

Board of Supervisors Meeting
March 11, 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, March 11, 2010

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 Lee Farmer, Coan Baptist Church led the invocation.

RE: PLEDGE OF ALLEGIANCE

Supervisor A. Joseph Self, Sr., led in the pledge of Allegiance.

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 February 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	

RE: APPROVAL OF AGENDA

Upon motion by James M. Long duly seconded by Thomas H. Tomlin, the Board voted unanimously to approve the agenda for today's meeting with the following changes. The Light Street Project will not be discussed due to pending information. The additions to the agenda today are to add Sheriff Chuck Wilkins to the afternoon session to discuss the calls that were received in 2009 and to also add a closed meeting to discuss a matter requiring the protection of the privacy of an individual in a matter involving public business after the Public Hearings. The vote on the motion was as follows:

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

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

**RE: VIRGINIA DEPARTMENT OF TRANSPORTATION, CLIFTON BALDERSON,
ASSISTANT RESIDENCY ADMINISTRATOR**

Mr. Balderson reported that the Merry Point and Sunnybank Ferries are now running. They are called “The Northumberland” and “The Lancaster”.

Mr. Balderson said he hopes the snow is gone for the year and he commended the men and women that worked in the historical storm. He reported that pot holes patching had begun and if you have any to report, either call the Lottsburg Headquarters or the Haynesville office.

The Public Hearing on the Six Year Secondary System Road Plan is scheduled for next month, April 8th at 7 p.m.

Supervisor Self asked if it will be the same grass cutting process as last year. Mr. Balderson said yes, they will be cutting the grass with VDOT workers.

Supervisor Tomlin questioned if Camp 17 in Haynesville closes, what will that mean for VDOT? Mr. Balderson responded by saying if they are unable to get inmates it will be difficult to keep the sides of the roads clear. Supervisor Self suggested the Board write a letter with the concerns with closing the center. Supervisor Tomlin requested a resolution.

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the Board voted to adopt the following resolution:

**RESOLUTION
CLOSING OF CAMP SEVENTEEN**

WHEREAS, The Northumberland County Board of Supervisors desires to keep Haynesville Correctional Unit #17 open; and

WHEREAS, The Board of Supervisors of Northumberland County would like to keep the employment from Camp #17 in the Northern Neck; and

WHEREAS, Camp #17 provides Virginia Department of Transportation assistance in cutting, clearing and cleaning of our public highways;

NOW THEREFORE, BE IT RESOLVED, That the Northumberland County Board of Supervisors does hereby requests the Virginia General Assembly to keep Haynesville Correctional Unit #17 open; and

BE IT FINALLY RESOLVED, That this resolution is forwarded to the Virginia General Assembly and Virginia Department of Corrections for their consideration.

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. Balderson if a stop light is required for the proposed Bluff Point Project, who will be required to pay for it? Mr. Balderson said he will find out and get back with Mr. Eades.

Chairman Jett reported that he had met with Sean Trapani, Residency Administrator for VDOT concerning the tree on the Birkel property and thinks they have corrected the problem.

RE: MR. CLINT STABLES, SUPERINTENDENT OF SCHOOLS

SCHOOL BOARD APPROPRIATIONS

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

- \$ 38,290.37 – Medicaid Reimbursement
- \$ 311.29 – Electrical Services Reimbursement - close of accounts
- \$ 12,749.40 – E-Rate Reimbursement
- \$ 1,680.00 – VSBA Regional III Meeting

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. Stables reported that they are in the process of estimating the budget but it may be the first of June until we hear from the State. It makes the process more difficult to make the 1st of April deadline budget submission to the Board of Supervisors if we don't have the figures. The School Board has set their budget meeting for March 29th. Mr. Eades asked if the new Virginia Retirement System rate was figured into his numbers at this point. Mr. Stables said yes but it may be worse. He said the School Board had looked at all programs and we will submit the best we can. He said they have tried to take control over the budget for the last 3 years and have worked hard to return funds back to the county. He reported there will be between \$900,000 and 1.3 million in reduction in state aid. We intend on getting the final to the Board of Supervisors by April 1st. He continued to say they are all concerned and no one wants to make a lot of cuts. He invited the Board to a drama production “Night at the Wax Museum”.

