

Board of Supervisors Meeting
January 11, 2018
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 11, 2018.

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

Matson C. Terry II. – County Attorney (absent)
Luttrell Tadlock – County Administrator

Acting as convener until the election of a Chairman, the County Administrator E. Luttrell Tadlock called the meeting to order.

RE: INVOCATION

Rev. Kornel Kiss, Bethany Baptist Church led the invocation.

RE: PLEDGE OF ALLEGIANCE

County Administrator Tadlock led us in the Pledge of Allegiance.

RE: ELECTION OF CHAIRMAN OF THE BOARD OF SUPERVISORS

Supervisor Haynie nominated Ronald L. Jett as Chairman.

There being no further nominations, Supervisor Self made a motion to close the nominations.

Upon motion by Richard F. Haynie, seconded by A. Joseph Self, and carried by all, Ronald L. Jett was elected Chairman.

A roll call vote was then taken on the motion for Chairman and the vote was as follows:

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

Supervisor Ronald L. Jett then took over as Chairman of the Board of Supervisors and thanked his fellow board members.

RE: ELECTION OF VICE-CHAIRMAN OF THE BOARD OF SUPERVISORS

Supervisor Self nominated Richard F. Haynie as Vice-Chairman.

There being no further nominations, Supervisor Self made a motion to close the nominations.

Upon motion by A. Joseph Self Sr., seconded by James M. Long, and carried by all, Richard F. Haynie was elected Vice-Chairman.

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 – AYE
A. Joseph Self, Sr. – AYE
Thomas H. Tomlin – AYE
James M. Long – AYE

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 Thomas H. Tomlin duly seconded by A. Joseph Self, Sr., the Board voted unanimously to adopt the By-Laws for the calendar 2018 which included 7 exceptions from Robert Rules of Order. The vote on the motion was as follows:

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

BY-LAWS AND RULES OF ORDER

OF THE

BOARD OF SUPERVISORS OF NORTHUMBERLAND COUNTY, VIRGINIA

Affected Departments: All County Staff Members

I. BY LAWS AND RULES OF ORDER

- a. 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.

- b. 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:
 - i. The Chairman may make motions and vote on all questions.
 - ii. On a motion from the floor there is no need for a second prior to the vote.
 - iii. Citizens will follow the Public Hearing Rules of Conduct when addressing the Board at Public Hearings.
 - iv. Members need not rise when speaking.
 - v. There is no limit to the number of times a member can speak to a question.
 - vi. Informal discussion of a subject is permitted while no motion is pending.
 - vii. The Chairman may speak in discussion without rising or relinquishing the Chair.
- c. 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.

II. RESOLUTIONS AND ORDINANCES

- a. 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 Section V of these By-Laws and Rules of Order.
- b. 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.
- c. 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.

III. OFFICERS AND DUTIES

- a. 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.
- b. 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.
- c. The vice-chairman shall act in the absence or disability of the chairman.
- d. The chairman shall be authorized to administer oaths to persons concerning any matters submitted to the Board or connected with its powers and duties.
- e. The chairman and/or the vice-chairman are permitted to make motions at their discretion.
- f. The chairman may sign all orders issued by the Board, but the Board assigns this duty to the County Administrator.
- g. 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.

IV. MEETINGS

- a. 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 in Heathsville. If the Board finds it necessary to hold a regular meeting at a time or public place different from the Courthouse, such new time and place may be designated by duly passed resolution posted on the door of the Courthouse and advertised in a newspaper having general circulation in the County once a week for two successive weeks before such meeting.

b. SPECIAL MEETINGS

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.

c. OPEN MEETINGS

- i. 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.
- ii. An "open meeting" or "public meeting" means a meeting at which the public may be present to observe the operations of government.

d. CLOSED MEETINGS

- i. A "closed meeting" means a meeting from which the public is excluded.
- ii. 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.
- iii. 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.

V. 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.

VI. RECORDS

- a. 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.
- b. 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.

