

**Board of Supervisors Meeting**  
**May 12, 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, May 12, 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 Michael Ramming, Good Shepard Lutheran church led the invocation.

**RE: PLEDGE OF ALLEGIANCE**

Mr. Steve Tucker led in the Pledge of Allegiance.

**RE: APPROVAL OF AGENDA**

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

1. Representatives from Virginia Department of Transportation will not be attending.
2. The Northumberland County Library will talk to the board about the “Book Mobile”

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 APRIL 14, 2016**

Upon motion by James M. Long, duly seconded by Richard F. Haynie, the Board voted to approve the minutes for the April 14, 2016 meeting:

The vote on the motion is as follows:

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

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

**RE: MS. ALICE COOPER, NORTHUMBERLAND COUNTY LIBRARY**

Ms. Cooper came today to talk to the board about the “book mobile” The board asked her to keep them posted on the progress.

**RE: DR. REBECCA GATES, SUPERINTENDENT OF SCHOOLS**

Dr. Gates updated the board on several matters. She explained that the 6<sup>th</sup> grade TAG students are selling t-shirts for the Save Tangier project. She also spoke on the career tech students and the certificates they have received.

**RE: MS. SARAH WEAKLEY, THE HAVEN SHELTER AND SERVICES**

Ms. Weakley came before the board today to report what the Haven provides to the residents of Northumberland County. She detailed each service with a handout that described 30 citizens from the County received emergency shelter for 1,382 nights. She said the total cost/person exceeds \$41,600 for the County residents and \$16,043 of this is not covered by grants. She thanked the board for their support and presented their request for the upcoming budget year.

Supervisor Long asked how the organization gets information out to the people. She responded by saying they utilize their website and monitor who engages in the site. They speak to churches and also have a facebook page.

**RE: DR. ELIZABETH CROWTHER- RAPPAHANNOCK COMMUNITY COLLEGE**

Dr. Crowther along with Mr. Doyle and Steve Tucker came before the Board today to thank them for their continued support.

**RE: BUILDING PERMIT REPORT**

Month of March	2016	2015
Total construction cost for the month	\$ 3,141,956.85	\$ 1,833,385.32
Total Bldg. Permit Cost for Month	\$ 4,400.92	\$ 4,751.80
Total Zoning Permit Cost for the Month	\$ 1,600.00	\$ 2,150.00
Total Levy Fee for the Month	\$ 88.03	\$ 95.04
<b>Total Construction cost year to date</b>	<b>\$ 6,508,838.14</b>	<b>\$ 9,265,717.82</b>

**RE: EMS WEEK RESOLUTION MAY 15-21**

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

**EMS WEEK RESOLUTION**  
**May 15-May 21**

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 15 through 21, 2016, as Emergency Medical Services Week in Northumberland County.

**WHEREAS**, Emergency Medical Services is a vital public service which dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and,

**WHEREAS**, Northumberland County is served by trained, skilled, and experienced EMS team members, who represent Callao Volunteer Rescue Squad, Mid-County Volunteer Rescue Squad, Northumberland County Rescue Squad, the Northumberland County Department of Emergency Services, and the Northumberland County Sheriff's Office dispatchers and assisted by Callao Volunteer Fire Department and Fairfield's Volunteer Fire Department; and

**WHEREAS**, the members of Emergency Medical Services teams provide lifesaving care to those in need 24 hours a day, seven days a week; 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 follow the motto "committed to care"; and

**WHEREAS**, these persons are frequently exposed to a variety of hazards and dangerous situations during the performance of their duties: and,

**WHEREAS**, the citizens and visitors of Northumberland County benefit daily from the knowledge and skills of these highly trained EMS providers; and,

**WHEREAS**, it is appropriate to acknowledge the value and the accomplishments of these EMS providers.

**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 15 through 21, 2016, shall be observed throughout the County as Emergency Medical Services Appreciation Week.

