

**Board of Supervisors Meeting  
December 10, 2009  
5:00 P.M.**

**NORTHUMBERLAND COUNTY, VA**

The meeting was reconvened for the regular monthly meeting of the Northumberland County Board of Supervisors that was held in the Northumberland Courts Building, on Thursday, December 10, 2009

Present:        Ronald L. Jett. – Supervisor  
                  Richard F. Haynie – Supervisor  
                  A. Joseph Self, Sr. – Supervisor  
                  Thomas H. Tomlin – Supervisor  
                  James M. Long – Supervisor

W. Leslie Kilduff, Jr. – County Attorney  
Kenneth D. Eades – County Administrator  
Luttrell Tadlock – Assistant County Administrator

**RE: INVOCATION**

Pastor Kornel Kiss, Bethany Baptist Church, led the invocation.

**RE: PLEDGE OF ALLEGIANCE**

Supervisor Self led in the Pledge of Allegiance.

**RE: APPROVAL OF MINUTES FROM NOVEMBER 12, 2009**

Upon motion by James M. Long, duly seconded by A. Joseph Self, Sr., the Board voted to adopt the November 12, 2009 minutes with one correction, to eliminate Mr. Richard Haynie from making the motion on the last page. The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie – Absent from Vote
Thomas H. Tomlin – YEA	

**RE: APPROVAL OF AGENDA**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long the Board voted unanimously to approve the agenda with the following changes: Add a closed meeting after the Board Comment Period. The vote on the motion was as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie – Absent from Vote
Thomas H. Tomlin – YEA	

**RE: SEAN TRAPANI, VIRGINIA DEPARTMENT OF TRANSPORTATION**

Mr. Trapani reported that patchwork is going on throughout the County. The ferry is sitting in water at Deltaville while the Coast Guard is doing some testing. He said he is hoping the ferry will be put in Lancaster sometime next week and then in Northumberland shortly after the New Year.

Mr. Trapani stated they hope to get onto Academic Lane to repaint the turn lane lines while kids are on Christmas Break.

Supervisor Self thanked Todd VanLandingham from VDOT on his crew's hard work cleaning out ditches during all of the rain we have been getting.

*\*Mr. Haynie Returned*

**RE: MR. D. CLINT STABLES, SUPERINTENDENT OF SCHOOLS**

**RE: SCHOOL BOARD APPROPRIATIONS**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted to adopt the following appropriations:

- \$ 8,037.37 – E Rate Reimbursement
- \$ 4,008.41 – Dominion Power Reimbursement – old NMS
- \$ 6,073.62 – Summer Youth Job Program Reimbursement (RCC)
- \$ 16,146.12 – E rate Reimbursement
- \$ 322.95 – Virginia Cooperative Extension (transfer from County Funds)  
for 4-H transportation costs of drivers
- \$ 1,546.00 – Weekly Reader refund – school expenditure

The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

Mr. Staples announced a musical program put on by the Elementary School Choir will be held on Monday at 7:30 in the High School Auditorium.

Mr. Staples touched on the budget issue with the shortfall expected by the state. Mr. Staples reiterated that the County may not know until June what the final numbers are from the shortfall. He said they may have to cut some positions and salaries but they are going to do their best to protect the programs. Mr. Staples said it will be a tough year.

Chairman Jett questioned the notice about parking in the fire lanes. Mr. Stables said he was having a problem with people parking and leaving their car in the fire lane.

**RE: BUILDING PERMIT REPORT**

<b>RE: BUILDING PERMIT REPORT:</b>		
	<b>2009</b>	<b>2008</b>
Total construction cost for the month	\$ 1,212,874.00	\$ 5,712,997.00
Total Bldg. Permit Cost for Month	\$ 3,457.00	\$ 7,186.40
Total Zoning Permit Cost for the Month	\$ 1,390.00	\$ 2,470.00
Total Levy Fee for the Month	\$ 69.14	\$ 126.12
<i>Total Construction cost year to date</i>	<i>\$ 53,227,270.94</i>	<i>\$ 56,510,456.60</i>

**RE: NORTHERN NECK LAND CONSERVANCY AGREEMENT**

Mr. Joe Thompson Director of the Northern Neck Land Conservancy said he was at this meeting to answer any questions.

Supervisor Tomlin asked if this agreement was modeled after the agreement with Richmond County which was adopted this morning.

Mr. Thompson said it was the same agreement and that the Richmond County Board of Supervisor's unanimously voted to adopt this morning.

