

**Board of Supervisors Meeting**  
**January 12, 2012**  
**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 at Northumberland Courts Building, on Thursday, January 12, 2012

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

Acting as convener until the election of a Chairman, the County Administrator Kenneth D. Eades called the meeting to order. He expressed his concerns with the upcoming year saying it will probably be the most challenging year that we have ever experienced. The budget issues are at the forefront with the mandates and cuts from the Commonwealth. He expressed his sincere appreciation for working though similar issues in the past and looking forward to working with the Board this upcoming year.

**RE: INVOCATION**

Pastor John Minter, New Friendship Baptist Church led the invocation.

**RE: PLEDGE OF ALLEGIANCE**

County Administrator Eades led in the Pledge of Allegiance.

**RE: ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS**

Supervisor Long made a motion to re-elect Ronald L. Jett as Chairman. The motion was seconded by Supervisor Self.

There were no further nominations and Supervisor Tomlin made a motion to close the nominations. The motion was seconded by Supervisor Long and unanimously carried.

A roll call vote was then taken on the motion for Chairman and the vote was as follows:

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

Supervisor Ronald L. Jett then took over as Chairman of the Board of Supervisors.

**RE: ELECTION OF VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS**

A motion was made by Supervisor Self to re-elect Richard F. Haynie as Vice-Chairman of the Northumberland County Board of Supervisors. The motion was seconded by Supervisor Long.

There being no further nominations, a motion to close the nominations was made by Supervisor Long, seconded by Supervisor Self and unanimously carried by the Board.

A roll call vote was then taken for Supervisor Haynie as Vice-Chairman. The vote was as follows:

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

Supervisor Richard F. Haynie was elected Vice-Chairman of the Board of Supervisors.

**RE: ADOPTION OF BY-LAWS**

The County Attorney had reviewed the proposed By-Laws.

Upon motion by A. Joseph Self Sr., duly seconded by James M. Long the Board voted unanimously to adopt the By-Laws for the calendar year 2012 with 7 exceptions from Robert Rules of Order. The vote on the motion was as follows:

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

**BY-LAWS AND RULES OF ORDER  
OF THE  
BOARD OF SUPERVISORS OF NORTHUMBERLAND COUNTY, VIRGINIA**

1. By Laws and Rules of Order. In order to provide for the ease and manner in which the meetings of the Board of Supervisors of Northumberland County, Virginia, are conducted, the following by-laws and rules for internal organization and procedure are adopted. Reference is made to the Constitution of Virginia (1971), the Code of Virginia, 1950, as amended, and the Opinions of the Attorney General as they may apply. In matters of procedure, the current edition of Robert's Rules of Order Newly Revised shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Board may adopt. The following exceptions shall apply:

- a. The Chairman may make motions and vote on all questions.
- b. On a motion from the floor there is no need for a second prior to the vote.
- c. Citizens will follow the Public Hearing Rules of Conduct when addressing the Board at Public Hearings.

- d. Members need not rise when speaking.
- e. There is no limit to the number of times a member can speak to a question.
- f. Informal discussion of a subject is permitted while no motion is pending.
- g. The Chairman may speak in discussion without rising or relinquishing the Chair.

The by-laws and rules of order of this Board may be amended by a majority vote of the Board and shall be adopted and re-adopted at the organizational meeting of the Board annually.

2. Resolutions and Ordinances. The business and powers of the Board shall be exercised through resolutions and ordinances duly adopted by the Board in compliance with the provisions of the statutes of the Commonwealth of Virginia and paragraph 7 of these By-Laws and Rules of Order.

Resolutions, or orders, shall be used for all county business that is essentially administrative, including internal or housekeeping matters and temporary concerns of the Board. Resolutions shall not be required to meet any strict standards as to their form and content, but they shall be clear enough to establish the intent of the Board. In most cases a public hearing shall not be required prior to the adoption of a resolution. Ordinances, which are more formal enactments than resolutions, shall be used for most governmental or legislative matters that control the lives, liberties or property of citizens, that have a permanent effect, or that deal with subjects of county-wide concern.