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: NATIONAL TEACHER APPRECIATION WEEK**

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

**NATIONAL TEACHER APPRECIATION WEEK  
MAY 2, 2016 – MAY 6, 2016**

**WHEREAS**, teachers mold future citizens through guidance and education; and

**WHEREAS**, teachers encounter students of widely differing backgrounds; and

**WHEREAS**, our country's future depends upon providing quality education to all students; and

**WHEREAS**, teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students and performing community service; and

**WHEREAS**, our community recognizes and supports its teachers in educating the children of this community.

**NOW, THEREFORE, BE IT RESOLVED** that the Northumberland County Board of Supervisors proclaims May 2-6, 2016, to be ***TEACHER APPRECIATION WEEK***; and

**BE IT FURTHER RESOLVED** that the Northumberland County Board of Supervisors strongly encourages all members of our community to join with it in personally expressing appreciation to our teachers for their dedication and devotion to their work

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: HOUSEHOLD HAZARDOUS COLLECTION DAY**

Mr. Tadlock reported that the hazardous waste collection day in May was a success. He said that he received comments that everything went smooth and was very organized.

**RE: SHERIFF DEPARTMENT APPROPRIATION- GAME PAYROLL REIMBURSEMENT ACCOUNT**

Upon motion by Richard F. Haynie duly seconded by Richard F. James M. Long, the board voted to appropriate the following from account 10-273 Game payroll reimbursement account to:

\$595.00 to 3102-1006 (Security Athletic Events)

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 FUNDS APPROPRIATION**

Upon motion by Richard F. Haynie duly seconded by James M. Long, the board voted to appropriate \$14,000.00 to line item 10-3501-1004 from the animal shelter funds to cover the 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: VRS RATE DISCUSSED**

Mr. Tadlock briefed the Board of Supervisors on the modifications to the Virginia Retirement System’s (VRS) 2016 Appropriation Act language. In this revised language, the employer contribution rate is established as the certified rate; however, the County has the option of electing to go with the alternate employer contribution rate. If the County elects to go with the alternate employer contribution rate, then the County would need to pass a resolution, otherwise no action is needed. The rates are as follows: the employer contribution rate certified by VRS is 8.59% and the alternate employer contribution rate is 10.07%.

The board did not take any action on this item, therefore electing to stay with the default employer contribution rate certified by the VRS Board of Trustees at 8.59%.

**RE: EMS SOFTWARE, ESO SYSTEM APPROVAL**

Upon motion by Thomas H. Tomlin duly seconded by James M. Long, the board voted to approve to purchase the ESO Software Package in the amount of \$6,139.00.

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

Mr. Jimmy Brann who was in the audience spoke up and said to make sure the software is compliant. Mr. Brann works for Essex EMS and explained that Essex County has not voted on the software as of this meeting.

### **RE: BUDGET SCHEDULE**

The board decided to schedule a work-session to discuss the budget on Wednesday, May 18, 2016 at 4pm in the Board of Supervisors meeting room.

### **RE: BOARD COMMENT PERIOD**

Supervisor Long asked what progress had been made on the old EVB building. Supervisor Long suggested having the ones that will be in the office make decisions on the plans.

Supervisor Tomlin questioned why the radios went down today. County Administrator Tadlock said he has not had a chance to find out but will check in to it.

County Attorney Kilduff was asked to check into the code ordinance regarding Coyotes. The County Attorney was also asked to look in to if we have to change our ordinance with the school bus cameras.

### **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 ADDED TO AGENDA**

Upon motion by A. Joseph Self, Sr., duly seconded by, Richard F. Haynie, the Board voted unanimously to amend the agenda to add a closed meeting. The vote on the motion was as follows:

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

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

Thomas H. Tomlin – 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) 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  
James M. Long – AYE  
Thomas H. Tomlin – AYE

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

**RE: ACTION TAKEN**

No action was taken as a result of the closed meeting.

**PUBLIC HEARING  
7 P.M.**

- ***The VDOT 6 YEAR PLAN THAT WAS SCHEDULED FOR MAY HAS BEEN MOVED TO JUNE 9, 2016***

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

Zoning Administrator Philip Marston described the details of the request. The public hearing was held last month.

Chairman Jett called for the pleasure of the Board.

Upon motion by A. Joseph Self, Sr., duly seconded by Richard F. Haynie, the board voted to approve the conditional use permit to allow construction of a dwelling that is zoned B-1 with the following condition:

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

\*With a 3 to 2 Vote, the request was approved.

Supervisor Tomlin stated he could not support this request because the owners can pump to a remote drain-field and they have land available to do this.

**RE: REQUEST BY LILIAN LUMBER COMPANY, OWNER, AND VERIZON WIRELESS, APPLICANT, FOR A MODIFICATION TO EXTEND CONDITION “1” OF THE CONDITIONAL USE PERMIT TO CONSTRUCT A 195’ COMMUNICATION TOWER. THE PROPERTY IS SHOWN AS TAX MAP PARCEL #38-(1)-9-F AND IS LOCATED ON NORTHUMBERLAND HWY.**

Zoning Administrator Philip Marston described the request for the conditional use permit for a modification to extend the condition “1” of the permit that was approved in July of 2015.

