

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

A. CALL TO ORDER – Vice Chairman Ricketts

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

Supervisor Pannell gave the invocation.

Chairman Short led the Pledge of Allegiance.

B. ATTENDANCE ROLL CALL

Board of Supervisors members attending were: Chairman C. Short, ED1; Mr. L. Roller, ED2; Mr. H.W.H. Pannell, ED3; Mr. D.E. Throckmorton, ED5; Mr. S. Brandon, ED6; Mr. G. Ricketts, ED7; Mr. W.B. Claiborne, ED8; and Mr. W. Smith, Tie Breaker.

Board of Supervisors members absent: Mr. R. Duffey, ED4

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; and Mrs. Charlene Hendricks, Executive Assistant.

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

Security was provided by: Halifax County Sheriff's Department

C. ADOPTION OF AGENDA

Chairman Short said there are two additions to the Agenda. The first item is for the Letter I under Presentations and the second item is for the Letter J under Committee Reports.

Motion made by Supervisor Pannell, seconded by Vice Chairman Ricketts, to adopt the Agenda, as presented in the Board packet, and the Additional Agenda as presented for Item I. for the Eschelon Resources presentation for Redevelopment of the Former Bruce Library Building and Item J. for the recommendations from the Policy & Personnel Committee Meeting on March 2, 2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

D. MINUTES CORRECTIONS / APPROVAL

- | | |
|----------------------|--|
| 1. February 6, 2023 | Board of Supervisors Budget Work Session |
| 2. February 6, 2023 | Board of Supervisors Regular Meeting |
| 3. February 13, 2023 | Solar Density Committee |
| 4. February 22, 2023 | Finance Committee |

Supervisor Roller pointed out one correction in the minutes of the Solar Density Committee Meeting on February 13, 2023. He said on page 52 of the Board Packet that Commissioner Francis should be noted as being in agreement with Commissioner Riddle’s statement regarding the density being cut back.

Motion made by Supervisor Pannell, seconded by Supervisor Throckmorton, to adopt the minutes as amended with the change noted by Supervisor Roller on page 52 of the Solar Density Committee meeting minutes.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

E. CONSENT AGENDA APPROVAL

1. Warrants –
 - a. January 31, 2023
2. Supplemental Appropriations
3. Treasurer’s Report –
 - a. January 31, 2023

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

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

F. RECOGNITIONS

1. None

G. 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.

Penny Lloyd

Ms. Lloyd introduced herself and stated she is the President of the SPCA Paws and Claws of Halifax County. She said there were several additional members of the SPCA in attendance with her, and the group was there to show support for Animal Control. Ms. Lloyd said the County has an ongoing issue of animals being neglected and owner surrendered, and if it were not for Animal Control working closely with SPCA and other rescue organizations, many animals would remain injured and homeless. She stated the SPCA works closely with Animal Control and sees the hard work the department does each day toward saving animals. She said the partnership is essential to the well-being of many homeless animals in the County, and the SPCA appreciates the teamwork with the Animal Control employees as they work to accomplish their goals. Ms. Lloyd said Animal Control has received negative remarks, but she and the SPCA want the Board to know Animal Control is doing positive things for Halifax County.

Barbara Bass

Ms. Bass stated she was there speaking as an individual and not on behalf of any of the groups with which she is involved. She thanked the Board of Supervisors for the progress she is seeing on the law office buildings at the Courthouse, referencing back negative comments she had made at a previous meeting about those buildings being in poor condition and standing as stark contrast to the renovated Courthouse.

Ms. Bass said the more important reason she was there to speak was in regards to the recent Crossing of the Dan commemorative event. She said the Halifax County event, which continues to grow in size and significance from year to year, was recognized as a tier one event and several national officials were present during some portion of the three-day event. She said Mr. Simpson was sent a request to have someone from the Board of Supervisors give brief remarks at the event, and she was extremely disappointed that not a single Board member could find time to participate. She stated she hopes the Board will reconsider this request in coming years and help provide comments and representation for Halifax County.

William Bushway

Mr. Bushway introduced himself and stated he has a neighbor in his community who has been operating a short-term rental business since mid-September 2022. He said the short-term rental is in violation of the County zoning ordinance for agricultural districts, and despite having reported the situation to the County, the neighbor has continued to defy the zoning rules and reposted the short-term rental on Airbnb. He asked the Board to consider how they would feel if they were forced to live next to a short-term rental or a mini hotel with strangers coming and going every few days. He stated he purchased his property in the agricultural district with intent and purpose, and he believes it is important to know his neighbors. He said the short-term rental has disrupted his and his neighbors' community, and they have had to deal with trespassers on their property.

Mr. Bushway said the short-term rental threatens neighborhood safety, and there has been no respect for others' property by the short-term rental owner. He said he would prefer to see the zoning ordinance regulations for the A-1 district remain the same; however, if the Ordinance Committee and the Board of Supervisors feel the need to make changes, he would like for them to consider that individual situations require individual considerations. He said he has contacted each Board member individually, and he is asking the Board as a whole to help enforce the laws of the County as they stand now.

Rebecca Bushway

Mrs. Bushway introduced herself and said she wanted to follow up on Mr. Bushway's comments. She stated that non-owner occupied short-term rentals are a threat to the availability of accessible and reasonably priced housing in an already limited market. She said without proper planning and a registry of approved short-term rentals, the County would miss out on the collection of taxes from individual short-term rentals. She stated that short-term rentals are not appropriate for every area or neighborhood, and those people who would be impacted by a short-term rental should have the opportunity to provide

feedback, consent, and opposition. She commented she would also like to see the zoning enforcement remain the same or would ask that any changes be very seriously considered before taking action.

Najeh Abedeljalil

Mr. Abedeljalil stated his name and said he was speaking again on the wrongdoings of several members of the Animal Control staff, as well as the lack of proper staff supervision and punishment by the County Administrator. He said several staff members, including Catherine Martinette, have lied to law enforcement about speeding, lied in court, and lied under oath. He said Chief Martinette was promoted without the consultation of the Board, and the Board is supposed to be working for the citizens of Halifax County. He said the County Administrator is being paid, but he is not doing his job. He referenced his claims from previous meetings regarding numerous wrongdoings by Animal Control staff and stated that if citizens own animals and are not part of the rescue groups, then they are not safe. Mr. Abedeljalil said County Code is not being followed and something needs to be done.

Faisal Abedeljalil

Mr. Abedeljalil introduced himself and said he is present to speak against animal control. He said an individual who works for the County spoke with him and indicated he had an affair with Chief Martinette during her working hours, and he is willing to come and speak with the Board members or he would provide a written statement. He said she told the individual that she lied under oath, convinced the veterinarian to lie in reference to his son's court case, and overcharged his son for rabies shots and a consultation fee provided by the veterinarian. This individual is requesting immunity to protect his job for coming forward. He commented the workers at animal control took out a protective order against him last year, and he was advised by County staff that the County had nothing to do with the protective order, but when they appeared in Court, they were in uniform. He stated something needs to be done about the affairs the women at animal control are having while they are on duty.

Casey Abedeljalil

Mr. Abedeljalil introduced himself and said he brought his transcript from Court where there was a hearing about his bird, which he had owned for two and a half weeks. He stated Chief Martinette testimony was untruthful, and Amy Taylor, one of the investigators, lied as well because he was not the manager of the store, and he had not owned the bird for a long time. He said Chief Martinette lied about the speeding violation with the Halifax police officer. He commented that he is not an animal abuser. He said last week his neighbor accused him of being animal abuser and stated this situation makes it hard for him to raise his son in this community. He said he is looked at in a certain way because of his last name and it is wrong. He said the veterinarian that testified in his Court case did not even know what type of bird it was and questioned how he could even make an accurate determination. He commented if you are an ordinary citizen, who is not affiliated with a rescue group, you don't stand a chance and something needs to be done about it.

Michael Wilkerson, Sr.