VII. ORDER OF BUSINESS AND AGENDA

- a. The order of business at all regular meetings shall be as follows unless changed by Board action:
 - i. Call to Order
 - ii. Consideration Docket
 - iii. Presentations
 - iv. Board Reports
 - v. County Administrator Report

- vi. Board Comment Period
- vii. Closed Meetings
- viii. Public Hearings
- ix. Public Comments
- x. Adjournment

b. 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.

c. PUBLIC HEARINGS

- i. Members of the public attending public hearings wishing to speak shall adhere to the following public hearing rules of conduct:
 - 1. Speakers are limited to one (1) opportunity of four (4) minutes; each speaker shall open his or her remarks by giving their name and physical address for the public record. A person officially representing a group shall be given six (6) minutes to speak; the person representing the group shall give their name, physical address, and the group they are representing for the record. Extensions to the time limit may be granted by the Board.
 - 2. Speakers shall address their comments to the Board.
 - 3. Speakers cannot assign time in whole or in part to other speakers.
 - 4. Board members may interrupt any speaker for questions or clarifications.
 - 5. Speakers' remarks shall only be directed towards the merits or demerits or other issues germane to the public hearing.
 - 6. Materials submitted for review and for consideration by the Board, must be submitted to the recording secretary for entry into the proceedings.

d. PUBLIC COMMENT

- i. General procedures for the conduct of the Public Comment shall include the following restrictions and guidelines:
 - 1. A person shall be given four (4) minutes to speak and a person officially representing a group shall be given six (6) minutes to speak. Additional time may be granted by the Board if needed.
 - 2. No person shall be allowed to speak twice at any one public comment period.
 - 3. Speakers cannot assign time in whole or in part to other speakers.
 - 4. The public may speak on any issue that is germane to county business. The public comment period shall not include criticism of specific individuals, or attacks on any person or group. No political campaigning or promoting of a business is permitted.

5. Speakers may not address issues during the public comment period on matters that are scheduled for a public hearing during the same meeting.
6. Speakers shall not be permitted to speak to matters which have been previously heard by the Board at a public hearing, and which the Board has tabled or not acted upon.
7. The Board will not generally respond to questions or answers during Public Comment. However, if so desired in response to a written request or question from a speaker, the Board may direct staff to provide information to the speaker, to provide further research to the Board, or to place an issue presented on a future Board agenda.
8. The Chairman may terminate a specific speaker's time, or the Public Comment period in general, if time does not allow for all speakers, if other items are scheduled for specific times on the agenda, or if the speaker or crowd becomes unruly, derogatory or personally abusive toward specific individuals, or in general disruptive of the conduct of the Board's business.

VIII. THE RIGHT TO REQUIRE INFORMATION

- a. 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.
- b. 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.
- c. 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.

IX. COUNTY ADMINISTRATOR

- a. 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.
- b. The County Administrator shall be the clerk to the Board and his/her duties shall be those as prescribed by law.

X. LEGAL COUNSEL

- a. 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.
- b. His/her responsibility shall be in matters including but not limited to the following:
 - i. Advising and representing the Board of Supervisors and its boards, departments, agencies, officials and employees.
 - ii. Drafting, preparing and reviewing county ordinances, contracts and agreements.
 - iii. Defending or bringing actions in which the County or any of its boards, departments, agencies, officials, or employees is a party.
 - iv. Prosecuting violations of orders of the Board of Supervisors, resolutions or ordinances.
- c. 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 James M. Long duly seconded by Richard F. Haynie the Board voted to use the Northumberland Courts Building for their meetings and adopt the following meeting dates.

**February 15, 2018 (the February meeting will be held on the 3rd Thursday due to a scheduling conflict and requested by a board member)*

- March 8, 2018
- April 12, 2018
- May 10, 2018
- June 14, 2018
- July 12, 2018
- August 9, 2018
- September 13, 2018
- October 11, 2018
- November 8, 2018
- December 13, 2018
- January 10, 2019

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: 2018 HOLIDAYS FOR COUNTY OFFICES

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the Board voted to adopt the state holiday schedule approved and as amended by the Governor of Virginia. The following holidays are added into the county calendar.