The procedure for enacting an ordinance shall require compliance with strict statutory rules. Descriptive notice of the Board's intention to propose an ordinance shall be published once a week for two successive weeks prior to passage. Emergency ordinances may be adopted without notice, but they may not be enforced for more than 60 days unless re-adopted in the manner required by law. Land use controls and certain tax ordinances shall be subject to more stringent procedural requirements than other ordinances.

3. Chairman and Duties. A chairman and vice-chairman of the Board shall be elected by the affirmative majority vote of the Board at the annual organizational meeting of the Board. Their term shall be for one year or until a successor is elected. It shall be the duty of the chairman to preside over all meetings of the Board and to discharge any other duties as become necessary and are permitted. The vice-chairman shall act in the absence or disability of the chairman. The chairman shall be authorized to administer oaths to persons concerning any matters submitted to the Board or connected with its powers and duties. The chairman and/or the vice-chairman are permitted to make motions at their discretion. The chairman may sign all orders issued by the Board, but the Board assigns this duty to the County Administrator. The chairman, or the county administrator as designated, shall sign the records of proceedings of the Board's meetings and the monthly list of salaries/invoices.

4. Meetings. The Board shall hold a regular meeting at least monthly on a day and at a time to be set at the annual organizational meeting. The regular meeting of the Board may be adjourned from day to day, from time to time and from place to place, but not beyond the date set for the next regular meeting, until all business is completed. The regular meetings and public hearings of the Board shall be held in the Northumberland Courts Building in Heathsville. If the Board finds it necessary to hold a regular meeting at a time or public place different from the Courts Building, such new time and place may be designated by duly passed resolution posted on the door of the Courthouse, Courts Building and advertised in a newspaper having general circulation in the County once a week for two successive weeks before such meeting.

Special meetings of the Board may be called by the Chairman or requested by two or more of the members of the board of supervisors. The call or request shall be made to the county administrator (clerk of the Board) and shall specify the matters to be considered at the meeting. Upon receipt of such call or

request, the county administrator, after consultation with the chairman of the Board, shall immediately notify each member of the Board of supervisors and the county attorney in writing delivered to his place of residence or business to attend such meeting at the time and place stated in the notice. Such notice shall specify the matters to be considered at the meeting. No matter not specified in the notice shall be considered at such meeting, unless all members are present. The notice may be waived if all members of the Board of supervisors attend the special meeting or sign a waiver (§15.2-1418). The Northumberland Echo and Rappahannock Record will also be notified of any special meetings.

5. Open Meetings. All meetings of the Board shall be held pursuant to the provisions of the Virginia Freedom of Information Act, which provides explicit directions for holding open meetings.

An "open meeting" or "public meeting" means a meeting at which the public may be present to observe the operations of government.

6. Closed Meetings. A "closed meeting" means a meeting from which the public is excluded.

A closed meeting of the Board may be held only for those purposes specifically provided by law, as follows or as specifically provided for in the Code of Virginia (1950), as amended:

(1) Discussion or consideration of specific personnel cases, that is, of the employment, appointment, disciplining, performance, salary, dismissal or other related matters of particular governmental officials or employees of the public body;

(2) Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or the disposition of publicly held property;

(3) The protection of the privacy of individuals and personnel matters not related to public business;

(4) Discussion concerning the prospective location of a business or industry prior to any announcement of its interest in locating in the community;

(5) Consideration of the investment of public funds when publicity might adversely affect the financial interest of the governmental unit involved;

(6) Consultation, with or without legal counsel and staff, with respect to actual or probable litigation or other legal matters in the public body's jurisdiction;

(7) Discussion or consideration of tests or examinations used by a public body to evaluate employee qualifications or aptitude for employment, retention, or promotion and evaluate qualifications for any license or certificate issued by the public body.

The substantive and procedural requirements established for closed meetings shall be strictly observed. Prior to each closed meeting, the Board of Supervisors shall vote in open meeting to hold a closed meeting. That vote, as well as a statement specifying precisely the statutory basis for the closed meeting, shall be recorded in the minutes of the open meeting. When in a closed meeting, the Board may consider only those specified matters. For any action agreed to in an executive session to become effective, the Board of Supervisors shall reconvene in an open meeting and take a vote of its membership on the particular action, the substance of which must be reasonably identified in the open meeting.