Mr. Wilkerson introduced himself and said he resides with his girlfriend in the Clover area. He stated animal control came out to his girlfriend's property several occasions before he moved there, and they didn't have any problems with what they saw. He said they went out to the property while he was in Pennsylvania and his girlfriend was in North Carolina. They told the animal control officers his girlfriend hired a young man to take care of the animals when she is away due to her employment. He said the animal control officers would not let the young man come onto the property, so he could give the animals food and water. He said the last time he came to speak to the Board members, a warrant was served on him the next day. He stated he did not even own the animals. He said the animal control officers left 5 animals behind on the property because they couldn't catch them, and those animals did not have any food or water. He stated one of those animals was a sheep, and it was killed by a dog. He said the animal control officer looked him in the eyes and told him he had bigger things to worry about than that dog.

Chairman Short advised Mr. Wilkerson his time to speak had expired.

Laura Larkins

Ms. Larkins introduced herself and stated she is a founding member of the Halifax Dog Squad. She said the entity has worked with animal control for years and noted some of the recent changes are impressive. She said the staff is diligent and welcoming and noted they are responsive to the public and care about the animals. She commented in the Board members had a chance, they should go by to visit. She stated it is not a bad place to be if you are a dog or cat, because most of them find a home, which is not the case with a lot of rural pounds in the area. She said the facility is clean and the staff follows protocol, which is not something that can be said about every facility they go to. She stated as an animal advocate, she can't emphasize enough how the changes made at the animal shelter are a benefit to all of Halifax County and noted we need to rise about the negativity.

Vickie Allen

Ms. Allen introduced herself and said she was also with the Halifax Dogs Squad. She commented they wanted to show their support for animal control and said they are proud to be affiliated with the animal shelter. She stated the group was formed in May 2015 but before that, she was part of another group noting that she has been involved with animal rescue for approximately 15 years. She commented she has been in numerous shelters throughout the years and stated Halifax Animal Control is being run nicely and you can tell the entire staff works together and they are very knowledgeable. She stated employees at the shelter have helped with any of their questions and thanked them for the services being provided to our area.

Nicki Moser

Ms. Moser introduced herself and said she had recently moved to the Clover area and joined the Halifax Dog Squad. She stated that she wants to speak about her own impression of the animal shelter. She commented she had to turn in a hound that was dropped off in her area, and they graciously took it. She stated she donated a cat tree to the shelter, which was an unannounced visit, but they took her back to the cat room and the kittens were running around and happy as could be. She said the room was spotlessly clean and noted it is hard to keep a room clean like that, especially at that type of facility. She stated staff members were pleasant, helpful, and courteous, and we should be proud to have this facility in our County.

Tammy Abdeljalil

Ms. Abdeljalil introduced herself and said she has previously spoken to the Board members. She said it is great if you are an animal lover. She stated it should be a crime for animal control to go in and take animals from people and then give them to other people who slaughter the animals. She commented most of those animals were not raised to be slaughtered because they were pets. She said the animals did not belong to her, but they were taken from a farm because they were being mistreated and then sold, given away, and slaughtered immediately, and it was wrong.

Randy Bailey

Mr. Bailey introduced himself and said he spoke at the January meeting and talked about not trashing up the Board room walls with ex-Board member's portraits, and then at the February Board meeting, the Board members voted to put them up. He said some of those members hated black people, some of them hated white people, and some of them were liars.

Supervisor Pannell said he did not think Mr. Bailey should be allowed to continue to speak negatively about ex-Board members. Mr. Bailey said Supervisor Claiborne was not able to become a judge or keep his law license.

Chairman Short advised Mr. Bailey that he would not be allowed to continue making negative comments about Board members and asked him to take his seat. He continued to be unruly and Chairman Short asked the Sheriff's Deputies to remove him from the meeting.

Danyelle Villines

Ms. Villines introduced herself and said she had spoken previously at a few Board meetings. She thanked the Board members for listening to her concerns about the integrity of the bridge and highway improvements. She expressed concerns about large trucks and semi-trucks traveling on the country roads. She stated she understands it is business, but the roads are small and narrow, and the bridges are old. She recognized VDOT came out in a timely manner, but she questioned what is being done and

wanted to know if someone could provide an update. She continued expressing concerns about how long the bridge would be able to withstand the type of daily traffic being seen and noted there are at least 10 to 15 trucks coming and going every day on Highway 716. She asked if a mandate could be presented on the size of trucks traveling in rural areas and possibly widening the highways for the safety of the citizens.

Supervisor Claiborne stated before moving to the next item on the agenda, he would like to make a statement. He said before someone makes a detrimental statement, they need to make sure they know what they are talking about. He said the comment made about him is not true and noted he could have been practicing law three years ago, but he was not practicing by choice.

H. PUBLIC HEARINGS

1. Midway Precinct Division into A & B

Chairman Short said there is a public hearing on the Midway Precinct Division. He asked Mr. Simpson to provide an overview.

Mr. Simpson stated the County went through the Redistricting process last year and redistricted portions of the County. There were adjustments to a total of 4 districts to balance those numbers out. After that process was completed, the final boundaries of the House District and General Assembly were distributed, and there is one precinct in the County, which is split by two districts. He referred the Board members to page 75 of the meeting packet and said Districts 49 and 50 are bordered by Highway 58 up through a portion of Halifax County. On page 76, the A and B precinct combined is the current precinct that is for Midway. In order to have individuals vote in the 50th District for the House, a separate precinct needs to be created for those individuals. He commented it will affect approximately 115 individuals for the North section and 906 individuals for the South Section. The Public Hearing being held tonight is to hear public comments related to the proposed Ordinance to divide the Midway Precinct into an A and B South and North Precinct. If the Ordinance is adopted, it will be sent out to the General Registrar voters and to the Department of Elections at the State to formalize the process.

Chairman Short opened the Public Hearing and asked if anyone had any comments.

Hearing no comments, Chairman Short closed the Public Hearing.

Motion made by Vice Chairman Ricketts, seconded by Supervisor Roller, to adopt Ordinance number 2023-2 amending Chapter 14, Elections, Article III, Election Precincts, Section 14-53 of the Code of The County of Halifax, Virginia; Dividing Precinct 19, Midway Precinct, into two separate precincts, Precinct 19-A, Midway South Precinct and Precinct 19-B, Midway North Precinct, but without relocating any Polling Place; and providing when this Ordinance shall take effect.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey



HALIFAX COUNTY BOARD OF SUPERVISORS

1050 Mary Bethune Street
P. O. Box 699
Halifax, VA 24558-0699
(434) 476-3100
Fax: (434) 476-3384
www.halifaxonline1378.gov

CALVIN "BUCKY" SHORT - ED#1
CHAIRMAN
GARLAND B. BECKETT FS - ED#7
VICE CHAIRMAN
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RONNIE E. DUFFY - ED#4
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STANLEY BRANDON - ED#6
W. RYAN C. ALBORNE - ED#8

SCOTT R. SHEPSON, P.E., MPA
County Administrator
scs@halifaxva.gov

ORDINANCE NO. 2023-2

AN ORDINANCE AMENDING CHAPTER 14, ELECTIONS, ARTICLE III, ELECTION PRECINCTS, SECTION 14-53 OF THE CODE OF THE COUNTY OF HALIFAX, VIRGINIA; DIVIDING PRECINCT 19, MIDWAY PRECINCT, INTO TWO SEPARATE PRECINCTS, PRECINCT 19-A, MIDWAY SOUTH PRECINCT AND PRECINCT 19-B, MIDWAY NORTH PRECINCT, BUT WITHOUT RELOCATING ANY POLLING PLACE; AND PROVIDING WHEN THIS ORDINANCE SHALL TAKE EFFECT.