Mr. Eades noted that he was concerned about the legal aspects if challenged by someone wanting to get the land out of the easement and there being a lengthy appeal process which the county would have to defend. Mr. Thompson said there has never been a successful challenge in the state of Virginia but if it was challenged and the County could not defend itself, the case would be sent on to the Attorney General's Office.

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to approve the following agreement:

**COOPERATIVE AGREEMENT  
BETWEEN THE NORTHERN NECK LAND CONSERVANCY  
AND  
NORTHUMBERLAND COUNTY**

THIS COOPERATIVE AGREEMENT (the "Agreement"), made this 15 day of December, 2009 by and between NORTHERN NECK LAND CONSERVANCY ("NNLC"), a Virginia non-stock corporation, and NORTHUMBERLAND COUNTY, VIRGINIA, a county of the Commonwealth of Virginia located in the Northern Neck (the "County") (the County and the NNLC are also referred to herein as "the parties"), as follows:

**WITNESSETH:**

WHEREAS, the Board of Supervisors of Northumberland County, Virginia, on September 10, 2009, did agree to move forward and authorize staff to develop a program to hold conservation easements pursuant to the Open-Space Land Act, §§ 10.1-1700 through 10.1-1705 of the Code of

Virginia (1950), as amended (the “Open-Space Land Act”), and requested that NNLC assist the County for the purposes of preserving open-space land and ameliorating the impact of development on the County; and

WHEREAS, § 10.1-1701 of the Open Space Land Act authorizes public bodies, including any county, to acquire or designate real property for use as open-space land, and requires that the use of the real property for open-space land conform to the official comprehensive plan for the area in which the property is located; and

WHEREAS, the Board of Directors of NNLC, on August 19, 2009, did approve a resolution authorizing its staff to develop a cooperative agreement with each County by which NNLC would assist the County in the preparation of required documents for conservation easements and, subsequent to recordation of such deeds of conservation easement, NNLC would assist the County in monitoring compliance, and the County would defend any challenges to recorded conservation easements; and

WHEREAS, §§ 10.1-1009 through 10.1-1016 of the Virginia Code (the “Virginia Conservation Easement Act”) permits a non-public body that meets certain criteria to co-hold conservation easements in Virginia; and

WHEREAS, NNLC is a charitable corporation that has been declared exempt from taxation pursuant to 26 U.S.C.A. § 501(c)(3), the mission of which is “to preserve the rural heritage of the Northern Neck by conserving its lands, waters, economies and culture for future generations” by facilitating conservation easements, has maintained its principal office in Virginia for more than five (5) years, and is a “qualified organization” and “eligible donee” under § 170(h)(3) of the Internal Revenue Code and Treasury Regulation § 1.170A-14(c)(1); and

WHEREAS, it is the mutual desire and intent of the parties to enter into this Agreement to finalize the understanding between the County and NNLC in the acquisition and administration of conservation easements.

**NOW, THEREFORE**, BE IT AGREED that NNLC and the County hereby agree to acquire and administer conservation easements according to the following terms:

1. **COOPERATIVE AGREEMENT.** This Agreement is intended to create a cooperative relationship between the County and the NNLC. The County agrees to be the holder of the conservation easement, and NNLC agrees to be the co-holder. The parties agree that the specific terms of the easement will be set forth individually for each conservation easement project.
2. **DEVELOPING THE DEEDS OF EASEMENT.** NNLC shall provide the County with copies of an appropriate easement template and guidelines, which shall serve as the basis for negotiating the language of the deeds of easement. NNLC staff shall take the lead in negotiating specific easement provisions with potential donors, and shall keep the County informed of these negotiations. No easement shall be accepted unless approved by both the County and NNLC.
3. **CONFORMANCE WITH THE COUNTY’S COMPREHENSIVE PLAN.** By accepting and signing any deed of conservation easement, the County agrees that it does thereby expressly confirm that such deed of conservation easement does conform in all respects to the County’s official comprehensive plan at the time the easement is granted, pursuant to both § 10.1-1701 of the Open Space Land Act and to § 10.1-1010(E) of the Virginia Conservation Easement Act.

