

Regular Meeting (Thursday, October 13, 2022)

Northumberland County, Virginia

Members Present:

Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Other Staff Present:

Mr. Luttrell Tadlock, County Administrator

Mr. Drew Basye, Assistant County Administrator

Ms. Morgan Wilson, Executive Assistant

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 Lee Farmer of Coan Baptist Church

The invocation was led by Pastor Lee Farmer.

Procedural: B. Pledge of Allegiance

Chairman Haynie led us in the Pledge of Allegiance.

Action: C. Approval of Agenda

Motion to approve the agenda for today's meeting.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

2. Approval of Minutes

Action, Minutes: A. September 1, 2022 Regular Meeting

Motion to approve the minutes from the regular meeting on September 1, 2022.

Motion by: James M. Long, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

3. Presentations

Information: A. Davenport Emergency Radio Funding Options

David Rose from Davenport & Company, LLC provided a packet to the Board that consisted of information on the topics that follow. Mr. Rose began his presentation by stating some background information of the company. Davenport & Company serves as a financial advisor to

Northumberland County and informed the Board that the County is in solid financial shape. Mr. Rose continued by listing some goals and objectives for the presentation starting with a comparison of the County's financial position back in FY 12 versus now (FY22), developing a plan for finance for the E911 radio system, and then ending with discussion on possible next steps.

Mr. Rose presented a graph to the Board that shows the cost of major improvements made to the County's E911 radio system back in 2012. That cost was roughly \$1M and now in fiscal year 2022, the estimated worst case scenario costs up to \$5.5M. Mr. Rose went on to explain that the County's debt profile is 25% lower than it was back in 2012 and the unassigned fund balance has increased about 11%. Furthermore, Mr. Rose informed the Board that the County's budget to existing debt ratio is balanced much better than it was in 2012.

Mr. Rose presented a graph that shows the trend of the County's fund balance as well as a peer comparative in the region. Along with this, Davenport & Company, LLC created an analysis based on a list of assumptions. The radio system is estimated to cost in the range of \$6 million, there is a proposed fixed interest rate of 5.00%, and assumes a repayment term between 10 and 15 years. Mr. Rose goes into some detail on the estimated results of the E911 radio system project from a 10-year repayment term versus a 15-year repayment term.

Lastly, Mr. Rose presented bar graphs that show projected debt ratios such as debt vs. assessed value and debt service vs. expenditures. Mr. Rose concluded his presentation by advising the Board to start looking at funding options for this project and consider moving forward in the early 2023 calendar year.

Supervisor Tomlin asked for more information on applying to the Virginia Resources Authority (VRA).

Mr. Rose informed the Board that Davenport & Company would put together an application, the board would request funding formally, a public hearing would occur, and the borrower (VRA) would request a resolution be written by the County. After this process is complete, VRA would interview Davenport & Company to look at the financials of the County and VRA will want to discuss some type of security feature for the radio system.

Supervisor Tomlin asked if voter approved general obligation bonds can be done concurrent with Davenport & Company's plan.

Mr. Rose stated that it cannot be done this way because it takes a great amount of time to get set up for a referendum. Mr. Rose cautioned a referendum being used for a central service project like this one.

Supervisor Tomlin stated that he feels constrained by the Virginia Constitution of long-term debt and wants to make sure the public is aware of what is going on.

County Attorney Eric Gregory informed Supervisor Tomlin that this type of borrowing will not be constrained by that constitutional division. This process of borrowing would typically be put

before the public through a public hearing, so this is the public's opportunity to comment on the matter. Mr. Gregory went on stating that the bond referendum in question is typically used for parks and recreational projects/other amenities, so he would not recommend it for this project.

Supervisor Tomlin asked how quick this project can be moved forward.

County Administrator Tadlock stated that further discussions need to occur on how the Board would like to proceed in terms of seeing what Lancaster County is going to do and in terms of sharing equipment with them. Mr. Tadlock shared that Lancaster County voted to move forward in signing with federal engineering to review the contract with L3Harris. Finance Director Bellows confirmed this as well.

Information: B. Virginia Law Enforcement Professional Standards Commission

Sheriff Balderson of Westmorland County and a Chairman of the Virginia Law Enforcement Professional Standards Commission came to the Board to celebrate the success and accomplishment of the Northumberland County Sheriff's Office for their initial accreditation through the commission. Sheriff Balderson presented Sheriff Beauchamp with a plaque and stated that the Sheriff and his personnel earned every bit of this honor.