WHEREAS, Virginia Code § 24.2-307 prohibits a locality from maintaining election precincts that are divided between House of Delegates districts where the locality can establish a precinct for each House of Delegates district with 100 or more registered voters; and

WHEREAS, on December 28, 2021, the Supreme Court of Virginia entered its final order establishing the voting districts for the Virginia House of Delegates, the Senate of Virginia, and for Virginia's representatives to the United States House of Representatives; and

WHEREAS, following the redistricting established by the Supreme Court of Virginia, the current Precinct 19, Midway Precinct, in Halifax County is divided between the 49th House of Delegates district and the 50th House of Delegates district, and each House of Delegates district has more than 100 registered voters from the current precinct; and

WHEREAS, because the current Precinct 19, Midway Precinct, is split between two House of Delegates districts and each House of Delegates district has more than 100 registered voters from the current precinct, the current precinct must be divided into two separate election precincts along the boundary between the 49th and 50th House of Delegates districts; and

WHEREAS, the new Precinct 19-A, Midway South Precinct, will include approximately 906 registered voters all of whom will be in the 49th House of Delegates district, and the new Precinct 19-B, Midway North Precinct, will include approximately 115 registered voters all of whom will be in the 50th House of Delegates district; and

U.S. Route 501, Huell Mathews Highway, to its intersection with US Route 58, Bill Tuck Highway, . thence in an easterly direction along U.S. Route 58 to its west intersection with State Route 742, thence easterly along State Route 742 to its intersection with State Route 743, Pondrosa Road, thence southwesterly along State Route 743 to its intersection with State Route 744, Hyco Road, thence southeasterly along Route 744, Hyco Road, to its intersection with Route 741, Wallace Cole and Lowery Roads, thence southeasterly along Route 741, Wallace Cole and Lowery Roads, to its intersection with Hyco River, thence upstream along Hyco River to Mayo Creek, thence upstream along Mayo Creek to State Route 96, Virginia Road, thence west along State Route 96 to its intersection with U.S. Route 501, thence in a southerly direction along U.S. Route 501 to its intersection with the North Carolina line, thence in a westerly direction along the border of North Carolina to the intersection of State Route 714 at the point of beginning.

(b) *Precinct #18, Virginia precinct.* Polling place and boundaries of Precinct #18, Virginia precinct, are as follows:

(1) Polling place: Virginia Volunteer Fire Department on Florence Avenue, approximately 800 feet north of Seventh Street in the Town of Virginia.

(2) Beginning at the North Carolina line on U.S. Route 501, thence northerly along U.S. Route 501 to its intersection with State Route 96, thence in a southeasterly direction on State Route 96 to its intersection with Mayo Creek, thence downstream along Mayo Creek to Hyco River, thence downstream along Hyco River to its intersection with State Route 738, Kingswood Road, thence southeasterly along Route 738 to its intersection with State Route 602, North Fork Church Road, thence easterly along Route 602 (North Fork Church Road, Hitesburg Church Road, Hites Mill Road) to the Mecklenburg/Halifax County border, thence in a southerly direction meandering along Aaron's Creek and the Mecklenburg/Halifax County border to its intersection with the North Carolina Line, thence in a westerly direction along the border of North Carolina to the intersection with U.S. Route 501 at the point of beginning.

(c) *Precinct #19-A, Midway South precinct.* Polling place and boundaries of Precinct #19-A, Midway South precinct, are as follows:

(1) Polling place: Midway Volunteer Fire Department on the north side of U.S. Route 58, approximately 1,200 feet west of State Route 732.

(2) Beginning at a point at the west intersection of Bill Tuck Highway (U.S. Route 58) with State Route 742, thence easterly along State Route 742 to its intersection with State Route 743, Pondrosa Road, thence southwesterly along State Route 743 to its intersection with State Route 744, Hyco Road, thence southeasterly along Route 744, Hyco Road, to its intersection with Route 741, Wallace Cole and Lowery Roads, thence southeasterly along Route 741, Wallace Cole and Lowery Roads, to its intersection with Hyco River, thence downstream along Hyco River to its intersection with State Route 738, Kingswood Road, thence southeasterly along State Route 738 to its intersection with State Route 602, North Fork Church Road, thence easterly along State Route 602 (North Fork Church Road, Hitesburg Church Road, Hites Mill Road) to the Mecklenburg/Halifax County border, thence northerly along the border and downstream along Aaron's Creek to Bill Tuck Highway (U.S. Route 58), thence westerly along Bill Tuck Highway (U.S. Route 58) to the point of beginning.

WHEREAS, Virginia Code § 24.2-310(A) requires that polling places be located either within a precinct or within one mile of the precinct boundary; and

WHEREAS, the Midway Volunteer Fire Department is the current polling place for Precinct 19, Midway Precinct, and it is located on U.S. Route 58, which will be the boundary between the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, following adoption of this Ordinance; and

WHEREAS, following adoption of this Ordinance, the Midway Volunteer Fire Department will be located within one mile of the boundary between the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct; and

WHEREAS, following adoption of this Ordinance, all registered voters in the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, will remain in Halifax County Election District 7; and

WHEREAS, no polling places will be relocated following adoption of this Ordinance, and all registered voters in the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, will continue to vote at the Midway Volunteer Fire Department; and

WHEREAS, the Board of Supervisors of the County of Halifax, Virginia (the "Board") has determined that it is in the best interests of the County of Halifax, Virginia and its citizens that the current Precinct 19, Midway Precinct, be divided into the new Precinct 19-A, Midway South Precinct, and the new Precinct 19-B, Midway North Precinct, as described herein, provided that no polling places shall be relocated by this Ordinance; and

WHEREAS, this Ordinance has been advertised as required by Virginia Code § 15.2-1427(F) and Virginia Code § 24.2-306.

NOW THEREFORE, he it ordained by the Board of Supervisors of the County of Halifax, Virginia, as follows:

Section 1. Chapter 14, Article III, Section 14-53 of the Code of the County of Halifax, Virginia ("Code") is hereby amended and recodified to read as follows:

Sec. 14-53. Election district #7.

(a) *Precinct #17, Hyco precinct.* Polling place and boundaries of Precinct #17, Hyco precinct, are as follows:

(1) Polling place: Cluster Springs Volunteer Fire Department/Community Center off the west side of U.S. Route 501 at State Route 704.

(2) Beginning at a point on the border between the State of North Carolina and the County of Halifax, Virginia, at the intersection of State Route 714, thence in a northerly direction along State Route 714 to its intersection with State Route 711, thence in a northeasterly direction on State Route 711, 0.52 mile to the intersection of State Route 797, thence in a northerly direction on State Route 797 to its intersection with State Route 658, thence northerly and easterly on State Route 658 to its intersection with U.S. Route 501 at Cluster Springs, thence in a northerly direction on

(d) *Precinct #19-B, Midway North precinct.* Polling place and boundaries of Precinct #19-B, Midway North precinct, are as follows:

(1) Polling place: Midway Volunteer Fire Department on the north side of U.S. Route 58, approximately 1,200 feet west of State Route 732.

(2) Beginning at a point at the intersection of Bill Tuck Highway and the Mecklenburg/Halifax County border, thence northerly along the border and downstream along Aaron's Creek to the Dan River, thence westerly upstream along the Dan River to Grassy Creek, thence southwesterly along Grassy Creek to its intersection with Bill Tuck Highway (U.S. Route 58), thence easterly along Bill Tuck Highway (U.S. Route 58) to the point of beginning.

(Ord. No. 2022-23, § 3, 8-8-2022; Ord. No. 2023-2, § 1, 3-6-23)

Section 2. Section 1 of this Ordinance shall be made a part of the Code without the underlining and strikeouts, which are included herein for reference only.

Section 3. Chapter 14 of the Code shall remain unamended and in full force and effect except to the extent specifically amended herein.

Section 4. The recitals to this Ordinance are hereby incorporated by reference and are declared to be findings of the Board in connection with its decision to adopt this Ordinance.

Section 5. The Ordinance shall become effective thirty (30) days following its adoption and enactment by the Board of Supervisors of Halifax County, Virginia.