Supervisor Tomlin stated he won't be at the public hearing on Monday night and said he is concerned about the JROTC program being cut and questioned why the Governor's School is not being considered for a cut. He said if he has anything to do with it JROTC will be staying. He then continued to say that when you look at the numbers which is more bang for your buck; the Governor's School or JROTC. If the JROTC program is not in the budget, then I will vote against it because so many students benefit

from the program. Mr. Stables said he appreciated his input and said nothing had been decided. Supervisor Long said he will be there on Monday night.

Chairman Jett advised Mr. Stables that one of his school teachers was harassing his daughter about a 3 cent tax increase and he expressed his concern. He also stated his concerns with the ball fields, the fence flapping, the lights not working, score boards not working and bathroom trash overrun. Mr. Stables said the Virginia Dominion Power will be replacing the transformer for the lights and the Athletic Director did not have anyone scheduled to run the scoreboards that particular night. Chairman Jett continued to say there were 3 or 4 administrators there at this game and never attempted to correct the problems. There is no maintenance and no one bothers to correct any issues. Chairman Jett said things need to be addressed. Mr. Stables said he stresses to staff about these types of things and he said the Board has always been so supportive and they really want input.

RE: SHERIFF CHUCK WILKINS, YEAR END REPORT FOR 2009

Sheriff Wilkins presented the Board with a year end report of categorized calls received into dispatch. He said this can be a little misleading because of the different dispatchers entering the calls. (copy in Board papers).

Supervisor Tomlin questioned the false alarm number of calls.

Supervisor Self stated it was a good report.

RE: LIGHT STREET PROJECT UPDATE

Mr. Eades said he has discussed with the Board that he has met with Ms. Donna Thompson from Scenario, Inc. on items that have been requested and he has taken the project off the agenda for today but it will be discussed in the future. Supervisor Long said he talked with Attorney Hutt that is representing Ms. Jackson, landowner on Light Street.

RE: BUILDING PERMIT REPORT:

RE: BUILDING PERMIT REPORT:		
	2010	2009
Total construction cost for the month	\$ 2,130,977.21	\$ 6,532,922.60
Total Bldg. Permit Cost for Month	\$ 3,896.28	\$ 9,460.67
Total Zoning Permit Cost for the Month	\$ 1,290.00	\$ 3,600.00
Total Levy Fee for the Month	\$ 77.94	\$ 165.87
<i>Total Construction cost year to date</i>	<i>\$ 4,923,521.21</i>	<i>\$ 10,826,044.60</i>

RE: BROADBAND UPDATE

Mr. Eades updated the Board on the status with the Broadband Grant. He stated that a rejection letter had been received on the issue and round 2 may need to be explored and we have several options. He said he was going to meet tomorrow at the Planning District Commission and also a meeting has been set up on Monday with Senator Jim Web for democratic support.

RE: RESIGNATION OF DAVID FISHER, BOARD OF ZONING APPEALS

Mr. Eades said he had received a letter from Mr. David Fisher stating that he was resigning from the Board of Zoning Appeals. Mr. Eades asked the Board for suggestions with this appointment and said it should come out of District 1.

RE: APPROPRIATION REQUEST

Upon motion by Richard F. Haynie, duly seconded by James M. Long the Board voted to appropriate \$2,800.00 from the Revenue Account line item to the Animal Shelter line item 3501-1004. 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

Mr. Eades said he would like to get straight with the budget by May but he doubts that will happen because of the General Assembly. He stated we may need a special meeting in April. The code section says the school budget must be adopted by May 1st because of teacher’s contracts. Mr. Clint Stables stated that no positions can be cut after June 1st. Supervisor Tomlin said the School Board Association is put in a terrible position that raises anxiety. Mr. Eades also stated the Compensation Board may cut \$400,000 from the county, but he is not sure yet and in another taking of the localities money, the state may keep a portion of the consumer utility tax.

