

OPINION

Letters To The Editor

Ebony rezoning - Dollar General litigation update

To the Editor:

This case to save historic Ebony, Virginia, the local businesses, and the quality of life and safety of this residential, agricultural community and the sanctity of Prospect Cemetery and Church now lies with the Supreme Court of Virginia. This nightmare started five years ago and is in its fifth year of litigation.

In mid-February of this year, the plaintiffs were notified that the Virginia Court of Appeals upheld the Summary Judgment from the Brunswick Circuit Court in favor of the County. Furthermore, that ruling was published, which means it became a legal precedent for all of the Commonwealth.

The plaintiffs, on behalf of the opposition movement, appealed this last ruling to the Supreme Court of Virginia. The plaintiffs filed a Petition for Appeal, and the County filed an Opposition to Petition to Appeal. We have been waiting since early June to hear if the Supreme Court will accept the case.

IMPACT BEYOND EBONY

The published opinion by the Virginia Court of Appeals sets a precedent that Comprehensive Plans, Ordinances, and Statutes have marginalized impact on land use governance enforcement. They can be easily overridden. This also creates a conflict with the authority given to the local government by the Dillon Rule, which says that local authority is bounded by legal statutes and that they can't make up their own rules and applies to all counties in the Commonwealth.

While this case started out protecting the Ebony community, this new precedent now impacts all of the Commonwealth.

We certainly hope the Supreme Court of Virginia will want to maintain the integrity of the Dillon Rule and the role of Comprehensive Plans, which are mandated by law along with other statutes, that have been largely circumvented with the decision to rezone the property to allow Dollar General into the community.

REVERSING THE REZONING DECISION IS ESSENTIAL

While we still have no sign of a Dollar General in Ebony, the threat is not over until the rezoning decision is reversed.

The County could reverse the rezoning decision following Roberts Rules of Order, which is the administrative protocol they follow with decision-making. The plaintiffs have proposed this settlement path several times to the Board of Supervisors to stop the litigation. They have elected to continue to follow the direction of their attorney, Sands Anderson, not to settle. Everyone is encouraged to speak to his/her Board of Supervisors representative.

As a reminder, the 3-2 decision by the Brunswick County Board of Supervisors to rezone a carved-out portion of A-1 Agricultural land to B1-Business to support a Dollar General was unconditional. Left in this state, even if the plan for the alleged Dollar General never materializes, any business allowed by right of B-1 Business Zoning Ordinance can apply and would have to be approved as long as they comply with the ordinances. Neither the County nor citizens/landowners would have any ability to prevent other incompatible and detrimental commercialization in that location. Businesses are accommodated in A-1 communities by right in the zoning ordinance or a specific Conditional Use Permit that is designed to constrain the business such that it is compatible with the community and surrounding land use and complies with all of the related zoning statutes. Rezoning circumvents all of this.

SUPPORTING THE CAUSE

The grassroots opposition movement (Keep Ebony Country) is still behind this cause, and it represents four factions of opposition:

Those who want to preserve the historic integrity of the Ebony community as an unspoiled residential, agricultural community with small local businesses that are not a threat to the character and safety of the community

Those who oppose the unchecked proliferation of Dollar stores

Those who oppose Dollar General based on all of the data that shows the negative impact

Those who oppose Dollar General specifically in the Ebony location

If you are on the same page and want to add your support, the best way is to communicate your position to your district supervisor for them to accept the path to reverse the rezoning decision and through donations to the opposition's legal fund for the Appeal. To donate, please make check to "Keep Ebony Country Fund" and mail to Keep Ebony Country, c/o Kay Whitehead, PO Box 36, Ebony, VA 23845.

Thanks for reading and we are grateful for the continued support for this important cause to save Ebony that also sets precedent for all land use governance throughout the County – and with the last ruling, throughout all counties across the Commonwealth.

Respectfully Submitted,

Anne and Al Hartley
On behalf of
Ebony Preservation Group
Keep Ebony Country



AARP Virginia Fraud Alert: Consumer Fraud Fight Goes to the White House

Last year the Federal Trade Commission recorded \$10 Billion in reported fraud from U.S. consumers. Because fraud is underreported, we know that actual losses are much higher.

While education empowers older Americans to protect themselves, more is needed to eliminate this large-scale problem. That's why AARP advocates for bipartisan laws and regulations to strengthen consumer protections against scams on everything from illegal robocalls, to gift card regulations to cryptocurrency scams and more. This work is done in state legislatures across the country, in Congress and even at the White House.

