

**Board of Supervisors Meeting
January 8, 2015
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 8, 2015.

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

Supervisor Long led the invocation.

RE: PLEDGE OF ALLEGIANCE

Supervisor Jett 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 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 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 Richard F. Haynie duly seconded by Thomas H. Tomlin the Board voted unanimously to adopt the By-Laws for the calendar year 2015 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 Richard F. Haynie 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 8, 2015
- February 12, 2015
- March 12, 2015
- April 9, 2015
- May 14, 2015
- June 11, 2015
- July 9, 2015
- August 13, 2015
- September 10, 2015
- October 8, 2015
- November 12, 2015
- December 10, 2015
- January 14, 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: 2015 HOLIDAYS FOR COUNTY OFFICES

Upon motion by A. Joseph Self, Sr., 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 16 – Lee-Jackson Day
- Monday, January 19 – Martin Luther King, Jr. Day
- Monday, February 16– Presidents Day
- Monday, May 25 – Memorial Day
- Friday, July 3 – Independence Day
- Monday, September 7 – Labor Day
- Monday, October 12 – Columbus Day
- Wednesday, November 11 – Veterans Day

Wednesday, November 25 – Close At Noon
Thursday, November 26 – Thanksgiving
Friday, November 27 - Day after Thanksgiving
Thursday, December 24 – Christmas Eve
Friday, December 25 – Christmas Day
Friday, January 1, 2016 – 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 11, 2014

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self, Sr., the Board voted to approve the minutes from the December 11, 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: APPROVAL OF AGENDA

Upon motion by A. Joseph Self, Sr. duly seconded by Richard F. Haynie., the Board voted to approve the agenda for today's meeting. Mr. Eades stated that VDOT would not be attending and he needed to include a Closed Session to the agenda. 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

A representative from VDOT was unable to attend the meeting. Supervisor Haynie asked for Mr. Eades to look into getting signs designated with lights at the entrance to the Mid-County Rescue Squad road for caution to motorist as the squads are approaching Rt. 360. Mr. Eades said he would be talking to Mr. Brown.

RE: DR. REBECCA GATES, SUPERINTENDENT OF SCHOOLS

Dr. Gates informed the Supervisors of the 2 hour delay to school this morning due to inclement weather.

Dr. Gates then announced a meeting with Honeywell on January 20, 2015 at 10:30 a.m. to review their contracts if anyone wanted to attend.

The Superintendent then informed the Board of the Program of Studies that parents can look at with a flow chart of the middle schools and follow through high school. This will keep track of the courses they are taking to let them know if they are on the correct patch to receive the desired diploma.

Dr. Gates said the School Board is taking comments and wanting feedback on Block Scheduling which they are considering. Mr. Eades questioned what was driving this option. Dr. Gates said at this time they are just weighing the options and whether it would be a positive change for students not to have 7 classes in a day as they do now. Supervisor Tomlin asked about if studies have shown whether kids will remember what they have learned in the beginning classes if they won't be taking them for quite a while after. School Board Member Richard Saxer stated he is opposed to the block schedule and added it will cost more money.

Dr. Gates also wanted to let the Board know that Kids First Foundation has been talking with them about starting a 3 year old program.

RE: MS. TARA BRENT, EXTENSION AGENT, 4-H YOUTH DEVELOPMENT

Ms. Brent came today to introduce Mr. Trent Jones to the Board as the new Extension Agent for Lancaster and Northumberland County.

RE: BUILDING PERMIT REPORT

Month of December	2014	2013
Total construction cost for the month	\$ 2,457,857.00	\$ 1,035,192.61
Total Bldg. Permit Cost for Month	\$ 3,288.40	\$ 3,176.04
Total Zoning Permit Cost for the Month	\$ 880.00	\$ 1,090.00
Total Levy Fee for the Month	\$ 65.77	\$ 63.53
Total Construction cost year to date	\$ 32,553,021.78	\$ 26,897,085.00

RE: PROJECTS FOR 2014

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

- Completion of Radio Upgrade for Emergency Services
- Completion of Sheriff's Office Construction
- Comprehensive Plan Updates
- Stormwater Ordinance and Implementation
- Emergency Medical Services Organization and Implementation
- Old Sheriff Office
- Bank Building
- Capital Improvements Fund
- Computer Software Upgrade and Website Improvements
- Broadband Service

RE: APPOINTMENTS – BOARD OF ZONING APPEALS, MIKE BAUGHAN AND ALBERT PENLEY

The Board suggested sending Mr. Mike Baughan of 91 Cellar Haven Ln., Lottsburg, VA 22511 and Mr. Albert Penley 610 East Fairway Dr., Kilmarnock, VA 22482 to the Circuit Court Judge for Appointment on the Board of Zoning Appeals in Northumberland County.

RE: COMMUNITY SERVICES BOARD APPOINTMENT – MS. SHARON FISHER

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the Board voted to appoint Ms. Sharon Fisher of 699 Sherwood Dr., Reedville, Virginia 22539 as the County's representative on the Community Services Board. Ms. Fisher is replacing Mr. Clint Stables on the Board as he has resigned. The vote on the motion is as follows:

A. Joseph Self, Sr. – YEA
Richard F. Haynie – YEA
Thomas H. Tomlin – YEA

Ronald L. Jett – YEA
James M. Long – YEA

RE: APPOINTMENTS NEEDED

Mr. Eades reminded the Board Members that a representative is needed on the Bay Aging Board as Reverend Rioland has left the County. A Wetlands member is also needed.

RE: HUNTING REGULATIONS DISCUSSION ON COYOTES

Mr. Eades said he got a request in from a County citizen and spoke to the area Game Warden to check into changing regulations on hunting of coyotes. He suggested changing it to the same language as we have for hunting ground hogs. Supervisor Tomlin spoke up and said the Code of Virginia doesn't allow, or it doesn't mention coyotes, it only said ground hogs. The Board asked for our County Attorney to check into this issue.

RE: BOARD COMMENT PERIOD

Supervisor Haynie stated that a Tourism Discussion meeting will be held on January 13th from 7-9 at the Lively Ruritan's Club and at 5:00-6:30 at the Oaks Restaurant.

Mr. Long questioned the Light Street sign and the cell service in Reedville.

RE: APPROVAL OF CHECK REGISTER

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to approve the check register.

The vote on the motion was:

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

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

James M. Long – YEA

RE: PUBLIC COMMENT PERIOD

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 contractual matter as permitted by Virginia Code Section 2.2-3711 (A) (7). The vote on the motion was as follows:

A. Joseph Self, Sr. – YEA
Richard F. Haynie – YEA
Thomas H. Tomlin – YEA

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

Ronald L. Jett – YEA
James M. Long – 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 contractual matters.

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

Ronald L. Jett – YEA

A. Joseph Self, Sr. - YEA

James M. Long – YEA
Thomas H. Tomlin – YEA

Richard F. Haynie - YEA

RE: ADJOURNMENT

Upon motion by A. Joseph Self, Sr., seconded by James M. Long, the Board voted Adjourn.

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