

**Board of Supervisors Meeting
December 11, 2008
5:00 P.M.**

NORTHUMBERLAND COUNTY, VA

A regular monthly meeting of the Northumberland County Board of Supervisors was held in the Northumberland Courts Building, on Thursday, December 11, 2008

Present: Ronald L. Jett – Chairman
 Richard F. Haynie – Vice-Chairman
 A. 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

Reverend Lee Farmer, Coan Baptist Church held the invocation.

RE: PLEDGE OF ALLEGIANCE

Reverend Farmer also led in the Pledge of Allegiance.

RE: APPROVAL OF MINUTES FROM NOVEMBER 13, 2008.

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the Board voted unanimously to approve the minutes from the previous meetings on November 13, 2008. The vote on the motion was 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 Thomas H. Tomlin duly seconded by James M. Long, the Board voted unanimously to approve the agenda for today's meeting with one addition. Mr. Eades called for a closed meeting to discuss a contractual matter.

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

RE: MR. SEAN TRAPANI, VDOT RESIDENCY ADMINISTRATOR

Mr. Trapani briefed the Board on the informal public hearing held last week to discuss the pipe replacement along Rt. 201, Courthouse Road. He stated that few people attended and there were no real objections. Comments will be accepted until December 12, 2008. The project will be completed with all state funds.

Mr. Trapani also commented that the six-year primary road improvement public hearings will occur on January 12, 2009. He said there is no real need to attend but a letter will be sufficient if you have a request. He stated that the state budget will control these projects and the budget should be announced before the hearings.

Supervisor Long asked if the grass around the traffic device on Light Street could be trimmed and also asked them to check out the traffic device on Beane's Road.

Supervisor Tomlin asked what he thought might happen to future infrastructure with all the cuts to VDOT. Mr. Trapani stated they are putting together a list of projects that might be approved.

RE: CLINT STABLES, SCHOOL SUPERINTENDENT

RE: SPECIAL APPROPRIATIONS

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie the board voted to approve the following appropriation:

\$ 6,459.00 – Project Graduation reimbursement 2008-2009

\$ 941.91 – E-rate Reimbursement

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	

Mr. Stables discussed various budget issues and cuts that may come from the state.

Mr. Stables also updated the Board on the date of the closing ceremony for the old schools. The ceremony is now scheduled for March 14, 2009 at 2p.m.

RE: MRS. FRAN WARREN, REPORT ON ANIMAL SHELTER

Mrs. Warren gave a report on the shelter. She noted many key events that have happened this year and reported on the addition to the animal shelter. The volunteer functions, yard sale tasks and other fund raiser tasks have paid for the addition. Mrs. Warren proudly told of the many success stories and the goals that they run at the shelter. In Northumberland County during the year 2007, the shelter had a 78% adoption rate.

Mrs. Warren also noted that due to the slumping economy, it has affected the shelter. She said a lot of animals are being abandoned.

Supervisor Tomlin commended Mrs. Warren, the Sheriff and the volunteers. He also noted that they save the county a lot of money.

RE: MS. DONNA THOMPSON, EXECUTIVE DIRECTOR, SCENARIO, INC., LIGHT STREET PROJECT

After being asked to come back to this meeting, from last month, Ms. Donna Thompson came before the Board to discuss an application to Department of Housing and Community Development for a Planning Grant. Ms. Thompson started from the beginning explaining Scenario is a non-profit organization that has been successful in applying for other grants. She informed the Board that they have teamed up with Earl Howard, Jr. for the rehab of homes and Bay Aging for their housing consultation. Ms. Thompson was asked why Northumberland County should go with their organization instead of another company or the Northern Neck Planning District Commission. She went into detail about the families that they have been talking with on Light Street and the ones that need help. She said they have become familiar with the neighborhoods needs.

Chairman Jett noted that there is no doubt a need is there on Light Street.

Supervisor Tomlin questioned if the construction phase has ever exceeded the budget. Ms. Thompson said that none of their projects have exceeded and the one million dollar grant does not have a match. But the more in-kind and cash money that is put in will help the scoring of the grant.

Supervisor Self asked Mr. Jerry Davis from the Northern Neck Planning District to come to the front to give his opinion on the process.

Chairman Jett asked Ms. Thompson if there was a local person on the Board at Scenario. Ms. Thompson said she thought it used to have one be but currently there was nobody.

Mr. Jerry Davis commented that regional projects are encouraged by DHCD and they are involved in 5 of these grant currently in the amount of twelve million dollars. The NNPDC is here to assist the counties and we are not here tonight to get this project but to answer any questions that the Board may have. The Light Street Project will have to go through the PDC for an intergovernmental review.

Supervisor Tomlin asked about who picks up the cost overruns. Mr. Davis said that if the Board commits to rehabbing 20 homes you must complete 20 homes and if the costs come in over the grant funds the County must pick up the difference.

Supervisor Long commented on the questions. This is not the first time we had a grant. Ms. Thompson has been very successful and can carry this through. She has done this in other areas and used the in-kind match.

Supervisor Self asked when do we pick up any costs? Mr. Davis said that if the construction costs come in higher than budgeted, the county will have to pick up the costs at that time and it cannot be in-kind match.

Ms. Thompson stated that the project will be put out for bids and if the bids come in over budget, then they will re-bid it again.

Chairman Jett asked again what is the advantage for using Scenario? Ms. Thompson said that their track record speaks for itself. Ask around, we take care of our people. The administration fees we receive are \$75,000, the rehab is \$60,000 to oversee the project. There will be a management team in place for making key decisions.

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the Board voted to have Scenario, Inc. apply to DHCD for the planning grant for the Light Street Project.

