

**Board of Supervisors Meeting**  
**March 7, 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, March 7, 2013. The meeting date was changed to the first Thursday of the month and properly advertised and posted.

Present:

Ronald L. Jett - Chairman  
Richard F. Haynie - Vice-Chairman  
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**

Chairman Jett led in the Pledge of Allegiance.

**RE: APPROVAL OF MINUTES FOR FEBRUARY 6 AND FEBRUARY 14, 2013**

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to approve the minutes from the February 6, 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	

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long the Board voted to approve the minutes from the February 14, 2013. The vote on the motion is as follows.

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

**RE: APPROVAL OF AGENDA**

Upon motion by Thomas H. Tomlin duly seconded by James M. Long, the Board voted to approve the agenda for today's meeting with the addition of a Closed Meeting for the case pending with Blue Ridge Mass Appraisals and Disposition of Property. The vote on the motion is as follows:

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

**RE: VIRGINIA DEPARTMENT OF TRANSPORTATION – TODD VANLANDINGHAM**

Mr. VanLandingham reported on the work efforts as a result of the storm from yesterday. He said it was mostly fallen trees and high water. The crews were on a 24 hour work schedule.

Black top will be put down on the road at 360 and Little River Market in Burgess.

Supervisor Long reported a sign down at Wicomico Church.

Supervisor Self stated the shoulder needed to be raised at Holland Chapel.

Chairman Jett thanked Mr. VanLandingham and the crew for cleaning ditches in the area.

**RE: DR. REBECCA GATES, SUPERINTENDENT OF SCHOOLS**

Dr. Gates commended the Virginia Department of Transportation on their work on the road during yesterday's storm. Things in the school system have been very quiet and do not have anything to report.

**RE: MR. LUTTRELL TADLOCK, ASSISTANT COUNTY ADMINISTRATOR,  
PLANNING COMMISSION, END OF THE YEAR REPORT**

# 2012 END OF THE YEAR REPORT

## ANNUAL REPORT OF THE NORTHUMBERLAND COUNTY PLANNING COMMISSION

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### BACKGROUND

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This report is submitted as required by Title 15.2, Chapter 22, Section 2221 of the Code of Virginia, which requires an annual report submitted to the Governing Body concerning the operation of the Planning Commission and the status of planning within Northumberland County. This report will also include other items to aid in decision making for the year 2013.

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### PLANNING COMMISSION

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During the past year, the Northumberland County Planning Commission held seven (7) regular meetings. Items considered by the Commission during 2012 are as follows:

### *Amendments Considered:*

1. An amendment to the Northumberland County Zoning Ordinance to define Pawnbroker Shop and Precious Metals Dealer Shop, as well as, to add these two uses as a Conditional Use in the Business General District (B-1).
2. An amendment to the Northumberland County Zoning Ordinance Chapter 148 Article II, Section 148-6B; Use Regulations for the Conservation District (C-1), to include “Tourist Homes” as a Conditional Use.
3. Proposed amendments to the County’s Chesapeake Bay Preservation Area Ordinance as required by the Chesapeake Bay Local Assistance Board.

### *Rezoning:*

There were no rezoning requests during 2012.

### *Other Public Hearings:*

1. Public hearings were held for the various sections of the proposed Zoning Ordinance.

### *Other Considerations:*

The Commission spent its time this past year continuing the review of the Zoning Ordinance and following the work plan as set in the Comprehensive Plan. During 2013, the Planning Commission will finalize its review of the Zoning Ordinance and will begin reviewing the 2006 Comprehensive Plan as required by the Code of Virginia.

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## OFFICE OF BUILDING & ZONING

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The Office of Building and Zoning administers various ordinances involving building, zoning, wetlands, etcetera, as well as the planning functions of the County. The following is a compiled list of various requests from the 2012 calendar year, which were processed through this office.

### *Comparison of Construction Cost:*

In 2012, the total estimated cost of construction was \$20,992,554.54 compared to \$26,709,441.43 for 2011. The total estimated cost of construction showed a decrease of approximately 21% from 2011 to 2012.

