

Regular Meeting (Thursday, September 14, 2023)
Northumberland County, Virginia

Members present:

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. Robert Headley, IT Administrator

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

Pastor Lee Farmer led the invocation.

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 W. Brann.

Final Resolution: Motion Carried

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

2. Approval of Minutes

Action, Minutes: A. August 10, 2023 Regular Meeting

Motion to approve the minutes from the regular meeting on August 10, 2023.

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

Final Resolution: Motion Carried

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

Action, Minutes: B. August 24, 2023 Special Meeting

Motion to approve the minutes from the special called meeting on August 24, 2023.

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

Final Resolution: Motion Carried

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

3. Presentations

Action: A. Resolution - Fire Prevention Week

RESOLUTION FIRE PREVENTION WEEK

WHEREAS, each year since 1922, Fire Prevention Week is observed to commemorate the Great Chicago Fire that took place on October 8, 1871; and

WHEREAS, Fire Prevention Week is the longest-running public health and safety observance in our country; and

WHEREAS, we recognize the efforts of all firefighters, fire service agencies, and other first responders that aid in preventing and combating fire dangers; and

WHEREAS, we thank them for their dedication, sacrifice, hard work, and for putting their lives on the line for the sake of our community; and

WHEREAS, the 2023 Fire Prevention Week theme TM, “Cooking safety starts with YOU. Pay attention to fire prevention” effectively educates everyone about the simple but important actions to take to keep others and themselves safe while cooking.

THEREFORE, The Northumberland County Board of Supervisors do hereby proclaim October 8-14, 2023, as Fire Prevention Week and we urge all citizens of Northumberland County to pay attention to these actions to keep everyone safe while cooking.

Motion to approve the resolution in honor of Fire Prevention Week.

Motion by: James W. Brann, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

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

Action: B. Resolution - First Responders Day

NORTHUMBERLAND COUNTY FIRST RESPONDERS DAY RESOLUTION

WHEREAS, first responders often risk their lives and safety in the performance of their duties; and

WHEREAS, first responders are our first and best defense against all emergencies that threaten our community; and

WHEREAS, first responders are highly trained, specialized workers who contribute their excellent skills for the public good; and

WHEREAS, first responders sacrifice much of their personal time with family and friends to ensure the safety of their community; and

WHEREAS, first responders, whether career or volunteer, selflessly provide a vital public service for the Northumberland community; and

NOW THEREFORE BE IT PROCLAIMED ON THE 11 TH DAY OF SEPTEMBER THAT THE, Northumberland County Board of Supervisors as does the State of Virginia recognizes FIRST RESPONDERS DAY and hereby thanks Callao Volunteer Rescue Squad, Mid-County Volunteer Rescue Squad, Northumberland Rescue Squad, Callao Volunteer Fire Department, Fairfields Volunteer Fire Department, Smith Point Sea Rescue, Northumberland Sheriff's Office, Northumberland Department of Emergency Services, and other organizations in the public safety sector for their service and sacrifice to our community.

Motion to approve the resolution in honor of First Responders Day.

Motion by: Thomas H. Tomlin, second by: James W. Brann.

Final Resolution: Motion Carried

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

Information: C. EVB Roof Replacement Update - Dave Liebal

Mr. Dave Liebal, engineer from HDH Associates, gave the Board an update on the roof replacement for the old EVB building, the current school board office. The full update presented to the Board can be accessed in board docs.

Information: D. Update from the Virginia Department of Transportation

Mr. David Beale presented his monthly report to the Board on behalf of VDOT. The full report can be found in board docs.

Chairman Haynie explained that Mrs. Tina Hinton is a business owner across from the YMCA on route 360 and she has requested a speed study be done in that 45mph zone because her customers have many traffic concerns.

Supervisor Tomlin asked how damaged a guard rail needs to be in order to be replaced?

Mr. Beale stated he wasn't familiar with the threshold, but he would find out this information for the Board.

Supervisor Tomlin then shared his observation of Lee Hy paving and their differences in equipment as well as paving method on route 360.

