

**Board of Supervisors Meeting  
December 15, 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, December 15, 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**

Pastor Kathy Gochenour, Melrose Methodist Church led the invocation.

**RE: PLEDGE OF ALLEGIANCE**

Supervisor Self led in the Pledge of Allegiance.

**RE: APPROVAL OF MINUTES FOR NOVEMBER 9, 2016**

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to approve the minutes for the November 9, 2016 meetings:

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**

Mr. Tadlock informed the board that the Virginia Department of Transportation representatives were unable to come to the meeting. Also, Mr. Dinato from Virginia Dominion Power was unable to come due to an illness in his family.

Mr. Tadlock asked the Board to include in addition to the current closed meeting on the agenda, to also go into closed meeting for potential acquisition of property for public purposes as permitted under Virginia Code Section 2.2-3711 (A) (3).

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 changes.

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, ACTING SUPERINTENDENT NORTHUMBERLAND COUNTY PUBLIC SCHOOLS.**

Dr. Wargo explained the events that led up to her acting Superintendent status as of November 9, 2016. She reassured the board that her main focus is to reassure the students, staff and all of the community that the needs of the school will be met, quality and safety at its upmost importance. Dr. Wargo mentioned the article written in the paper after their recent school board meeting. She said she found it disappointing in the school and it won't be tolerated and they will do better. She wants to establish a good relationship between them and the county and wants to sit down regularly and work on the relationship. Dr. Wargo listed out certain things she will be working on.

The current Director of Finance, Lynn Mason was also present for the meeting. Supervisor Long asked about the SOL scores so far. Dr. Wargo noted the positive news with the English 11 class and added that the students that were struggling are now doing much better.

Supervisor Tomlin directed his questions to Ms. Mason asking her the difference between cash and accrual accounting and why couldn't the school accounts be balanced. Ms. Mason explained the difference between the two and stated they should be balanced. She then explained the problems that occurred last fiscal year. She said that when they received the August 2016 reporting ledgers for FY16 from the Department of Education, her reports did not reconcile. She found the error to be two noted mistakes. One mistake she found was that she had missed posting receipts from December 2015. The second mistake was from February 2016 sales tax revenue from the State that had not been recognized. She calculates these mistakes to be approximately \$235,000.00 in revenue. She continued to explain to the Board of Supervisors how the February 2016 revenue was missed and stated that when she checked the reports from the Department of Education, the amount did not show up in her reports that she pulls down from them. She added that the Treasurer, Ellen Kirby's reports from that same month that she received from the Department of Accounts did show sales tax amount. Ms. Mason said she checked for the February sales tax revenue the next month but it still had not shown up. She failed to check the months after March because she was in the middle of the budget cycle and had to do other things. She added that she called the Department of Education in February on the error and they said that they were switching accounting systems at that time and felt that it didn't show up for this reason. Supervisor Tomlin asked Ms. Mason if any other school system had the same problem with the February 2016 sales tax revenues. She stated that she wasn't sure, but would check with area financial directors within Region 3. Supervisor Tomlin then questioned Ms. Mason in regards to the accrual accounting and if any other schools use it. She stated that she assumed the other school divisions use accrual accounting and according to the DOE reports, they are all required to use accrual accounting. Supervisor Tomlin stated that not recognizing missing

revenues in the amount of \$300,000 to \$800,000 is disturbing. The Board of Supervisors increased the tax rate by five cents (for FY17), which doesn't set well and makes us not look fiscally responsible. He continued to say that (the Board) has gone from giving one lump sum to the school system then to categories, and it may have to come down to a limited appropriation or even a quarterly appropriation. Ms. Mason was asked what will be done differently from this point forward. She and Dr. Wargo explained that there will be more diligence and they along with Donna Booth and the financial secretaries at the schools will be a "financial team". Chairman Jett also questioned the failure not seeing the February sales tax figure. Supervisor Long asked what the variable was with the SOL scores showing improvement. Dr. Wargo said there is probably many, including the adjustment into the block scheduling.

