrs. Randall's property. Mr. Chandler said Mr. Easley recommended keeping the chain-link fencing. He stated Sedge Hill solar could modify the fencing to be more agricultural, which is fencing about 8 feet with graduated square wire. Mr. Easley stated he advised Mr. Chandler that revised fencing showing details would be required for Mrs. Randall's property or it would need to meet the requirements of the County Ordinance, which is chain-link fencing. He noted the Board could hold off making a decision to review the application with the revised fencing details. He said if the Board members decide to move forward tonight, they will be approving the Conditional Use Permit as presented.

Supervisor Claiborne asked how many residences are located in the area. Mr. Easley said the project is located between Howard P. Anderson Highway and Highway 501 North, and he noted there are also some residences on Chaffin Trail. Mr. Chandler stated there are close to 100 neighbors. Mr. Easley stated a portion of the land has been timbered and noted new screening and vegetation would need to be done. Mr. Chandler commented that Huber Engineered Woods did most of the logging and they worked with the landowners to preserve a buffer within the 75 feet setback and preserve some of the existing vegetation.

Supervisor Claiborne asked if something happened to the trees would they be replaceable. Mr. Chandler verified the trees could be replaced because they would be under warranty.

Supervisor Brandon asked what kind of fencing would be used on the project. Mr. Easley verified chain-link fencing with slats in areas where more screening is needed.

Supervisor Brandon wanted to know what type of fencing is required according to the County Ordinance. Mr. Easley verified the Ordinance does not state chain-link fencing. He noted the Ordinance states security fencing, but the site conditions state chain-link fencing must be installed.

Supervisor Duffey asked if there are existing buffers or if the timber had been cut. Mr. Chandler said there are existing buffers, but Sedge Hill solar will add additional buffers where there is no existing vegetation.

Motion made by Supervisor Duffey, seconded by Supervisor Pannell, to approve the Conditional Use Permit for Sedge Hill Solar, LLC.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

3. Conditional Use Permit Application ED #4:

Applicant: Dean Jones of Jones Auction & Realty Inc.
Landowner: Halifax County
PRN: 26305
Location: Plywood Trail
Business Name: Woods Creek RV Park
Proposed Use: 60 Lot RV Park

Vice Chairman Ricketts said the next item on the agenda is the application for a Conditional Use Permit (CUP) for Woods Creek RV Park.

Mr. Easley said the Planning Commission is recommending approval of the Woods Creek RV Park located on Plywood Trail. He stated the Planning Commission is requesting some amendments to a few of the Site Conditions. He referred the Board members to page 155 of the Board meeting packet and said there was some discussion to have rules posted at the site along with a contact number in case of an emergency. He said the proposed amendment for site condition number 12 states park rules must not be violated and a contact number for the applicant or a designee will be posted at the entrance of the park in case of an emergency.

Mr. Easley stated there was also discussion regarding open campfires. He said site condition number 14 is amended to address the recommendation from the Planning Commission allowing open campfires but they must be contained and attended at all times. He stated there are 28 site conditions for the Board member's consideration.

Supervisor Throckmorton asked if the recommendation can be made for a permanent designated fire area. Mr. Easley stated Mr. Jones is present and he asked him to come forward. Mr. Jones said he contacted Occoneechee State Park and Staunton River Stated Park to inquire about campfires. He stated both State parks allow campfires noting that Occoneechee State Park does

have a fire ring. Supervisor Throckmorton asked Mr. Jones if he intends to have a fire ring at the proposed RV park. Mr. Jones stated there are several things that can be done. He said an important part of camping includes having campfires to be able to cook, roast marshmallows, and sit around. Supervisor Throckmorton stated as long as it is a permanent location and the fire ring is not moved around, he is in agreement with campfires.

Mr. Easley asked Mr. Jones to verify what type of fire ring he plans to use at the proposed RV park. Mr. Jones stated there are concrete fire rings and Solo Stoves which are smokeless. He said the Solo Stoves a camper could bring with them.

Supervisor Claiborne said he received a call from a concerned citizen about the location of the campfires being too close to the wood lines. He asked Mr. Easley if there is anything in the site conditions to address the issue. Mr. Easley verified there is nothing in the site conditions. Supervisor Claiborne stated it would be preferable to include language in the site conditions to address the concern. Mr. Jones commented there is a fire hydrant less than 500 feet away from the RV park, but he could include some language in the RV park rules.

