

**Board of Supervisors Meeting
February 12, 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, February 12, 2015.

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

Kenneth D. Eades – County Administrator
Luttrell Tadlock – Assistant County Administrator

Absent: W. Leslie Kilduff, Jr. – County Attorney

RE: INVOCATION

Pastor Michael Ramming, Good Shepard Lutheran Church led the invocation.

RE: PLEDGE OF ALLEGIANCE

Pastor Ramming led in the Pledge of Allegiance.

RE: APPROVAL OF MINUTES FOR JANUARY 8, 2015

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self, Sr., the Board voted to approve the minutes from the January 8, 2015. 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 the public hearing for the request by James Teichert and Cecily Garka, for an exception to the Chesapeake Bay Act in order to construct a single family dwelling partially within the RPA located on Spinnaker Lane, lot 58 in Sands on the Potomac Subdivision has been tabled until the April 9th meeting. An additional site plan is needed for this request. 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 thanked Supervisor Haynie for his help in fixing the boiler at the School Board Office.

Dr. Gates reminded the Board of the box dinner meal and meeting on March 23rd. She then said they are reviewing a calendar for the next school year and they are looking into getting a waiver to start school before Labor Day because it is so late this year.

The General Assembly is proposing teacher raises and she explained this is not a blanket raise. They are proposing a 1.5% raise for SOQ positions. They are also still looking into state insurance plans for teachers and at this time rates look good.

**RE: MR. PAUL LEE, ROBINSON, FARMER, COX ASSOCIATES –
DISCUSSION OF AUDIT REPORT, MRS. ELLEN BOOKER KIRBY,
TREASURER**

Mr. Lee stated he came to discuss the County Audit for 2014. He said it went pretty well. All county departments worked well with them during the audit and were very helpful. Tax collection is right at 99% which is as good as it gets for this time of year. Mr. Lee said the management letter includes the animal shelter which needs to be either a department of the county or go on its own as a non-profit. At this time, it is kind of inside and outside of the county and needs clarified. Also included is a procurement of contracts needed for a maintenance contract with the Sanitary District.

Ms. Kirby said it is always a pleasure to work with this firm and said the FY 2014 collection is currently at 96% at this point which is up from last year and should be about 98% by June.

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

2014 END OF THE YEAR REPORT
ANNUAL REPORT OF THE NORTHUMBERLAND COUNTY PLANNING
COMMISSION

BACKGROUND

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 2015.

PLANNING COMMISSION

During the past year, the Northumberland County Planning Commission held six (6) regular meetings. Items considered by the Commission during 2014 are as follows:

Amendments Considered:

1. An amendment to the Northumberland County Chesapeake Bay Preservation Area Ordinance Chapter 54 Article IV, Section 54-12; Lot Size, to add the underlined language in the last sentence as follows: “The area

that is deemed sufficient to accommodate a proposed development shall be a minimum of 15,000 square feet.”

2. An amendment to the Northumberland County Zoning Ordinance Chapter 148 regarding Tourist Homes and Vacation Home Rentals.
3. An amendment to the Northumberland County Zoning Ordinance Chapter 148 Article I, Section 148-5; Usages, to: Allow “Aquaculture Facility, Commercial” as a permitted use in the Agricultural District (A-1) as required by a recent amendment to the Code of Virginia.

Rezoning:

There were no rezoning requests during 2014.

Other Public Hearings:

There were no other public hearings during 2014.

Other Considerations:

The Commission started the process of reviewing the 2006 Comprehensive Plan in 2014 and will continue this review in 2015.

BOARD REQUESTS

The Board of Supervisors, Board of Zoning Appeals and the Wetlands Board considered a combined total of 72 requests during the 2014 calendar year.