**RE: BUILDING PERMIT REPORT**

Month of NOVEMBER 2016		
	<b>2016</b>	<b>2015</b>
Total construction cost for the month	\$ 1,543,457.09	\$ 1,104,373.98
Total Bldg. Permit Cost for Month	\$ 3,678.56	\$ 2,494.48
Total Zoning Permit Cost for the Month	\$ 1,980.00	\$ 1,030.00
Total Levy Fee for the Month	\$ 70.57	\$ 49.89
<b>Total Construction cost year to date</b>	<b>\$ 19,237,680.98</b>	<b>\$ 21,474,898.88</b>

**RE: ABSTRACT OF VOTES, NOVEMBER 8, 2016 ELECTION**

**PRESIDENT & VICE PRESIDENT**

Donald J. Trump – Republican 4302  
 Hillary Clinton – Democrat 2852

**MEMBER HOUSE OF REPRESENTATIVES**

Robert J. "Rob" Wittman – Republican 4813  
 M.D. "Matt" Rowe – Democratic 2258

**PROPOSED CONSTITUTIONAL AMENDMENT QUESTION 1**

Total Yes votes 3516  
 Total No votes 3434

**PROPOSED CONSTITUTIONAL AMENDMENT QUESTION 2**

Total Yes votes 5809  
 Total No votes 1231

**RE: APPOINTMENT – SUPERVISOR TOMMY TOMLIN, DEPARTMENT OF SOCIAL SERVICES**

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the board voted to approve to re-appoint Supervisor Tommy Tomlin as the boards representative on the Northumberland Department of Social Services 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 – ABSTAIN	

**RE: APPOINTMENTS NEEDED – COMMUNITY SERVICES BOARD AND CPMT (SHARON FISHER)**

Mr. Tadlock informed the board that Ms. Sharon Fisher who currently is appointed to the Community Services Board as well as the CPMT Board has decided not to be reappointed as her term is soon to expire. Mr. Tadlock stated that an appointment will be needed for both of these boards soon.

**RE: UPCOMING HOLIDAY ADDED, JANUARY 2, 2017**

County Administrator Tadlock informed the board that the Governor has added Monday, January 2, 2017 as additional time off for employees.

**RE: REQUEST BY MS. PINKY HOLMES FOR PART OF ROAD TO BE NAMED AFTER OFFICER ALLIE ARMSTRONG**

Mr. Tadlock explained the request by Ms. Holmes for the road beginning of Bay Quarter Road to be named after the late Mr. Allie Armstrong.

Supervisor Tomlin said he didn't have a problem with it but wanted to think about it. Mr. Tadlock reminded the board of a request to name a bridge after an officer that was killed in the line of duty that was turned down.

**RE: UPDATE ON CALLAO REVITALIZATION**

Mr. Tadlock stated that they have met with Hill Studio and the PDC and are moving forward. They had a kick off meeting and the attendance was good. The next phase will be to hold a public hearing once in January and once in February of 2017.

**RE: APPROPRIATION –CALLAO REVITALIZATION PROJECT**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted appropriate \$35,000.00 to 8105-5605 for the Callao Revitalization Planning Grant from DHCD.

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: APPROPRIATION – SHERIFF OFFICE CAR SOLD**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted to appropriate \$2500.00 to line item 3102-7005 for a 2009 Crown Victoria Interceptor sold.

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: APPROPRIATION – ANIMAL SHELTER**

Upon motion by A. Joseph Self, Sr., duly seconded by James M. Long, the board voted to appropriate \$4,884.00 to line item 10-3501-1004 to pay additional funds to animal shelter employees.

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: LOCAL EMERGENCY RESPONSE PLAN UPDATE**

County Administrator Tadlock explained the new Local Emergency Medical Service Response Plan which addresses response times. Mr. Tadlock explained that this plan will replace the current MOU regarding response times that the County has with the volunteer squads and that the response time MOU will need to be rescinded in order to be replaced by the Local Emergency Medical Service Response Plan. The new plan does not change the 30 minute response time that is currently in place.