7. Quorum and Method of Voting. A majority of the members of the Board constitutes a quorum. Unless a greater requirement exists pursuant to the statutes of the Commonwealth, all questions submitted to the Board for decision shall be determined by a majority of the supervisors voting on a question by voice vote or by other method, which sufficiently identifies the matter upon which a vote is being taken. Individual votes of the Board members shall be recorded. A motion by a member of the Board shall not require a second. Abstention from voting shall not constitute a negative vote. The vote of a member of the Board shall become final once the decision of the question has been finally and conclusively pronounced by the chairman and cannot be changed except after adoption of a motion to reconsider the action. If one or more members of the Board are disqualified from voting under the provisions of the Virginia Conflict of Interest Act, leaving less than the number of Supervisors required for action, the remaining member or members may act by majority vote. A tie vote shall defeat the motion, resolution or issue voted upon.

8. Records. Minutes shall be taken of all actions taken during meetings of the Board of Supervisors, except during closed meetings, and shall be recorded in bound volumes. These minutes shall include a description of the issue being considered by the Board of Supervisors, any motion made regarding the issue and a record of the vote of each member of the Board of Supervisors. Incomplete volumes shall remain in the County Administrator's office; completed volumes shall be filed in the record room of the Clerk of the Circuit Court. Copies of the minutes shall be available to the public, at the normal charge for copying, after the minutes have been approved by the Board and signed by the County Administrator as the Clerk for the Board.

The books, records and accounts of the Board of Supervisors, except those excluded by the Virginia Freedom of Information Act, shall be open to the examination of all persons and at all reasonable times.

9. Order of Business and Agenda. The order of business at all regular meetings shall be as follows unless changed by Board action:

1. Call to order
2. Consideration Docket
3. Presentations
4. Board Reports
5. County Administrator Report
6. Board Comment Period
7. Closed Meetings
8. Public Hearings
9. Public Comments
10. Adjournment

A detailed agenda shall be distributed in advance of each regular meeting to the members of the Board. This shall include the minutes, check register and correspondence/reports for reading and review in advance of the meeting in an effort to conserve time during the meeting. A copy of the agenda shall be made available in the County Administrator's office for examination by the public and a copy shall be delivered to the local newspaper for publication whenever possible.

10. The Right to Require Information. The Board of Supervisors shall have the right to require monthly financial reports from any officer or office of the County or district thereof, may investigate bills and receipts thereof and may, for these purposes, require the production of books, papers and other evidence.

For the purpose of preparing and approving the County's annual budget, the Board of Supervisors may require the heads, or other responsible representatives, of all offices, departments, divisions, boards, commissions, agencies and all other recipients of County funds or appropriations to furnish financial reports and such other information as may be deemed necessary and in such form as may be required in relation to their affairs and activities.

The Board may subpoena witnesses and administer oaths for the purpose of acquiring information for making financial decisions in line with its function and duties as the governing body.

11. County Administrator. The Board of Supervisors shall appoint an executive secretary, who shall be designated County Administrator and such appointment shall be evidenced by a resolution. The County Administrator shall serve at the pleasure of the Board.

The County Administrator shall be the clerk to the Board and his/her duties shall be those as prescribed by law.

12. Legal Counsel. The Board of Supervisors may create the office of County Attorney and appoint an attorney to handle its legal affairs. The County Attorney shall serve at the pleasure of the Board and his/her salary shall be set by the Board. The County Attorney, when possible, shall attend all regular and special meetings of the Board.

His/her responsibility shall be in matters including but not limited to the following:

- (1) Advising and representing the Board of Supervisors and its boards, departments, agencies, officials and employees.
- (2) Drafting, preparing and reviewing county ordinances, contracts and agreements.
- (3) Defending or bringing actions in which the County or any of its boards, departments, agencies, officials, or employees is a party.
- (4) Prosecuting violations of orders of the Board of Supervisors, resolutions or ordinances.

In addition the Board may employ separate counsel when it deems it necessary in any suit against the County, in matters concerning County property, in collection of delinquent taxes, as well as in other matters concerning the County's interests.

## **RE: SCHEDULE OF MEETINGS**

Upon motion by A. Joseph Self, Sr. duly seconded by Thomas H. Tomlin., the Board voted to use the Northumberland Courts Building for their meetings and adopt the following meeting dates.