	2010	2011	2012	2013	2014
Boathouse Requests- Board of Supervisors	1	1	2	1	1
Chesapeake Bay Act Variances	6	4	4	3	2
Conditional Use Permits	8	10	28	16	11
Rezoning Requests	1*	1	0	0	0
Special Exceptions Permits	5	5	5	1	-
Subdivision Variances	0	0	0	0	0
Wetlands Board Applications	69	68	75	64	56
Zoning Variances	8	6	8	5	2

*Table 1 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.*

OFFICE OF BUILDING & ZONING

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 2014 calendar year, which were processed through this office.

Comparison of Construction Cost:

In 2014, the total estimated cost of construction was \$32,553,021.78 compared to \$26,897,085.00 for 2013. The total estimated cost of construction showed an increase of approximately 21% from 2013 to 2014.

Total Construction Cost (1982-2014)

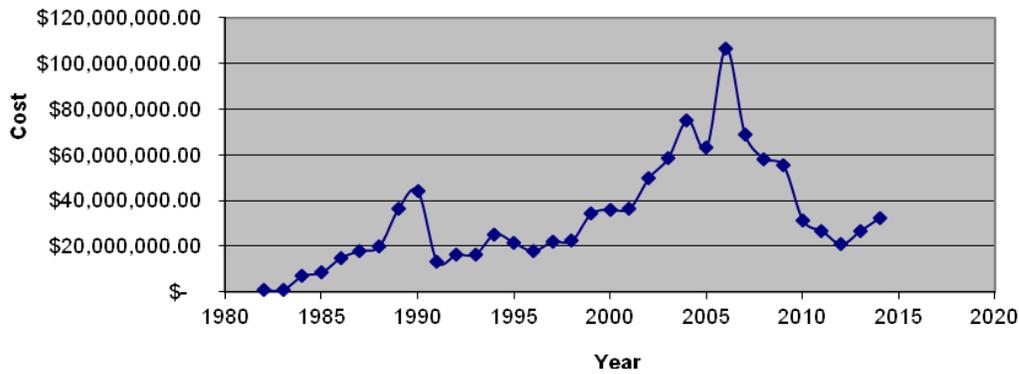


Figure 1 displays the Total Construction Cost from 1982 through 2014 for Northumberland County. These numbers are obtained from the December Building Permits Report Comparison Sheet of each year.

Comparison of Structures:

Type of Structure	2013 Number of Structures	2014 Number of Structures	% Difference	2013 Avg. Square Ft	2014 Avg. Square Ft	2013 Avg. Cost	2014 Avg. Cost
Single Family Dwelling	33	41	24	3,084	3,669	\$247,545.27	\$290,875.51
Modular	24	16	-33	2219	2,600	\$174,342.58	\$207,894.63
Double Wide	5	2	-60	-	-	\$80,978.80	\$97,500.00
Mobile Home	6	6	0	-	-	\$11,666.67	\$26,408.33
Commercial	0*	4	-	0	6,794	\$0	\$842,000.00

Table 2 compares structures for 2013 and 2014. The (*) denotes there were no new commercial buildings constructed, this figure does not include any remodel repair commercial work performed.

Number of Dwellings (1982-2014)

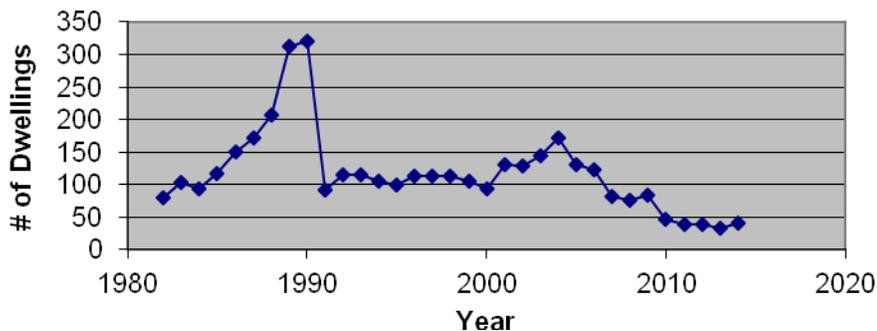


Figure 2 shows the total number of Single Family Dwellings permitted from 1982 through 2014.