Supervisor Tomlin questioned why the 45 minute time limit was not included in the plan that is currently in the MOU. He felt that it also needed to be included in the new plan.

Chief Rick McClure stated that the Code of Virginia does not address response times outside of the run territory; he feels that this language does not need to be addressed in the plan.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to rescind the current response time MOU with the volunteer squads and to move forward with the Local Emergency Medical Response Plan as presented.

The vote on the motion is as follows:

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

Richard F. Haynie - AYE

\*The vote passed 3 to 2

**RE: BOARD OF SUPERVISORS COMMENT PERIOD**

No Comments were given

**RE: CHECK REGISTER**

Upon motion by James M. Long, duly seconded by A. Joseph Self 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 potential acquisition of property for public purposes and discussion of a contractual matter as permitted by Virginia Code Section 2.2-3711 (A) (3) and (7). 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**

Upon motion by A. Joseph Self, Sr., duly seconded by Thomas H. Tomlin, the board voted to transfer \$74,000 from the General Fund to the Reedville Sanitary District budget to cover the BB&T loan payment along with other monthly costs.

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 P.M.**

#### **RE: REQUEST BY TWIN HARBORS SUBDIVISION TO ALLOW THE USE OF GOLF CARTS ON PUBLIC HIGHWAYS.**

County Administrator Tadlock described the request to allow the use of golf carts on public highways

Mrs. Williams representing Twin Harbors Home Association was present for the meeting. Mrs. Williams explained to the board that there are many retirees that will enjoy having their own golf carts to ride to others homes or to the beach.

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 to add Twin Harbors Subdivision where it is allowed the use of golf carts as follows:

M. The operation of golf carts and utility vehicles within Twin Harbor Subdivision described as follows is hereby authorized: Twin Harbor Road, Oyster Bay Road, Emerald Cove Road, and Waterman's Way.

[Added 12-15-2016]

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: AMENDMENT TO THE COUNTY CODE, CHAPTER 58, SECTIONS 58-1 THROUGH SECTION 58-8 OF THE NORTHUMBERLAND COUNTY CODE TITLED DANCE HALLS. THE AMENDMENTS ARE RELATED TO APPLICATION REQUIRMENTS, SECURITY REQUIREMENTS, REVOCATION AND REISSUANCE OF PERMITS , AND CLARIFYING EXEMPT PERMITS.**

County Administrator Luttrell Tadlock, described the draft of the amended ordinance.

Public Hearing Open

Ms. Phyllis Nickens representing the Northumberland County Community Center was present for the meeting and stated that she is glad we could all work together and hopes to get this resolved. She added they are willing and open to suggestions for their organization's facility. Mr. Nickens questioned the capacity for their building, the staff suggested asking our Building Official, Mr. Knight for the capacity of their building.

Public Hearing Closed

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

**Northumberland County, VA**



## **Chapter 58: DANCE HALLS**

[HISTORY: Adopted by the Board of Supervisors of Northumberland County 5-9-1996. Amendments noted where applicable.]

### **Chapter 58: DANCE HALLS**

#### **§ 58-1 Term defined.**

#### **§ 58-2 Permit required; fee.**

#### **§ 58-2.1 Exemptions.**

#### **§ 58-3 Law enforcement intervention; violation of alcoholic beverage control regulations.**

#### **§ 58-4 Rules and regulations for operation.**

#### **§ 58-4.1 Public nudity prohibited.**

#### **§ 58-5 Revocation of permit.**

#### **§ 58-6 Violations and penalties.**

#### **§ 58-1. Term defined.**

DANCE HALL- Any place where the playing of music and dancing is permitted, entry to which is (1) open to the general public and (2) on the basis of paid admissions or solicited contributions. The term "dance hall" shall include the term "dance," and the term "dance" shall include the term "dance hall" for the purposes of this chapter.

#### **§ 58-2. Permit required; fee.**

[Amended 7-12-2001; 3-13-2008]

A. No person, or entity shall, in Northumberland County, operate, conduct or permit the operation, or conduct on his or her property a public dance hall, except in accordance with a permit issued by the County and such other regulations in this article which may apply. The permit issued shall be either for a single event or for a period of one year and cannot be transferred to another individual or organization.