Sheriff Beauchamp thanked his team for working so hard on such a great accomplishment.

Information: C. Stacie Wind - RCC Remote Area Medical Clinic Presentation

Mrs. Stacie Wind came to present some information related to the Remote Area Medical Clinic on behalf of Rappahannock Community College. Remote Area Medical (RAM) is a free medical, dental, and vision clinic that is open to anyone in the public at a first come first serve basis. RAM is a nonprofit organization that brings all the equipment and has a core team but recruits 150 – 300 volunteers to help with the clinic. The clinic serves about 400 – 600 patients over the course of two days. Mrs. Wind stated that Richmond County, Essex, the town of Warsaw, and other organizations throughout the community have donated to the clinic.

Supervisor Tomlin asked if Mrs. Wind had a breakdown of the localities who are served through this program.

Mrs. Wind stated that she could provide the Board with a copy from the clinic in 2019, which was the last time they had the clinic due to the pandemic.

Supervisor Long asked what the average donation was.

Mrs. Wind stated that the donations have been anywhere between \$1,000 and \$1,500.

Information: D. Update from the Virginia Department of Transportation

Mr. David Beale reported to the Board on behalf of the Virginia Department of Transportation. The full report can be found in board docs.

Supervisor Long asked Mr. Beale to look at the entrance of Brown Store Road because a lot of water stands there. Along with this, he would like the ditches to be checked/cleaned down Light Street.

Supervisor Tomlin asked if there will be any bridge closures when the scour repair is done.

Mr. Beale informed the Board that there will be some closures with posted detours, all of which will be advertised.

Supervisor Tomlin wants to make sure that the schools are notified of these closures.

Supervisor Tomlin referred to the area on route 200, Jessie Dupont Memorial Highway, that has been patched twice near Morattico Church Road. Mr. Tomlin stated that after the last rain, it looks like it could've washed away another two inches.

Supervisor Tomlin also brought attention to the stop light bar in Burgess.

Mr. Beale stated that this is part of the striping issue that needs to be fixed.

Vice Chairman Jett referenced the upcoming grass cutting schedule and asked if Mr. Beale has any specific dates set.

Mr. Beale stated that the contractor is scheduled to start on primary roads on Monday, October 17, 2022, and has 30 days to finish those roads. The secondary roads were scheduled to be finished by the end of September 2022.

Vice Chairman Jett informed the Board that Mr. Beale, County Administrator Tadlock, and himself met with many citizens from Reedville concerning the speed in that area. The citizens have requested watch for children signs and would like speed bumps to be installed. Mr. Beale provided a price for the watch children signs and it's about \$850.00 per sign installment.

Supervisor Tomlin stated that the way it has worked in the past is that the citizens in the area are responsible for the cost and installment of those signs.

Mr. Beale stated that this would be the case if there was a homeowner's association (HOA), but there is no HOA in Reedville, so the citizens would like the County to undertake this responsibility of the signs.

Mr. Beale estimated that the sign and hardware would be about half that cost, and the rest would be the cost of installation. Mr. Beale stated that he could figure out this cost for the Board.

Information: E. Update from Northumberland County Schools

Superintendent Wargo provided a packet to the Board and went through their weekly highlights. This update can be found in board docs.

Finance Director Bellows gave an update on the estimated surplus return fund balance, which is about 2.36% or about \$466,328 that the County should see in the audit report in November. Mr. Bellows stated that a majority of that came from the three positions they were unable to fill last year.

Supervisor Long thanked Mr. Bellows for his service and stated that he was a great person to work with.

Supervisor Brann requested to have the choir and/or band perform at the Christmas celebration on December 3, 2022, at 4:00 p.m.

Supervisor Tomlin asked Superintendent Wargo what she knew about the Dinwiddie County chemistry explosion.

Superintendent Wargo stated that she is aware of the incident, but she has not had the time to dive into the details on it yet.

Supervisor Tomlin suggested putting all necessary safety procedures into place if not already done.

County Administrator Tadlock addressed the bus price estimates that the school received. The Board approved \$200,000 for the purchase of two buses in the capital improvement plan, but the estimates came back a little higher than expected. Mr. Tadlock recommended the Board look into the lead times for the buses and decide how they would like to move forward.