Section 6. The Clerk shall record a copy of this Ordinance in the Board's official minutes. The Clerk also shall send a certified copy of this Ordinance to the County's Electoral Board, the State Board of Elections, and such other departments and agencies as the Clerk may determine to need notification of the adoption and enactment of this Ordinance.

Passed and adopted by the Board of Supervisors of the County of Halifax, Virginia this 6th day of March, 2023.

Chairman

ATTEST:

Clerk, Halifax County Board of Supervisors

Approved as to form:

County Attorney

I. PRESENTATIONS

1. Southern Virginia Higher Education Center – Dr. Betty H. Adams, Executive Director

Chairman Short said Dr. Betty Adams, Executive Director of Southern Virginia Higher Education Center, would like to present an overview of the Center's mission, its programs, and its funding allocations. She will accommodate questions and discussion with the Board regarding the Higher Education Center.

Dr. Betty Adams introduced herself as the Executive Director of Southern Virginia Higher Education Center (SVHEC) and said it has been more than 14 years since she had the opportunity to come back home. She stated it is the best job she has ever had and the best group of people she has ever worked with. She commented to be able to get up every day and know that the work being done is making home, community, and the region a better place to work and live is a thrill. She expressed gratitude for the Board member's ongoing support over the past years. She stated SVHEC is requesting level funding for the upcoming year, and she wanted to take a few minutes to share some of the accomplishments and impact within the community so that the Board members could feel good about the investment they are making at SVHEC.

Dr. Adams said SVHEC is developing its workforce development and preparing citizens within the community for jobs that exist today and jobs that will exist in the future by providing convenient and affordable access to in-demand college degrees and job training. They offer a unique partnership to degree granting institutions that make it affordable to bring their programs to Halifax County such as Danville Community College. She stated it has been a joy working with Dr. Jerry Wallace, President of Danville Community College and SVHEC is grateful for the work that he is doing in the County and our region. She said the unique partnership model involves making it affordable for degree granting institutions to bring their degrees here allowing SVHEC to provide turnkey operations such as location, equipment, support services, and technology. SVHEC is engaged in providing college and career outreach, readiness, support services, and opportunities for degree education and job training. She noted SVHEC is reaching out to public school students to make sure they know what the jobs are in our community and where they can get the education and training to take those jobs which gives them a reason to stay in the County.

Dr. Adams stated SVHEC operates some exciting signature programs including the Career Tech Academy, which is a dual enrollment program for juniors and seniors for Halifax, Charlotte, and Mecklenburg Counties. She said it is a collaboration with DCC and SVCC and allows the students to earn credentials in high-demand programs like welding, HVAC, and Information Technology. She noted SVHEC operates the IT Academy which puts IT Technicians in data centers, hospitals, universities, public schools, and manufacturing. SVHEC also operates the Center of Nursing Excellence supporting the Community Colleges, so that they can offer the full continuum of nursing education, beginning with certified nursing assistants, licensed practical nurses, and adult degree nursing. SVHEC is an area health education center providing recruiting services and helping get young people into healthcare pipelines.

Dr. Adams said SVHEC has a volunteer literacy program, so in addition to the GED programs offered through the Community Colleges, they have volunteers from the public that help with adult basic education and with English as a second language. She noted that SVHEC is working with their own workforce training students and with community college students and tutoring them, product works are offered at SVHEC, and SVHEC is the Commonwealth's only single-source location for product design and development services. SVHEC help entrepreneurs take their ideas and make them into prototypes and help market them in the community. They also support industries such as Hitachi and Presto when they have product design and development needs. SVHEC also operates the Office of Learner Success and Engagement and emphasized they not only provide and support education, but they support students by helping them do well in their programs from the time they enroll to the time they graduate.

Dr. Adams stated SVHEC operates almost 150,000 square feet of space in 4 buildings. The Bruce Street Building has been online since 2001, the Innovation Center since 2010, and product works moved into Imperial Lofts in 2019. She commented SVHEC also shares space with The Prizery. She noted the buildings are former tobacco warehouse buildings and textile industries that have been historically renovated with numerous sophisticated spaces. Dr. Adams stated individuals from Virginia Tech

Engineering came in several weeks ago and commented about how nice the labs are and that they would like for their students to have labs like SVHEC.

Dr. Adams commented SVHEC began in 1986 located in a 500 square-foot mobile at the high school, and it has grown to 150,000 square feet, which is a tremendous amount of progress. She discussed enrollment and commented that everyone was affected by the Covid pandemic, but stated numbers are beginning to increase again as follows: 547 College degree students are enrolled, 334 Technical training students are enrolled, 102 Literacy students are enrolled, 7,093 are in the K-12 STEM-H Outreach, 15 Business & Industry Clients are enrolled, 405 Industry recognized credentials, 43,383 Workforce training hours, a 91 percent Completion rate, an 85 percent Employment rate, 8,891 hours of clinical training provided through Community Colleges, and 130 nursing students in 3 different nursing programs.

Dr. Adams said they have been able to procure some additional State appropriation due to the outcomes and because the State is aware local localities are supporting the SVHEC. She discussed how the funds are being utilized such as an expansion for the Career Tech Academy, adding HVAC training, refitting the Center of Nursing Excellence, a Simulation System, and new Simulation Mannequins, expanding the IT Academy Training Program to include courses that our employers have asked for, expanding Hitachi customized training, and providing orientation for their new hires. She noted Hitachi has requested that the SVHEC be the point agency for all of their training because they have been inundated with training groups. Dr. Adams also noted they recently collaborated with DCC and helped some of their employees get training.

Dr. Adams discussed the budget and stated revenues are approximately \$6.3 million and expenditures are approximately \$6.4 million. She commented the funding provided by the County will be used to help fill budget gaps. She discussed the gaps in detail for the Office of Learner Success & Engagement and IT Services, so the Board members would know how the money is being utilized. She emphasized SVHEC is very appreciative of the County's support and stated she would be happy to answer any questions from the Board members.

Chairman Short said before moving forward with the next presentation, he would like to recognize Ms. Noble's government class from the high school as being in attendance.

2. Danville Community College – Dr. Jerry Wallace, President

Chairman Short said Dr. Jerry Wallace, President of Danville Community College, will present an overview of the College and its programs; and the positive work seen across the region. He will accommodate questions and discussion with the Board regarding the Community College.

Dr. Wallace introduced himself and said he appreciates the opportunity to speak to provide updates from Danville Community College (DCC). He provided some of his background, which includes Student Services, Academic Affairs, Workforce Development, and Teaching. He stated he is originally from Michigan, but he has also lived in West Virginia, Texas, and Nebraska. Some activities that he enjoys include going to the Farmers Market, Classic Cars, participating in 5K, and reading. He commented that he and his wife, Allyson, moved to the area to start a family and grow roots, and announced they are expecting their first child. He also shared pictures of his pets, Ace and Pippa. He said upon taking the position at DCC, the community provided some feedback for opportunity of improvement including the following: the Visibility of Leadership, Building Stronger Connections in Halifax County, Enrollment Challenges, and Community Awareness of DCC.

Dr. Wallace said he has 3 great Advisory Board members: Mr. Carlyle Wimbish, Ms. Kathryn Roberts, and Mr. Kevin Shotwell. He also recognized Mr. Carlyle Ramsey, former President of DCC as being present and commented he has been great about letting him bounce ideas off of him. He stated that Dr. Betty Adams has been supportive, and they have a great relationship and will continue expanding their partnership in an effort to bring more programs to Halifax County. He noted student enrollment has increased by 5 percent and discussed various activities at DCC keeping students engaged with all things being offered at Community Colleges. He stated DCC will expand its partnership with Averett University to

offer an Aviation Maintenance Program. He encouraged everyone to follow him on LinkedIn and discussed some of the activities for internal and community engagements, such as employee movie night and retiree breakfast. He also discussed external engagements including op-ed articles, leadership meetings, Hitachi graduation at SVHEC, and the people and places tours and emphasized Community College is for students of all ages.

