

**Board of Supervisors Meeting
May 10, 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, May 10, 2018.

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

Matson C. Terry II – County Attorney
Luttrell Tadlock – County Administrator

RE: INVOCATION

Pastor Lee Farmer, Coan Baptist Church led in the invocation.

RE: PLEDGE OF ALLEGIANCE

Supervisor Self led in the Pledge of Allegiance.

RE: APPROVAL OF MINUTES FOR APRIL 12, 2018, APRIL 17, 2018, APRIL 20, 2018 AND MAY 2, 2018

Upon motion by James M. Long duly seconded by Richard F. Haynie, the Board voted to approve the minutes from the April 12, 2018, April 17, 2018, April 20, 2018 and May 2, 2018. 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 A. Joseph Self, Sr. duly seconded by James M. Long, the Board voted to approve the agenda for today’s meeting with the following change:

- 1) Mr. Schlatter, Electoral Board Member would like to speak to the Board of Supervisors on an Electoral Board issue.
- 2) Mr. Tadlock asked to add to the Closed Meeting: Section 2.2-3711 (A) (1) Discussion of a Personnel Matter.

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: DR. HOLLY WARGO, SUPERINTENDENT OF SCHOOLS

Dr. Wargo came today to give an update on the school activities. She presented the members with water bottles for teacher appreciation week. Dr. Wargo then read the Principles update for each school.

Ms. Donna Booth gave a financial update to the Board through March of 2018 and reports through April of 2018. She stated that 2 grants have been received that they applied for.

Supervisor Self congratulated Dr. Wargo on the Northern Neck Electric Cooperative Board she is now serving on.

RE: MR. JOE SCHLATTER, NORTHUMBERLAND COUNTY ELECTORAL BOARD

Mr. Schlatter came today to give information on the Electoral Board.

He proceeded to inform the Board of Supervisors of a stink in the basement in the office of the Registrar. He gave information on what had been done to find the odor. He said at times the registrars’ office had to close because of the smell. He continued to say that the odor had gotten better but it was creeping back up.

RE: BUILDING PERMIT REPORT

Month of April 2018	2018	2017
Total construction cost for the month	\$ 2,274,070.09	\$ 1,236,615.00
Total Bldg. Permit Cost for Month	\$ 4,836.24	\$ 3,457.44
Total Zoning Permit Cost for the Month	\$ 1,960.00	\$ 1,920.00
Total Levy Fee for the Month	\$ 96.73	\$ 69.15
Total Construction cost year to date	\$ 9,973,052.53	\$ 6,930,306.00

RE: REVISED MITIGATION PLAN APPROVED

Mr. Tadlock informed the Board that FEMA has approved the revised Hazardous Mitigation Plan.

RE: EMS WEEK RESOLUTION

Upon motion by Ronald L. Jett duly seconded by James M. Long, the Board voted to approve the following resolution:

**EMS WEEK RESOLUTION
May 20-May 26**

A Resolution of the Board of Supervisors of Northumberland County, Virginia, recognizing the important contributions made to the well-being and safety of the County's citizens by Emergency Services personnel, and, establishing the week of May 20 through 26, 2018, as Emergency Medical Services Week in Northumberland County.

WHEREAS, emergency medical services is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

WHEREAS, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW THEREFORE BE IT RESOLVED that the Board of Supervisors of Northumberland County, Virginia, hereby commends all Emergency Services Personnel who serve this county for their dedication to the safety, health, and well-being of all County citizens, and,

BE IT FURTHER RESOLVED that the week of May 20 through 26, 2018, shall be observed throughout the County as Emergency Medical Services Appreciation Week with this year's theme being **EMS STRONG is "Stronger Together"**

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: PROCLAMATION – SAFE BOATING WEEK

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

**PROCLAMATION
Safe Boating Week, May 19-25, 2018**

For nearly 90 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling and fishing. During National Safe Boating Week, the U.S. Coast Guard and its federal, state, and local safe boating partners encourage all boaters to explore and enjoy America’s beautiful waters responsibly.

Safe boating begins with preparation. The Coast Guard estimates that human error accounts for 70 percent of all boating accidents and that life jackets could prevent more than 80 percent of boating fatalities. Through basic boating safety procedures – carrying lifesaving emergency distress and communications equipment, wearing life jackets, attending safe boating courses, participating in free boat safety checks, and staying sober when navigating – we can help ensure boaters on America’s coastal, inland, and offshore waters stay safe throughout the season.

National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so that they can have a safer, more fun experience out on the water throughout the year.

Whereas, on average, 650 people die each year in boating-related accidents in the U.S.; approximately 80 percent of these are fatalities caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets.