RE: LOCAL CHOICE INSURANCE RENEWAL

Mr. Eades explained that our insurance rates will go up considerably this year and with the rate hikes he decided to explore higher deductible options. He suggested staying with Local Choice but drop a tier to the Key Advantage 250 plan and the Key Advantage 1000 plan instead of the Key Advantage and Key Advantage 500. Each of these plans creates a more affordable choice for the county and employees. Both plans basically keep the same services as the current ones except for a higher deductible for a hospital stay. Currently the county picks up \$447.00 per employee. An additional \$14.00 will be needed for these plans to cover 100% of the new rate. Mr. Eades stated that he just needed to know if the Board wants to drop to the 250 and 1000 and can change the county's funding at a later date if the Board would like to pick up the additional \$14.00.

Upon motion by James M. Long, duly seconded by Thomas H. Tomlin, the Board voted to go with the recommended Key Advantage 250 and the Key Advantage 1000 with Local Choice Anthem and have the employees pay the additional \$14.00 per month. 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: BOARD COMMENT PERIOD

No comments were given.

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	

Public Hearings

RE: REQUEST BY THOMAS L. MOUNTCASTLE FOR AN EXCEPTION TO THE CHESAPEAKE BAY PRESERVATION AREA ORDINANCE TO CONSTRUCT A 17' X 32' ADDITION TO HIS DWELLING LOCATED AT 1191 COWART ROAD NEAR LOTTSBURG

W.H. Shirley, Zoning Administrator described the request by Thomas L. Mountcastle for an exception to the Chesapeake Bay Preservation area ordinance to construct a 17' x 32' addition to his dwelling located at 1191 Cowart Road near Lottsburg. He did not receive any comments on the request.

Supervisor Tomlin asked where the hose was going that came from the house? Mr. Mountcastle said it is coming from the hot water drain.

Public Hearing Open

No comments were given

Public Hearing Closed

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted to approve the request. 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 W. EMORY LEWIS, JR., FOR A CONDITIONAL USE PERMIT TO OPERATE A CLINIC AT 18682 NORTHUMBERLAND HIGHWAY NEAR LILIAN

Zoning Administrator Shirley described the request for the clinic. He stated he received one comment in favor for approval. Dr. Lewis was unable to attend the meeting because of a family matter.

Public Hearing Open

Ginny Estelle asked if this will be an independent facility. Mr. Shirley responded by saying at the present time yes it is independent.

Public Hearing Closed

Upon motion by Ronald L. Jett, duly seconded by A. Joseph Self, Sr., the Board voted to approve the request for a conditional use permit to operate a clinic at 18682 Northumberland Highway near Lilian. The vote on the motion is as follows:

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

Chairman Jett stated there is a real need for this in the community.

Supervisor Tomlin said there is 2.37 acres at this location. He said the Board sent Riverside Hospital a letter to keep the Lewis Clinic open and if we had voted against this we would be going against ourselves.

RE: PUBLIC COMMENT PERIOD

Ms. Ginny Estelle said that after hearing about the school situation and cutting programs such as JROTC, then raising the tax rate she thought would be supported because any of the cuts made would affect education.

RE: CLOSED MEETING

Upon motion by A. Joseph Self, Sr., duly seconded by Richard Haynie, the Board voted unanimously to convene into closed meeting to discuss a matter requiring the protection of the privacy of an individual in a matter involving public business as permitted by Virginia Code Section 2.2-3711 (A) (4). 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 Richard F. Haynie, 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 Thomas H. Tomlin, 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 protecting the privacy of an individual in a public matter.

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	

There was no action discussed or taken after the closed meeting.

RE: ADJOURNMENT

Upon motion by Thomas H. Tomlin, the Board voted unanimously to stay open for the March 17, 2010 meeting on the Bluff Point Planned Unit Development. 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	

Kenneth D. Eades, Clerk