Dr. Wallace commented he would like to be invited to activities and events within the community in an effort to build better connections with Halifax and to continue to be visible. He stated if his schedule does not allow him to attend, someone from his team will be present because DCC values Halifax County. He concluded his presentation and said he would be glad to answer any questions from the Board members.

3. We the People, Inc.

Chairman Short said We the People, Inc., will present to the Board of Supervisors an overview of the organization's concerns regarding solar development in Halifax County.

Jack Dunavant introduced himself, stating he is the Chairman and a charter member of We the People, Inc. which was originally established in 1982 to protect the county against uranium mining. He said the organization also championed adequate setbacks on mega corporate farms, which threatened clean air, water, and quality of life in Halifax County. Mr. Dunavant said, solar farms, like those issues before it, may appear to be a benign source of electrical power, however there are problems in the details.

Mr. Dunavant said the We the People organization is not against solar farms, however they do believe there are particular places for them and We the People would like to work in conjunction with the Board of Supervisors to establish reasonable regulations. Mr. Dunavant said the land is being hurt by solar farms, poisoning the soil and adjacent streams. He said there are many questions about who will clean up after the usable life of a solar farm is complete, who cleans up, and who reforests the land. Mr. Dunavant introduced Stacey Long, explaining she would share more supporting information with the Board regarding their concerns and questions.

Ms. Long thanked the Board for the opportunity to present the organization's concerns. She said We the People understands the days of the small farmer have nearly gone by and many farmers are getting creative with the use of their open land. She said the concern becomes jeopardizing so much of where citizens live in the course of that creativity, and she argued one resident's freedom to build a solar farm should not be allowed to cause a drop in property value for their neighbors' land. Ms. Long said research done by We the People shows that solar farms are having that effect on property values, and those neighbors, ultimately have nothing they can do about it.

Ms. Long said there is understanding about the fiscal responsibilities of that leadership in charge of the County, which is likely a daunting task, and she is aware that solar power is part of the new normal being pushed in many areas; however, she said prime farmland is priceless and should not be wasted.

Ms. Long said many people in Halifax County buy their homes because of the peace and tranquility, knowing it is a place – both inside and outside – where they can relax on their property. She said if a solar facility is built 15 feet behind someone's property, it destroys that peace and tranquility.

Ms. Long highlighted several other factors which are proving to be a problem with solar facilities including light and sound pollution because solar facilities make noise and have to utilize lighting and chemicals such as anti-reflective coating and anti-soil coating which have been proven to degrade as quickly as two weeks after installation. She stated the cumulative effect of tens of thousands of solar panels for 30 years could permanently contaminate soil.

Ms. Long continued, stating that solar energy produces 300 times more waste than nuclear power. She said solar panels contain heavy metals like lead and carcinogenic metals like chromium and cadmium. She said the fossil fuels used to build, transport, and dispose of solar panels still impact the carbon footprint of these projects, making it not as much of a green energy source as people think. Animal habitats are also impacted and the ecosystem has to adjust to significant change.

Ms. Long as referenced a solar investment tax credit which is currently 26 percent and will be dropped permanently to 10 percent for industrial consumers and zero percent for homeowners at the end of the year. She questioned whether the solar industry would be sustainable without those credits. Additionally, Ms. Long said there is a prediction that waste could total as much as 78 million tons by 2050 due to the volume of discarded panels which currently cannot be recycled.

Ms. Long cited a solar facility in another county which was fined last August for more than 40 violations related to runoff from the site into the groundwater. Another facility in Page County, Virginia is only producing at 10 percent capacity since it went online last year. She pointed out that other counties are having significant issues with solar developers not abiding by buffers. Ms. Long also pointed out that neighboring Charlotte County has opted to freeze action on any unapproved solar permit requests until next year and Mecklenburg County voted to limit the size and location of new facilities.

Ms. Long said roads need to be prepared ahead of time and questions need to be answered in regards to how these facilities may affect citizens' health. She said We the People, Inc. believes there should be a third-party independent study on all potential negative impacts.

Ms. Long said We the People, Inc. is asking the Halifax County Board of Supervisors to place a hold on all existing applications for approved solar farm projects until the representatives of the Board and We the People, Inc. can meet, review, study, and formulate necessary guidelines to protect the environment and landowners. She concluded by saying she and We the People, Inc. were present at the meeting to represent themselves, other people who were in attendance with similar concerns, and the individuals whose names were on the petition she was presenting to the Board. She said that every person deserves the respect to be heard.

Chairman Short thanked Ms. Long for her presentation.

4. Eschelon Resources – Redevelopment of Former Bruce Library Building

Chairman Short said the Board of Supervisors would next hear from Echelon Resources.

Mr. Edwin Gaskin introduced himself and said he is the owner of Echelon Resources which developed the Imperial Lofts at 700 Watkins Avenue in South Boston and the Halifax Lofts at 722 Mountain Road in Halifax. Mr. Gaskin referenced his PowerPoint presentation which provided visuals of both the Imperial Lofts and Halifax Lofts.

Mr. Gaskin said the Bruce Library, adjacent to Halifax Lofts, has recently come back into County ownership from the school system, and he is proposing to purchase and redevelop that site, operating it as he does Halifax Lofts.

Mr. Gaskin said the Bruce Library has been utilized by the Friends of the Library for several years, and most of the books located there are from the old Halifax Elementary School. He said his proposal is to redevelop the Bruce Library into three to four market rate rental units. He said it is a small project, however Echelon Resources has done historic redevelopments in various locations across Virginia and North Carolina and big risk investments have paid off.

Mr. Gaskin said he has a local property management team that operates on an expert level, and he and the team have great familiarity with the tenants. He noted that when purchasing from the municipality, Echelon is placing something back on the County tax rolls, investing millions in the community, and even creating new jobs.

Mr. Gaskin gave additional examples of sites redeveloped by Echelon Resources, including Culpeper Lofts and Woodstock Lofts, which had previously been a power plant and a school, respectively, and have become signature redevelopment projects in those communities. He also noted that Imperial Lofts and Halifax Lofts have been profiled multiple times by Virginia Department of Environmental Quality (DEQ) during conferences. Mr. Gaskin explained, as he shared photos, that when redevelopment is done

on historic locations, there is typically an obligation to keep some of the historic material, which in the case of Halifax Lofts included built-in bookshelves, chalkboards, among other elements.

Mr. Gaskin said the development of three to four apartments inside the Bruce Library building would likely be a \$700,000 investment in today's economics. He said Echelon has already had the discussion about extending the special use permit issued by the Town of Halifax to Halifax Lofts to encompass the Bruce Library project. He said Echelon Resources would work with the County and the Town of Halifax through all necessary rezoning, and Echelon would do the design, market the location, build it, and operate it.

Mr. Gaskin asked if the Board had any questions about the direction of the project and proposal. Hearing no questions or concerns, Mr. Gaskin concluded his presentation.

J. COMMITTEE REPORTS

1. Solar Density Committee Meeting – February 13, 2023

Chairman Short said the Solar Density Committee met on February 13th and asked Mr. Simpson to provide any needed explanation.

Mr. Simpson said the Solar Density Committee is made up of 3 Board members and 3 Planning Commission members, as well as County staff. When they met, the Committee discussed many different portions of the solar activity in Halifax County, particularly solar density and location of projects. Mr. Simpson said ultimately the Committee rendered one recommendation to the Board of Supervisors which was a motion by Supervisor Brandon, seconded by Commissioner Riddle, to restrict new projects to no closer than 2,000 feet from any town boundary. He said the motion passed 5-1, with Supervisor Roller opposing.

Mr. Simpson said that is a recommendation of the Solar Density Committee before you. There were no other recommendations specifically regarding density.

Chairman Short asked if there was additional discussion.