Supervisor Brandon asked if there is an attendant at the location to monitor the rules. Mr. Jones said not initially because they would have his contact information. Supervisor Brandon expressed concerns because of the difficulty of being on call 24 hours, 7 days per week. He commented he likes campfires and understands the concept of sitting around them, but noted there is a concern about some mishaps. He said designated fire pits centrally located would be a little safer. Mr. Jones noted all campers would have an individual water source at the camping spot.

Supervisor Roller asked for verification if site condition number 14 is amended to include open campfires being contained and attended at all times.

Supervisor Pannell stated he would need to abstain from the vote because of his close relationship with Mr. Jones.

Motion made by Supervisor Duffey, seconded by Supervisor Brandon, to approve the Conditional Use Permit Applications for Woods Creek RV Park located on Plywood Trail including the 28 site conditions as modified including the permanent fire rings.

VOTE

Motion passed 6-0 by the following vote:

Ayes: 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: Mr. H. W. H. Pannell

Absent During Vote: Mr. C. Short

Absent During Meeting: Mr. C. Short

4. Consider Award of Engineer Term Services Request for Proposal

Vice Chairman Ricketts said the next item on agenda is the Engineering Consultant Services Request for Proposal Award. He asked Mr. Simpson to provide an overview.

Mr. Simpson said every few years the County puts out a Request for Proposals for a new Term Engineering Services. He explained these are what we would like to refer to as on-call services or retainer contracts. He stated there is no fee and the County does not pay any retainer fee and the services are if an engineering firm is selected for a task then a fee is negotiated at that time. He commented the request for proposals was sent out in December and there were six responses. He stated all six firms are well qualified to perform engineering services and County staff is recommending to award a term services consulting contract to all six firms which are as follows:

Dewberry, Hurt & Proffitt, B&B Consultants, Summit Design & Engineering, Timmons Group, and Crutchfield & Associates.

Motion made by Supervisor Roller, seconded by Supervisor Throckmorton, to award term contracts for Engineering Services consultants as follows: Dewberry; B&B Consultants; Timmons Group; Hurt & Proffitt; Summit Design & Engineering; and Crutchfield & Associates.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

5. Acceptance of FY 2022 Audit Report

Mrs. Jackson said Robinson, Farmer, Cox Associates presented the FY22 Audit to the Board of Supervisors at the Budget Work Session today. She stated it was an unqualified report with no items of exception noted, and the report has been posted on the County's website. She stated the next step in the process is for the Board of Supervisors to consider acceptance of the audit.

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to accept the FY2022 Audit as presented.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

6. Consideration of Demolition Permits for Town of South Boston

Vice Chairman Ricketts said the next item is for consideration of approving demolition permits for the Town of South Boston and asked Mr. Simpson to provide an overview.

Mr. Simpson said the Town of South Boston has declared 3 properties subject to demolition. He stated when they came to the County to acquire permits for the demolition they found the County has a policy requiring all outstanding Real Estate taxes on the parcel to be paid, so they were unable to acquire the demolition permits. He said they have submitted a request to the Board of Supervisors to waive that policy for the parcels. He stated the Board of Supervisors will not waive the taxes but only the requirement of the taxes to be paid to allow the permit to be acquired.

Mr. Simpson stated most likely a few of the properties would be subject to tax sales by the Treasurer's Office, and it is County staff's opinion to allow the request for this waiver. Motion made by Supervisor Claiborne, and seconded by Supervisor Pannell, to waive the requirement of paid taxes in order to issue Demolition Permits for the 3 identified properties in the Town of South Boston.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

7. Tobacco Region Opportunity Fund Agreement – Iperion X

Vice Chairman Ricketts said the next item on the agenda is the Iperion X TROF Agreement. He asked Mr. Simpson to provide an overview.

Since the announcement in late September 2022, Iperion X, the County and the IDA have been working with the Tobacco Commission to finalize what is labeled as the TROF Agreement, which stands for the Tobacco Region Opportunity Fund (TROF). He stated a \$570,000 grant was awarded for the project, and those funds have performance standards as placed in the agreement. He commented the County is a party to the agreement because of the revenue sharing requirements of the Tobacco Commission. He noted Kristy Johnson, Director of the IDA, is present and can answer any detailed questions from the Board members.

Mr. Simpson said the other item is the Board of Supervisors also committed \$600,000 from its Economic Development Incentive fund to be used at the discretion of the IDA towards the project, and the intent of those funds are to be utilized towards the up fit of the building. He stated the building remains an IDA property because the company is leasing it from the IDA so the funds will remain in a government setting. He noted the company has the option to purchase the building in the future after certain incentives have been met.