B. Application for such permits shall be on forms provided by the County and available at the County Administrator's Office, in Heathsville, Virginia. Applications shall include the following:

- (1) The name, physical address, and telephone number of the proposed dance location.
- (2) The name, physical address, mailing address, telephone number, date of birth, age, and sex of the individual applicant or the individual applying on behalf of an entity. A copy of a driver's license or other government form of photo identification shall be attached with the

- application. If a current driver's license or other form of identification is already on file in the County Administrator's Office, another copy is not required.
- (3) The name, physical address, mailing address, telephone number, date of birth, age, and sex of the owner or person in control of the property. A copy of a driver's license or other government form of photo identification shall be attached with the application. If a current driver's license or other form of identification is already on file in the County Administrator's Office, another copy is not required.
  - (4) The application shall be signed by the person, entity, or entity representative seeking to conduct the dance, as well as the owner or person in control of the premises upon which the dance is to be conducted, both of whom shall for the purposes of this chapter be considered the applicant. The signed application will serve as evidence of the applicants' agreement to abide by all terms and conditions of the permit and this chapter, and to be personally liable for any violation thereof.
  - (5) Whether the applicants have been convicted of any felony or misdemeanor and, if so, the nature of the offense, when and where convicted and the penalty or punishment assessed.
  - (6) Whether the applicants have had an event permit denied or revoked by Northumberland County or another jurisdiction in the last year and, if so, when and where the denial or revocation occurred.
  - (7) The applicants shall include criminal checks, at their expense, obtained through the Virginia State Police and submit the results with the application. A criminal check for each individual shall be valid for six months once submitted to the County Administrator's Office, after such period of time; another criminal background check shall be submitted with any application.
  - (8) The application shall be submitted to the County Administrator at least 30 days before the scheduled event, or in the case of renewal of an annual permit, at least 30 days before the expiration of the current permit.
  - (9) Listed on the application must be how the applicant is going to provide adequate security and a means to contact any emergency services. Security must be provided during the entire event and until everyone has left the property. All security shall be bonded and licensed to conduct security in the Commonwealth of Virginia. A security bond certificate shall be submitted with the application.
  - (10) A fee shall accompany the application, which if by check shall be made payable to the Treasurer of Northumberland County, and which fee shall, for a single event and for an annual permit, be as set forth in the Fee Schedule;<sup>[1]</sup> provided, however, that the fees may be reduced or increased by the Northumberland County Board of Supervisors by resolution from time to time as required.

[1]

Editor's Note: See Ch. 68, Fee Schedule.

### **§ 58-2.1. Exemptions.**

[Added 3-13-2008]

This chapter, however, shall not apply to dances held for beneficial or charitable purposes, or when the same are conducted under the auspices of religious, educational, civic or military entities. To be exempt from this ordinance, the non-profit/charitable entity shall be the applicant of the dance as well

as receiving 100% of the proceeds of such dance and shall file the appropriate form with the County Administrator. The non-profit/charitable entity shall be listed on any advertisement for such dance. This exemption does not apply if such space owned by the non-profit/charitable entity is being rented for income, and in such case a dance permit and fee shall be required.

### **§ 58-3 Licenses to serve alcoholic beverages.**

A. An applicant for a dance hall where alcoholic beverages will be served shall obtain an appropriate state license from the Virginia Alcoholic Beverage Control Commission. The applicant shall meet the requirements of all state statutes and regulations pertaining to the issuance of said license and serving of alcoholic beverages. If a dance hall permit is not required under this article, but alcoholic beverages will be served, the person responsible for staging, promoting, or conducting such event shall obtain an appropriate state license from the Virginia Alcoholic Beverage Control Commission, subject to all requirements of state statute and regulations.

B. The applicant for any County dance permit shall be the same individual that makes application for the Virginia Alcoholic Beverage Control Commission license.

C. Any charitable entity listed on the Virginia Alcoholic Beverage Control Commission license shall also match that on the appropriate County permit/form.