January 12, 2012  
February 9, 2012  
March 8, 2012  
April 18, 2012  
May 10, 2012  
June 14, 2012  
July 12, 2012

August 9, 2012  
September 13, 2012  
October 11, 2012  
November 8, 2012  
December 13, 2012  
January 10, 2013

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: 2012 HOLIDAYS FOR COUNTY OFFICES**

Upon motion by Thomas H. Tomlin., duly seconded by James M. Long the Board voted to adopt the state holiday schedule approved and amended by the Governor of Virginia. The following holidays are added into the county calendar.

Friday, January 13 – Lee-Jackson Day  
Monday, January 16 – Martin Luther King, Jr. Day  
Monday, February 20– Presidents Day  
Monday, May 28 – Memorial Day  
Wednesday, July 4 – Independence Day  
Monday, September 3 – Labor Day  
Monday, October 8 – Columbus Day  
Monday, November 12 – Veterans Day  
Wednesday, November 21 – Close At Noon  
Thursday, November 22 – Thanksgiving  
Friday, November 23 - Day after Thanksgiving  
Monday, December 24 – Closed  
Tuesday, December 25 – Christmas  
Tuesday, January 1, 2013 – New Year's Day

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 MINUTES FOR DECEMBER 7 AND DECEMBER 8, 2011 MEETINGS**

Upon motion by James M. Long duly seconded by Richard F. Haynie, Sr. the Board voted unanimously to approve the minutes from the December 7 and December 8, 2011 meeting. 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 A. Joseph Self, Sr. duly seconded by Richard F. Haynie., the Board voted unanimously to approve the agenda for today’s meeting with the following changes:

- ❖ The presentation by Bob Rosenwald for the Julius Rosenwald High School was requested to be removed from the agenda at this time by Mr. Rosenwald.
- ❖ The public hearing heard last month for the proposed Ferry in Lewisetta has been removed per the land owner’s request.

. 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	

**MR. TODD VANLANDINGHAM, SUPERINTENDENT LOTTSBURG AHQ**

Mr. VanLandingham reported that the guard rail contractor has been repairing the rails along area roads. He also said sign repairs are being done as well as fixing pot holes.

Mr. VanLandingham said they had hired Mr. Billy Douglas as an Assistant in the Lottsburg office.

Supervisor Tomlin noted that he had received a reply from the VDOT Engineer about the roadway markings for the intersection at Remo Road and Rt. 200. He was told nothing would be done.

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

Mr. Stables presented the calendar of Events through the month.

He reported that the School Board had reorganized and has 3 new members. The new Chairman is Betty Christopher and the Vice-Chairman is Susan Cralle Saunders. Mr. Richard Saxer is also a new member of the Board.

Mr. Stables said there are challenges this budget year with state funding but currently the budget for this year is in good shape. The current enrollment is up due to an increase in the number of students that appear to be spread out over the grades. Mr. Stables expressed his concern with the projected increase in the Virginia Retirement System rate that the State will mandate on them.

The Northumberland County High School Band represented the County well at the Peach Bowl in Atlanta.

**RE: APPROPRIATIONS**

Upon motion by A. Joseph Self, Sr. duly seconded by James M. Long, the Board voted unanimously to approve a special appropriation for the following:

- \$ 127.11 – E-Rate (EBear) reimbursement
- \$ 2,500.00 – National Board Certification Bonus Award – Teacher Supplement
- \$ 25,277.00- Race to GED Adult Education Grant for Northumberland County (fiscal agent) –

RCC program manager

The vote on the motion was:

Ronald L. Jett – YEA

A. Joseph Self, Sr. - YEA

James M. Long – YEA

Richard F. Haynie - YEA

Thomas H. Tomlin – YEA

**RE: MS. KATHLEEN WATSON, EXTENSION AGENT, VA COOPERATIVE EXTENSION**

Ms. Watson came before the Board with an update on Extension and said that this time last year, the funding from the General Assembly was not looking very good. After the budget was passed, they were able to hire 50 agents across the state and we hired a 4-H Agent for Northumberland and Lancaster County. Ms. Watson introduced Tara Brent. Ms. Brent said she was pleased to be here today and is excited to serve the county.

