

**Board of Supervisors Meeting
November 10, 2010
5:00 P.M.**

NORTHUMBERLAND COUNTY, VA

The meeting was convened for the regular monthly meeting of the Northumberland County Board of Supervisors that was held in the New Courts Building, on Wednesday, November 10, 2010

Present: Ronald L. Jett. – Supervisor
 Richard F. Haynie – Supervisor
 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 Mike Ramming, Good Shepard Lutheran Church led the invocation.

RE: PLEDGE OF ALLEGIANCE

Pastor Ramming led us in the Pledge of Allegiance.

**RE: MINUTES APPROVED FOR AUGUST 26, 2010, OCTOBER 4, 2010, OCTOBER 14, 2010
AND OCTOBER 27, 2010**

Upon motion by A. Joseph Self Sr., seconded by James M. Long, the Board voted to approve the minutes for August 26, 2010 with the following change:

Add to the comment by Jane Stilman “did you mean it then, or did you mean it now?”

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	

Upon motion by A. Joseph Self Sr., seconded by James M. Long, the Board voted to approve the minutes for October 14, 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	

Upon motion by A. Joseph Self Sr., seconded by James M. Long, the Board voted to approve the minutes for October 4, 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	

Upon motion by A. Joseph Self Sr., seconded by James M. Long, the Board voted to approve the minutes for October 27, 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	

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 for today's meeting with the following change: The Board will go into closed meeting on a legal issue. 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: SEAN TRAPANI, RESIDENCY ADMINISTRATOR FOR VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Trapani introduced Mr. Alvin Balderson that has been hired as Superintendent at the Lottsburg Head Quarters. Mr. Balderson comes from the Tappahannock office and said if we have any problems then to give him a call.

Mr. Trapani described the outfall pipe collapsed from the heavy rains we had at the passing zone on Route 200 by Glen Lester's.

Mr. Trapani stated they have completed the primary mowing and the snow plan is underway.

He then gave a report on the survey on Rt. 604 in the Horsehead area saying that the second design will be relocating the entire intersection. The public informational meeting will be held in the spring.

Mr. Trapani reported that the Academic Lane study will be available on November 19th with recommendations and options. He said he would contact Mr. Eades about the study.

Mr. Trapani then said this would be his last meeting to attend because he will be transferred to the Saluda office on December 10, 2010. A replacement for his position should be filled next week.

Supervisor Self asked Mr. Trapani about moving the speed limit sign near Ace Hardware in Lottsburg. Mr. Trapani said it is arbitrary and that when traffic was studied they were going above 45 mph and the study showed it will not slow traffic down to meet the warrants. Supervisor Self said that moving the 55 mph father outside Lottsburg is practical and common sense. Mr. Trapani said that even if the

sign is moved people will not go 45 mph. Supervisor Self said that would be an enforcement issue. Supervisor Tomlin said that enforcement would not be a problem. Mr. Trapani spoke up and said that in the past when the study was done a questionnaire went out to the law enforcement officers including the sheriff and it received no opposition.

Supervisor Long noted signage problems on Courthouse Road and on Old Tiper's Road.

Mr. Trapani noted there may be some street sign changes coming from the Federal Highway Administration. VDOT is not sure if the county's street signs will be affected but some guidance on the regulations should come around March. The requirement will mandate the use of upper and lower case letters on signage.

Supervisor Tomlin referenced the stop light on Academic Lane and compared it to the stop light at St. Claire Walker School in Middlesex County. Why did they get a light and that road is four-laned? He then commented that if we don't get a light they will need to justify the one in Middlesex County.

Chairman Jett asked about moving the trees in Reedville. Mr. Trapani said they should be scheduling that real soon.

RE: SUPERINTENDENT OF SCHOOLS, CLINT STABLES

Mr. Stables stated that the new wind turbine grant award that was requested by Jenny Chrisman was approved and should produce 2.6 KW. The turbine will be connected to the science class and will be displayed on the website.

Also, a resolution will be given to Tanya Creasy for her 20 years of service to the Adult Education in the County.

RE: SCHOOL BOARD APPROPRIATION –

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

- \$ 4,845.25 – Insurance Settlement – Car Accident – 02/18/10
- \$ 10,857.55 – Reimbursement for Summer Youth RCC – 2009-2010
- \$ 6,682.93 – Refund – Krueger International – Duplicate Payment

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: ZERO PERCENT LOAN APPLICATION

Mr. Eades described to the Board information concerning a zero percent loan that the County may be able to get for school related capital improvements. He suggested applying for the money to put a new roof on the slopped section of the Elementary School. Mr. Stables went into more detail as to why the elementary school may need a new roof in the coming years. Mr. Eades said he is not real confident

that we will get the money but feels that we need to try. Supervisor Long made a motion to apply for the loan. Supervisor Self asked if we can withdraw at anytime? Mr. Eades said that we do not have to accept the grant award. Supervisor Tomlin said he was voting against it because of debt procurement reasons.