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: BUILDING PERMIT REPORT

	2008	2007
Total construction cost for the month	\$ 5,712,997.00	\$ 2,835,088.00
Total Bldg. Permit Cost for Month	\$ 7,186.40	\$ 5,397.12
Total Zoning Permit Cost for the Month	\$ 2,470.00	\$ 2,040.00
Total Levy Fee for the Month	\$ 126.12	\$ 94.78
<i>Total Construction cost year to date</i>	\$56,510,456.60	\$65,750,723.09

RE: BAY AGING

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

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	

**RESOLUTION ON THE REDUCTION
OF BAY AGING'S FUNDING**

WHEREAS, Northumberland County 65 years+ population will exceed 36.7% of the total population by 2030; and

WHEREAS, Northumberland County older population is and will be significantly greater than that of the state and national average for decades to come; and

WHEREAS, Bay Aging is the service provider for this older population and other adults with disabilities in Northumberland County; and

WHEREAS, Bay Aging does not have sufficient resources to meet the current and projected needs and consistently works to raise funds to meet the needs of this growing older population; and

WHEREAS, we know the economy has been severely debilitating, causing Virginia's Governor to enact millions of dollars in budget cuts that endanger Northumberland County frail, elderly and hungry;

THEREFORE, Be It Resolved, that the Northumberland County Board of Supervisors requests all local, state and federal officials to call upon the Governor and Members of the General Assembly to restore current year budget cuts. Specifically we ask the General Assembly to overturn the Governor's Plan to Reduce Bay Aging's Appropriation for Core Services \$18,961 that would eliminate 6,320 meals through Meals on Wheels and other essential services such as senior transportation, home care and more; and Appropriations for Adult Day Health Services (adult day care) by \$29,779 which would mean a loss of 662 days of service for the 24-hour a day caregivers who want to avoid costly and premature institutionalization of their loved ones.

RE: MILEAGE RATE REIMBURSEMENT

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to decrease the mileage rate for all county departments to a flat \$0.45 per mile effective January 1, 2009. 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: ADVERTISEMENT OF NO WAKE ZONES, LITTLE WICOMICO RIVER

Mr. Eades presented a map of the prospective "No Wake" Zones on the Little Wicomico River that has been discussed with Game and Inland Fisheries.

Upon motion by Ronald L. Jett, duly seconded by James M. Long the board voted to advertise the "No Wake" Zones for the Little Wicomico River next month. 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: APPOINTMENT NEEDED FOR TIDEWATER RC & D

Mr. Eades explained that an appointment is needed for the Tidewater RC & D.

RE: REAPPOINTMENT OF EDWARD KING TO THE PLANNING COMMISSION

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long the Board voted to reappoint Mr. Edward King to the District I seat of the Northumberland County Planning Commission. 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 CHECK REGISTER

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie the Board voted unanimously approved the check register, as submitted. The vote on the motion was as follows:

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

RE: AMENDMENT TO THE COUNTY CODE TO INCLUDE “DOMESTIC OR FERAL DOGS” IN THE LIST OF ANIMALS THAT ARE CONSIDERED IN VIOLATION WHEN ALLOWED TO RUN AT LARGE UPON PUBLIC HIGHWAYS LOCATED IN THE COUNTY

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the Board voted to closed the discussion that was tabled at the September 2008 Board meeting pertaining to dogs running at large on public highways. 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	

Public Hearings

RE: REQUEST BY ALAN AND BARBARA HENDERSON FOR A CONDITIONAL USE PERMIT TO CONSTRUCT A STORAGE BUILDING ON AN UNIMPROVED LOT IN LEWISSETTA OFF JUDITH SOUND ROAD

County Administrator Eades described the request.

Public Hearing Open

No comments were given.

Public Hearing Closed

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the Board voted to approve the request for a Conditional Use Permit to construct a storage building on the Henderson's unimproved lot, Tax Map Parcel #4B-(5)-10, on Judith Sound Road in Lewisetta..

The vote on the motion is as follows:

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

RE: AMENDMENT TO THE COUNTY CODE TO ASSESS A \$25.00 PROCESSING FEE TO ANY INDIVIDUAL ADMITTED TO OUR REGIONAL JAIL

Mr. Eades described the request.

Public Hearing Open

Mr. Bob Lindsay asked a question as far as if a person didn't pay. This would be contempt of court and up to the Judge.

Public Hearing Closed

Upon motion by Thomas H. Tomlin, duly seconded by Richard F. Haynie, the Board voted to adopt the following:

Processing Fee Imposed to Certain Individuals.

Pursuant to the authority of Section § 15.2-1613.1 of the Code of Virginia, there shall be a processing fee of \$25.00 assessed against any individual convicted to serve any time in jail by any court sitting in the County of Northumberland, Virginia. Said processing fee shall be collected by the Clerk of the Court that rendered the conviction and deposited into such account that the Treasurer of the County of Northumberland shall designate for the collection of the processing fee. Monies collected pursuant to this section shall be disbursed subject to the appropriation of the Northumberland County Board of Supervisors to the Sheriff of Northumberland County to defray the processing costs of admitting arrested persons to the local or regional jail.

Adopted December 11, 2008 and made effective immediately.

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

PUBLIC COMMENT PERIOD

No comments were given.

RE: CLOSED MEETING

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the Board voted unanimously to convene into closed meeting to discuss a contractual matter and personnel 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. – 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 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
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 A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, 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 matter.

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

None

RE: ADJOURNMENT

Upon motion by A. Joseph Self, Sr., the Board voted unanimously to adjourn the meeting. 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