**RE: MS. JONI CARTER, EXECUTIVE DIRECTOR, VISIONS**

Ms. Carter introduced herself and explained that VISIONS is a non-profit organization for Northumberland and Lancaster Counties. Their purpose is to serve the youth to increase education and provide support for economic development projects. They have worked with RCC to get funding for student jobs through Jessie DuPont grant funds.

**RE: MR. DAVID ROSE, DAVENPORT & COMPANY**

Mr. Rose came before the Board to discuss financing options for the upgrade of the Reedville Sewer System as well as refinancing of outstanding bonds.

Supervisor Self questioned the reset of 5 years that was mentioned in the report. Mr. Rose explained the lock in feature of the terms. Supervisor Self then questioned the \$55,000 issuance costs. Mr. Rose said the figure assumes \$30,000 to Davenport, \$20,000 to Hunton & Williams, and \$5,000 to BB&T.

Mr. Eades informed the Board that this would require a Public Hearing and asked if this is something they want to schedule.

Supervisor Tomlin questioned the 9 million dollars in reserved funds which Mr. Rose had mentioned earlier from the County budget. Mr. Rose responded and said that it shows that the County is well run and credit can be given to the Board and Administration.

Upon motion by James M. Long, duly seconded by Richard F. Haynie the Board voted to advertise the following for the February 9, 2012 public hearing:

Proposed authorization of (i) revenue bonds in the estimated maximum principal amount of \$1,120,000, the purpose of which is to finance capital improvements to the Reedville Sewer Plant; (ii) refunding revenue bonds in the estimated maximum principal amount of \$2,210,000, the purpose of which is to refund certain outstanding System revenue bonds of the County; and (iii) an equipment lease financing in the estimated maximum principal amount of \$450,000, the purpose of which is to finance capital improvements to the County's E-911 emergency communications system. The revenue bonds and the refunding revenue bonds

will be secured primarily by a pledge of county sewer system revenues. The equipment lease financing will be secured primarily by a lease of certain equipment.

The vote on the motion is as follow:

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 is okay to advertise this but that is about all.

**RE: BUILDING PERMIT REPORT**

Month of November	2011	2010
Total construction cost for the month	\$ 1,593,035.00	\$ 2,058,348.00
Total Bldg. Permit Cost for Month	\$ 3,714.80	\$ 3,529.88
Total Zoning Permit Cost for the Month	\$ 1,990.00	\$ 670.00
Total Levy Fee for the Month	\$ 74.29	\$ 70.60
<i>Total Construction cost year to date</i>	<i>\$ 26,709,441.43</i>	<i>\$ 31,396,805.13</i>

**RE: RESOLUTION SUPPORTING SJ 14 ADDRESSING COMPOSITE INDEX**

**RESOLUTION  
SUPPORT OF SJ 14; COMPOSITE INDEX**

**WHEREAS**, Senate Joint Resolution Number 14 directs the Joint Legislative Audit and Review Commission to study the efficiency and effectiveness of the Composite Index of the Local Ability to Pay; and

**WHEREAS**, SJ 14 includes a requirement to study and evaluate the need to adjust the current basic school aid formula; and

**WHEREAS**, The Northumberland County Board of Supervisors has long expressed the Composite Index's unfairness to Northumberland County because of the factors used within the formula that penalize rural counties with waterfront property,

**NOW THEREFORE, BE IT RESOLVED**, That the Northumberland County Board of Supervisors does hereby express their support for SJ 14 and requests that the General Assembly adopt this resolution; and

**BE IT FINALLY RESOLVED**, that this resolution be sent to The Honorable Governor Robert F. McDonnell, State Senator Ryan T. McDougle, State Senator Richard H. Stuart, Delegate Margaret B. Ransone and State Senator Henry L. Marsh III.

**RE: APPROPRIATION FOR ANIMAL SHELTER FUNDS**

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the Board voted to appropriate the following for the Animal Shelter:

- \$2,400.00 from line item 10-286 to 10-3501-1004.