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	12	6	10	13	41
Modular Home	3	4	4	5	16
Double Wide	0	0	0	0	2
Mobile Homes	3	1	1	1	6
Commercial	2	3	0	0	5

TOTAL	20	14	15	19	70
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Table 3: Numbers of each type of structure are given to show the magisterial district in which construction took place for the year 2014.

Comparison of Structures- By Zoning District:

	<i>Dwelling</i>	<i>Modular Home</i>	<i>Double Wide</i>	<i>Mobile Home</i>	<i>Commercial</i>	TOTAL
Agricultural; A-1	11	7	2	2	2	24
Residential General; R-1	0	1	0	1	0	2
Residential Waterfront; R-2	28	7	0	3	0	38
Residential Restricted; R-3	1	0	0	0	0	1
Residential Recreational; R-4	0	1	0	0	0	1
Conservation; C-1	1	0	0	0	0	1
Business General; B-1	0	0	0	0	1	1
Industrial Light; M-1	0	0	0	0	2	2
TOTAL	41	16	2	6	5	70

Table 4: The following table shows the number of new structures from 2014 within each zoning district classification.

Permits and Inspections:

The Building & Zoning Office handles an assortment of permits. A total of 302 building permits, 202 mechanical permits, 324 electrical permits, and 107 plumbing permits were issued in 2014. There were approximately 1,510 building inspections conducted during the 2014 calendar year.

	2010	2011	2012	2013	2014
Boathouse Applications	7	7	5	5	4
Double Wide	8	6	5	5	2
Electrical Permits	338	304	331	311	324
Land Disturbing Inspections	261	227	232	210	203
Land Disturbing Permits	126	106	106	90	90
Mechanical Permits	213	202	189	195	202
Mobile Home Permits	10	6	10	6	6
Modular Homes	21	14	13	24	16
Private Pier Applications	30	42	35	28	32
Plumbing Permits	154	137	96	127	107
Single Family Dwellings	46	38	38	33	41
Zoning Permits	372	337	337	340	345

Table 5 displays various applications and permits issued by the Office of Building and Zoning for the past five years.

