

**Board of Supervisors Meeting
January 3, 2013
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 3, 2013.

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

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

RE: INVOCATION

Rev. Lucia Lloyd, St. Stephens 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 Haynie.

There were no further nominations and Supervisor Self 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 Tomlin, 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 Thomas H. Tomlin duly seconded by James M. Long the Board voted unanimously to adopt the By-Laws for the calendar year 2013 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 James M. Long duly seconded by Richard F. Haynie the Board voted to use the Northumberland Courts Building for their meetings and adopt the following meeting dates.

February 14, 2013
March 14, 2013
April 11, 2013
May 9, 2013
June 13, 2013
July 11, 2013
August 8, 2013
September 12, 2013
October 10, 2013
November 14, 2013
December 12, 2013
January 9, 2014

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: 2013 HOLIDAYS FOR COUNTY OFFICES

Upon motion by James M. Long, duly seconded by Richard F. Haynie 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 18 – Lee-Jackson Day
Monday, January 21 – Martin Luther King, Jr. Day
Monday, February 18– Presidents Day
Monday, May 27 – Memorial Day
Thursday, July 4 – Independence Day
Monday, September 2 – Labor Day
Monday, October 14 – Columbus Day
Monday, November 11 – Veterans Day
Wednesday, November 27 – Close At Noon

Thursday, November 28 – Thanksgiving
 Friday, November 29 - Day after Thanksgiving
 Tuesday, December 24 – Closed
 Wednesday, December 25 – Christmas
 Wednesday, January 1, 2014 – 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 13, 2012

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted to approve the minutes from the December 13, 2012. 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 Richard F. Haynie duly seconded by A. Joseph Self, Sr., the Board voted to approve the agenda for today’s meeting. Mr. Eades stated that VDOT would not be attending. He also noted that a closed meeting would need to be added. 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. REBECCA GATES, SUPERINTENDENT OF SCHOOLS

Dr. Gates informed the Board that staff has been going over the safety policies of the schools and she has put a statement on the school website addressing the matter. The safety of schools will also be a budgeted item in the upcoming budget. She said she wanted to reassure parents that the kids are safe.

Chairman Jett stated that the Board would do everything possible to make sure our schools are safe.

RE: BUILDING PERMIT REPORT

Month of December	2012	2011
Total construction cost for the month	\$ 1,373,924.38	\$ 1,593,035.00
Total Bldg. Permit Cost for Month	\$ 5,987.64	\$ 3,714.80

Total Zoning Permit Cost for the Month	\$ 1,150.00	\$ 1,990.00
Total Levy Fee for the Month	\$ 116.75	\$ 74.29
Total Construction cost year to date	\$ 20,992,554.54	\$ 26,709,441.43

RE: ANIMAL SHELTER APPROPRIATION

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the Board voted to appropriate \$2,400.00 from account 10-286 to line item 10-3501-1004 to pay additional funds to animal shelter employees from monies that the volunteers have raised. 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: CLERKS OFFICE APPROPRIATION

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to appropriate money from the state to cover the following:

\$ 5,000.00 – to 1003 (Temp/Part Time)
\$15,552.00 – to 7002 (Capital Outlay)

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: PROJECTS FOR 2013

Mr. Eades listed the following as projects for this year.

- Radio upgrade for Emergency Services
- Building improvements at Sheriff Office
- Reedville Sanitary District Upgrade
- Decision on old High School
- Reassessment
- Light Street
- Broadband issues
- Budget Challenges
- Zoning and Comprehensive Plan Updates
- Volunteers needed for Fire and Rescue

RE: BOARD COMMENT PERIOD

Supervisor Tomlin listed two issues for Virginia Dept. of Transportation

- 1) Directional highway sign at Holland Chapel
- 2) Stop sign needed behind old Courthouse at intersection of Monument Place and Judicial.

RE: APPROVAL OF CHECK REGISTER

(Due to the date of this meeting, the check register is not available)

RE: CLOSED MEETING

Upon motion by A. Joseph Self, Sr. duly seconded by, James M. Long, the Board voted unanimously to convene into closed meeting to discuss a personnel matter and contractual matter as permitted by Virginia Code Section 2.2-3711 (A) (1), (3) and (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 Thomas H. Tomlin, 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 Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., 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 personnel matter, and contractual matters.

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

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

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

RE: ACTION TAKEN- SALARY ADJUSTMENTS

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long the Board voted to bring those employees that were below the average of other counties in the surrounding area up to the average. Salaries were adjusted for those employees under the County Personnel Policy and changes were made to the following employees effective January 1, 2013: Dana Wilson, Mary Dodson, Stevie Conaway, Phillip Marston, Odessa Samuels, Barbara Hall, Curtis Albrite and J.R. Yerby. 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 - YEA

Certification of Salary Adjustments are on file in the County Administrator's Office.