Motion made by Supervisor Brandon, and seconded by Supervisor Throckmorton, to approve the TROF Performance Agreement for Iperion X and authorize the County Administrator to execute the Performance Agreement and the transfer of the \$600,000 incentive to the IDA towards the project.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

L. PENDING MATTERS/UNFINISHED BUSINESS

1. Staff Updates

Mr. Simpson stated County staff would contact VDOT regarding the concerns for Highway 711.

M. 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), (a)(3), and (a)(7) to discuss appointments, business prospects, and actual litigation.

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) (Public Employee Personnel)

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) (Bruce Library Building) (Solid Waste Collection Centers)

Subsection (a)(7): Consultation with legal counsel and briefings by staff members or consultants 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; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter. (CUP Non-Compliance)

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

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

N. MOTION TO RECONVENE IN OPEN SESSION

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

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

The Board reconvened in Open Session at 9:58 p.m.

O. MOTION TO ADOPT RESOLUTION FOR CERTIFICATION OF CLOSED SESSION

Motion made by Supervisor Throckmorton, seconded by Supervisor Roller, 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	Absent
Supervisor Dean Throckmorton	Yes

Motion passed 7-0.

P. ACTION RESULTING FROM CLOSED SESSION

Motion made by Supervisor Throckmorton, seconded by Supervisor Pannell, to approve and authorize the County Administrator to execute the Purchase Agreement between Halifax County and Carlyle Wimbish.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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:	Mr. C. Short
Absent During Meeting:	Mr. C. Short

1. Appointments

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

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

Motion made by Supervisor Pannell, seconded by Supervisor Brandon, to reappoint Betty Majors to the Halifax County Improvement Council to serve a three-year term from January 1, 2023 to December 31, 2025.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

R. SUPERVISOR COMMENTS

Supervisor Brandon said he would like to request the Policy & Personnel Committee to look into setting up a process to rotate the Chairmanship among the Board members. He commented it could possibly save time and present a fairer representation within the County.

Supervisor Brandon stated he has been made aware of a conflict of interest with the County Attorney. He said in the last few years, Board members have not voted on approving a County Attorney. He stated it should be a required part of the policy and procedure and noted he would like to request further discussion on the matter.

Supervisor Duffey asked Supervisor Brandon if he is suggesting a local attorney who could be in attendance for the Regular Meetings. Supervisor Brandon stated not necessarily, but the current County Attorney had previously been dismissed and then brought back. He noted he has been representing the County since he was elected on the Board of Supervisors, and he does not recall any votes taking place during that time. He commented he remembers a discussion about the current County Attorney changing firms, but he does not recall any vote for representation. He stated if the County has an attorney, the attorney also represents all of the Board members. He noted if there is a conflict of interest with one of the Board members, it is an issue to keep in mind.

Supervisor Throckmorton stated he would like for the County Attorney's salary to be reviewed. He commented speaking with other Board members in different localities, a retainer fee is not involved for their attorney.

Mr. Simpson said the arrangement with our County Attorney now is based on need. He stated the County Attorney works on certain items and submits a billing invoice, so the County does not pay a monthly retainer. He said his office is located in Salem, Virginia which is about 2 hours away, then there would be the trip to return back to Salem, and the cost for his time to sit through the Board meeting. He commented in essence it would be an 8-hour day at \$180 per hour, which is reasonable compared to what some of the other attorneys charge. He said there are certain matters that come up occasionally at some of the meetings where legal advice is specifically needed during the meeting, but noted the majority of the time there really is no input necessary from the County Attorney. He said he could research the last time a procurement was done and what type of process was involved.

Supervisor Claiborne stated the County Attorney process is not currently being done, which is not proper, and it should be included every year during the organizational process. He said there are some conflicts of interest, and the issue should be addressed.

Supervisor Pannell said he is in agreement that it is an issue that should be reviewed. He commented there are great local attorneys here in the County who should be considered.

Vice Chairman Ricketts asked if there were any other comments.

Q. ADJOURN MEETING

Vice Chairman Ricketts stated the next meeting for the Board of Supervisors will be the Budget Work Session on March 6, 2023, at 3:30 p.m.

Motion made by Supervisor Brandon, seconded by Supervisor Claiborne, to adjourn the meeting.

VOTE

Motion passed 7-0 by the following vote:

Ayes: 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: Mr. C. Short
Absent During Meeting: Mr. C. Short

The Board adjourned at 10:08 p.m.