Upon motion by James M. Long, duly seconded by, Richard F. Haynie the Board voted to authorize the County Administrator to apply for the loan. 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 – NAY	

Supervisor Self suggested on getting some basis on where the money would be going.

Supervisor Long referenced the new High School as far as work that needs to be completed. Mr. Stables said that they were getting the top roof vent straight by enclosing it with a solid piece so water cannot penetrate the vent. Mr. Eades noted that work will be done during the Christmas vacation. Supervisor Tomlin said to get that in writing. Supervisor Long said he was still concerned with the gymnasium where extra mats were needed.

RE: BUILDING PERMIT REPORT:		
	2010	2009
Total construction cost for the month	\$ 3,032,447.33	\$ 7,067,131.58
Total Bldg. Permit Cost for Month	\$ 5,417.84	\$ 9,099.56
Total Zoning Permit Cost for the Month	\$ 2,490.00	\$ 3,350.00
Total Levy Fee for the Month	\$ 108.35	\$ 176.00
<i>Total Construction cost year to date</i>	<i>\$ 26,390,118.08</i>	<i>\$ 52,014,396.94</i>

RE: RESOLUTION HONORING EAGLE SCOUT, RYSHAN CONAWAY

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

**RESOLUTION
RECOGNITION TO RYSHAN CONAWAY**

WHEREAS; Mr. RyShan Conaway a junior at Northumberland County High School, who has obtained the rank of Eagle Scout; 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; RyShan Conaway, 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; RyShan Conaway completed his project which was a dog run behind the Northumberland County Animal Shelter where he also volunteers; and

NOW, THEREFORE, BE IT RESOLVED, THAT THE Board of Supervisors does hereby recognize Mr. RyShan Conaway for his contribution to Northumberland County and the inspiration he has given the students of this county, and 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: APPROPRIATION TO ANIMAL SHELTER

Upon motion by Thomas H. Tomlin duly seconded by Richard F. Haynie, the Board voted to appropriate the requested funds from Account 10-286 in the amount of \$2400.00 to line item 10-3501-1004. These funds are what the Friends of the Shelter have collected and they want to put the money back into the shelter. 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: RESIGNATION OF REUBEN THRIFT ON THE WORKFORCE INVESTMENT BOARD

Mr. Eades said he had received a letter from Mr. Thrift that stated he was resigning from the Workforce Investment Board and to be thinking of someone that could fill the appointment.

RE: METROCAST UPDATE ON SERVICES

Mr. Eades informed the Board that Metrocast has closed on the deal to purchase our cable TV system from Comcast and said a representative from the company will probably be coming to the Board meeting in February with their plans for services in the county.

RE: ABSTRACT VOTES

Mr. Eades read through the Abstract of Votes from the Electoral Board of the election held on November 2, 2010.

Member of House of Representatives, 1st District are as follows:

Robert J. “Rob” Wittman – R – 3571	
Krystal M. Ball – D -	1585

Proposed Constitutional Amendments:

Question 1:

Shall Section 6 of Article X of the Constitution of Virginia be amended to authorize legislation that will permit localities to establish their own income or financial worth limitations for purposes of granting property tax relief for homeowners not less than 65 years of age or permanently and totally disabled.

Yes – 3949

No - 991

Question 2:

Shall the Constitution be amended to require the General Assembly to provide a real property tax exemption for the principal residence of a veteran, or his or her surviving spouse, if the veteran has a 100 percent service – connected, permanent, and totally disability?

Yes – 4245

No - 741

Question 3:

Shall Section 8 of Article X of the Constitution of Virginia be amended to increase the permissible size of the Revenue Stabilization Fund (also known as the “rainy day fund”) from 10 percent to 15 percent of the Commonwealth’s average annual tax revenues derived from income and retail sales tax for the preceding three fiscal years?

Yes – 2459

No - 2362

RE: BOND MONEY APPROPRIATION

Mr. Eades said the auditors have been in the office this week working on the FY 2010 audit. He said he had talked to Paul Lee (auditor) and said that Mr. Lee suggested that we appropriate the payments to the contractors for the Middle/High School construction project. The money that has been paid to the contractor came from the Bank holding the bonds.

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long the Board voted to appropriate \$572,931.60 in FY 10 payments bond money. 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: REALESTATE COLLECTION RATE

Mr. Eades said he had talked with Treasurer, Ellen Kirby about the current real-estate collection rate. At this time collections are at 26.78%.

