

**Board of Supervisors Meeting**  
**April 8, 2010**  
**5:00 P.M.**

**NORTHUMBERLAND COUNTY, VA**

A regular monthly meeting of the Northumberland County Board of Supervisors was held in the New Courts Building, on Thursday, April 8, 2010

Present:        Ronald L. Jett. – Supervisor  
                  Richard F. Haynie – Supervisor - Arrived at 6:01 p.m.  
                  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 Ian McManamey, of Smithland Baptist Church led the invocation.

**RE: PLEDGE OF ALLEGIANCE**

Chairman Ronald L. Jett led in the pledge of Allegiance.

**RE: APPROVAL OF AGENDA**

Upon motion by James M. Long duly seconded by A. Joseph Self, Sr., the Board voted to approve the agenda for today's meeting with the following addition:

Jan McQuade from the Northumberland County Library will be here for a presentation to the Board.

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
Thomas H. Tomlin – YEA	

**RE: MS. DAWN NEALE AND MS. JACKIE CLAYTON, CHILD ABUSE PREVENTION MONTH**

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to adopt the following proclamation.

Proclamation  
Observance  
Child Abuse Prevention Month

Whereas, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

Whereas, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, the business community, and the citizens of Northumberland County; and

Now therefore we, the Board of Supervisors, do hereby recognize April, 2010, as Child Abuse Prevention Month in Northumberland County, and we call this observance to the attention of all our citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

The vote on the motion is as follows:

Ronald L. Jett – YEA  
James M. Long – YEA  
Thomas H. Tomlin – YEA

A. Joseph Self, Sr. - YEA  
Richard F. Haynie - ABSENT

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

Mr. Trapani stated that this has been a challenging time on many levels. Four major storms this winter caused the state workers to work 12 hr. shifts. Along with the bad weather, the pothole repairs have been extended through April 15<sup>th</sup>. The departments are also downsizing because of budget cuts.

Mr. Trapani also noted points of contact and numbers have changed. He stated all calls will go to a call center beginning April 25.

Mr. Trapani reported that the 6 year plan public noticed will be advertised for May 19, 2010 at 6 p.m. in Richmond. Mr. Trapani suggested sending a letter encouraging a change in the intersection Rt. 360 and Academic Lane.

The secondary 6 year plan is scheduled for next month.

Supervisor Tomlin asked for a Child at Play sign on Firehouse Lane. He also asked when grass cutting will start and if it will be by contract this year or our local department. Mr. Trapani said the first round will start around July 1 and it will be by the local department.

Supervisor Long questioned a pipe line for a Ms. Rice. Mr. Todd VanLandingham said it was scheduled to be done in 2 weeks.

Supervisor Self commented that Academic Lane really needs to be done and we need to make sure we get what we need and try to make it happen. Mr. Trapani said he would send the wording to Mr. Eades as to what to put in the letter that will be submitted.

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

Mr. Stables thanked the highway department for their efforts with clearing the roads to get the buses back up and running during the snow this winter.

Mr. Stables then reported on the Budget. He said they have taken a close look at expenditures and how they match up on line items. Some changes have occurred including the fuel line item. He said the total budget is \$15,397,604 with \$247,325.00 in reductions. Mr. Stables stated they have until May 15<sup>th</sup> by law to notify employees in the event of any layoffs.

Chairman Jett questioned the retirement rate. Mr. Stables said he thought it is currently between 15 and 18 percent.

**RE: MR. GEORGE BECKETT AND MS. LINDA MORRIS, NORTHERN NECK TOURISM COUNCIL**

Mr. Beckett explained that the Northern Neck Tourism Council has reorganized and the Tourism Commission no longer exists. We are happy to report that tourism is up. He then said weddings in the area are a business that is on the rise. Mr. Beckett also mentioned that since the Governor had opened up the visitors centers, tourism should benefit.

**RE: MS JAYNE MCQUADE, NORTHUMBERLAND PUBLIC LIBRARY**

Ms. McQuade handed out a fact sheet to the Board members which included their annual statistics. She further commented that 62% of the population has a library card.

Supervisor Tomlin asked if they had the capability to upload books onto electronic devices like kendals's. Ms. McQuade said they did not.

