

Regular Meeting (Thursday, August 11, 2022)

Northumberland County, Virginia

Members present:

Ronald L. Jett, James M. Long (remotely at 6:38 p.m.), Richard F. Haynie, Thomas H. Tomlin

Other Staff Present:

Mr. Luttrell Tadlock, County Administrator

Mr. Drew Basye, Assistant County Administrator

Ms. Morgan Wilson, Executive Assistant

Mr. Robert Headley, IT Administrator

Mr. Matthew Bailey, IT Assistant

Mr. Eric Gregory, County Attorney

The regular monthly meeting was convened by Chairman Haynie and held at the Northumberland Courthouse located at 220 Judicial Place, Heathsville, VA 22473.

1. Opening of Meeting 5:30 P.M.

Procedural: A. Invocation - Pastor Kori Kiss, Bethany Baptist Church

The invocation was led by Pastor Kori Kiss.

Procedural: B. Pledge of Allegiance

Chairman Haynie led us in the Pledge of Allegiance.

Action: C. Remote Participation

Motion to allow Supervisor Long to participate via zoom during the regular meeting as allowed under the Board's adopted remote participation policy.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: D. Approval of Agenda

Motion to approve the agenda for today's meeting.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

2. Approval of Minutes

Information, Minutes: A. July 14, 2022 Regular Meeting

Information, Minutes: B. June 20, 2022 EVB Roof & Fire Study Presentations

*The approval of minutes was carried over to the regular meeting on September 1, 2022 when all board members are present.

3. Presentations

Action, Information: A. Resolution - Trey Felton

Motion to approve the resolution for Trey Felton as presented.

A RESOLUTION HONORING TREY FELTON

WHEREAS; Only eleven individuals from Virginia competed in round one of the Scripps National Spelling Bee held outside of Washington, D.C., and

WHEREAS; Every year, millions of students from all over the country participate to qualify for the Scripps National Spelling Bee, and

WHEREAS; For the first time ever, a Northern Neck student qualified to compete in the Scripps National Spelling Bee, and

WHEREAS; Trey Felton proudly represented the County of Northumberland at the National Spelling Bee; the County recognizes all the hard work and dedication that he has put into this competition, while continuing to applaud him for making it thus far.

NOW, THEREFORE, BE IT RESOLVED that the Northumberland County Board of Supervisors hereby commends Trey Felton on such a great accomplishment and wishes him much success in his future endeavors.

BE IT FURTHER RESOLVED that this resolution is hereby adopted on this day, August 11, 2022.

Richard F. Haynie, Chairman of the Northumberland County Board of Supervisors

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Information: B. Update from the Virginia Department of Transportation

Mr. David Beale provided the Board with an update from the Virginia Department of Transportation that can be accessed in Board Docs.

Vice Chairman Jett brought attention to the line painting in Burgess across from the Buoy and recommended a different way of stripping it so that traffic could flow better.

Supervisor Tomlin asked Mr. Beale if they could remove the Northumberland Rescue Squad sign down Fleton Road.

Supervisor Tomlin asked for an update on the road work on route 360 in Haynesville.

Mr. Beale informed the Board that the project started later but they expect it to be finished in the middle of November.

Information: C. Update from Northumberland County Schools

Superintendent Dr. Wargo provided two packets for the Board and focused on discussion related to the back-to-school calendar. These packets can be accessed in Board Docs.

Finance Director Bellows followed up with the Board on a few items discussed at their joint meeting on August 3, 2022. The school launched their e-vendor payment process this week, so all payments made are done through this platform.

Along with this, he wanted to follow up with the monies for construction from the Virginia Department of Education (VDOE). The school will start to receive the \$1.2 million dollars starting in September in increment amounts.

Another topic of discussion was the competitive grant project. The VDOE is still working on the details related to this program and they hope to have it launched by the end of this year or the first of January. At that point, the school will have all the details to see if they qualify to be able to apply for those grant funds.

The Board members stated their appreciation of seeing both Superintendent Dr. Wargo and Finance Director Bellows at the meeting.

Supervisor Tomlin asked for further clarification on what the construction monies may be used for.

Finance Director Bellows stated that the \$1.2 million can be used for anything except parking lots and athletic extracurricular activities.