4. County Administrators Report

Information: A. Building Permit Report

Action: B. Supplemental Appropriation - Sheriff's Department

Motion to transfer funds from account number 10-265 (concealed weapon permit account) to the General Fund in the amount of \$1,163.00 for two shot guns and a supplemental appropriation to budget line item 3102-5409.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: C. Supplemental Appropriation - Sheriff's Department

Motion to transfer funds from account number 10-281 (account used for funds received from the Federal Forfeiture) in the amount of \$1,914.43 for law enforcement items and a supplemental appropriation to 3102-8008.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: D. Supplemental Appropriation - Sheriff's Department

Motion to transfer funds from account 10-281 (Federal Asset Forfeiture Account) in the amount of \$1,995.65 and a supplemental appropriation to account 3102-8008.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: E. Supplemental Appropriation - Callao Project

Motion to request a supplemental appropriation in the amount of \$39,096.66 for the Callao Revitalization Grant for fiscal year 2023 close out of the project.

Motion by: James M. Long, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: F. Reedville Generator

County Administrator Tadlock informed the Board that he received two quotes from David Woolard related to the replacement of the Reedville pump station generator.

Vice Chairman Jett suggested the Board look into other options like renting a generator instead of putting so much money into a generator that may not be used for great periods of time.

Motion to move forward with Paul A. Ryan for the replacement of the Reedville pump station generator system using the County's ARPA funds in the amount of \$58,248.00.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Nay: Ronald L. Jett

Action: G. Reedville Traffic Update

County Administrator Tadlock stated that there was a meeting with the public in the Reedville area on September 27, 2022 at Fairfields Volunteer Fire Department and there was a lot of discussion related to speed, watch for children signs, and the County's golf cart ordinance.

County Administrator Tadlock explained that the language in the County's current golf cart ordinance conflicts with itself in terms of main street having several different speed limits. Golf carts may only travel through areas where the speed limit is not greater than 25 mph. Staff has come up with draft language to clarify this confusion, but the County will have to advertise for a public hearing for a revision in the code.

Motion to advertise for a public hearing on the revision of the Golf Cart Ordinance.

Motion by: Ronald L. Jett, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Supervisor Tomlin asked if this was the only area where the County runs into this issue.

County Administrator Tadlock stated that staff will check into this before advertising.

County Administrator Tadlock also brought attention to the concern of the installment of golf cart signs in that area but confirmed that in the ordinance it states that the citizens are responsible for installing these signs.

Action: H. Northern Neck Regional Jail Budget Amendment

County Administrator Tadlock stated that the Northern Neck Regional Jail (NNRJ) is requesting a budget amendment, and this was approved at their September Board meeting with no additional costs to the localities. The NNRJ is now seeking the approval from each locality on this budget amendment for fiscal year 2022.

Motion to approve the fiscal year 2022 budget amendment request from the Northern Neck Regional Jail in the amount of \$600,000.

Motion by: James M. Long, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: I. ClearGov Software Quote

County Administrator Tadlock shared some information on a new personnel, general budget, and capital improvement budgetary software. Currently, the budget is managed on an annual basis through an excel spreadsheet, but there is software to manage budgets with more flexibility. Presented to the board was staff's recommendation of "ClearGov" and ARPA funds will be used to purchase this software.

Motion to approve the purchase of the ClearGov budgeting software as presented.

Motion by: James M. Long, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: J. Dominion Power Easement Request

Provided to the Board was a right of way agreement from Dominion Power through Team Fishel. They've been securing right of way agreements and the County happens to own a piece of property (Glebe Point Fishing Pier) that they would like to run cable through. Dominion Power is seeking approval from the County to bury cable underground through that area.

Motion to approve the easement with Dominion Power that is located on County property at the Glebe Point Fishing Pier that is associated with the regional broadband effort.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: K. Solid Waste and Recycling Services – RFP

County Administrator Tadlock stated that the current contract for solid waste and recycling services ends in the middle of next year, so he asks for the Board’s approval to advertise the request for proposal provided in their Board packet.

Motion to advertise the RFP on Solid Waste and Recycling Services in Northumberland County.

Motion by: Ronald L. Jett, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: L. Hinton Property Acquisition

County Attorney Eric Gregory explained to the Board that the County was approached by Mr. Thomas David Hinton with a proposal for the purchase of approximately a 67 acre track adjacent to the old landfill which is owned jointly by Lancaster, Richmond County, and Northumberland. The offer is for the three counties to purchase the property jointly and the other counties involved have agreed to do so while also approving the purchase and sale contract. The total purchase price is approximately \$40,230.00 so Northumberland County’s share would be approximately \$13,410.00. County Attorney Gregory recommended the County go forward with the purchase of this property.