<b>RE: BUILDING PERMIT REPORT:</b>		
	<b>2010</b>	<b>2009</b>
Total construction cost for the month	\$ 2,864,289.50	\$ 7,555,946.50
Total Bldg. Permit Cost for Month	\$ 4,610.12	\$ 7,000.52

Total Zoning Permit Cost for the Month	\$ 1,950.00	\$ 3,240.00
Total Levy Fee for the Month	\$ 92.21	\$ 122.73
<i>Total Construction cost year to date</i>	<i>\$ 7,787,810.71</i>	<i>\$ 18,381,991.10</i>

**RE: REGIONAL JAIL REFINANCE**

Mr. Eades explained that the Northern Neck Regional Jail Board is considering refinancing the current debit. The refinancing will save the county approximately \$35,000 a year and save the regional jail money also. Mr. Eades said he will have more information for the Board after the Jail Board acts on the package.

**RE: URBAN CLUSTER GRANT**

Mr. Eades explained to the Board that two years ago the General Assembly enacted a law which dealt with what they call "Urban Clusters". The authority was given to the Virginia Department of Transportation to make sure that any jurisdiction with a population increase over 15% from the last census had to rewrite their zoning, subdivision and comprehensive plan to accommodate these changes. VDOT was offering a grant to assist in the updates and Northumberland did receive notice that we were selected to receive the grant. The Board discussed the changes needed and the fact that the county had to adopt provisions, which did not follow the current comprehensive plan. Mr. Eades added that it appears that we are not going to exceed 15% increase in population after the next census so there is a possibility that we do not need to pursue the grant.

Supervisor Tomlin asked if we can put conditions on the criteria. Mr. Eades said we would have to implement the plan as VDOT has spelled everything out

Supervisor Self said we needed to keep the current lot sizes and not use the ¼ acre that is mandated under the Urban Clusters.

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted not to accept the Urban Cluster Grant from VDOT. 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
Thomas H. Tomlin – YEA	

**RE: HUNTING PETITION REQUEST TO CARRY LOADED GUNS**

Mr. Eades said he had received a petition from one of the local hunt clubs requesting to be able to carry loaded guns/firearms on the highway. He said this would have to be advertised for a public hearing if the Board wanted to proceed with this amendment. Mr. Roy Headley who headed the petition has requested this change because we are the only county that has this provision in the Northern Neck and it makes it difficult to know which county you are in while hunting.

Chairman Jett questioned if we are the only county that has this provision.

Supervisor Self asked if this would only be for hunting and suggested the Board find out more information.

*Supervisor Haynie present at 6:01p.m.*

Upon motion by James M. Long, duly seconded by Thomas H. Tomlin, the Board voted not to proceed with the hunting amendment at this time and to get further information on the matter. 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: COUNTY ADMINISTRATOR, KENNY EADES RE-APPOINTED TO THE MIDDLE PENINSULA JUVENILE DETENTION BOARD**

Upon motion by James M. Long, duly seconded by Thomas H. Tomlin, the Board voted to re-appoint Mr. Kenneth D. Eades to the Middle Peninsula Juvenile Detention Board. 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: DR. SAM MARSTON – REAPPOINTED TO THE RAPPAHANNOCK COMMUNITY COLLEGE BOARD**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the Board voted to re-appoint Dr. Sam Marston to the Rappahannock Community College Board. 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 TO ADVERTISE BETZ LANDING SUBDIVISION TO ALLOW THE USE OF GOLF CARTS ON ROADS**

Upon motion by James M. Long, duly seconded by A. Joseph Self, Sr. the Board voted to advertise for the use of golf carts in the Betz Landing Subdivision. 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: PROCLAMATION FOR EVB BANK**

Mr. Eades stated he had received a request from EVB Bank for a proclamation from the Board designating May 1 as EVB Day.