Northumberland County, Virginia 2014 Wetland Applications

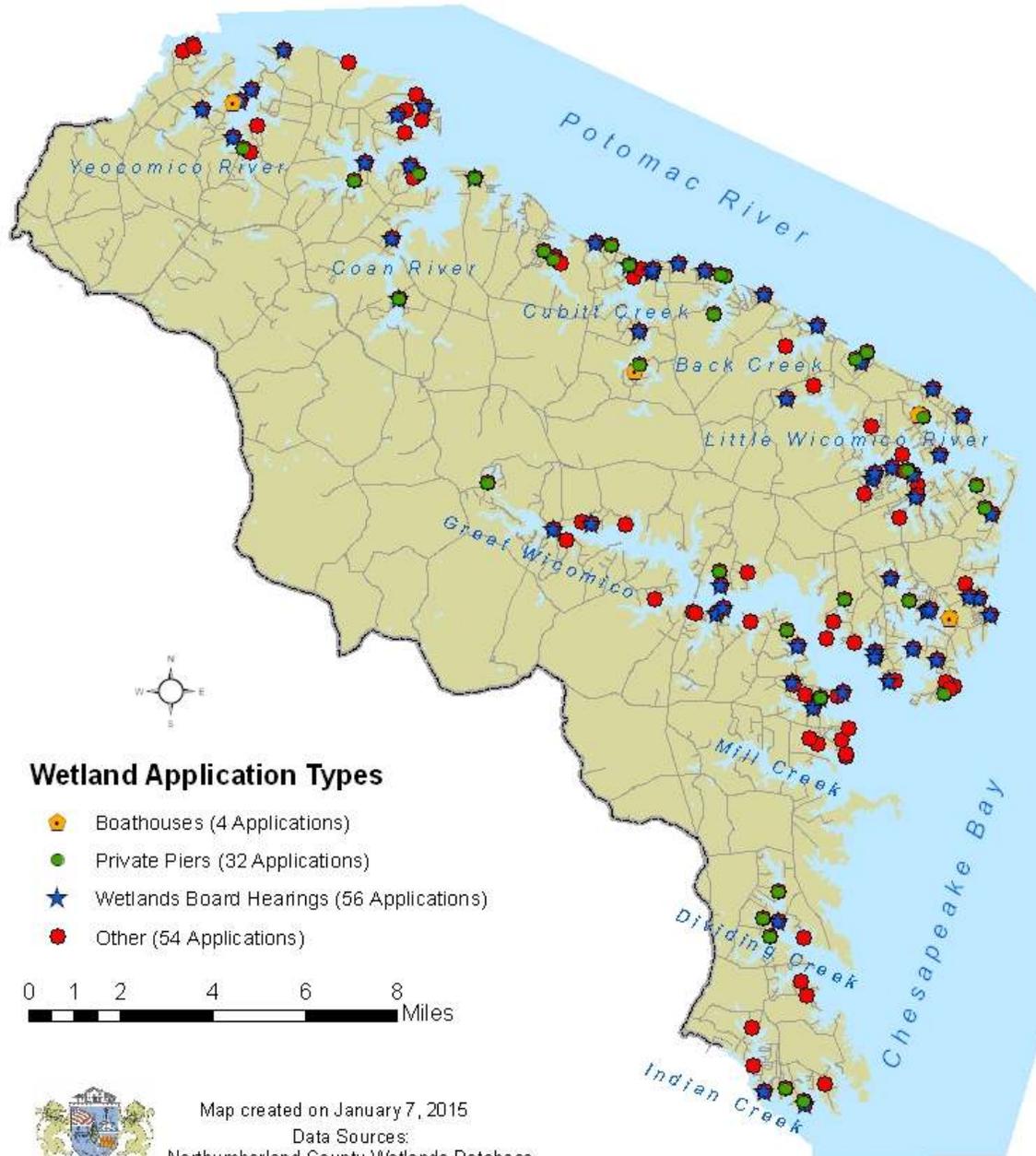


Image 1 displays the 2014 Wetland Application locations within Northumberland.

RE: COUNTY ADMINISTRATORS REPORT

Mr. Eades received a request by a tax payer asking the Board to reassess the 10% day late fee for tax collection. Mr. Eades stated the Treasurer had done some research and said the 10% fee goes back to 1979 with the code stating that without an ordinance the penalty is 5%. The tax payer said that 10% is extreme. Supervisor Tomlin suggested seeing what other county's charge and bring back next month.

RE: BUILDING PERMIT REPORT

Month of January	2015	2014
Total construction cost for the month	\$ 2,023,519.00	\$ 2,755,217.15
Total Bldg. Permit Cost for Month	\$ 4,037.24	\$ 3,339.68
Total Zoning Permit Cost for the Month	\$ 920.00	\$ 1,050.00
Total Levy Fee for the Month	\$ 80.75	\$ 66.79
Total Construction cost year to date	\$ 2,023,519.00	\$ 2,755,217.15

RE: RESOLUTION, BOB AND PATRICIA PARKER SCOUT MASTER HONOR

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

RESOLUTION

WHEREAS, Mr. Robert M. Parker has served fourteen years as Cub master and Scoutmaster of the local Boy Scouts of America units Pack 250 and Troop 250, respectively, retiring as their leader on December 31, 2014, and

WHEREAS, the same Mr. Parker has continuously demonstrated his deepest commitment to the well-being and development of the youth of Northumberland County as youth leader and educator, and

WHEREAS, Mrs. Patricia M. Parker has served as the Committee Member and Treasurer of the same Boy Scouts of America units, retiring on December 31, 2014,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors of Northumberland County, Virginia hereby expresses its deepest appreciation and gratitude to Mr. and Mrs. Parker for their service to the County its Children, and Citizens, and

BE IT FURTHER RESOLVED, that Saturday, February 28, 2015 is hereby declared to be ROBERT M. AND PATRICIA M. PARKER DAY.