PUBLIC HEARING

RE: RECONSIDERATION REQUEST BY PATRICK BOONE, OWNER, AND CHERYL KARCIC AND MAURICE JOHNSON, APPLICANTS, FOR A CONDITIONAL USE PERMIT TO ESTABLISH A TOURIST HOME AT 150 EAST HARBOUR DRIVE NEAR SUNNYBANK

Mr. Eades explained that this public hearing for the request was held last month. The public hearing was closed at that time.

Chairman Jett asked Mr. Boone if he made any headway with meeting with the homeowners to settle the issues. Mr. Boone said he contacted Mr. Anderson about a meeting but could not get a date.

Mr. Anderson said the majority of the homeowners do not want this.

Supervisor Self said he knows that last month, it was said that a decision would be made at this meeting but he felt it needed to be carried over.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted to carry the request over until next month.

The vote on the motion is as follows:

Ronald L. Jett – YEA
A. Joseph Self, Sr. – YEA

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

James M. Long – NAY

Supervisor Tomlin commented that the Board has conditions on short term residential use. It is still residential usage and an individual can decide whether or not to buy into a subdivision based on the covenants. We have granted short term use in the past and even allowed this use in Conservation C-1 zoning district. The applicant still has to follow our conditions.

Chairman Jett said the both sides need to get together before the next meeting and try to work this out.

RE: REQUEST BY CORNEIL B. NELSON REVOCABLE TRUST FOR AN EASEMENT TO ALLOW A WELL TO REMAIN ON COUNTY PROPERTY AT 61 LODGE LANDING ROAD NEAR CALLAO.

County Administrator Eades described the request for an easement to allow a water well to remain on County property. He has not received any comments on the request.

Mr. Greg Corsa representing the property owners was present for the meeting and explained that the couple that owns this property are elderly and are going to have to sell it. They had initially thought the well was located inside their property.

County Attorney Kilduff said he has looked through the agreement of the easement and stated that it protects the county and its rights.

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 easement agreement to Corneil B. Nelson, James C. Nelson, Carlton Elizabeth Nelson and Anthony Byrne Nelson, Co-Trustees, of the Corneil B. Nelson Revocable Trust for the use of property owned by Northumberland County. The easement will be recorded in the Clerk of the Circuit Court.

Supervisor Tomlin expressed his concerns with the survey previously done by Tomlin and Keyser. He said he had no problem granting this request but wants to make sure the property boundaries are protected. If the well fails who will pay the costs to cap the well. There is also no consideration for the county.

Supervisor Self as what consideration was he thinking. Supervisor Tomlin said \$1,000 or \$2,000 but the best way to handle this would be by granting it fee simple.

Mr. John Martin, Attorney for the owners stated that deed that was done was a good faith mistake and the Health Department told them where to locate the well. He said he thinks the easement is well written and protects the county.

Mr. Corsa spoke up and said the property needs to be sold to pay for Ms. Nelson's nursing home costs. The easement is less than one-tenth of an acre.

The vote on the motion is as follows:

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

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

(SEE JANUARY 2013 BOARD PAPERS FOR COPY OF EASEMENT)

RE: REQUEST BY J. MICHAEL SIMPSON FOR A BAY ACT EXCEPTION TO REMOVE AND RECONSTRUCT AN EXISTING DECK AND POOL THAT ARE PARTIALLY WITHIN THE SEAWARD 50 FOOT BUFFER AT 114 SCULLING OAR TRAIL.

County Administrator Eades described the request for a Bay Act Exception to remove and reconstruct an existing deck and pool. The existing impervious surface within the Resource Protection Area is 3,241 square feet and the new impervious surface after the older pool is removed is 2,915 square feet. Landscaping will be added and additional plantings will be made to make up for the ones removed. The old pool was built in 1989, prior to the current restrictions.

Mr. Simpson was present for the meeting and said that the new addition will be approximately 326 ft. less than what is currently there. He needs to remove the pool because it is leaking.

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 grant the request with the following conditions:

1. The reconstruction will be as shown on the site plan submitted with the application; and,
2. Stormwater mitigation will be installed to meet the requirements of the Northumberland County Chesapeake Bay Preservation Ordinance.

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

Supervisor Tomlin commented that impervious surface is already there and with Stormwater requirements and plantings it will make the situation better.

RE: PUBLIC COMMENT PERIOD

None

RE: ADJOURNMENT

Upon motion by A. Joseph Self, Sr., seconded by James M. Long, the Board voted to remain open and carryover until January 9, 2013 to meet with architects on the Sheriff's Department Building. 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

Kenneth D. Eades, Clerk