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

## **Proclamation**

**WHEREAS, EVB** was founded in 1910, and has since grown to encompass 25 branches with a current employment of over 300 Eastern Virginians; and

**WHEREAS, EVB** is a successor in interest community bank dedicated to helping its customers achieve their financial dreams, and has done so over the decades by working on a personal level with families and local businesses; and

**WHEREAS, EVB** continues to strive for excellence by continually innovating with new products and services, while staying true to its community values and trusted relationships; and

**WHEREAS, EVB** has made it a priority to perform charitable work in the local Northumberland County community. EVB and its employees willingly donate their time and money to support the Northumberland County community in efforts such as the YMCA, Chamber of Commerce, Rice's Hotel Hughlett's Tavern Foundation, local fire departments, rescue squads, churches, schools and numerous other non profit organizations; and

**WHEREAS, EVB** is a local business celebrating a century of community banking this year; and will continue to seek to foster a vibrant, prosperous Eastern Virginia for its employees and their families.

**NOW THEREFORE, BE IT RESOLVED BY THE NORTHUMBERLAND COUNTY BOARD OF SUPERVISORS** that this Board, for and on behalf of the citizens of Northumberland County, does hereby recognize EVB for its steadfast dedication to economic growth and community service.

**BE IT FURTHER RESOLVED** that May 1, 2010, is hereby proclaimed to be "**EV B**" Day in Northumberland County.

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: LIGHT STREET GRANT UPDATE**

Mr. Eades informed the Board that the Community Development Block Grant application has been submitted for the Light Street Project on March 29<sup>th</sup>. He said we should hear something back on the status by the mid to late July.

### **RE: APPROPRIATION REQUEST FROM SHERIFF WILKINS, COURTROOM SECURITY MONEY.**

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the Board voted to appropriate \$5,500.00 Courtroom Security money, to the Part-Time line item, 3102-1002.

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: BUDGET SCHEDULE**

The following budget schedule was set.

April 12, 2010- Work session  
Public Hearing on Budget – April 29<sup>th</sup> at 7p.m. in New Courts Building  
The budget adoption will be on May 13<sup>th</sup> at regular Board meeting.

**RE: BOARD COMMENT PERIOD**

**RE: WOUNDED WARRIORS DONATION**

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to donate \$250.00 to the Wounded Warriors event. 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: NIKI SWANN – RESOLUTION OF HONOR**

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to adopt the following resolution:

**RESOLUTION  
RECOGNITION TO DEVON NICOLE SWANN**

**WHEREAS;** Devon Nicole Swann (Niki), graduated from Northumberland High School in 2004, received a Bachelor of Arts Degree from Longwood University and is earning her Masters Degree in English Literature at Virginia Commonwealth University; and

**WHEREAS;** the same Niki Swann teaches composition at Rappahannock Community College and has earned the respect from her colleagues and students; and

**WHEREAS;** Niki Swann has overcome challenges and obstacles to achieve and accomplish great success; and

**WHEREAS;** the same Niki Swann was crowned Ms. Wheelchair of Virginia on Saturday, March 27, 2010 and voted Miss Congeniality by her fellow contestants; and

**WHEREAS;** this accomplishment as a Northumberland County resident deserves special recognition,

**NOW, THEREFORE, BE IT RESOLVED, THAT THE** Northumberland County Board of Supervisors does hereby recognize Ms. Niki Swann for being an inspiration to all county citizens and the Board extends their sincere appreciation and 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: DREDGING UPDATE**

Supervisor Jett asked about all the emails that were going around concerning the dredging of the Little Wicomico River and that there will not be any funds for future dredging.

Mr. Eades reported that Congressman Wittman held a meeting of the Middle Peninsula and Northern Neck Counties to discuss prioritizing dredging projects and figuring a way to fund them in the future. It appears that the earmark system used to allocate funds on the federal level may not be there in the future and we need to look at other ways to fund dredging projects. Service tax districts may be an option but there have been some people very vocal about using taxing districts.