Friday, January 12 – Lee-Jackson Day
Monday, January 15 – Martin Luther King, Jr. Day
Monday, February 19– Presidents Day
Monday, May 28 – Memorial Day
Wednesday, July 4 – Independence Day
Monday, September 3 – Labor Day
Monday, October 8 – Columbus Day
Monday, November 12 – Veterans Day
Wednesday, November 21 – Close At Noon
Thursday, November 22 – Thanksgiving
Friday, November 23 - Day after Thanksgiving
Monday, December 24 – Christmas time off
Tuesday, December 25 – Christmas (observed)
Monday, December 31 – New Years’ Eve time off

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 DECEMBER 14, 2017

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self, Sr., the Board voted to approve the minutes from the December 14, 2017. 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 AGENDA

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self Sr., the Board voted to approve the agenda for today’s meeting with one addition:

Dr. Holly Wargo, Superintendent of Schools is unable to attend. Mrs. Debbie Devivi attended the meeting to bring the Superintendents information to the board.

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: VIRGINIA DEPARTEMENT OF TRANSPORTATION

Mr. Steve McKeever and Mr. Todd VanLandingham attended the meeting representing VDOT. They spoke on the recent snow storm that hit our area and described the events and the work that was done to keep the roads open and everyone safe. They thanked all that helped during the snow and said that it was a tough storm and thankfully there were no know incidents within their department and the equipment held up good. He said they expect to be doing maintenance on the potholes soon.

Chairman Jett thanked Mr. McKeever and Mr. VanLandingham for their efforts during the snow and said the plan that they had worked out well.

Supervisor Tomlin asked why the roads were not pre-treated. Mr. McKeever said he contemplated putting a pre-treatment on the roads but decided with the temperature being so cold, that it would do more harm than good.

Supervisor Tomlin asked about snow fences because of the drifts in the Remo/Mila area which made for a problem and the contractor equipment could not handle it. Mr. McKeever responded saying they could not possibly put fences everywhere that needed it and that they are making efforts in other ways to help with the snow drift and increase equipment.

Mr. McKeever informed the Board members of an upcoming meeting for “smart scale” that the County Administrator is planning to attend.

Supervisor Tomlin asked about the status of the Academic Lane project. Mr. McKeever gave an update saying that the mill surface will be soon and pavement will be redone. At this time, he doesn't know where construction study is but all is still on schedule.

Supervisor Self asked if the upcoming scale meeting is just for the 5 county areas. Mr. McKeever said it was then it will be scored state wide.

Supervisor Tomlin asked VDOT to look at an intersection in Wicomico Church.

RE: DR. RICHARD WILLIAMS, DISTRICT DIRECTOR, VIRGINIA DEPARTMENT OF HEALTH

Dr. Williams came today to introduce himself to the Board as the new Director. He gave a listing of the areas of focus and stated he hopes to enhance the lives in the Northern Neck.

Supervisor Tomlin asked what is being done about the opioid addictions. Dr. Williams responded saying they are revamping the training to administrators to try to help but something needs to be done about the root of the problem.

Mr. Lee Allain from the audience asked about the bad cases of the flu this year. Dr. Williams explained this as well.

RE: MS. REBECCA DEVIVI, NORTHUMBERLAND COUNTY PUBLIC SCHOOLS REPRESENTATIVE

Mrs. Devivi came today to give information on the schools. Within her handout, she discussed topics at the Virginia Association of School Superintendents that Dr. Wargo is attending today. She also gave updated information on the inclement weather and said they have 7 bank days for the first semester and so far, have used 4 days and 2 hours. The handout also included the updated SOL schedule.