The vote on the motion was:

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

## **RE: COUNTY ADMINISTRATORS PROJECT LIST FOR 2012**

Mr. Eades stated that each year he makes a projects list for the calendar year. This year includes:

- Radio Upgrade for Emergency Services.
- Building improvements at Sheriffs Office.
- Reedville Sanitary District Upgrade.
- Decision on old High School and YMCA Move.
- Reassessment.
- Light Street.
- Broadband Issues.
- Budget Challenges.

## **RE: RE-APPOINTMENT TO THE PLANNING COMMISSION- GARFIELD PARKER**

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to re-appoint Mr. Garfield Parker to the Northumberland County Planning Commission. His appointment will expire on February 15, 2016. 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: RE-APPOINTMENT TO THE CHESAPEAKE BAY PARTNERSHIP**

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the Board voted to re-appoint Supervisor Joe Self to the Chesapeake Bay Partnership. The vote on the motion is as follows:

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

## **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  
James M. Long – YEA  
Thomas H. Tomlin - YEA

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

**RE: BOARD COMMENT PERIOD**

No Comments were given

**PUBLIC HEARINGS**

**RE: REQUEST BY MATT MCSHANE FOR A CONDITIONAL USE PERMIT TO ALLOW FARMING AND LIVESTOCK, HAVING MORE THAN 2 HORSES ON PROPERTY ZONED RESIDENTIAL WATERFRONT. THE PROPERTY IS LOCATED AT 191 BOW WOOD DRIVE OF BOGEY NECK ROAD NEAR WICOMICO CHURCH**

Zoning Administrator W.H. Shirley described the request for the conditional use permit. He had not received any comments on the request.

*\* Mr. McShane was not in attendance for the public hearing. The Board decided to hold the public hearing on the matter but delayed any action until Mr. McShane could be present.*

Public Hearing Open

No comments were given

Public Hearing Closed

Upon motion by Thomas H. Tomlin duly seconded by James M. Long the Board voted to table the request until next month. Mr. McShane will be notified of the rescheduling.

The vote on the motion is as follows:

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

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

**RE: REQUEST BY BRENDA AND T. DAVID WITTEN FOR A CONDITIONAL USE PERMIT TO PLACE A SECOND SINGLE-WIDE OFFICE TRAILER AT 70 JESSIE DUPONT MEMORIAL HIGHWAY NEAR INTERSECTION AT BURGESS**

Mr. Shirley described the request for the conditional use permit. He has not received any written comments on the matter. Mr. Shirley read the suggested conditions to the Board if approved.

Ms. Brenda Witten owner, explained that this is needed to operate the food service office that they used to have in Atlanta, Georgia. After retirement, things didn't go as planned so they decided to run the office out of Burgess. They have hired 2 employees so far.

## Public Hearing Open

Mr. John Hendrickson from Mila stated he usually supports business but in this case he can not support the location of the trailer. He said he owns property two doors down and the location of these trailers are just wrong. He feels they could put in a parking entrance etc. to make things look better.

## Public Hearing Closed

Supervisor Tomlin questioned Ms. Witten on whether the office would eventually go to a more permanent style. She said this is a temporary style structure but can not say when it will become permanent with the economy in bad shape.

Mr. Scott McKinley described the structures in more detail.

Upon motion by James M. Long duly seconded by A. Joseph Self, Sr., the Board voted to table the request until next meeting to allow Mr. Hendrickson and Ms. Witten time to work out the differences.

The vote on the motion is as follows:

Ronald L. Jett – YEA

A. Joseph Self, Sr. – YEA

James M. Long – YEA

Thomas H. Tomlin – YEA

Richard F. Haynie – YEA

## **RE: PUBLIC COMMENT PERIOD**

Ms. Pamela Estreet who lives off of Folly Road came before the Board to express her concern with her neighbors' dog who she says scares her grandchildren and her. She has given her complaint to Officer Keeve and was told that really nothing could be done until the dog bites someone. She is afraid that might end up happening. She wants to know what can be done. Supervisor Self explained that he has been in a similar situation and we do have a "Threatening Dog Statue". He then suggested going to the Commonwealth Attorney for guidance.

Mr. Ron Herring said he was concerned after hearing the presentation on refinancing some of the County's money.

## **RE: ADJOURNMENT**

Upon motion by A. Joseph Self, Sr., seconded by Thomas H. Tomlin, the Board voted to adjourn. 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