Earlier this year AARP joined White House officials and industry leaders in a meeting aimed at helping the federal government fight back against the use of artificial intelligence-enabled voice cloning to commit fraud. A virtual White House conference followed in June, with AARP again at the table. With fraud already at an epidemic level, the addition of AI powered scams is alarming, which is why AARP is focused on advocating for a strong legislative response to this threat.

Already this year the Federal Communications Commission has moved to make it illegal to use AI voice cloning in robocalls targeting consumers. As a result, a scammer who cloned President Biden's voice to deceive voters in New Hampshire was recently fined \$6 million.

Be a fraud fighter! If you can spot a scam, you can stop a scam.

The AARP Fraud Watch Network is a free resource for all. Learn how to proactively spot scams or get guidance if you've been targeted. Visit aarp.org/fraudwatchnetwork or call our dedicated helpline to speak to a fraud specialist at 1-877-908-3360.

With about 1 million members in Virginia, AARP is the largest organization working on behalf of people age 50-plus and their families in the Commonwealth. To learn more about how AARP Virginia is working in your community, like us on Facebook at www.facebook.com/aarpvirginia and follow @AARPVa on X at www.X.com/aarpva.

AARP is the nation's largest nonprofit, nonpartisan organization dedicated to empowering people 50 and older to choose how they live as they age. With a nationwide presence, AARP strengthens communities and advocates for what matters most to the more than 100 million Americans 50-plus and their families: health security, financial stability and personal fulfillment. AARP also produces the nation's largest circulation publications: AARP The Magazine and AARP Bulletin. To learn more, visit www.aarp.org/about-aarp/, www.aarp.org/español or fol-

Warner issues statement on President Biden

WASHINGTON – U.S. Sen. Mark R. Warner (D-VA) issued the following statement:

"Another Trump term would be perilous for rule of law and for our democracy. President Biden has made America stronger, guiding the nation through some of our most difficult days. I am proud of my work on his agenda.

"With so much at stake in the upcoming election, now is the time for conversations about the strongest path forward.

"As these conversations continue, I believe it is incumbent upon the President to more aggressively make his case to the American people, and to hear directly from a broader group of voices about how to best prevent Trump's lawlessness from returning to the White House."

Statement of Virginia Chamber of Commerce President & CEO on Virginia's position as CNBC's Top State for Business ranking

RICHMOND – Barry DuVal, President and CEO of the Virginia Chamber of Commerce, issued the following statement regarding Virginia's recognition as "America's Top State for Business" by CNBC.

"Virginia's ranking as the Top State for Business reaffirms our conviction that Virginia is the premier state for business. It highlights our strong education system, availability of business-ready sites, and Virginia's commitment to economic development and a culture of innovation and entrepreneurship. This recognition also supports our strategic approach to grow Virginia's position as the leading state for business through our targeted policy recommendations in *Blueprint Virginia 2030*."

"As we celebrate Virginia being named the Top State for Business, it is important that we continue our work to keep Virginia the best state for business. The Chamber looks forward to continuing to work with business leaders around the Commonwealth to advocate for policies that grow Virginia as we begin our work on our next iteration of *Blueprint Virginia - Blueprint Virginia 2035*."

"I would like to thank the Chamber's Board of Directors and Industry Council Executive Committee members for their continued support of the ideas and focus areas promoted in *Blueprint Virginia*." This is the sixth time CNBC has named Virginia the Top State for Business, the most of any state since the rankings

began in 2007. This is also Virginia's third win in the past five years, following first place results in 2019 and 2021.

CNBC's methodology incorporated 128 metrics across ten categories. This year, the categories of "Infrastructure," "Workforce," and "Economy" were given the most weight in the study. Virginia finished in the top half or better in each of the study's ten categories, including 1st in Education, 3rd in Infrastructure, and 5th in Business Friendliness.

About the Virginia Chamber of Commerce:

The Virginia Chamber of Commerce is the largest business advocacy organization in the Commonwealth, with more than 31,000 members. The Chamber is a non-partisan, business advocacy organization that works in the legislative, regulatory, and political arenas to act as the catalyst for positive change in all areas of economic development and competitiveness for Virginia. In December 2021, the Chamber released its new statewide strategic economic development plan, *Blueprint Virginia 2030*, which has engaged over 7,000 business, economic development, workforce, education, housing, and other community leaders to lay out a plan to ensure Virginia remains at the top of national business climate rankings. Learn more at www.blueprintvirginia.org.

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Letters to the Editor

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