RE: BUILDING PERMIT REPORT

Month of December 2017		
	2017	2016
Total construction cost for the month	\$ 1,310,555.67	\$ 1,662,643.00
Total Bldg. Permit Cost for Month	\$ 2,575.96	\$ 4,091.84
Total Zoning Permit Cost for the Month	\$ 1,680.00	\$ 1,680.00
Total Levy Fee for the Month	\$ 51.52	\$ 81.84
Total Construction cost year to date	\$ 25,116,719.86	\$ 20,900,323.98

RE: APPOINTMENTS NEEDED

Mr. Tadlock reminded the Board that an appointment is needed for a representative on the CPMT Board.

RE: RE-APPOINTMENT REQUEST, MIKE BAUGHAN-BOARD OF ZONING APPEALS

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self, Sr., the board voted to make a request to the Circuit Court Judge to re-appoint Mr. Mike Baughan to the Board of Zoning Appeals.

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: RE-APPOINTMENT- MR. W.H. SHIRLEY TO THE NORTHUMBERLAND COUNTY PLANNING COMMISSION

Upon motion by Richard F. Haynie duly seconded by A. Joseph Self, Sr., the board voted to re-appoint Mr. W.H. Shirley as the District II member of the Northumberland County Planning Commission. Mr. Shirley’s appointment will expire on February 13, 2022.

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: ANIMAL SHELTER APPROPRIATION

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the board voted to appropriate \$4,280.00 to line item 10-3501-1004 for funds received from animal shelter yard sale to cover additional funds to animal shelter employees.

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: APPROPRIATION, SHERIFF OFFICE

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the board voted to appropriate \$ 6,733.00 from 10-1800-189917 (local reimbursement) to line item 3102-7004.

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: VIRGINIA DEPARTMENT OF TRANSPORTATION RESOLUTION- RINGNECK COURT (MALLARD BAY)

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

RESOLUTION

REFERENCE: MALLARD BAY SUBDIVISION-RINGNECK COURT

WHEREAS, the streets in the Mallard Bay Subdivision as described on the attached VDOT Form AM-4.3, fully incorporated herein by reference, as shown on plats recorded in the Clerk’s Office of the Circuit Court of Northumberland County, and

WHEREAS, the Residency Administrator for the Virginia Department of Transportation has advised the Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation,

WHEREAS, The County and the Virginia Department of Transportation haven entered into comprehensive agreement on February 11, 2004, for the storm-water detention in Northumberland County.

NOW, THEREFORE, BE IT RESOLVED, the Board requests the Virginia Department of Transportation to add the street(s) described on the attached VDOT form AM-4.3 to the secondary system of the state highways, pursuant to Sec. 33.2-705, Code of Virginia, the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, the Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

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: RECENT SNOW STORM UPDATE

County Administrator Tadlock gave an update of the recent storm saying that some areas within our county received up to 9 inches of snow and at 47 mile an area gust at the wind meter in Lewisetta. Temperatures were below zero at one point but luckily there was minimum power outages.

RE: PROJECTS FOR 2018

Mr. Tadlock listed the following anticipated projects for the year 2018:

Capital Improvement Fund and Projects
Bank Building
Old Sheriff's Office
Lodge Landing Boat Ramp
Radio System Antenna Upgrade
Sanitary District Upgrades
Implementing CAD at Sheriff's Office
County Website Improvements have been done
General Assembly: Various Bills
Broadband Service expansion

RE: BOARD COMMENT PERIOD

No comments were given

RE: 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 is as follows:

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

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

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). The vote on the motion was as follows:

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

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

Ronald L. Jett – AYE
James M. Long – 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

No action was taken as a result of the closed meeting

PUBLIC HEARINGS

RE: REQUEST FOR CONSIDERATION OF GRANTING A LEASE AGREEMENT TO THE DEPARTMENT OF GAME AND INLAND FISHERIES PURPOSE OF MAINTAINING AN OVERFLOW PARKING AREA AT SHELL LANDING OWNED BY THE NORTHUMBERLAND COUNTY BOARD OF SUPERVISORS LOCATED AT THE END OF SHELL LANDING ROAD.