Supervisor Roller stated the reason for the proposed change in the ordinance is to ensure a solar project is not sited in a way that would inhibit any future commercial or industrial growth. He said the County Comprehensive Plan identifies future commercial and industrial growth areas around towns and several communities in the County. He said the Board is also required by code to certify that a solar facility is substantially in accord with the County Comprehensive Plan. As a result, Supervisor Roller said he feels mechanisms are already in place to ensure that a solar facility is not sited where it would inhibit future commercial and industrial growth. He said if the Board feels an ordinance change is necessary, it may be more appropriate to limit the siting within a determined distance or proposed commercial and industrial development as identified in the Comprehensive Plan.

Supervisor Brandon responded, saying he hears Supervisor Roller's point of view. He said he Comprehensive Plan is updated every so many years though, and town boundaries remain the same. Supervisor Brandon said he feels this suggested change may have resulted from a recent proposed solar project which fell outside the town limits. He said in looking at how that situation was handled, as well as other areas around the towns, it seems this restriction might be something to consider.

Chairman Short stated a motion was on the floor that this issue be taken to a public hearing at a joint meeting of the Board and the Planning Commission.

Vice Chairman Ricketts asked to clarify that the final approval would still come back before the Board of Supervisors. Mr. Simpson responded yes, it would.

Motion made by the Solar Density Committee to hold a public hearing related to restricting new solar projects to no closer than 2,000 feet of any town boundary.

VOTE

Motion passed 6-1 by the following vote:

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

Nays: Mr. L. Roller

Abstained: No one

Absent During Vote: Mr. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

2. Policy & Personnel Committee Meeting – March 2, 2023

Chairman Short said a Policy and Personnel Committee meeting was held March 2. He said the first recommendation coming from that Committee is a recommendation to increase compensation to the Board of Supervisors which would result in Board members receiving a new compensation amount of \$11,000, the vice chairman receiving \$12,000, and the chairman receiving \$13,000, annually. The recommendation was passed unanimously by the Committee. He asked if there was any discussion.

Vice Chairman Ricketts asked when the last time the Board of Supervisors compensation was adjusted. Mr. Simpson responded that the last salary change for the Board of Supervisors was January 1, 2008 and the change resulted in Board members receiving \$500 per month, up from \$400 per month.

Vice Chairman Ricketts asked how County employees pay had changed from 2008 to the current time. He asked how the percentage in County employee pay had changed and how that compared to the percentage in Board compensation being proposed.

Mr. Simpson responded, saying the percentage change being proposed for the Board is about an 83 percent increase, and in that same timeframe of 2008 to present, County employee cost-of-living increases have totaled about 46 percent.

Vice Chairman Ricketts stated he doesn't think the Board should consider increasing its own compensation at a rate any higher than employee compensation has been increased in the same timeframe.

Chairman Short suggested the Board members look at the spreadsheet of information collected by County staff showing a comparison of Halifax County Board member compensation and that of other counties of similar populations.

Supervisor Pannell stated he understands Vice Chairman Ricketts' point of view; however, in reviewing the comparison spreadsheet he feels it would be beneficial to the Board of Supervisors to increase compensation according what we can see in this comparison and supplement their salaries for the work that the Board is doing. He said he would suggest passing the recommendation from the Policy and Personnel Committee. He said for the amount of work the Supervisors do and trying to run the County the best way they possibly can. It is the responsibility of the Board of Supervisors to serve the County well and in order to serve the County well, we have to have qualified people doing qualified jobs. I think it would behoove us to pass this recommendation.

Vice Chairman Ricketts responded, saying he doesn't do his job as a Board member for the money and he doesn't think any Board member should. He said the Board is here to serve the citizens of the County and he doesn't believe they should do that at a compensation rate higher than that of County employees.

Supervisor Pannell stated he doesn't do his job as a Supervisor for the money either, however he feels it would be beneficial when evaluating how employees' compensation is increased, how to also provide for the Board of Supervisors.

Supervisor Claiborne stated he is not a Supervisor for the money either and he has been on the Board for 20 years. He said what the Board is compensated amounts to an hour or two of payment in normal life. He said he can agree with what both Vice Chairman Ricketts and Supervisor Pannell have said and the compensation is not up to date; however, to take a drastic jump right now may not be the best thing and maybe a compromise can be reached, because we are here doing a public service.

Vice Chairman Ricketts asked if staff could give an example of a proposed pay scale using the same rate of increase that employees have enjoyed during the same timeframe. Mr. Simpson responded stating \$9,000 for Board members up from \$6,000 would be a 50 percent increase.

Mr. Simpson explained the procedure the Board would need to follow. He said the decision does not need to be made at this meeting but it will need to be decided prior to July 1 and any new pay needs to be decided by a majority vote. The new compensation amount would be effective January 1, because it goes into effect following the next election. Because there is an election in November, any changes would go into effect January 1, 2024.

Supervisor Brandon said he has been on the Board of six years and hears everyone's comments. He said he has never traveled more or sat on as many committees as he has during that time. He said he is paying more for fuel than he ever has in his life. Supervisor Brandon said he agrees with many sentiments of the Board members however he wants to make it clear that in reviewing the comparison with other counties, Halifax County Board of Supervisors is the second lowest paid on the list. There are some counties which have less population and Board members are being paid more.

Supervisor Brandon said in at least five of the last six years, County employees have been granted an increase every year, and the Board members never engaged in those increases. He said when he looks at what is being proposed, Board members would make less than \$1,000 per month. He said his phone rings any time and he is open for business and representing his constituents at all times. For less than \$1,000 per month, there is not an employee that he is aware of who works for the County and makes less than \$1,000 per month.

Supervisor Brandon said the Board is not getting paid. He said there may be some type of compensation there but the Board is not getting paid. He said he hears what everyone is saying and he doesn't believe Board should fall out over whatever the decision is, however even at such an increase at what is proposed by the Committee, the Board falls far behind in compensation. He said the Board members signed up for the job and asked for people's votes and there are a lot of people who wouldn't sit in their chairs. He said he is glad to serve but he doesn't feel the any type of increase is unjust or unfair, even at the maximum proposed amount brought forth tonight.

Vice Chairman Ricketts asked what the process would be if the Board was to vote against the current motion from the Policy and Personnel Committee then a Board member made another motion for a different amount of compensation.

Chairman Short said the motion on the floor to increase compensation to the Board of Supervisors which would result in Board members receiving a new compensation amount of \$11,000, the vice chairman receiving \$12,000, and the chairman receiving \$13,000, annually. Supervisor Claiborne asked for a Roll Call vote on the motion.

ROLL CALL VOTE:

Supervisor Stanley Brandon	Yes
Supervisor Bryant Claiborne	Yes
Supervisor Ronnie Duffey	Absent
Supervisor Hubert Pannell	Yes
Vice Chairman Garland Ricketts	No
Supervisor Larry Roller	No
Chairman C. Ricky Short	No
Supervisor Dean Throckmorton	Yes

Motion passed 4-3, with Supervisor Duffey absent from the meeting.

Chairman Short said the motion passed and the change in compensation would be effective beginning January 1, 2024.

Chairman Short stated the next recommendation coming from the Policy and Personnel Committee was to adopt Resolution 2023-4 for the County Employee Health Plan. Mr. Simpson stated this agenda item was actually new agenda item number four in New Business but it was recommended by the Policy and Personnel Committee. He said the Board could hold off on that item until the Board addressed New Business later in the meeting.

Chairman Short stated the next recommendation from the Policy and Personnel Committee is to approve the proposed salary scale adjustments and authorize those changes to begin July 1, 2023.

Mr. Simpson informed the Board that if they would like to take the recommendation of the Committee and discuss the compensation survey and salary scales, they could do so during closed session and then take a vote following closed session.

Chairman Short stated the Board would carry discussion about the compensation survey and salary scales into closed session.