4. **RECORD-KEEPING AND INFORMATION-SHARING.** The parties shall make information and files pertaining to prospective or recorded conservation easements available to each other and, upon request, to the United States Internal Revenue Service, the State Treasurer or Tax Commissioner, and the Office of the Attorney General of Virginia. NNLC shall be responsible for developing and maintaining the file, and for ensuring that a baseline documentation report is prepared, for each conservation easement. Within thirty (30) days after a deed of conservation easement is recorded, NNLC will deliver its original file to the County. NNLC shall keep a copy for its stewardship file.
5. **STEWARDSHIP/MONITORING VISITS.** NNLC shall be responsible for advising the County of regularly-scheduled monitoring visits. Monitoring visits shall be performed annually for each recorded conservation easement by NNLC personnel or its designees, who may be accompanied by representatives of the County. NNLC shall ensure that persons selected to monitor the property are respectful of the landowners and capable of properly and expediently preparing stewardship field reports. NNLC shall maintain the original stewardship filed reports. Copies of stewardship field reports shall be sent annually to the County for inclusion in its files.
6. **VIOLATIONS AND ENFORCEMENT.** If questions arise concerning interpretation of a recorded conservation easement, NNLC and the County agree to consult with each other before a determination is made. If a violation of the terms of any conservation easement is discovered by one party, that party shall contact the other party in writing to review possible remedies before any remedy is communicated to the landowner. Notwithstanding anything herein to the contrary, the County shall be solely responsible for enforcing the terms and conditions of all conservation easements for which NNLC is co-holder.
7. **NOTICES.** Notices and other correspondence regarding this Agreement shall be delivered via U.S. mail, return receipt requested, to the following addresses or to such other addresses as the parties may designate in writing.

**Northumberland County**

*Attention:* County Administrator

72 Monument Place, P. O. Box 129

Heathsville, VA 22473

Phone: (804) 580-7666 Fax: (804) 580-7053

**Northern Neck Land Conservancy**

*Attention:* President

P. O. Box 125

Lancaster, VA 22503

(804) 462-0979 (phone)

(804) 462-5232 (fax)

10. **MISCELLANEOUS.**

- a. This Agreement represents the entire understanding between the parties and this Agreement shall not be modified except by a written instrument executed on behalf of both parties.
- b. This Agreement shall be construed in accordance with the laws of the Commonwealth of Virginia.

- c. This Agreement shall be binding upon and inure to the benefit of the successors in interest to the parties.
- d. No party shall have the right to assign this Agreement or any of its rights or responsibilities hereunder.

The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: ADVERTISEMENT OF WHAYS CREEK FOR NO WAKE ZONE**

Mr. Eades stated the Mr. Joseph Burrell had made the request for Whay’s Creek to be designated as a “No Wake” zone. Mr. Eades noted that he had discussed this request with Game and Inland Fisheries and they did not have any objections to the request.

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long the board voted to advertise the following:

Notice is hereby given pursuant to Chapter 11, 15.2-2204 of the Code of Virginia as amended that the Northumberland County Board of Supervisors will hold a public hearing on January 14, 2010 at 7:00 p.m. in the Northumberland County Courts Building at 39 Judicial Place adjacent to the Sheriff’s Office in Heathsville, VA to consider designating a “no wake” area for all of Whay's Creek off the Great Wicomico River, near Burgess.

The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: RESOLUTION FOR RYAN PARKER, EAGLE SCOUT**

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the Board voted to adopt the following resolution in honor of Mr. Ryan Parker.

**RESOLUTION  
RECOGNITION TO RYAN CONRAD PARKER**

**WHEREAS;** Mr. Ryan Conrad Parker, a sophomore at Northumberland County High School, who has obtained the rank of Eagle Scout that will be presented with the coveted Eagle Scout Award at a ceremony on January 9, 2010; and

**WHEREAS;** the Eagle Scout is the highest rank of recognition offered in Scouting; and

**WHEREAS;** to earn the rank of Eagle Scout, a Boy Scout must advance through five ranks, starting with Tenderfoot, then moving to Second Class, First Class, Star, Life and then

Eagle. A scout must earn 21 merit badges, and in addition to other requirements he must complete a service project that benefits a non-profit organization within the community; and

**WHEREAS;** Ryan Parker, a valued member of Boy Scout Troop 250, is a dedicated young man who has earned the respect and admiration of his fellow scouts through his active participation in the many programs sponsored by the Boy Scouts of America; and

**WHEREAS;** Ryan Parker fulfilled his service project that was the completion of the Nature Trails at Northumberland Elementary School which created a trail to the new high school facility and included signage for the project.

**NOW, THEREFORE, BE IT RESOLVED, THAT THE** Board of Supervisors does hereby recognize Mr. Ryan Conrad Parker for his contribution to Northumberland County and the inspiration he has given the students of this county and its citizens, extends to him their sincere appreciation and their best wishes for a bright and successful future.

The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: HOUSEHOLD CLEAN UP 2010**

Upon motion by Richard F. Haynie, duly seconded by A. Joseph Self, Sr., the Board voted to approve to hold two hazardous household cleanup days in 2010. The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

Supervisor Tomlin asked Mr. Eades to look into the amount Lancaster County pays for the poundage so that both counties will be the same.