D. The Virginia Alcoholic Beverage Control Commission license shall be displayed in a conspicuous place during the dance.

### **§ 58-4. Rules and regulations for operation.**

Dance halls and dances shall be operated subject to the following rules and regulations:

A. Adequate parking facilities for automobiles owned or used by patrons of the dance or dance hall shall be provided by the operator of the dance hall so that there is no parking of automobiles on the state highway right-of-way or on private property without written permission of the owner of the property. Any written permission to park on private property shall be submitted with the application. The total number of parking spaces available for staff and patrons shall be provided on the permit application.

B. No dance hall or dance shall be operated until all rules, regulations and County ordinances are complied with, including but not limited to Chapter 45, Building Construction, and ordinances, rules or regulations in regard to health, zoning and sanitation.

C. The dance hall shall be open to inspection by the Northumberland County Building Official where an inspection shall be conducted to determine compliance with all provisions in the Virginia Uniform Statewide Building Code.

D. The dance halls shall be open to inspection by the Northumberland County Sheriff's Department and other law enforcement officers at all times during the operation of such dances.

E. No dance shall be conducted unless the permit to hold such dance is posted in a conspicuous place which is easily accessible for inspection by law enforcement authorities. The owner or a designee representing the owner, and applicant, if different, shall be responsible for the dance and must be on the property at all times until everyone has left the property.

[Amended 3-13-2008]

F. No dances shall be conducted between the hours of 1:01 a.m. and 8:00 a.m. and attendees shall be required to disburse immediately after 1:00 a.m.

G. Amplification of music shall be not maintained at a volume which constitutes a nuisance to adjoining property owners.

H. Public nudity, or the encouragement of such, is prohibited on the premises.

**§ 58-5 Issuance or denial of permit.**

A. Within 30 days of the filing of an application completed in accordance with this Chapter, the County Administrator shall issue a permit or provide a written decision of denial to the applicant.

B. Upon receipt of a completed application, the County Administrator shall provide relevant portions of the application to the Sheriff and Building Official for their review. Unless they find grounds for denial as set forth in Paragraph C of this Section, they shall sign the application within fifteen (15) days of receipt. Should either or both determine that grounds for denial exist, they shall set forth said grounds in writing to the County Administrator within the fifteen (15) day period.

C. The County Administrator shall issue a permit if he finds that:

(1) The Sheriff has determined none of the following grounds for denial appears to exist:

- a. The applicant or applicant representative of an entity and the property owner/person in charge of the property listed on the application has been convicted within the past year of a felony, or within the past three years of a misdemeanor involving moral turpitude, under the laws of any state or of the United States.
- b. If any dances previously permitted to the applicant or applicant representative of an entity or property owner or person in charge have resulted in intervention by law enforcement entities or violations of alcoholic beverage control regulations.

(2) The Building Official has determined none of the following grounds for denial appears to exist:

- a. Violations to the Virginia Uniform Statewide Building Code.
- b. Over capacity of the certificate of occupancy and the number of parking spaces.

- (3) The applicant/applicant representative of an entity, entity, and/or the property owner/person in charge of the property listed on the application has not operated another dance that permitted repeated occurrences of disorderly, violent, obscene, or other unlawful conduct or was declared a public nuisance.
- (4) The applicant/applicant representative of an entity, entity, and/or the property owner/person in charge of the property listed on the application has not had a public dance hall permit denied or revoked by Northumberland County or another jurisdiction in the past year for violating any local, state, or federal law or permitting disorderly, violent, obscene, or other unlawful conduct.
- (5) The application is complete and statements in the application do not contain any omissions or misrepresentations of the event to occur.
- (6) The event conforms to all applicable local, state, and federal laws.

**§ 58-6. Revocation of permit.** A permit may be revoked at any time by the County Administrator upon evidence that the holder of the permit has failed to comply with the provisions of this chapter including any law enforcement intervention or violations of the alcoholic beverage control regulations.