4. County Administrators Report

Information: A. Building Permit Report

Action: B. Re-appointment - Chris Cralle, Planning Commission District I

Motion to approve the re-appointment of Chris Cralle for the Northumberland County Planning Commission, District I.

Motion by: Richard F. Haynie, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: C. Supplemental Appropriation - Sheriff's Department

Motion to approve the transfer of funds in the amount of \$75,000.00 from account 10-264 as a supplemental appropriation to account 3102-8006 for Central Square Technologies.

Motion by: Thomas H. Tomlin, second by: Richard F. Haynie.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Information: D. RCC Funding Request Update

County Administrator Tadlock stated that the Board requested additional information on the Remote Area Medical (RAM) request from RCC. Included in the board packet are the localities in which RCC sent the request to as well as what funding they have received to date.

Supervisor Tomlin would like to see more participation from adjoining counties before they make a decision.

Action: E. Vehicle Surplus

County Administrator Tadlock requested the Board's approval to surplus a 2006 Ford Explorer with 216,000 miles, a 2009 Dodge Durango with 139,000 miles, and a 2007 F-150 with 201,000 miles.

Motion to surplus vehicles through Gov. Deals (2 Building & Zoning vehicles and 1 Sanitary District vehicle).

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action, Information: F. Storm Water Damage Repair – IFB

County Administrator Tadlock informed the Board of the bid opening on August 4, 2022, for the storm water damage repair and the low bidder was CTN Enterprises for the amount of \$137,002.16.

Motion to accept the low bid, CTN Enterprises, in the amount of \$137,002.16 for the storm water damage repair with the requirements of the performance bond.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action, Information: G. Fuel Bids Update

At last month's regular meeting on July 14, 2022, the Board approved the fuel bids presented to them with fixed amounts as approved by the School Board since the Board follows the School Division on this matter. There was a correction made so that gasoline, diesel, heating oil were presented as variable costs and propane presented as a fixed cost by the School Division.

Motion to accept the correction of fuel bids as presented to the Board.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: H. The VA250

County Administrator Tadlock explained that the Virginia America 250 Commission was created in 2020 by the General Assembly for the purpose of preparing for and commemorating the 250th anniversary of Virginia's participation in American independence.

Each locality has been asked to form a committee to participate in the VA250, so each of the Northern Neck localities chose to allow the Northern Neck Tourism Commission to participate as a unified representation rather than multiples committees from the Northern Neck.

Motion to approve the resolution to appoint the Northern Neck Tourism Council to participate in the VA250.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Information: I. Other County Administration Items

County Administrator Tadlock has been serving as the staff liaison to the Economic Development Commission, however, Assistant County Administrator Basye has expressed interest in that role, so the County Administrator wanted to inform the Board of this change.

Action: J. ARPA Funds

County Administrator Tadlock informed the Board that Northumberland County is eligible for receiving \$70,000 of ARPA monies from the Virginia Tourism Commission and that the County has up to December 31, 2022 to submit a plan on the use of these monies. The Northern Neck Planning District Commission is willing to help with the plan if the County chooses to designate them to do the reporting.

Motion to designate Lisa Hull from the Northern Neck Tourism Commission to serve as the primary contact with respect to our participation in the ARPA Tourism Recovery Program. This motion includes working with the Board of Supervisors as well as the Economic Development Commission on the use of these monies.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

County Administrator Tadlock introduced the new Executive Director of the Economic Development Commission, Mr. Bob Bullard.

Action: K. Solar Ordinance Request For Revision

County Administrator Tadlock referenced a memorandum from the Planning Commission regarding clarification on what was being requested of them in relation to the examination of the solar project.

Motion to send the solar ordinance back to the Planning Commission for a complete redo for the following items to be considered: Decommissioning, Bonding, Fire Protection, Environmental Issues, Fencing, Grass Cover, Access to the property for emergency purposes, Megawattage produced, and whether Revenue Sharing should be considered. The Board also indicated that an overlay zone may be more feasible to restrict any solar fields within a certain distance of the shoreline given the varied zoning classifications.

The Board is also asking that this information be examined and returned to them in time to have a public hearing on the matter at the Board's November 10, 2022 regular monthly meeting.

Motion by: Richard F. Haynie, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: L. Review of Other Localities' Solar Ordinances

Motion to review the solar ordinances from Richmond County, Westmoreland, Lancaster, Essex, King and Queen, King William, Hanover, Middlesex, and Gloucester and to provide this information to the Planning Commission three days prior to their meeting on August 18, 2022.