**Total Construction Cost (1982-2012)**

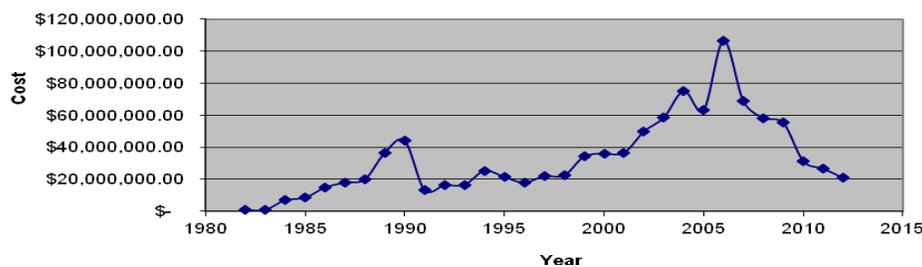


Figure 1 displays the Total Construction Cost from 1982 through 2012 for Northumberland County. These numbers are obtained from the December Building Permits Report Comparison Sheet of each year.

**Comparison of Structures:**

Type of Structure	2012 Number of Structures	2011 Number of Structures	% Difference	2012 Avg. Square Ft	2011 Avg. Square Ft	2012 Avg. Cost	2011 Avg. Cost
Single Family Dwelling	38	38	0 %	2,774	2,062	\$232,280.26	\$150,552.08
Modular	13	14	-7 %	2,400	2,662	\$161,653.85	\$166,538.00
Double Wide	5	6	-17 %	-	-	\$79,500.00	\$53,067.17
Mobile Home	10	6	67 %	-	-	\$18,744.40	\$13,000.00
Commercial	0*	0*	0 %	0	0	\$0	\$0

Table 1 compares the number of structures permitted, average square footage, and average cost for 2011 and 2012. The (\*) denotes there were no new commercial buildings constructed, this figure does not include any remodel repair commercial work performed.

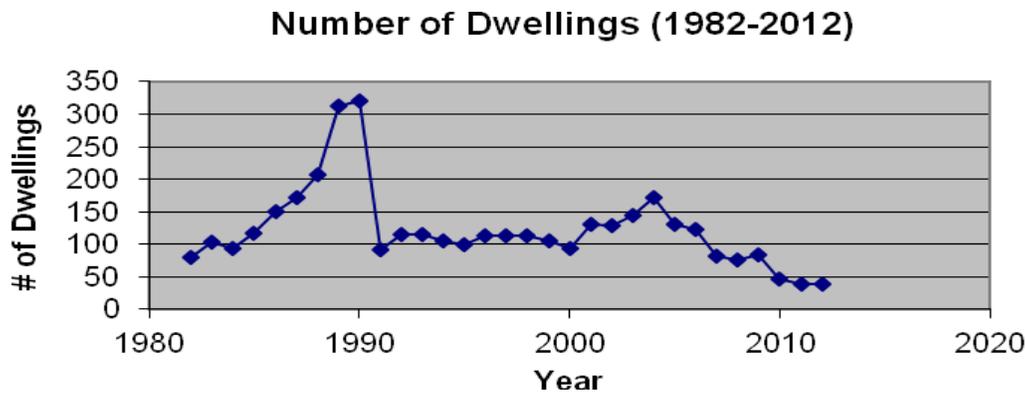


Figure 2 shows the total number of Single Family Dwellings permitted from 1982 through 2012.

**Comparison of Structures- By Magisterial District:**

The following table represents the location of dwellings, modular homes, double wides, mobile homes, and commercial buildings by magisterial district.

	Fairfield	Heathsville	Lottsburg	Wicomico	TOTAL
Dwelling	13	5	5	15	38
Modular Home	5	2	5	1	13
Double Wide	1	3	1	0	5
Mobile Homes	4	4	1	1	10
Commercial	0	0	0	0	0
<b>TOTAL</b>	<b>23</b>	<b>14</b>	<b>12</b>	<b>17</b>	<b>66</b>

Table 2: Numbers of each type of structure are given to show the magisterial district in which construction took place for the year 2012.