K. NEW BUSINESS

1. VDOT – Six-Year Plan
 - a. Presentation of Six Year Plan Recommendation

Chairman Short said the next item on the agenda is the VDOT Six-Year Plan. Mr. Craddock is in attendance and will provide an update to the Board on countywide activities. He will also present the available funds and roadways for the Six-Year plan.

Mr. Craddock thanked the Board for fitting the VDOT discussion into the agenda and said the Board would be looking at the secondary six-year plan and what to add to the plan for six years out from now. He said he would like to review the spreadsheet the Board members have in their meeting packet on page 88. He stated the roads highlighted in green are roads already on the six-year plan and those are unpaved roads which would be paved through the Rural Rustic Program. He said all the other roads on the sheet are in order based on the traffic volume.

Mr. Craddock said the draft funding scenario tells VDOT that in fiscal year 2029 the residency will be receiving approximately \$160,000 to pave unpaved roads. He said when inflation is figured into the scenario, that's enough money to pave approximately three-quarters of a mile. Looking down the list of roads, the next highest traffic volume road that is not already on the six-year plan is Pete's Trail and it just so happens that road is about three-quarters of a mile. He said VDOT's recommendation is to add Pete's Trail to the secondary six-year plan.

Mr. Craddock said this is just VDOT's recommendation and the final decision is up to the Board. The important thing is that the Board come up with some decision which equals approximately three-quarters of mile. He said if the Board chose a longer road, then VDOT would have to break it up and do a section at a time depending on funding each year.

Chairman Short asked what Mr. Craddock needed from the Board at this time. Mr. Craddock responded that his presentation was meant to begin the process of the Board hearing and seeing the status of County roads on the list. He said a public hearing would need to be held and then the Board could decide to move forward with VDOT's recommendation or make changes that would be voted on. Chairman Short said based on the traffic counts presented, the recommendation by VDOT seems fair.

Supervisor Brandon said he liked the fact the VDOT recommendation would allow for addressing the highest traffic counts, and completing a full section, as opposed to taking a longer road and paving it in segments as funding allows.

Mr. Craddock agreed, saying the VDOT recommendation would allow for completely marking one road off the list once it is completed. He said currently there are 10 roads with money allocated to pave them over the next six years, and there are still 41 roads which have no money allocated.

Chairman Short asked for any other questions or comments. Supervisor Pannell said he is glad to see Mr. Craddock back to meet with the Board and the Board hopes to see him much more often.

Mr. Craddock said he will back as much as possible and reminded the Board he is happy to take their call at any time.

Motion made by Supervisor Claiborne, seconded by Supervisor Brandon, to schedule a Public Hearing at the Board of Supervisors Regular Board Meeting on April 3, 2023 to receive comments on the Halifax County VDOT Six-Year Plan.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

2. Consideration of Proposed Resolution 2023-3 – Opioid Settlement

Chairman Short said the next item on the agenda is the Opioid Abatement Proposed Settlement. He asked Mr. Simpson to provide an overview.

Mr. Simpson said he believes the current Board members were all present when the County engaged in litigation to recover costs related to the opioid epidemic. He said ultimately the Board entered into a Memorandum of Understanding with the Commonwealth to basically roll all the cases into one case with the Attorney General.

Mr. Simpson said he and the Board have talked previously about several settlements and money which has begun to flow to the County for previous settlements. He said recently there's been another settlement with different litigants including Teva, Allergan, Walmart, Walgreens, and CVS. The companies have all agreed to a nationwide settlement and Halifax County eligible for a portion of the settlement proceeds.

Mr. Simpson said Resolution 2023-3 on page 90 of the meeting packet is before the Board for consideration of adoption. The resolution certifies the county's participation in the proposed settlement of opioid related claims against Teva, Allergan, Walmart, Walgreen, CVS and their related corporate entities and directing the County Attorney or the County's outside counsel to execute documents necessary for the County's participation.

Mr. Simpson said the Virginia portion of this settlement is about \$425 million, which is one of the largest settlements received. Halifax County's share goes through a large iteration of numbers and percentages but the direct share expected over a period of time, which is about 12 to 16 years, is about \$350,000 of direct payments and then there's about another \$150,000 that's reserved funds.

Motion made by Supervisor Throckmorton, seconded by Supervisor Brandon, to adopt Resolution 2023-3 authorizing legal counsel to execute the documents necessary for the County's participation in the settlement.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

3. Consideration of Courthouse Project Closeout

Chairman Short said asked Mr. Simpson to provide an overview of the Courthouse Construction Closeout.

Mr. Simpson referenced page 94 of the meeting packet. He said there is a list of items which are part of the change order, however the change order is not for any new or additional work and instead is a clean-up of open items the Board has already discussed. He said this work includes the air handling project and the judge's bench which were discussed a few months ago.

Mr. Simpson said the change order also reconciles the items in yellow - items that were discussed for almost two years ago with CJMW and the builder - to determine CJMW's accountability. The items in orange are cleanup items where some direct purchase funds were left over that needed to be returned to the contractor. There were some allowances that were built into the project contract that weren't utilized so those come back and flow back to the county. Overall, with everything included, it's about \$145,000 and it finalizes the final contract amount for the project. Mr. Simpson said it is all expenses that have been known for some time and are finally being reconciled now in preparation for closing the project.

Chairman Short asked if there was any discussion.

Motion made by Supervisor Roller, seconded by Supervisor Throckmorton, to approve Change Order number 20 for the Courthouse Construction Closeout.

Chairman Short asked if there was any discussion.

Supervisor Claiborne asked if Mr. Simpson had negotiated to the extent the Board had asked him to for recoupment purposes from CJMW. Mr. Simpson responded, those thorough negotiations were completed prior to the Board voting on the air handling issue and the judge's bench. Mr. Simpson said he did not have the exact numbers in front of him however, he said the County has a reconciliation with them and the County owes CJMW about \$9,000 to close the project.

Supervisor Claiborne asked if the County would be completely done with the Courthouse project after this approval. Mr. Simpson said there is one item left related to VDOT at a cost of about \$6,000 which still needs to be finalized. Other than that, he said he knows of nothing else related to the Courthouse project.

Vice Chairman Ricketts asked about the Courthouse construction fund, which he remembered from previous discussions would have between \$100,000 and \$200,000 left in it. Mr. Simpson responded that there should be about \$225,000 left in that fund. Vice Chairman Ricketts said he would like to see that money stay in that fund as a means to address any issues that arise related to the Courthouse and Courthouse grounds.

Mr. Simpson said there are some furnishings for the Courthouse which have been recently talked about during the budget process, but those should not eat into those funds in any significant way.

With no additional discussion, Chairman Short asked for a vote on the earlier motion.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

4. Consideration of Resolution 2023-4 of Employee Health Insurance Plan

Mrs. Jackson said the County has received the health insurance renewal for Anthem BC/BS. The cost has increased approximately 10 percent. She said before the Board is a resolution for consideration and what is included in the 2024 budget is the county paying \$117,500 of the cost and the employee only coverage increasing \$11 per month. Mrs. Jackson stated this is the first increase since FY2020. She said rates had remained flat for four years and because this is a pre-tax amount it equates to a cost of a little less than one hundred dollars per year for employees selecting the employee only coverage.

Motion made by Supervisor Pannell, seconded by Supervisor Brandon, to approve Resolution 2023-4 of the Employee Health Insurance Plan as presented.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

L. PENDING MATTERS/UNFINISHED BUSINESS

1. Staff Updates

Chairman Short said staff updates were provided in the meeting packet and County staff could answer any related questions.

Mrs. Jackson stated the FY2024 budget had been presented during the afternoon work session. She said the budget is balanced with no tax increase and the County needs to run the budget advertisement. Mrs. Jackson said the Board must determine if there is any desire to advertise a rate higher than any of our current rates for any of our three taxes including real estate, personal property and machinery.