Motion by: Richard F. Haynie, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: M. CLEO Board Alternate

Motion to list Assistant County Administrator Drew Basye as the alternate on the Chief Local Elected Officials Board (CLEO).

Motion by: Richard F. Haynie, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Action: N. Pump and Haul

Motion to send an application to the Health Department giving the County permission to allow pump and haul facilities in the County.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

5. Board of Supervisor Items

Action: A. Approval of Check Register

Motion to approve the check register for August 2022.

Motion by: Ronald L. Jett, second by: Richard F. Haynie.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann, James M. Long

Information: B. Board Comments

*Supervisor James M. Long joined the meeting remotely

Supervisor Tomlin asked the County Attorney to look into the bond referendum process relating to making applications and what needs to be done. He would like this information back to the Board by the regular meeting on September 1, 2022. Supervisor Tomlin explained that he was specifically thinking of this as a financing means for the radio system.

Supervisor Tomlin also wanted to look at the possibility of having motion sensitive light switches in the new court building.

6. Items Related to Closed Meeting

Action: A. Convene into Closed Meeting

Motion to Action: A. Convene into Closed Meeting: convene into closed meeting as permitted by Virginia Code Section 2.2-3711 (A)(1); 1. Discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body; and evaluation of performance of departments or schools of public institutions of higher education where such evaluation will necessarily involve discussion

of the performance of specific individuals. Any teacher shall be permitted to be present during a closed meeting in which there is a discussion or consideration of a disciplinary matter that involves the teacher and some student and the student involved in the matter is present, provided the teacher makes a written request to be present to the presiding officer of the appropriate board. Nothing in this subdivision, however, shall be construed to authorize a closed meeting by a local governing body or an elected school board to discuss compensation matters that affect the membership of such body or board collectively.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann

Action: B. Reconvene into Open Meeting

Motion to reconvene into open session.

Motion by: Ronald L. Jett, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann

Action: C. Certification of Closed Meeting

Motion that the Northumberland Board of Supervisors return to Public Meeting and certify by roll call vote that only public business matters lawfully exempted from open meeting requirements by the Virginia Freedom of Information Act, and as were identified in the motion convening the closed meeting were heard, discussed or considered during the closed meeting.

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

Aye: Richard F. Haynie, Ronald L. Jett, Thomas H. Tomlin, James M. Long (remotely)

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann

7. Public Comments

Mr. Bob Kane spoke on his experiences with Breezeline and understands that the County is entertaining a renewal of a contract with the company. Mr. Kane would like the Board to take costs and customer service into consideration when renegotiating their contract.

Mr. Lewis Christian has been working with Fire Chief Keyser on getting their property burned so they can rebuild. Mr. Christian hasn't made much progress, so he came to the Board looking for next steps and someone to help him move forward with this process.

8. Public Hearings 7:00 P.M.

Action, Information: A. CARRIED OVER from July 14, 2022: Request by Philip Haynie, II, and Judith Haynie and Philip Haynie, III, owners, and Community Power Group, applicant, for a Conditional Use Permit to allow a utility-scale solar energy facility on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel #37-(1)-195 and 195-A adjacent to 642 Fairport Road.

Motion to carry over a decision to the regular meeting on September 1, 2022 when all Board members are present.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann

Action, Information: B. Request by Daniel M. Swarey, owner, for a Conditional Use Permit to construct a private school on property zoned A-1, Agriculture. The property is shown as Tax Map Parcel # 7-(1)-48 and is located adjacent to 1645 Fruit Plain Road.

Zoning Administrator Philip Marston read the suggested conditions if approved as follows:

1. All required permits and/or licenses shall be obtained from all appropriate regulatory agencies, including but not limited to the Va. Department of Health.
2. The building shall comply with the Uniform Statewide Building Code.

Motion to carry over a decision to the regular meeting on September 1, 2022 and get the County Attorney to see if the structure for the private school needs the Board's approval based on religious exemptions.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann

9. Closing of Meeting

Action: A. Adjournment

Motion to adjourn.

Motion by: Thomas H. Tomlin, second by: Ronald L. Jett.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long (remotely), Richard F. Haynie, Thomas H. Tomlin

Absent: James W. Brann