**RE: “DUTCH TREAT” LEGISLATIVE RECEPTION/DINNER**

Mr. Eades stated he had received a letter from Essex County Administration on their annual Dutch Treat Legislative Day that will be on January 7, 2009 at 6:00 p.m. Mr. Eades asked the Board if anyone was interested in attending, then to please let him know.

**RE: SHERIFF WILKINS REQUEST TO UPDATE AMENDMENTS**

County Administrator Eades informed the Board that Sheriff Wilkins had requested to look over amendment changes to update the charter for the Fredericksburg Training Academy. This has to be done by March. Supervisor Self suggested to wait another month for this issue to give time to read it over and make a decision.

**RE: APPROVAL OF CHECK REGISTER**

Upon motion by James M. Long duly seconded by A. Joseph Self, Sr., the Board voted unanimously to approve the check register, as submitted. The vote on the motion was as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: MR. LUTHER WELCH**

Mr. Welch talked to the Board about some concerns he has with the state and federal government. The first concern he had was with state agencies. They tell farmers how to farm and they really don't know what they are talking about. Mr. Welch also talked about the bald eagle as well as septic tanks. Mr. Welch's full report is located in the Board Papers.

**RE: JIM HARPER- PRESENTATION OF RE-ELECTED SUPERVISORS**

Mr. Jim Harper from the Board of Elections presented Mr. Richard F. Haynie and Mr. Mr. Jim Long their certificates for being re-elected as Northumberland County Board of Supervisors.

**RE: CLOSED MEETING**

**RE: CLOSED SESSION**

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the Board voted unanimously to convene into closed meeting to discuss a contractual matter relating to the construction site representative for the Middle/High School Project as permitted by Virginia Code Section 2.2-3711 (A) (7). The vote on the motion was as follows:

A. Joseph Self, Sr. – YEA	Ronald L. Jett – YEA
Richard F. Haynie – YEA	James M. Long – YEA
Thomas H. Tomlin – YEA	

**RE: OPEN MEETING**

The Board convened back into open session upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the Board voted unanimously that in the closed meeting just concluded, nothing was discussed except the matters lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in the motion. The vote on the motion was as follows:

A. Joseph Self, Sr. – YEA	Ronald L. Jett – YEA
Richard F. Haynie – YEA	James M. Long – YEA
Thomas H. Tomlin – YEA	

**RE: MOTION AND CERTIFICATION OF CLOSED MEETING**

A motion was made by A. Joseph Self, Sr., duly seconded by James M. Long, the Board voted unanimously to certify the closed meeting:

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

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by this Board that such closed meeting was conducted in conformity with Virginia law;

NOW THEREFORE, BE IT RESOLVED that the board hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board specifically a contractual matter relating to the construction site representative for the Middle/High School Project.

The vote on the motion was passed by a roll call vote as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: JAMES FOOTE; MIDDLE/HIGH SCHOOL CONSTRUCTION SUPERINTENDENT**

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted unanimously to continue the contract with James Foote of Reedville for construction services and have him submit a weekly report and work a minimum of 160 hours a month. The vote on the motion was as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: PRESENTATION TO MR. JOE MADEJ FOR OUTSTANDING WORK IN ECONOMIC DEVELOPMENT**

Mr. Bill Kling from the Northumberland County Economic Development Commission read a plaque honoring Mr. Joe Madej for his work as the Director of the Economic Development Commission. Mr. Kling and Mr. Dick Saxer stated they were going to be taking the plaque to Mr. Madej the next week to give it to him.

**PUBLIC HEARINGS**

**RE: REQUEST BY STEPHEN AND CAROLE TEVAULT FOR AN EXCEPTION TO THE BAY ACT TO COMPLETE CONSTRUCTION OF A DWELLING ON AN EXISTING FOUNDATION WITHIN THE 100 FOOT BUFFER LOCATED OFF FOX POINT ROAD ON WHAYS CREEK**

Zoning Administrator, W.H. Shirley described the request for the exception to the Bay Act and stated he had received one comment objecting to the request.

Ms. Tevault said she was here to answer any questions.

**Public Hearing Open**

Mr. Lee Allain expressed his concerns stating that it will be 2010 soon and when he moved here the Bay was supposed to be cleaned up soon. A line needs to be drawn and so no exceptions. The 100 foot buffer should be a good start.

### **Public Hearing Closed**

Zoning Administrator Shirley read the list of conditions recommended by staff as follows:

1. The existing foundation must be repaired to meet code requirements and approval of the county Building Official; and,
2. You must comply with all storm-water mitigation requirements of the Chesapeake Bay Preservation Area Ordinance.