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: COYOTE REGULATIONS DISCUSSED

Mr. Eades explained that he has been in conversation with Delegate Ransone and she has talked with Ryan Brown, of Game and Inland Fisheries, that put forth hunting regulations to treat ground hogs and coyotes the same when it comes to what kind of weapon can be used. If we were to amend we can simply add “and coyotes”. Supervisor Tomlin questioned this because it is going beyond what legislation enables. Mr. Eades said Mr. Brown stated that this within the DGIF regulations and is covered. Mr. Eades asked if the Board wanted him to advertise this because if it passes we will need to get it in the hunting regulation book by May 1st. The Board asked Mr. Eades to get the County Attorney to get a verbal opinion from the General Attorney on the matter and we will try to have a hearing on it in April.

RE: APPROPRIATION – ANIMAL SHELTER YARD SALE MONEY

Upon motion by A. Joseph Self Sr., duly seconded by James M. Long, the Board voted to approve to appropriate \$5,000 from the Animal Shelter yard sale account to the County Animal Shelter account.

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: APPROPRIATION FOR ADDITIONAL DEPUTIES

Upon motion by A. Joseph Self Sr., duly seconded by James M. Long, the Board voted to approve to appropriate moving \$95,113.58 from line item 3102-8007 now that we know the exact amounts for the new deputies and dispatchers hires, to the following line items:

3103-1001	\$69,296.24
3102-2001	\$ 5,301.14
3102-2002	\$ 7,625.78
3102-2003	\$ 824.61
3102-2005	\$ 11,220.00
3102-2006	\$ 211.88
3102-2007	\$ 336.33
3102-2009	\$ 297.60

The vote on the motion is as follows:

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

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

Thomas H. Tomlin – YEA

RE: AQUA RATE INCREASE

Mr. Eades said he got a call from the County Administrator from Westmoreland to let us know that a group has hired the law firm, Sands Anderson to fight the rate increases of Aqua and Virginia American Water systems. They are asking for financial support to help fund this effort. Supervisor Self questioned the agreements because there are no guidelines. Supervisor Tomlin questioned the long term plan for Aqua. Supervisor Self asked Mr. Eades to get more information on the plan as soon as he can.

RE: BOARD OF ZONING APPEALS – MR. JAMES C. PACKETT

With Mr. James C. Packett's appointment ready to expire from the Board of Zoning Appeals, the Board asked Mr. Eades to send to the Judge to have Mr. Packett re-appointed to his seat on this Board.

RE: ECONOMIC DEVELOPMENT COMMISSION RE-APPOINTMENT – MELISSA BUNNS

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to reappoint Ms. Melissa Bunns to the Economic Development Commission. Ms. Bunn's term will expire on March 8, 2019. The vote on the motion is as follows:

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

RE: PLANNING DISTRICT COMMISSION RE-APPOINTMENT, MR. ALBERT J. PENLEY

Upon motion by Thomas H. Tomlin, duly seconded by Richard F. Haynie, the Board voted to reappoint Mr. Albert J. Penley to the Planning District Commission if he is willing to serve another term. Mr. Penley's term will expire on March 1, 2019. The vote on the motion is as follows:

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

RE: PLANNING DISTRICT COMMISSION RE-APPOINTMENT, CHARLES WILLIAMS

Upon motion by Ronald L. Jett, duly seconded by A. Joseph Self, Sr., the Board voted to reappoint Mr. Charles Williams to the Planning District Commission if he is willing to serve another term. Mr. Williams appointment will expire on April 5, 2019. The vote on the motion is as follows:

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

Thomas H. Tomlin – YEA

RE: SHERIFF OFFICE BUILDING UPDATE

Mr. Eades stated that the substantial completion on the Sheriff's Office Building is expected next week. Radio equipment is also expected to be turned on when the move is made.