**Comparison of Structures- By Zoning District:**

	<i>Dwelling</i>	<i>Modular Home</i>	<i>Double Wide</i>	<i>Mobile Home</i>	<i>Commercial</i>	<b>TOTAL</b>
<b>Agricultural; A-1</b>	9	6	4	7	0	26
<b>Residential General; R-1</b>	0	0	1	0	0	1
<b>Residential Waterfront; R-2</b>	22	7	0	2	0	31
<b>Residential Restricted; R-3</b>	4	0	0	1	0	5
<b>Residential Recreational; R-4</b>	3	0	0	0	0	3
<b>Conservation; C-1</b>	0	0	0	0	0	0
<b>Business General; B-1</b>	0	0	0	0	0	0
<b>Industrial Light; M-1</b>	0	0	0	0	0	0
<b>TOTAL</b>	<b>38</b>	<b>13</b>	<b>5</b>	<b>10</b>	<b>0</b>	<b>66</b>

*Table 3: The following table shows the number of new structures from 2012 within each zoning district classification.  
Permits and Inspections:*

The Building & Zoning Office handles an assortment of permits. A total of 293 building permits, 189 mechanical permits, 331 electrical permits, and 96 plumbing permits were issued in 2012. There were approximately 1,465 building inspections conducted during the 2012 calendar year.

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Boathouse Applications</b>	10	8	7	7	5
<b>Double Wide</b>	4	10	8	6	5
<b>Electrical Permits</b>	425	383	338	304	331
<b>Land Disturbing Inspections</b>	356	354	261	227	232
<b>Land Disturbing Permits</b>	171	163	126	106	106
<b>Mechanical Permits</b>	283	274	213	202	189
<b>Mobile Home Permits</b>	14	12	10	6	10
<b>Modular Homes</b>	35	25	21	14	13
<b>Private Pier Applications</b>	55	54	30	42	35
<b>Plumbing Permits</b>	225	175	154	137	96
<b>Single Family Dwellings</b>	76	83	46	38	38
<b>Zoning Permits</b>	544	484	372	337	337

*Table 4 displays various applications and permits issued by the Office of Building and Zoning for the past five years.*