Upon motion by Thomas H. Tomlin duly seconded by James M. Long., the Board voted to approve the request with the conditions noted. The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

Supervisor Tomlin said he was not going to deny the right to this request when a building permit had already been issued and the property has had well and septic since the 1970's.

### **RE: REQUEST BY PHILLIP JACKSON, ET ALS, FOR A CONDITIONAL USE PERMIT TO ESTABLISH A WOOD CHIPPING OPERATION AT 941 NEWMANS NECK ROAD NEAR AVALON.**

Zoning Administrator Shirley described the request and stated that he had not received any comments thus far on it.

Mr. Phillip Jackson was present at the meeting and said he was only doing wood and hoped this would help the county provide a service for stumps, brush etc.

### **Public Hearing Open**

Mr. Lewis Jackson stated he lives close to the property that is going to be used for the wood grinding and he thinks this will be beneficial for everybody.

Mrs. Ginny Estelle asked what he will do with the wood. Mr. Phillip Jackson said he would be selling the chips.

Mr. George Kranda supports the request but would like to see some conditions placed on the operation.

### **Public Hearing Closed**

Upon motion by Richard F. Haynie, duly seconded by James M. Long the board voted to approve the request with the following conditions:

1. Operating hours will be from 7:00 AM until 5:00 PM with grinding/chipping from 8:00 AM to 4:00 PM, Monday through Friday. Hours of operation may be extended in times of emergencies as deemed necessary by the county Zoning Administrator;
2. Chipping and grinding services may be offered only for material originating within Northumberland County;
3. The stock pile of materials, both processed and unprocessed shall not exceed a 3 acre area at any one time unless extended by the county Zoning Administrator in times of emergencies;
4. Access to the area must be gated to restrict entry from the highway;
5. All necessary precautions must be taken to prevent any spontaneous combustion in the end product of the chipping and grinding;
6. The permit is issued for a period of one year and will remain in effect as long as there are no complaints concerning the operation. Complaints will necessitate the operator and complainant appearing before the Board of Supervisors to substantiate and seek resolution to the complaint. If the complaint cannot be resolved, the operator must reapply to the Board for permission to continue the chipping/grinding operation; and,
7. The permit will be for the applicant only and will not extend to any subsequent owner or operator unless approved by the Board of Supervisors.

The vote on the motion is as follows:

Ronald L. Jett – YEA	A. Joseph Self, Sr. - YEA
James M. Long – YEA	Richard F. Haynie - YEA
Thomas H. Tomlin – YEA	

**RE: REQUEST BY BAKER HEATING AND AIR CONDITIONING, INC., OWNER AND MILES K. BAKER, APPLICANT, FOR A CONDITIONAL USE PERMIT TO CONSTRUCT 3 QUADRIplex UNITS TOTALING 12 RESIDENTIAL UNITS BEHIND THE DOLLAR GENERAL STORE IN CALLAO.**

Zoning Administrator Shirley described the request for the conditional use permit and stated he had received 5 objections by letter.

Mr. Bobby Elliot representing the applicant stated him and Mr. Baker are in business together and stated that after buying the property it was hard to put a residential home there. He said it would be good for the county to put the units there to add revenue and the county needed good decent housing. This was a perfect spot to put this because it already has water and sewer and not much traffic.

**Public Hearing Open**

Mr. Dick Saxer stated that as a resident of Reedville, he has seen how good of a job Mr. Sebra does keeping his units up. (Mr. Sebra was present with Mr. Baker and Mr. Elliot)

**Public Hearing Closed**

Upon motion by Richard F. Haynie, duly seconded Thomas H. Tomlin the board voted to deny the request for a condition use permit to construct 3 quadriplex units totaling 12 residential units behind the Dollar General Store in Callao. Mr. Haynie stated he voted to deny the request because of the density and because of Staff recommendations for the 1 acre parcel.

Supervisor Tomlin stated this is definitely a density issue not a rental issue. He said he does not want wall to wall people.

The vote on the motion is as follows:

Ronald L. Jett – YEA  
A. Joseph Self, Sr. – YEA  
James M. Long – NAY

Thomas H. Tomlin – YEA  
Richard F. Haynie – YEA

**RE: PUBLIC COMMENT PERIOD**

No comments were given.

**RE: ADJOURNMENT**

Upon motion by James M. Long, the Board voted unanimously to adjourn until January 14, 2010 the meeting. The vote on the motion was:

Ronald L. Jett – YEA  
A. Joseph Self, Sr. – YEA  
James M. Long – YEA

Thomas H. Tomlin – YEA  
Richard F. Haynie – YEA

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Kenneth D. Eades, Clerk