RE: DROUGHT AREA DECLARED

Mr. Eades explained that Matt Lewis, Northumberland County Extension agent had informed him that the County has been declared a drought area. This should help some of the farmers with relief and give them some options.

RE: REQUEST FOR PROPOSALS, BLUFF POINT

Mr. Eades said he had the draft of the RFP for Bluff Point and would advertise it November 28th. Supervisor Tomlin noted it would probably take 9 weeks for a turnaround. Mr. Tomlin asked what is the timeline for the Board to vote on this project since it will be over a year. County Attorney Kilduff said he can't find a deadline requirement on voting on a special exceptions permit and he doesn't think we have one for the reason of due process. Any time restraints can be waived by the applicant.

Supervisor Self suggested meeting one morning to look over the RFP. The Board decided to meet on November 17, 2010 at 7:30 a.m. Supervisor Tomlin asked for a letter stating that the applicant waived any objection to a timeline.

RE: APPROVAL OF CHECK REGISTER

Upon motion by James M. Long duly seconded by Richard F. Haynie, 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: BOARD COMMENT PERIOD

Supervisor Long suggested painting the inside of the Courthouse. He also commented that the holes at the Ditchley Trash site need to be filled. Also, the monument at the old Middle School needs to be lifted about 3feet.

Supervisor Tomlin suggested looking at a Capital Improvements Program so that the funds would be there for items like the Elementary School roof.

RE: VERIZON LETTER TO KEEP WHITE PAGES

Supervisor Tomlin expressed his concern with Verizon's request to eliminate the white pages from being printed.

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to send a letter of objection to the State Corporation Commission with its disapproval of eliminating the White Pages of the phone book. 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 | |

PUBLIC HEARINGS

RE: REQUEST BY WILLIAM AND GRACE BROADDUS FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A SECOND PRIVATE NON-COMMERCIAL PIER ALONG INDIAN CREEK AT 509 POCAHONTAS ROAD NEAR KILMARNOCK

Zoning Administrator Shirley described the request for the conditional use permit. He said he has only received one comment which was from Peter Brotz stating he is concerned with the location of the pier.

Mr. Bill Broadus spoke on his behalf saying that Mr. Ronnie Shackelford would be the contractor for the "L" shaped pier. He said that since the creek has been dredged behind his property the pier that they currently use is not suitable for a sailboat due to the water depth. The proposed pier would go out about 100 feet.

Public Hearing Open

Mr. Peter Brotz said he is not opposed to the pier but the creek is narrow and it has 14 pilings on his side of the cove and with this pier it is going to be hard to navigate through that part of the creek. The boat traffic would be safer if the pier would just swing left about 15 feet over and he suggested making it shorter. That way he would still have the water depth and a much safer situation.

Public Hearing Closed

Mr. Broadus stated that the two pilings are designation markers for the center of the channel. He said he is trying to please everyone and the adjoining property owner on the other side would not want it moved more towards his property. As far as the length, he said that it would save him money if he would shorten the pier, but he has to make it that length to get the depth.

Supervisor Tomlin asked when the property was bought and what was his understanding of Parcel B as far as who owns it? Mr. Broadus said it was conveyed to them by special warranty deed.

Mr. Brotz said the water is deeper to the left of the proposed pier and you can get 6 foot of water.

Supervisor Self asked Contractor Ronnie Shackelford about the depth. Mr. Shackelford said the soundings are about the same.

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to carry over the request until next month to give the adjoining property owners time to resolve the situation between Mr. Broadus and Mr. Brotz. If Parcel B is a different parcel than there would only be one pier on each parcel. 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	

The public hearing will be closed for that carryover.

RE: REQUEST BY NORTHUMBERLAND COUNTY PUBLIC SCHOOLS FOR A SPECIAL EXCEPTIONS PERMIT TO INSTALL A 60 FOOT TALL WIND TURBINE ADJACENT TO NORTHUMBERLAND MIDDLE SCHOOL NEAR HEATHSVILLE.

Zoning Administrator Shirley described the request for the wind turbine. He has not received any comments on the request.

Public Hearing Open

Mr. Lee Allain said he couldn't understand anyone who didn't endorse this. It's a good alternative to energy and suggests expanding the solar energy as well.

Public Hearing Closed

Upon motion by James M. Long, duly seconded by Richard H. Haynie the Board voted to approve the Special Exceptions Permit for the wind turbine. 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: PUBLIC COMMENT PERIOD

Mr. Carl Gruel spoke on the Bluff Point Project again saying he did an aerial on "Google earth" and found 7 dredged channels. Mr. Gruel noted other objections to the project (on sheet in Board papers).

RE: ADJOURNMENT

Upon motion by James M. Long duly seconded by A. Joseph Self, Sr., the Board voted to carry over the meeting until November 17, 2010. 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