# Northumberland County, Virginia 2012 Wetland Applications

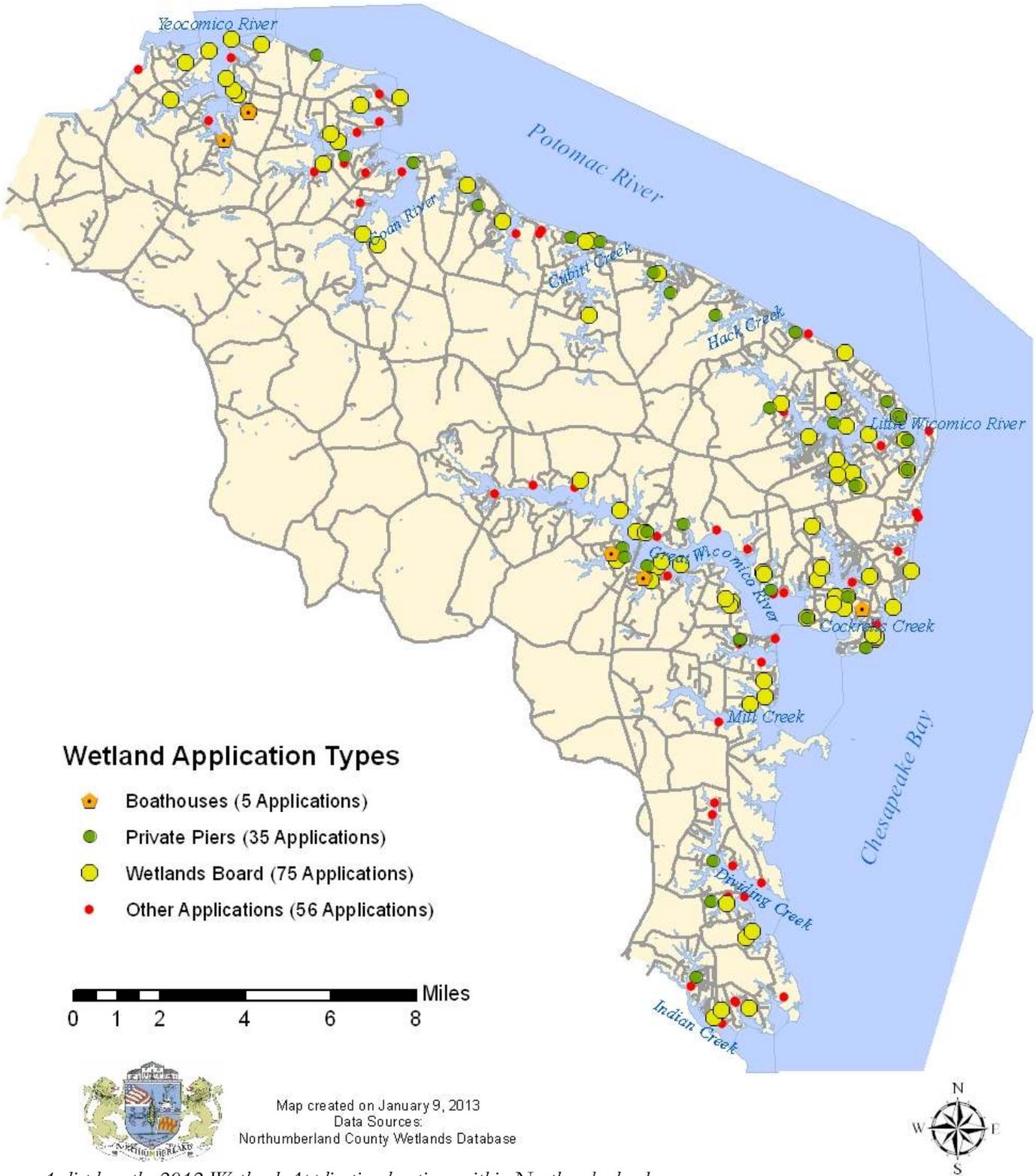


Image 1 displays the 2012 Wetland Application locations within Northumberland.

**BOARD REQUESTS**

The Board of Supervisors, Board of Zoning Appeals and the Wetlands Board considered a combined total of 97 requests during the 2012 calendar year.

	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Boathouse Requests- Board of Supervisors</b>	3	1	1	1	2
<b>Chesapeake Bay Act Variances</b>	2	2	6	4	4
<b>Conditional Use Permits</b>	9	15	8	10	28
<b>Rezoning Requests</b>	1	2	1*	1	0
<b>Special Exceptions Permits</b>	8	3	5	5	5
<b>Subdivision Variances</b>	1	0	0	0	0
<b>Wetlands Board Applications</b>	74	83	69	68	75
<b>Zoning Variances</b>	12	4	8	6	8

*Table 6 displays the number and types of requests that have gone before the various Boards. \*Although there were two rezonings heard by the Planning Commission, there was only one heard by the Board of Supervisors as one of the requests was withdrawn after the Commission's Public Hearing.*

**RE: BUILDING PERMIT REPORT**

Month of January	<b>2013</b>	<b>2012</b>
Total construction cost for the month	\$ 2,273,919.86	\$ 2,983,676.46
Total Bldg. Permit Cost for Month	\$ 3,627.64	\$ 5,981.48
Total Zoning Permit Cost for the Month	\$ 1,850.00	\$ 2,550.00
Total Levy Fee for the Month	\$ 72.56	\$ 116.62
<b>Total Construction cost year to date</b>	<b>\$ 4,252,351.16</b>	<b>\$ 4,185,322.46</b>

**RE: HEALTH INSURANCE RATES AND RENEWAL**

Mr. Eades explained to the Board that the health insurance renewal rates have been received and there is a 9.8% increase in our coverage from Local Choice for FY14. He continued to say that since we are in the pool, it helped the county with our rates. If we were not pooled with other localities, there would have been a 22% increase. This will increase the individual plan by \$50.00 per employee per month. With the 72 employees that are on the policy, if we keep the individual's amount that the county pays at 100%, there will be an increase of \$43,200.00 annually. The key advantage rate will be \$561.00, it currently is \$511.00. Mr. Eades noted that contraceptives are now covered. The Board needs to consider adoption prior to April 1<sup>st</sup> of this year which is the deadline for Local Choice.

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the Board voted to adopt and continue with Local Choice and pick up 100% of the employee's share of the Key Advantage 1000 and to adopt the necessary Resolution to participate in the program.