Chairman Short echoed Mrs. Jackson, saying the budget is balanced with no tax increase and using the same tax rates as were used in FY2023. He said if the Board wants to entertain the possibility of a higher tax rate, now is the time to consider it.

Mrs. Jackson stated the County can advertise a rate higher than what we expect to adopt, but once we have the advertisement we cannot adopt a tax rate higher than what was advertised. Mrs. Jackson said if the Board is seeking any significant flexibility in funding, tax rates would need to be considered. The Board discussed the school system budget as a still unknown variable and how that should be handled in relation to considering tax rates.

Motion made by Supervisor Roller, seconded by Supervisor Throckmorton, to advertise tax rates at the same level as those in FY2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

Chairman Short requested a motion for the Board to move into Closed Session.

Supervisor Claiborne stated before the motion for Closed Session is made, he would like to make a motion to continue Closed Session because of issues related to the County Attorney, procurement of the County Attorney, and the fact that Jeremy Carroll has not been properly procured as the County Attorney.

Supervisor Claiborne reference a question from Supervisor Brandon in February about whether the Board has a County Attorney and Supervisor Claiborne stated that looking at the law, the County does not have a County Attorney.

Supervisor Claiborne asked several questions related to when the County Attorney was last procured and Mr. Simpson responded it was done in 2017. Supervisor Claiborne stated that the County Attorney should be selected each year and the Board must abide by the Virginia Procurement Act to do so.

Mr. Simpson said re-selection does not need to be done each year. Mr. Simpson said Mr. Carroll was selected in 2017 and the Board voted. Mrs. Jackson stated she had a copy of the Board minutes related to the vote.

Supervisor Roller spoke up, saying he spent his entire career dealing with Virginia Procurement and those rules related to professional services that a request for proposals must be done and it is recommended that that process is done every five years for professional services. He said there is nowhere in the state procurement law which states that you must do so.

Chairman Short and Supervisor Claiborne discussed whether there was anything in the Board bylaws stating that the County Attorney must be newly procured each year. Supervisor Claiborne stated it had been in the bylaws but had been removed. Supervisor Claiborne said he did not know when it had been removed.

Supervisor Claiborne stated he is in objection of proceeding forward until the Board procures a legitimate County Attorney.

Chairman Short said it is noted that Supervisor Claiborne is in objection of Closed Session until the Board gets a County Attorney.

Motion made by Supervisor Claiborne, seconded by Supervisor Pannell, that Closed Session be continued till the matter determining the County Attorney can be resolved.

Supervisor Claiborne requested a Roll Call Vote.

ROLL CALL VOTE:

Supervisor Stanley Brandon	Yes
Supervisor Bryant Claiborne	Yes
Supervisor Ronnie Duffey	Absent
Supervisor Hubert Pannell	Yes
Vice Chairman Garland Ricketts	No
Supervisor Larry Roller	No

Chairman C. Ricky Short	No
Supervisor Dean Throckmorton	No

The motion failed 4-3, with Supervisor Duffey absent.

M. MOTION TO ENTER CLOSED SESSION PURSUANT TO VIRGINIA CODE §2.2-3711

Motion made by Supervisor Throckmorton, seconded by Supervisor Roller, 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 probable 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 Performance)

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)

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. (Probable Litigation)

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

The Board entered into Closed Session at 8:54 p.m.

N. 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 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

The Board reconvened in Open Session at 10:15 p.m.

O. MOTION TO ADOPT RESOLUTION FOR CERTIFICATION OF CLOSED SESSION

Motion made by Supervisor Brandon, 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	Absent
Supervisor Hubert Pannell	Yes
Vice Chairman Garland Ricketts	Yes
Supervisor Larry Roller	Yes
Chairman C. Ricky Short	Yes
Supervisor Dean Throckmorton	Yes

Motion passed 7-0.

P. ACTION RESULTING FROM CLOSED SESSION

County Attorney Jeremy Carroll state the first item on the agenda coming out of closed session relates to the matter under Virginia Code Section 51.1 – 124.13 as relates to former county employee Todd Moser. He said the sole question before the Board falls under that code section to determine whether former County employee Todd Moser was charged with a felony which arose from conduct occurring in a position for which he was a member covered under a VRS retirement program.

Mr. Carroll disseminated background information gathered by Mr. Simpson related to the charge and conviction, in order for them to make a decision. Among the items was VRS from 180 which would be sent to VRS depending on the decision made by the Board.

Mr. John Greenbacker, present on behalf of Todd Moser, stated he was asking the Board not to certify the finding based on the code section and not authorize that Mr. Moser be stripped of his VRS benefits.

Mr. Carroll noted, when asked by Chairman Short, that all notifications related to this process had been properly sent out. Mr. Carroll stated it was the Board's decision to find, or not find, that Todd Moser was convicted of a felony which arose from his conduct occurring in a position in which he was a member covered for retirement benefits by Virginia Retirement System.

Supervisor Brandon asked Mr. Greenbacker if he was hired and present to represent Todd Moser. Mr. Greenbacker responded, yes he is. Mr. Carroll also noted that Mr. Moser was present at the meeting as well.

Motion made by Supervisor Claiborne, seconded by Supervisor Brandon, to certify that the circumstances surrounding Mr. Moser's felony convictions arose during performance of Mr. Moser's job duties and that the certification form be submitted to VRS for final determination.

Mr. Carroll noted for the Board that there is an appeal process if Mr. Moser and Mr. Greenbacker choose to pursue.

ROLL CALL VOTE:

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

The motion passed 6-0, with one abstention.

Mr. Carroll stated that, to be sure the record is clear, the Board should take a vote about the preliminary letter about the finding which Mr. Simpson has to send. He asked if the Board could motion and vote to that regard.

Motion made by Supervisor Brandon, seconded by Supervisor Pannell, to authorize Mr. Simpson to send a letter to Todd Moser regarding the finding of the Board of Supervisors on this matter.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

Chairman Short said next the Board would take action regarding the Policy and Personnel recommendation to accept the adjusted salary scale and salary adjustments as presented and effective July 1, 2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

Chairman Short said next the Board would take action regarding the Policy and Personnel recommendation to approve the compensation survey information and plan implementation effective July 1, 2023.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

1. Appointments

Motion made by Vice Chairman Ricketts, seconded by Supervisor Throckmorton, to recommend Douglas Powell for reappointment to the Board of Equalization to serve a three-year term from December 1, 2022 to November 30, 2025.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

Motion made by Vice Chairman Ricketts, seconded by Supervisor Throckmorton, to recommend Dewey Compton for reappointment to the Board of Equalization to serve a three-year term from December 1, 2023 to November 30, 2026.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

Motion made by Supervisor Throckmorton, seconded by Supervisor Brandon, to appoint Mary Jane Collie to the Southside Behavioral Health Board to serve the remaining term ending June 30, 2023 following the recent resignation of Patricia Thomas.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey
Absent During Meeting: Mr. R. E. Duffey

Motion made by Supervisor Claiborne, seconded by Supervisor Pannell, to reappoint Barbara Bass to the Transportation Safety Commission to serve a four-year term from January 1, 2023 to December 31, 2026.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

R. SUPERVISOR COMMENTS

Chairman Short asked if there were any Supervisor Comments and there were none.

Q. CONTINUE MEETING UNTIL MARCH 20, 2023 AT 6:00 P.M. FOR BUDGET PUBLIC HEARING

Chairman Short said the Board would continue their meeting to March 20, 2023 at 6 p.m. for the Budget Public Hearing.

Motion made by Vice Chairman Ricketts, seconded by Supervisor Throckmorton, to continue the meeting until March 20, 2023 at 6:00 p.m. for the Budget Public Hearing.

VOTE

Motion passed 7-0 by the following vote:

Ayes: Mr. C. Short, Mr. L. Roller, Mr. H. W. H. Pannell, 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. R. E. Duffey

Absent During Meeting: Mr. R. E. Duffey

The Board recessed at 10:26 p.m.