Motion to approve the purchase, in cooperation with Lancaster and Richmond Counties, of certain real property owned by Mr. Thomas David Hinton that is adjacent to the county landfill, that is jointly owned by the three jurisdictions, and to authorize the County Administrator to execute the Contract of Purchase for Unimproved Land, pursuant to the terms provided therein, and to execute all necessary documents and to take all reasonable and lawful actions to close on the ultimate purchase of the property, subject to final approval by the County Administrator and the County Attorney.

Motion by: Ronald L. Jett, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Information: M. Other County Administration Items

County Administrator Tadlock did not have any further information for the Board.

5. Board of Supervisor Items

Action: A. Approval of Check Register

Motion to approve the check register for September and October 2022.

Motion by: James M. Long, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Information: B. Board Comments

Supervisor Long asked for an update on the old EVB roof.

County Administrator Tadlock stated that the engineer would be here next week to examine the roof and start putting those construction documents together so the County can put it out for bid.

Supervisor Long also asked if the old school board office has been turned over to the County.

County Administrator Tadlock stated that it is in the process of being turned over to the County. Information was received today related to survey work, so there is some follow up that needs to be done on that but that is the final component.

Action: C. Board Action Taken, Remote Area Medical Clinic (RAM)

Motion to contribute \$1,000 to the Remote Area Medical Clinic (RAM).

Motion by: James M. Long, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Chairman Haynie wanted an update on All Points Broadband.

County Administrator Tadlock stated that they are continuing to move forward with their projects and the County continues to receive individuals who are interested in receiving the service. Mr. Tadlock informed the Board that All Points Broadband did provide an update to the Northern Neck Planning District Commission at their quarterly meeting. Mr. Tadlock is going to look into getting this presentation for the Board.

Action: D. Board Action Taken, All Points Broadband

Motion to request All Points Broadband to be present quarterly in person or in writing at the Board of Supervisor meetings.

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

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Supervisor Brann stated that the County will be hosting a Christmas tree lighting ceremony from 4:00 p.m. to 5:00 p.m. on December 3, 2022, after multiple activities hosted by the Tavern.

Supervisor Brann also expressed that the County needs to move forward with the E911 radio system.

Supervisor Tomlin asked Mr. Tadlock what needs to be done to move forward with the E911 radio system.

County Administrator Tadlock stated that it's a matter of coming up with a final figure in terms of the costs for the equipment and then finalizing the contract for the Board's review.

Supervisor Long asked how much of this information could be put together by the next regular meeting.

County Administrator Tadlock informed Supervisor Long that staff has most of these figures and that it's just a matter of bringing all together to put before the Board.

Supervisor Tomlin asked what benefits the County would receive if Lancaster chose to move forward jointly with us now versus joining in the future.

Sheriff Beauchamp stated that the difference the County is affected by is the tower on Good Luck Road. Northumberland County would be absorbing that tower if we move forward independently, but if Lancaster were to move forward with us that tower is one that the two counties would share. Now would be the better time for Lancaster to move forward with us because no negotiation would need to occur. If Lancaster joins later, the regional system will probably mandate Lancaster to use the tower on Good Luck Road, so negotiation would need to be made to decide how much Lancaster will need to pay back to Northumberland.

Supervisor Tomlin would like to move forward but would like to see the financial benefits of if Lancaster were to join the regional system jointly with Northumberland.

Supervisor Long asked Sheriff Beauchamp what Lancaster's standpoint is.

Sheriff Beauchamp stated that he heard they approved to hire federal to look into the proposal and negotiate the contract with L3Harris.

Supervisor Tomlin requested, if at all possible, to have all this information together for the Board to consider a decision at next month's regular meeting.

County Administrator stated that Sheriff Beauchamp and he will work together on compiling figures to show both options to the Board.

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: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: B. Reconvene into Open Meeting

Motion to reconvene into open session.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, 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, James W. Brann

Motion by: Ronald L. Jett, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

Action: D. Action(s) taken from Closed Meeting

Motion to hire Joseph Suplita for the Sanitary District Wastewater Operator/Maintenance position with a start date of October 24, 2022 and a starting salary of \$34,532.57.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

7. Public Comments

Maurice Johnson shared his opinion that deferring to neighboring county decisions invites great opportunity for negative outcomes. Along with this, Mr. Johnson stated that the Board carries a significant burden, and their decisions reach well beyond the districts each represents.