Mr. Julian Pedini was present for the meeting representing Verizon Wireless.



Supervisor Tomlin asked when they anticipate construction of this tower. Mr. Pedini replied saying, this year. Supervisor Tomlin stated that there is no leverage and this affects safety and health.

Mr. Pedini stated they had financial restraints for constructing the tower at this time and there is no guarantee but they are using another source of funding.

Public Hearing Open

No Comments Given

Public Hearing Closed

Upon motion by A. Joseph Self Sr., duly seconded by Thomas H. Tomlin, the board voted to grant the modification to the conditional use permit to extend the condition as follows:

1. The construction of the tower shall be completed by July 9, 2017.
2. The applicant, or subsequent owner, shall provide, at no cost to Northumberland County, space on the tower (excluding the top position), and ground space for installation by the County of components solely for the purpose of public safety and emergency services. The centerline for the tower equipment will be no less than 150 feet, with an area five (5) feet above and below, subject to availability. The land space for ground equipment will not exceed 300 square feet, subject to availability. The County's use of the tower shall be in accordance with the Verizon Wireless Collocation Guidelines, The County shall enter into a non-transferable "no rent" license agreement with the tower owner allowing non-commercial use for emergency communication services of an agreed to location on the tower and the related ground space for the County.
3. All sides of the tower will be fenced and maintain screening with already established mature trees and barbed wire shall be used.
4. The tower is to be constructed as depicted on the site drawing

The vote on the motion is as follows:

Ronald L. Jett – AYE

A. Joseph Self, Sr. - AYE

James M. Long – AYE

Richard F. Haynie - AYE

Thomas H. Tomlin – AYE

**RE: REQUEST BY ROBERT C. AND SHARON F. WATSON, OWNERS, FOR AN EXCEPTION TO THE CHESAPEAKE BAY ACT IN ORDER TO ALLOW AN EXISTING ACCESSORY STRUCTURE WITHIN THE RPA. THE PROPERTY IS SHOWN AS TAX MAP PARCEL #44-(6)-23 AND IS LOCATED AT 1513 HARDING ROAD.**

Zoning Administrator Marston described both request. Mr. John Martin, Attorney for Mr. Watson was present representing the request.

Mr. Martin stated that the house is not an issue but the site plan on file shows the accessory storage building is an issue. The Watsons are good citizens and by mistake measured from the water and not the marsh land which caused the issue with the structure being in the RPA. They have lived here 20 years and have decided to sell.

Public Hearing Open

No comments were given

Public Hearing Closed

Supervisor Tomlin commented that this is a “significant accessory structure” and is definitely in the RPA but the house itself prior to 2004 is ok, the addition was after and feels that it is a violation. He suggested a 1 time civil penalty by law because the ordinance has to mean something.

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

1. Storm water mitigation shall be provided for the impervious surface through plantings and infiltration.
2. After-the-fact permit fees shall be paid in the amount of \$1050.00 minus the \$300.00 application fee and an additional \$100.00 civil penalty.
3. A Certificate of Occupancy shall be obtained along with any applicable building permit fees.

The vote on the motion is as follows:

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

## **RE: PUBLIC COMMENT PERIOD**

Mr. Fred Olverson stood before the Board to request them to look at eliminating the boat tax for the county to have an equal playing field with Lancaster County.

A lady in the audience also requested no boat tax or little tax in the County.

Mr. Randy Cockrell reiterated what Mr. Olverson said people don't want to pay for the tax here, they will go to Lancaster County if kept.

Mr. Lynwood Bowis stated we should move ahead with the no tax.

Mr. Olverson thanked the board for their courtesy.

Mr. Jimmy Brann came to update the board members on what is going on in Callao Rescue. Four students have passed the EMT class that was being taught. They have 6 new members that have joined the squad. An EVOC class will be going on this weekend. Mr. Brann asked again for the help with EMT classes they provide. He thanked them for their support.

**RE: CARRY-OVER**

Upon motion by Richard F. Haynie, seconded by James M. Long, the Board voted to carry-over the meeting May 18, 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

---

E. Luttrell Tadlock, Clerk