**RE: APPROVAL OF CHECK REGISTER**

Upon motion by James M. Long., duly seconded by Thomas H. Tomlin, 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: APPROVAL OF MINUTES FROM MARCH 11, 2010**

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie., the Board voted unanimously to approve the minutes from the previous meeting on March 11, 2010. 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	

**Public Hearings**

**RE: REQUEST BY SHARA LEE BUCK, OWNER AND WALTER LYNCH AND MARY WALL, APPLICANTS FOR A CONDITIONAL USE PERMIT TO ALLOW FARMING WITH LIVESTOCK FOR UP TO 12 HORSES LOCATED AT 1877 MUNDY POINT ROAD NEAR CALLAO**

County Administrator Eades described the request that is located on Mundy Point Road. Mr. Eades said the acreage of the property is 37.18 acres and the request is to house 12 horses. He has received 6 letters on the matter with 2 of the letters in opposition. Mr. Eades read the conditions that staff has recommended.

#### Public Hearing Open

Mr. Walter Lynch, applicant stated that they have been looking for property of this nature that is different from living in Northern Virginia. He said they were looking for a quiet country setting to live in and also a good environmental nature for daughter's passion of horses.

Mr. Eric Coultrip stated he would love to have them as a neighbor and it would be good for the county.

Mrs. Rosalie Coultrip stated that she is an adjacent property owner and have lived there since 1963 and stated that the property has been used as a small working farm. She supports the request and said it fits with nature and is looking forward to improvements to the old house that looks like it is going to collapse.

Mr. George Shudler said he is concerned with the run off that may pollute the water. He also said the Mundy Point area has poor soils and does not perk.

Ms. Lucille Wade doesn't have any objection and stated that there is no pasture area, trees are falling down, questions where the grazing will be and how soon will the property transaction be done. She also said there is a graveyard on the property and is concerned if there will be a fence put up, etc. She stated she has a garden and she would like protection.

Mr. Ken Bowers stated he doesn't have an objection, but is concerned with the drainfield and the run off into Wilkins Creek.

Mrs. Bowers is also concerned with pollution and stated that she realizes the daughter's passion for horses but not at the expense of the pollution of the creek.

Ms. Sandy Bailey said she is surprised to hear Ms. Rosalie Coultrip is supporting this request. (Ms. Coultrip is employed by the Health Department as a sanitarian). Ms. Bailey continued to say she was turned down to put a house on that piece of property. She then said that it will be a significant amount of waste from the horses' overtime. Ms. Coultrip spoke up and said that Ms. Bailey's file is public record.

Mr. Lynch stated he was unaware that there may be a cemetery on the property but if so they would preserve and honor it. He said he has tried to reach out to the neighbors and had left a message at the Wades residence. He said he was more than willing to adjust any plans.

#### Public Hearing Closed

Supervisor Tomlin questioned if the soils perked. Mr. Lynch said he met with Mr. Shirley (Zoning Administrator) and they can use the existing drainfield. Mr. Lynch went on to say that he is an architect and he understands the Chesapeake Bay Act and will fully comply and will honor Mr. Shirley's rules.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted to approve the request with the following conditions:

1. There can be no clearing within the 100' Resource Protection Area for construction of the barn and establishment of the pastures and/or paddocks;
2. There can be no clearing for pastures and/or paddocks within 50' on either side of the intermittent stream that divides the property. Except, that an area sufficient to move horses and equipment from one area of the property to the other will be allowed;
3. No land clearing will be allowed until the applicants have submitted and had approved a plan that shows the area to be cleared, the acreage to be cleared and the buffers that will remain intact;
4. The permit will be issued upon receipt of a nutrient management plan that includes storage and handling of animal waste and a rotational grazing plan. Both plans must comply with all state and federal guidelines and be approved by the Northern Neck Soil and Water conservation District;
5. Adequate fencing that provides for a minimum of 1.5 acres of pasture and/or paddock area per horse must be installed; and,
6. The applicants will be limited to a maximum of 12 horses on the property.

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 stated that other requests similar to this one have been approved.

#### **RE: PUBLIC COMMENT PERIOD**

Mr. Dick Saxer questioned the stop light at 360 and 200 as far as the arrow being green and the timing. Chairman Jett said he was told that it was all in the timing cycle and it depends on if cars are sitting at the light. Mr. Eades said he would mention this to VDOT.

#### **RE: ADJOURNMENT**

Upon motion by Thomas H. Tomlin, the Board voted unanimously to stay open for work session on Monday. The vote on the motion was:

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

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Kenneth D. Eades, Clerk