Therefore, the, do hereby support the goals of the Safe Boating Campaign and proclaim May 19-25, 2018 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

In Witness Thereof, I urge all those who boat to practice safe boating habits and wear a life jacket at all times while boating.

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: WASTE MANAGEMENT CONTRACT RENEWAL

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted to approve the 5/year contract renewal with Waste Management (July 1, 2018- June 30, 2023) as submitted.

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: NORTHERN NECK REGIONAL JAIL (NNRJ) FY 19 BUDGET APPROVAL

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the board voted to approve the FY 19 budget for the Northern Neck Regional Jail.

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: BOARD DOCS AGREEMENT TO PURCHASE

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted to select option 1 as presented:

Option 1: We pay \$500 startup fee instead of the \$1,000 and \$8,000 annual maintenance fee instead of \$10,000 if we sign up before the end of May. The \$8,000 will stay intact and will never be increased for the life of the partnership and we would still be eligible for all new software releases etc. This does not include any add-ons, which at this time I/we do not see any need. If this option is selected, we would just need to pay the \$500 startup plus the pro-rated cost of the maintenance (~\$667) for the month of June, then next fiscal year pick up the full amount (which has been budgeted in the proposed draft).

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: ECONOMIC DEVELOPMENT COMMISSION RE-APPOINTMENTS

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the board voted to re-appoint the following:

- Mr. Lee Allain, District 1 Member – Appointment will expire on June 13, 2022
- Mr. Richard Saxer, District V Member – Appointment will expire on June 25, 2022
- Mr. Ron Herring, District IV Member – Appointment will expire on July 13, 2022

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: APPOINTMENTS NEEDED

Mr. Tadlock informed the board that CPMT Board member is needed as well as a member on the Board of Zoning Appeals Board.

RE: PLANNING COMMISSION RE-APPOINTMENTS

Upon motion by Richard F. Haynie, duly seconded by James M. Long, the board voted to approve the following re-appointment to the Northumberland County Planning Commission:

- Mr. Alfred C. Fisher, District IV Member – Appointment will expire on May 10, 2022
- Ms. Heidi Wilkins, District V Member – Appointment will expire on March 13, 2022

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: REASSESSMENT UPDATE

Mr. Tadlock stated that he has been scheduling interviews with the firms that submitted a RFP.

RE: BUDGET CALENDAR

Mr. Tadlock asked the board if they would like to schedule a date for a work-session. The board decided to have a budget work-session on May 14, 2018 at 6 p.m. at the Old Courthouse Board meeting room.

RE: OLD EVB BUILDING

Mr. Tadlock informed the Board that he received information from Evolve Architecture on Monday and he was in the process of looking over what they have sent.

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	Thomas H. Tomlin – AYE
A. Joseph Self, Sr. – AYE	Richard F. Haynie – AYE
James M. Long – 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 as permitted by Virginia Code Section 2.2-3711 (A) (7); in consultation with legal counsel, or briefing by staff for probable future litigation and for a contractual matter. 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

Upon motion by A. Joseph Self, Sr. duly seconded by Richard F. Haynie, the Board decided to pay 60% of Melvin Cockrell's creditable compensation with benefits for the month of May awaiting approval for short term disability.

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

Upon motion by James M. Long duly seconded by Thomas H. Tomlin, the Board took the following action: The County Administrator is hereby authorized and instructed to negotiate a contract with the perspective sellers on terms and conditions subject to the ultimate approval of the 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	

PUBLIC HEARING, 7:00 p.m. – 220 Judicial Place, Heathsville, VA 22473

**RE: VIRGINIA DEPARTMENT OF TRANSPORTATION JOINT PUBLIC HEARING ON
PROPOSED SECONDARY SIX-YEAR PLAN AND SECONDARY SYSTEM
CONSTRUCTION BUDGET FOR FY19**

Mr. Steve McKeever along with Mr. Carter White, representing VDOT were presented for the meeting. Mr. McKeever gave a presentation on the 6year secondary system as proposed. (Please see Board Packet information for detailed roads)

Mr. McKeever reminded everyone that this is just for secondary improvements and no maintenance to roads is included. Mr. McKeever gave information that he suggests be included in the budget. He suggested Rt. 710 Madge Marsh Ln. and Rowes Pt. Ln.

Public Hearing Open

No comments were given.

Public Hearing Closed

Upon motion by Thomas H. Tomlin., duly seconded by Richard F. Haynie, the Board approve the following VDOT 6 Year Secondary Improvement Plan and Secondary Construction Budget for FY19.