Library Director Jane Blue spoke on behalf of those who are a part of the building located at 7202 Northumberland Highway, Heathsville, VA 22473. That building has experienced unfortunate results from individuals driving too fast around that turn and running into the building. Mrs. Blue would like to request VDOT do a traffic study from the County library to the intersection in front of Courthouse Road to try to determine how to make that area better/safer. Mrs. Blue also asked that a walkway be painted on the highway in front of the library for those who would like to cross the street there.

Action: A. Board Action Taken, VDOT Traffic Study Request

Motion to request a traffic/speed study in the Heathsville area through the 25-mph speed zone.

Motion by Thomas H Tomlin, second by James M Long.

Final Resolution: Motion Carried

Aye: Ronald L Jett, James M Long, Richard F Haynie, Thomas H Tomlin, James W Brann

Chairman Haynie asked Sheriff Beauchamp for any suggestions.

Sheriff Beauchamp stated that the Sheriff's Office can step up enforcement during the busy hours of the day, but there wouldn't be a great difference due to being short staffed.

8. Public Hearings 7:00 P.M.

Information: A. APPLICANT HAS REQUESTED TO CARRY OVER TO THE BOARD OF SUPERVISORS MEETING ON NOVEMBER 10, 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.

Chairman Haynie announced that this matter has been carried over to the regular meeting on November 10, 2022.

Action, Information: B. A revision to the Northumberland County Zoning Ordinance to allow administrative zoning approval of chickens and/or livestock within the Residential, General (R-1) Zoning District, provided they meet certain conditions. Applications that do not meet the conditions will go to the Board of Supervisors for consideration of a conditional use permit.

County Planner Stuart McKenzie presented the public hearing before the Board and read the draft Ordinance as follows:

Revision to the Northumberland Zoning Ordinance for the Residential, General (R-1) Zoning District

Allow zoning administrator approval of up to 12 chickens per 2 acres of land in Residential, General, R-1 provided the applicant meets these minimum requirements:

- Chickens must be fenced inside an enclosure outside of the Chesapeake Bay Resource Protection Area to keep them under control and protected from predators
- No Roosters allowed
- Waste must be cleaned up weekly and disposed of in an environmentally sound fashion (prohibition of disposing of waste in waterways and within the Chesapeake Bay RPA)
- Deceased chicken disposal must be addressed
- Chicken Coops must be setback from the neighboring property line at least 25 feet
- Fencing must be setback from the property lines at least 10 feet

Allow zoning administrator approval of 1 livestock animal per 5 acres of land in Residential, General R-1 provided the applicant meets these minimum requirements:

- Animals must be fenced inside an enclosure outside of the Chesapeake Bay Resource Protection Area to keep them under control and protected from predators
- Waste must be cleaned up weekly and disposed of (prohibited from disposing in waterways and within the Chesapeake Bay RPA)
- Applicant must outline disposal method in case of deceased livestock
- Animal housing structures must be setback from the neighboring property line at least 25 feet
- Fencing must be setback from the property lines at least 10 feet

Requests to allow animals in Residential, General Zoning (R-1) that do not conform to the above parameters will go before the Board of Supervisors for a conditional use permit.

The Planning Commission recommended the approval of this matter unanimously at their meeting on August 18, 2022.

Mr. McKenzie stated that there were two public comments on this matter relating to the exclusion of roosters and the requirements of miniature horses.

Vice Chairman Jett asked if this language reflects the same language for zoning district Residential, Waterfront R-2, which was approved last year.

County Planner McKenzie confirmed that the draft language is consistent with last year's approved zoning revision for R-2.

Supervisor Tomlin asked what permit would need to be submitted if the request was done administratively.

Mr. McKenzie stated that the individual would need to fill out a zoning permit.

Public Hearing Open.

No comments were made.

Public Hearing Closed.

Motion to approve the revision to the Zoning Ordinance to allow chickens and/or livestock within the Residential, General (R-1) Zoning District as recommended by the Planning Commission.

Motion by: Ronald L. Jett, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann

9. Closing of Meeting

Action: A. Carry Over

Motion to carry over to the joint quarterly meeting with the School Board on November 2, 2022 at 5:30 p.m.

Motion by: Thomas H. Tomlin, second by: James M. Long.

Final Resolution: Motion Carried

Aye: Ronald L. Jett, James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann