

Board of Supervisors Meeting
April 14, 2016
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, April 14, 2016.

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
Luttrell Tadlock – County Administrator

RE: INVOCATION

Rev. Esther Ogbosu, Henderson United Methodist Church led the invocation.

RE: PLEDGE OF ALLEGIANCE

Chairman Jett led in the Pledge of Allegiance.

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 with the following change:

1. Mr. Joe Schlatter from the Northumberland County Electoral Board would like to speak.

The vote on the motion is as follows:

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

RE: APPROVAL OF MINUTES FOR MARCH 10, 2016 AND MARCH 22, 2016

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to approve the minutes for the following meetings:

March 10, 2016
March 22, 2016

The vote on the motion is as follows:

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

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

RE: MR. JOE SCHLATTER, ELECTORAL BOARD

Mr. Schlatter came before the board today to thank them for their support and providing the voting machines recently. He said during the election last fall they had 6 fail and luckily had back up. The new machines were used in the primary and worked well.

RE: MR DAVE BROWN, VIRGINIA DEPARTMENT OF TRANSPORTATION

Mr. Brown said the maintenance crew has been doing some patching work and is starting to schedule some spring/summer work.

Mr. Brown then handed out the proposed 6 year plan. (see board of supervisor papers)

He noted the project at Rt. 360 and Academic Lane will begin soon. Fleeton Road is also on the list with drainage issues. He stated that any input from the Board of Supervisors would be appreciated.

RE: PUBLIC HEARING ADVERTISED, SIX YEAR PLAN SCHEDULED FOR MAY 2016

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to schedule the public hearing for the six year plan with the Virginia Department of Transportation for next month, May 12, 2016. The vote on the motion is as follows:

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

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

Supervisor Tomlin questioned Mr. Brown on the snow fences. Mr. Brown stated that yes snow fences were utilized years ago but with heavier and more appropriate equipment used today, they have found this to be more beneficial from a cost perspective. Supervisor Tomlin suggested increasing the equipment size for snow removal since they had a hard time with removing the snow with the last snow storm. Mr. Brown said his comments are well taken and they will re-assess when appropriate.

Supervisor Long asked about ditch cleaning on Light Street.

RE: DR. REBECCA GATES, SUPERINTENDENT OF SCHOOLS

Dr. Gates reported that spring sports were in full swing and the schedule is available on their website. The SOL schedule has been set for May 5 through June 10. She then noted the extended school year weeks as well as a grant that is being worked on with the Boys and Girls Club. There is a drug awareness night scheduled for April 21st.

RE: MS. JACKIE CLAYTON, DIRECTOR OF SOCIAL SERVICES- CHILD ABUSE PREVENTION MONTH PROCLAMATION

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., the board voted to adopt the following proclamation:

Proclamation
Observance
Child Abuse Prevention Month

Whereas, preventing child abuse and neglect is a community problem that depends on involvement among people throughout the community; and

Whereas, child maltreatment occurs when people find themselves in stressful situations, without community resources, and don't know how to cope; and

Whereas, the majority of child abuse cases stem from situations and conditions that are preventable in an engaged and supportive community; and

Whereas, all citizens should become involved in supporting families in raising their children in a safe, nurturing environment; and

Whereas, effective child abuse prevention programs succeed because of partnerships created among social service agencies, schools, faith communities, civic organizations, law enforcement agencies, the business community, and the citizens of Northumberland County; and

Now therefore we, the Board of Supervisors, do hereby recognize April, 2016, as Child Abuse Prevention Month in Northumberland County, and we call this observance to the attention of all our citizens, community agencies, faith groups, medical facilities, and businesses to increase their participation in our efforts to support families, thereby preventing child abuse and strengthening the communities in which we live.

The vote on the motion is as follows:

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

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

RE: MS. ANN H. KLOECKNER, ESQ, EXECUTIVE DIRECTOR, RAPPAHANNOCK LEGAL SERVICES

Ms. Kloeckner came before the board today to thank them for the support they have given and asked to level fund them in the upcoming budget. She then gave statistical information regarding the County's clients they have serviced. She said they represent those that can't afford legal council in many different cases such as civil protective orders, unemployment benefits, land-lord issues, social

security denials etc. She noted that this service helps keep a strain off of social services as well as the court system. Their motto is “Justice for all” and they are very proud of the work they do. Supervisor Long asked what days they visit First Baptist Church. Ms. Kloeckner stated that the days vary but can send a schedule soon.

RE: MR. PAUL LEE, ROBINSON, FARMER, COX-AUDIT DISCUSSION

Mr. Lee came today to discuss the 2015 Audit. He talked about several aspects of the audit and notes in the management letter. He stated that 2015 tax collection is at 100%. One management letter item was noted and was described as the school detail report for the expenditure side or reconciliation. Supervisor Tomlin asked how common it was for school systems to have a different account program than the County. Mr. Lee said about half, so pretty common and they are having the same issues.

Ms. Ellen Kirby, Treasurer, also spoke on the updated tax collection which she stated is over 97% and the same as this time last year. She noted that this is on target to be 99% by June 30th.

RE: MR. RICK MCCLURE, CHIEF EMS – UPDATE

Chief McClure reported that 7 new people have been hired and 5 of those are advanced EMT’s. He then spoke about the purchase of the rescue squad that is being housed at Mid-County. Mr. McClure stated that they are going to start 24 hour coverage on Sunday morning. He said they have reached out to the squads for their input and have heard from Northumberland and Callao. They have agreed to work out of Mid-County squad building. Mr. McClure said he wants to keep the volunteer agencies healthy and if the paid take on everything then we may not have any volunteers. Other items discussed were the difference in potential response time as well as building rotations.

Supervisor Long asked for flyers to go around at the local churches with information to the people concerning the billing service. Supervisor Tomlin expressed his concern with the billing system and the new program starting the same day.

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to delay billing services until October 1, 2016 for the new program that the squads will be using to be utilized first.

The vote on the motion is as follows:

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

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

RE: EMERGENCY MEDICAL SERVICE APPROPRIATION

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to appropriate \$87,486.03 from line item 3203-1002 to the following line items:

3203-1001 Salaries - \$80,254.81
3203-2002 VRS – \$2,527.81

3203-2003 Life Insurance - \$208.55
 3203-2004 VRS-HIC-\$6.86
 3203-2005 Hospitalization - \$4,488.00

The vote on the motion is as follows:

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

RE: MR. FRED OLVERSON, DISCUSSION ON BOAT TAX

Mr. Olverson came before the board today to discussion how the boat/marina/boat yard businesses in the County are struggling to complete with neighboring Lancaster County who has done away with their tax of boats more than 5 ton. Several business owners joined Mr. Olverson today to express their concerns. Mr. Jennings from Jennings Boat yard said he knows he is losing business to Lancaster. Mr. Olverson asked to “level the field” so we can compete with Lancaster. They all asked for the same wording as Lancaster.

RE: BUILDING PERMIT REPORT

Month of March	2016	2015
Total construction cost for the month	\$ 995,071.66	\$ 3,726,980.76
Total Bldg. Permit Cost for Month	\$ 3,407.64	\$ 7,029.36
Total Zoning Permit Cost for the Month	\$ 2,070.00	\$ 1,900.00
Total Levy Fee for the Month	\$ 68.17	\$ 140.57
Total Construction cost year to date	\$ 3,366,881.29	\$ 7,432,332.50

RE: TELECOMMUNICATIONS WEEK RESOLUTION

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to adopt the following resolution:

R E S O L U T I O N
PROCLAIMING NATIONAL TELECOMMUNICATIONS WEEK
FOR APRIL 10-16, 2016

WHEREAS, the Congress of the United States and the President of the United States have established the second week of April as National Public Safety Telecommunications Week; and,

WHEREAS, Emergencies can occur at any time that require police, fire or emergency medical services; and,

WHEREAS, When an emergency occurs, the prompt response of police officers, firefighters and paramedics is critical to the protection of life and preservation of property; and,

WHEREAS, Public Safety Dispatchers are the first contact our residents have with emergency services, and they are a vital link for our police officers and firefighters by monitoring their activities, providing them information and insuring their safety; and,

WHEREAS, Public Safety Dispatchers are more than a calm and reassuring voice at the other end of the phone. They are the “unseen first responders.” They are knowledgeable and highly trained individuals who work closely with other police, fire and medical personnel; and,

WHEREAS, Each dispatcher has exhibited compassion, understanding, and professionalism during the performance of their job; and,

WHEREAS, Public Safety Dispatchers daily serve the public in countless ways without recognition by the beneficiaries of their service.

BE IT RESOLVED BY the Northumberland County Board of Supervisors as follows:
Section 1. That the Board of Supervisors does hereby proclaim the week of April 10-16 to be known as National Telecommunications Week in Northumberland County in honor of the men and women whose diligence and professionalism keep our county and citizens

The vote on the motion is as follows:

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

RE: SHERIFF DEPARTMENT APPROPRIATION – VIN #1376

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to appropriate the following from the VaCorp reimbursement money for Sheriff Wilkins’ car, Vin#1376.

\$2,612.30 to 3102-3012

The vote on the motion is as follows:

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

RE: 2016 WASTE AND E-WASTE COLLECTION DAY

Mr. Tadlock informed the board that the Waste Collection and E-Waste Collection day is scheduled for Saturday, May 7, 2016 from 9am to 2pm.

RE: LODGE LANDING GRANT

Mr. Tadlock informed the board that Stuart McKenzie, County Planner, had been working on a grant through the Virginia Saltwater Fishing Fund to aid in the cost of dredging the boat ramp area at Lodge Landing. This is a matching grant and is due June 15.

RE: BUDGET SCHEDULE

The board decided to schedule a work-session to discuss the school budget on Tuesday, April 19, 2016 at 8am in the Board of Supervisors meeting room.

RE: BOARD COMMENT PERIOD

Supervisor Long asked what progress had been made on the old EVB building. Mr. Tadlock stated that there is a sketch on the table that he has received from Trey Davis of the Vocational Center. The board suggested having each office that will be part of the building give suggestions and be included in the decision making process.

**PUBLIC HEARING
7 P.M.**

RE: REQUEST BY BAKER HEATING AND AIR, OWNER, AND MILES K. BAKER, APPLICANT FOR A CONDITIONAL USE PERMIT TO ALLOW CONSTRUCTION OF A DWELLING ON PROPERTY ZONED B-1 BUSINESS GENERAL. THE PROPERTY IS SHOWN AT TAX MAP PARCEL 8-(1)-145H AND IS LOCATED ON VILLAGE GREEN DRIVE IN CALLAO.

Zoning Administrator Philip Marston described the request for the conditional use permit in Callao. Mr. Bobby Elliot was present for the meeting.

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 conditional use permit to allow construction of a dwelling that is zoned B-1 with the following condition:

1. All necessary permits shall be obtained from all regulatory agencies.

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

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

Thomas H. Tomlin – AYE

RE: REQUEST BY PAMELA A. MILLER TRUSTEE, OWNER, FOR A CONDITIONAL USE PERMIT IN ORDER TO ALLOW A SOCIAL HALL ON PROPERTY ZONED M-1. THE PROPERTY IS SHOWN AS TAX MAP PARCEL 45-B-(1)-11-A AND IS LOCATED AT 365 DEEPWATER LANE.

Zoning Administrator Philip Marston described the request for the conditional use permit in order to allow a social hall on property zoned M-1. Ms. Miller was present for the meeting.

Public Hearing Open

No Comments Given

Public Hearing Closed

Upon motion by Ronald L. Jett, duly seconded by Richard F. Haynie, the board voted to grant the request for a conditional use permit in order to allow social hall on property zoned M-1 with the following conditions:

1. Any event that includes music, dancing, and admission shall obtain a Dance Hall Permit from the County Administrator's office.
2. Parking shall be in a designated parking lot and there shall be no parking on the street.
3. Any lighting shall be non-reflective and directed downward.
4. The building shall comply with the Uniform Statewide Building Code.

The vote on the motion is as follows:

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

RE: COMBINED REQUEST-REQUEST BY MONICA M. FAHEY TRUST, OWNER, FOR A CONDITIONAL USE PERMIT IN ORDER TO ALLOW FARMING WITH LIVESTOCK. THE PROPERTY IS SHOWN ON TAX MAP PARCEL 36-(1)-112 AND IS LOCATED AT 193 BOW WOOD DRIVE.

REQUEST BY J. MATTHEW MCSHANE, OWNER FOR A CONDITIONAL USE PERMIT IN ORDER TO ALLOW FARMING WITH LIVESTOCK. THE PROPERTY IS SHOWN AS TAX MAP PARCEL 36-(1)-112A AND IS LOCATED AT 191 BOW WOOD DRIVE.

Zoning Administrator Marston described both request. Mr. McShane and Ms. Fahey were present. Mr. McShane stated that he would be having sheep on the property.

Public Hearing Open

Mr. Glen Lester, neighbor stated that he owns all of the property around this property and he doesn't have any problem with it.

Mr. Tim Moore, also in favor of the request said this is in line with what the property is used for.

Public Hearing Closed

Upon motion by Thomas H. Tomlin, duly seconded by Richard F. Haynie, the board voted to approve the request for both public hearings with the following conditions.

1. A nutrient management plan shall be prepared by the Northern Neck Soil and Water District that includes storage and disposition of animal waste and a rotational grazing plan.
2. Any variation in the animals proposed shall comply with this nutrient management plan.

The vote on the motion is as follows:

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

RE: REQUEST BY SUSAN FOX, OWNER, FOR AN EXEPTION TO THE CHESAPEAKE BAY ACT IN ORDER TO CONSTRUCT A SINGLE-FAMILY DWELLING WITHIN THE RESOURCE PROTECTION AREA. THE PROPERTY IS SHOWN AS TAX MAP PARCEL 54-1-54 AND IS LOCATED AT THE END OF SANDY RUN TRAIL.

Zoning Administrator Marston described the request for the exception to the Chesapeake Bay Act in order to construct a single family dwelling within the RPA. Ms. Fox was present for the meeting as well as her Engineer, Mr. Joel Pinnix. Mr. Pinnix stated they were here 8 months ago and was asked to gather more information and they are back with the updates. He said they have an updated site plan with a modest dwelling. Mr. Matt Roth with Environmental Conservation in Newport News was also at the meeting representing Ms. Fox.

Supervisor Tomlin questioned the location of the house and whether it could be moved so that it would not need to be in the RPA. Mr. Pinnix stated that the area Supervisor Tomlin is referring to is where the alternative drain-field is going to be with the primary and reserve.

Public Hearing Open

Mr. Nathan Moore said he is not for or against but if this is approved it will set a president.

Ms. Terrie Crawley who is the next door neighbor came to oppose this request for the environmental impact it will have.

Mr. Greg Pickens stated he bought his place 2 years ago and when he purchased it he was told it was an unbuildable lot and he asks the Board to turn this down.

Mr. Moslow, also a neighbor, stated he bought a very expensive lot and he too thought this property was unbuildable.

Mr. Matt Roth stated that the flags have been set and the Corp of Engineers has seen what is on the plat and each is case by case with the Chesapeake Bay Act.

Supervisor Tomlin asked what is the Corps' jurisdiction in this case. Mr. Roth it is isolated wetlands if it connects and a DEQ wetland permit would be needed.

Mr. Chip Hudnall said he is a local builder and looking at the building permit report it needs to be approved. This land was passed down by her Father and he would hate for the land to be sold off.

Ms. Crawley noted that she didn't see where the utilities were depicted on the drawing. Mr. Pinnix said the septic is shown but they can't locate the water because of the plastic piping.

Public Hearing Closed

Upon motion by Chairman Ronald L. Jett, with no second moved to grant the request.

Supervisor Tomlin as he sees it, it can be built outside of the 100ft RPA. Supervisor Self questioned the size of the drain-field. Mr. Pinnix explained that there are many factors to get this drain-field where it is, it has to be 70 feet off shellfish waters, it can't be in the wetlands area etc.

Supervisor Self asked Mr. Pinnix in his opinion is this the only place for the drain-field to go? Mr. Pinnix said yes because of set-backs and encroachments. Supervisor Self then questioned if it could be placed off site.

With Chairman Jett removing his motion, Supervisor Richard F. Haynie motioned to table this request until May 12, 2016. Supervisor Long seconded the motion.

The vote on the motion is as follows:

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

RE: PUBLIC COMMENT PERIOD

Mr. Nathan Moore said he has heard the EMS situation has been fixed. He asked if this was true. Chairman Jett stated that we are trying to correct it and working on it. Mr. Moore said this made him happy to hear.

RE: CLOSED MEETING

Upon motion by A. Joseph Self, Sr., duly seconded by, Richard F. Haynie, the Board voted unanimously to convene into closed meeting to discuss a personnel matter and discussion of a

contractual matter as permitted by Virginia Code Section 2.2-3711 (A) (1) and (7). The vote on the motion was as follows:

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

RE: OPEN MEETING

The Board convened back into open session upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self, Sr., 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. – AYE	Ronald L. Jett – AYE
Richard F. Haynie – AYE	James M. Long – AYE
Thomas H. Tomlin – AYE	

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 to discuss a personnel matter, use of public property and a contract matter.

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

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

RE: ACTION TAKEN- HIRING OF DAVID WOOLARD AS WASTEWATER TREATMENT PLANT SUPERVISOR

Upon motion by A. Joseph Self duly seconded by Richard F. Haynie, the Board voted to hire David Woolard as the Wastewater Treatment Plant Supervisor starting May 16, 2016 at an annual salary of \$58,500. The vote on the motion is as follows:

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

RE: CHECK REGISTER

Upon motion by Thomas H. Tomlin, duly seconded by A. Joseph Self the board voted to approve the check register except the payment to Rappahannock Radio Communications due to possible conflict of interest. However, if the individual is no longer employed by the County, then the check can be released.

The vote on the motion is as follows:

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

RE: CARRY-OVER

Upon motion by Richard F. Haynie, seconded by James M. Long, the Board voted to carry-over the meeting until meeting with the School Board. The vote on the motion is as follows:

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

E. Luttrell Tadlock, Clerk