**A Resolution
Adopted by the Northumberland County
Board of Supervisors**

**VIRGINIA DEPARTMENT OF TRANSPORTATION SECONDARY
SIX YEAR PLAN (SSYP)
FY 2019-2024**

WHEREAS, Section 33.2-331 of the Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan; and

WHEREAS, the Northumberland County Board of Supervisors previously agreed to assist in the preparation of the Plan, in accordance with the Virginia Department of Transportation's policies and procedures, and participated in a public hearing on the proposed Plan (2019 through 2024) as well as the Construction Priority List (2019) on May 10, 2018, after being duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Steve McKeever, Residency Administrator, Virginia Department of Transportation, appeared before the Board of Supervisors and recommended approval of the Six-Year Plan and budget for Secondary Roads (2019-2024) and the Construction Priority List (2019) for Northumberland County.

WHEREAS, Steve McKeever, Residency Administrator, Virginia Department of Transportation, appeared before the Board of Supervisors and recommended approval of the Six-Year Plan and budget for Secondary Roads (2019-2024) and the Construction Priority List (2019) for Northumberland County, with the addition of Madge Marsh Lane (Route 710) and Rogue Point Lane (Route 747) as rural rustic projects to the plan.

NOW, THEREFORE BE IT RESOLVED, that since said Plan and budget appear to be in the best interest of the Secondary Road System in Northumberland County and of the citizens residing on the Secondary System, said Secondary Six-Year Plan (2019-2024) and Construction Priority List (2019) are hereby approved as presented at the public hearing by the Northumberland County Board of Supervisors.

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

- The Board asked Staff to check on the sign, Addie’s Ln
- The Board asked the VDOT Staff when the paving would be done on Rt. 360 in front of Academic Lane towards Burgess. Mr. White said he would check but sure it is after school is done for the year.

RE: REQUEST BY INDIAN CREEK YACHT AND COUNTRY CLUB, INC. OWNER, FOR A CONDITIONAL USE PERMIT TO ALLOW THE EXPANSION OF AN EXISTING MARINA INCLUDING SEVEN (7) NEW WET SLIPS. THE PROPERTY IS LOCATED AT THE END OF FAIRWAY DRIVE IN INDIAN CREEK ESTATES SUBDIVISION.

Zoning Administrator Philip Marston described the request for the Conditional Use Permit to allow the expansion of an existing Marina. Mr. Marston read suggested conditions if approved.

Mr. Craig Palubinski representing Indian Creek Yacht and Country Club, Inc. stated that currently the marina has 33 slips and they would like to allow for larger yachts. He added that the expansion would stop short of the existing public oyster grounds.

Public Hearing Open

No comments were given.

Public Hearing Closed

Upon motion by Thomas H. Tomlin, duly seconded by James M. Long, the board voted to approve the conditional use permit with the following conditions:

1. All necessary permits and/or licenses shall be obtained from all regulatory agencies including but not limited to the Health department and Virginia Marine Resources Commission.
2. The marina expansion shall be constructed as shown on the joint permit application and construction shall be completed in three (3) years or this permit will expire on May 10, 2021.
3. The approval of the marina shall not result in additional condemnation of shellfish grounds.

If the Virginia Marine Resources Commission determines that no watercraft shall tie up at the end of the pier expansion due to encroachment upon Baylor Grounds then that shall be a fourth condition of this approval.

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

RE: REQUEST BY STEPHANIE COCKRELL, OWNER, FOR A CONDITIONAL USE PERMIT TO OPERATE A SMALL RETAIL/WHOLESALE BUSINESS ON PROPERTY ZONED A-1. THE PROPERTY IS LOCATED AT 7851 JESSIE DUPONT MEMORIAL HWY.

Zoning Administrator Marston described the request and read the suggested conditions by Staff if approved.

Mrs. Cockrell was present for the meeting and stated that the nursery would be seasonal and have 1 green house and the existing house will be an office area. She has been working with the Virginia Department of Transportation as well for the entrance.

Public Hearing Open

No comments were given

Public Hearing Closed

Upon motion by James M. Long, duly seconded by A. Joseph Self, Sr., the board voted to approve the conditional use permit to operate a small retail/wholesale business on property zoned A-1 with the following conditions:

1. All necessary permits and/or licenses shall be obtained from all regulatory agencies.
2. All exterior lighting shall be non-reflective and directed downward.

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

RE: PUBLIC COMMENT PERIOD

No comments were given.

RE: CARRY OVER

Upon motion by A. Joseph Self, Sr., seconded by Richard F. Haynie, the Board voted to carry over the meeting to March 14, 2018. 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