County Administrator Tadlock described the request for a lease agreement to maintain the overflow parking area at Shell Landing with the Game and Inland Fisheries. Mr. Tadlock gave an overview of the contract with DGIF and noted that the Exhibit A which refers to the survey is not included because one has not been done yet. He has spoken with DGIF and they ask that the public hearing take place first and then they will proceed with the survey. Mr. Tadlock suggested having the hearing at this time, and sending a letter of intent to sign the agreement once a survey is received by the Board of Supervisors. Once the survey is complete, the contract can be brought back to the Board of Supervisors and then signed.

Supervisor Tomlin asked that Mr. Tadlock follow up with the County Attorney to find out if the County wished to place rules or regulations on the County property at Shell Landing, does that need to be done in the contract, or can that be done independent of the contract?

Public Hearing Open

No comments were given.

Public Hearing Closed

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin the board voted to send a letter of intent to the Department of Game and Inland Fisheries for the purpose of maintaining an overflow parking area contract at Shell Landing owned by the County. Once Exhibit A is complete and attached with the contract, the Board of Supervisors can proceed with approval of the contract with no further public hearing on the request.

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

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

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

RE: AMENDMENT TO THE ZONING ORDINANCE TO DEFINE AN ELECTRIC SUBSTATION AND TO ALLOW THE USAGE OF AN ELECTRIC SUBSTTION IN VARIOUS ZONING DISTRICT

County Planner, Stuart McKenzie described the amendment to the zoning ordinance. Mr. McKenzie stated that the Planning Commission had a public hearing on the matter on November 16 and approved the definition usages as described below.

1. *An amendment to the Northumberland County Zoning Ordinance Chapter 148 Article I, Section 148-3; Definitions, to:*

Electric Substation

An electrical installation containing generating or power-conversion equipment and associated electric equipment and parts, such as switchboards, switches, wiring, fuses, circuit breakers, compensators and transformers.

And to the Table of Usages:

2. *An amendment to the Northumberland County Zoning Ordinance Chapter 148 Article I, Section 148-5; Usages, to:*

1. Allow “Electric Substation” as a By-Right Use in the Agricultural District (A-1), Conservation District (C-1), and Industrial – Light District (M-1)
2. Allow “Electric Substations” as a Conditional Use in the Residential General District (R-1), Residential Waterfront District (R-2), Residential Restricted District (R-3), Business General District (B-1), and Historical Site District (H-1).

Supervisor Tomlin asked if the given definition would cover solar farms. Mr. McKenzie stated that he did not think so. This definition is from the state code and this is what they have been working with to develop it for the usage of electrical substations.

Public Hearing Open

No comments were given.

Public Hearing Closed

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the board voted to approve the language as described for the usage definition for electrical substations.

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

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

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

RE: PUBLIC COMMENT PERIOD

Mr. Bill Gurley came today to let the Board aware of plans for a parcel development subdivision. He is concerned about the nature of their community if the construction happens.

Mr. Bill Saussman came also to express his concerns with the farming community and land would be disturbed.

Mrs. Rebecca George said she is really upset about this possible subdivision. She has recently built a home and this would crowd the homes that are already there.

Supervisor Self responded to the concerns of the citizens in the area of Crawford's Corner. He said if the subdivision is done by right, then it will not come back to the Board of Supervisors' for approval. County Administrator Tadlock agreed with Supervisor Self and said unless it needs a conditional use permit then it won't be heard by the board because it can be developed by right. Mr. Gurley asked if the property needed to be re-zoned if then it would come to the Board of Supervisors. Mr. Tadlock stated that it would need to be heard if the request come as a re-zoning.

Mr. Saussman questioned the staff if an easement would need to be granted to the farmland. Mr. Tadlock said the Zoning Administrator would have to be involved and questioned about the easement of the property.

RE: ADJOURNMENT

Upon motion by Thomas H. Tomlin, seconded by James M. Long, the Board voted to adjourn. The vote on the motion was:

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

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

E. Luttrell Tadlock, Clerk