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: BAY AGING APPOINTMENT NEEDED**

Mr. Eades said he was notified that our appointed representative on the Board of Directors at Bay Aging, Manual Haynie, will be coming off the Board and to be thinking of another representative that can serve in his spot.

**RE: BOARD WORKSESSION ON ZONING ORDINANCE MARCH 27<sup>TH</sup>**

The Board scheduled a work-session on the proposed zoning changes for March 27<sup>th</sup> at 5 p.m. in the Old Courthouse Board room.

**RE: BOARD COMMENT PERIOD**

**RE: APPROVAL OF CHECK REGISTER**

Upon motion by Richard F. Haynie duly seconded by James M. Long, the Board voted unanimously to approve the check register, as submitted. The vote on the motion was as follows:

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

**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 litigation with Blue Ridge Mass Appraisal and disposition of property as permitted by Virginia Code Section 2.2-3711 (A) (7) (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 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 Richard F. Haynie, 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 litigation with Blue Ridge Mass Appraisal and disposition of property.

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

Ronald L. Jett – YEA

A. Joseph Self, Sr. - ABSENT

James M. Long – YEA

Richard F. Haynie - YEA

Thomas H. Tomlin – YEA

### **PUBLIC HEARING**

#### **RE: REQUEST BY RONALD V. AND PATRICIA FOX, OWNERS AND A. WADE AND ANGELA W. SELF, APPLICANTS FOR A CONDITIONAL USE PERMIT TO MAINTAIN UP TO 15 HORSES (FARMING WITH LIVESTOCK) ON PROPERTY ZONED R-2, RESIDENTIAL WATERFRONT, AT 1376 GREENFIELD ROAD**

Zoning Administrator W.H. Shirley described the request for the conditional use permit. He has received one comment from the Miller's about the manure pile out by the road. Mr. Shirley then read the suggested conditions.

Mr. Self explained their plans for the horse farm stating that this is only going to be for horses in retirement. They are working with a non-profit organization to take in abused or older horses. They also plan to do birthday parties, pony rides and minimal boarding.

#### **Public Hearing Open**

Mr. Spud Parker commented that his 10 year old granddaughter would be in favor of this.

#### **Public Hearing Closed**

Supervisor Tomlin questioned the ditch that runs through the field. Mr. Wade Self commented that this is natural drainage and gave a description of the water that runs off the field. He added this is 200 feet from wetlands. Mr. Self then explained why the manure pile is out by the road. He said that it was easy access for anyone to come by and get it for their garden. If he moves it back, then he would have too many people coming around to the back on the land. Supervisor Tomlin suggested

putting a tarp over it. Zoning Administrator Shirley said he doesn't anticipate any run off going in Sloop Creek.

Mr. Self explained how he came up with 15 horses. He said under the suggestion of the Virginia Tech guidelines; you should have 1.5 acres for the first horse and 1.0 acres for the remaining horses. (Total acreage is 18.06) Mr. Self said this is what the amount is based.

In Mr. Shirley's suggested conditions, he listed "The applicant will be limited to keeping no more than ten (10) horses on the property". Mr. Shirley explained that he asked Mr. Kelly Liddington, Extension Agent on his opinion and he suggestions 1.5 acres per horse because of the tearing up the soil if too many are in a small area.

Upon motion by Ronald L. Jett, duly seconded by James M. Long, the Board voted to approve the request with the following conditions.

1. The permit will be issued upon receipt of a nutrient management plan that includes storage and disposition of animal waste and a rotational grazing plan. Both plans must comply with all state and federal guidelines and be approved by the Northern Neck Soil and Water conservation District.
2. Adequate fencing that provides for a minimum of 1.5 acres of pasture and paddock area per horse; and,
3. The applicants will be limited to keeping no more than fifteen (15) horses on the property.

The vote on the motion is as follows:

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

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

**RE: PUBLIC COMMENT PERIOD**

None

**RE: ADJOURNMENT**

Upon motion by A. Joseph Self, Sr., seconded by James M. Long, the Board voted stay open until the March 27, 2013 work-session.

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

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

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Kenneth D. Eades, Clerk