**§ 58-7. Procedure upon denial of an application or revocation of a permit.**

A. If the County Administrator or his or her designee denies an application or revokes a permit, he or she shall notify the applicant or permittee and the property owner or person in charge of the property in writing of such action, the reasons therefor, and the right to request the denial or revocation be considered by the Northumberland County Board of Supervisors. Upon denial or revocation, the applicant, applicant representative of an entity, and/or owner or person in charge of the property may request, in writing, that the revocation be considered by the Northumberland County Board of Supervisors at its next regularly scheduled meeting.

B. Should the application have been for a single event the date for which has passed prior to the hearing before the Board of Supervisors, the applicant may still be afforded an opportunity to be heard as to his or her ability to conduct dances in the future, and a determination by the Board of Supervisors that he or she is a proper person or entity to receive a permit shall be binding on future applications to the County Administrator unless new information as to violations of this ordinance, law enforcement intervention, and/or a violation of the alcoholic beverage control regulations shall be received.

C. If a dance hall permit has been revoked by the County Administrator or if the Board of Supervisors upholds the County Administrator's revocation of the dance permit, the entity, applicant or applicant representative of an entity, owner, and/or the operator/person in charge listed on the application shall not be allowed to make application for another dance hall permit for a period of one year. The one year period shall begin from the date of the County Administrator's letter of revocation or, if appealed to the Board of Supervisors and the decision to revoke the permit is upheld, the date on which the Board held their meeting.

D. The entity, applicant or applicant representative of an entity, and the owner or the person in charge of the property shall be treated independently for the one year period and shall not be able to apply for a dance hall permit under another entity. After the one year revocation of any dance hall permit, the entity, applicant or applicant representative of an entity, and the owner or the person in charge of the property may reapply to the Board of Supervisors, at their next regularly scheduled Board meeting, in writing to have their ability to apply for another dance hall permit reinstated. The determination by the Board of Supervisors that the applicant or applicant representative of an entity, the entity, and the property owner or person in charge of the property are again allowed to apply for a dance hall permit shall be binding on future applications to the County Administrator unless new information as to violations of this ordinance, law enforcement intervention, and/or a violation of the alcoholic beverage control regulations shall be received.

**§ 58-8. Violations and penalties.**

[Amended 7-12-2012]

Any person who shall operate or permit the operation on his or her property or property under his or her control of a public dance hall or dance as herein defined without a permit to operate a public dance hall or dance shall be guilty of a Class 3 misdemeanor. Upon conviction of any requirement of this chapter shall be subject to a fine or punishment as provided by law. Each violation shall constitute a separate offense and nothing in this section shall be deemed to prevent the County from bringing an appropriate action in the Circuit Court of the County to restrain, enjoin, or otherwise prevent violation of this chapter.

The vote on the motion is as follows:

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

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

**RE: FEE SCHEDULE AMENDMENT (DANCE HALL EVENT FEE)**

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to change the fee schedule as follows, by Resolution to:

**§ 68-1 Schedule of permit and other fees.**

Single event permit   \$150.00  
Annual permit           \$500.00

The vote on the motion is as follows:

Ronald L. Jett – AYE  
A. Joseph Self, Sr. – AYE

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

James M. Long – AYE

**RE: NCCCO (NORTHUMBERLAND COUNTY COMMUNITY CENTER) DANCE PERMIT PROCESS REINSTATED.**

Mr. Tadlock referenced the July 2015 events at the NCCCO building and explained by board decision the ability to apply for the dance permit was revoked. The representatives here tonight are requesting under the new dance hall ordinance, their ability to apply for a dance permit be reinstated.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to reinstate the ability for events to be applied for at the Northumberland County Community Center (NCCCO ) immediately.

The vote on the motion is as follows:

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

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

**RE: PUBLIC COMMENT PERIOD**

No comments were given.

**RE: CARRY OVER**

Upon motion by Richard F. Haynie, seconded by James M. Long, the Board voted to carry the Board of Supervisors meeting over to January 12, 2017 at 4:00 p.m. if needed. 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

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E. Luttrell Tadlock, Clerk