RE: BOARD COMMENT PERIOD

Supervisor Long asked the Board to schedule a date to take Mr. William Hudnall to lunch. The Board scheduled this for Wednesday, February 18, 2015.

Supervisor Long then asked about signage on Light Street. Mr. Eades said he was still waiting for a permit.

Supervisor Tomlin asked Mr. Eades to look into getting a preliminary study done with VDOT at the intersection of Gibeon Road and Rt. 360.

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
James M. Long – YEA

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

RE: REQUEST BY JAMES TEICHERT AND CECILY GARKA FOR AN EXCEPTION TO THE CHESAPEAKE BAY ACT.

This request was requested to be tabled for 60 days to April 9, 2015.

RE: REQUEST BY EDWIN A. SISSON, FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A 12'X 88' OPEN-PILE PIER FOR A COMMERCIAL SEAFOOD OPERATION LOCATED AT 449 WICOMICO VIEW LANE.

Zoning Administrator Marston described the request for the conditional use permit and read the suggested conditions if approved.

Mr. Lakie Cowart was present for the meeting to represent Mr. Sisson on the request. He explained there are already two docks on the creek and this construction will allow them to move more and enhance the oystering business.

Public Hearing Open

No comments were given

Public Hearing Closed

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the Board voted to approve the conditional use permit to construct a 12'x 88' open pile pier for a commercial seafood operation located at 449 Wicomico View Lane with the following conditions:

1. The permit is valid for one year and will expire on February 12, 2016, if the pier has not been constructed.
2. All necessary permit and/or licenses must be obtained from all regulatory agencies.
3. Any exterior lighting must be non-reflective and directed downward.

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: CONSIDERATION OF GRANTING A LEASE AGREEMENT TO THE DEPARTMENT OF GAME AND INLAND FISHERIES FOR THE PURPOSE OF MAINTAINING AND PATROLLING LODGE LANDING OWNED BY NORTHUMBERLAND COUNTY AND LOCATED AT THE END OF LODGE ROAD NEAR CALLAO

Mr. Eades described the request, which was included into the Board package, for consideration of a lease agreement to the Department of Game and Inland Fisheries. Mr. John Kirk was present from the Department.

Chairman Jett asked if our County Attorney had looked over the agreement. Mr. Eades responded that he has looked it over. The Board members asked what was different now than before. Mr. Kirk stated that the agreement is outdated because it is from the late 1980's and it has just been rolling over year after year. The benefits to the County include patrolling the landing, trash pick-up, signage and maintenance to the Landing. The agreement long-term will solicit funding for fixing the boat ramp. The Board asked why it hasn't already been fixed. Mr. Kirk said an active agreement is needed to be in place.

Public Hearing Open

No comments were given

Public Hearing Closed

Supervisor Self asked how soon could the Department get the ramp fixed because he is against the agreement if it doesn't get fixed soon. Mr. Kirk said there are 225 boat landings and they would have to evaluate the need and this year they have already made their list of priorities, so it would not be this year because it would have to already been in the approved budget. Supervisor Self then asked

what was the advantage to the County. Mr. Kirk responded with repairs to the Landing. Supervisor Self suggested holding off another 60 days on this agreement.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the Board voted to table this request until the April 9, 2015 meeting.

The vote on the motion is as follows:

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

Supervisor Long stated that any updated information on this would be helpful.

RE: PUBLIC COMMENT PERIOD

No comments were given

RE: ADJOURNMENT

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

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

Kenneth D. Eades, Clerk