Mr. Beale explained that this year's contract requires the company to pave back whatever is milled in the same day, so this may be why the method appeared differently.

Information: E. Update from Northumberland County Schools

Dr. Holly Wargo presented the school's weekly highlights to the Board. The full report can be accessed in board docs.

Finance Director Booth explained to the Board that the ESSER II original grant amount was \$1,550,184.97 and there was an outstanding amount of \$849,688.61 in April. She informed the Board that they have submitted reimbursement requests for all of those funds and \$162,776.41 was reimbursed back to the County in August. \$301,024.18 was received on September 1, 2023 and the final amount of the grant, \$87,977.36 will be received tomorrow through EFT. Mrs. Booth continued by stating that they have multiple grants that the spending has to be completed by September 30, 3034 and have to be reimbursed by November. Mrs. Booth anticipates the reimbursements being complete by October.

4. County Administrators Report

Information: A. Building Permit Report

Action, Information: B. VJCCCA Funding Resolution

RESOLUTION OF WESTMORELAND COUNTY COMBINING THE VJCCCA FUNDING FOR THE COUNTIES OF ESSEX, LANCASTER, NORTHUMBERLAND, RICHMOND, AND WESTMORELAND.

Whereas, Westmoreland County has been the recipient of State funding from inception of the Virginia Community Crime Control Act (VJCCCA) and:

Whereas, this program, in conjunction with the five jurisdictions has been jointly administered by the Rappahannock Area Office on Youth and by Westmoreland County as fiscal agent, and:

Whereas the Rappahannock Area Office on Youth will serve as the distributor of funded programs to those localities participating:

Now, Therefore Be It Resolved by the Rappahannock Area Office On Youth:

1. The Rappahannock Area Office on Youth will participate in the VJCCCA and accept funds appropriate for the purpose set forth in this Act until it notifies the Department of Juvenile Justice in writing, that it no longer wishes to participate.
2. Westmoreland County will combine with the Counties of Essex, Lancaster, Northumberland, and Richmond County to form one combined plan with Westmoreland County acting as fiscal agent.

3. The County Administrator of Westmoreland County is hereby authorized to execute a local combined plan on behalf of said localities.

Motion to approve the resolution for the Virginia Juvenile Community Crime Control Act and to agree that Westmoreland County serves as the fiscal agent.

Motion by: Thomas H. Tomlin, second by: James W. Brann.

Final Resolution: Motion Carried

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

Information: C. County Property Report from Planning Commission

County Administrator Tadlock explained that the Planning Commission completed the County Property Report for the Board and the Board should have a copy of this report in their packet. The report from the Planning Commission can be accessed in board docs.

Vice Chairman Brann stated that it would be helpful to see the value of the properties so they could take a look at this again next month.

County Administrator Tadlock stated that staff would work on gathering this information for the Board.

Action: D. Proposed Fee Schedule

See Proposed Fee Schedule Attachment Below.

fee type	<i>Northumberland proposed changes</i>	current fee
ZONING PERMIT FEES:		
erosion/sed control /sq. ft	50.00	30.00
zoning permit	75.00	40.00
square footage fee	0.12	0.08
commercial	0.05	0.03
remodel/repair	\$40+\$5per mill	\$20+\$2m
mobile home/travel trailer	150.00	100.00
swimming pool	100.00	50.00
Mechanical permit fees	50.00	30.00
Electrical permit fees	50.00	30.00
Plumbing permit	50.00	30.00
Conditional use	500.00	150.00
exceptions to Ches Bay Pres area	500.00	300.00
subdivision variance	500.00	300.00
request for change in zoning dist class	800.00	400.00
wetlands application	300.00	200.00
appeal to board on plan denial	500.00	300.00
zoning variance - board of appeals	500.00	300.00
Land Disturbance fees:		
per 10,000sq ft or acre	50.00	30.00
After the fact permits	200 + triple fees	150+ triple fees
Dance hall permit:		
single	200.00	150.00
annual	550.00	500.00
changing street name	750.00	500.00
court fee per case	15.00	10.00
no wake zone requests	450.00	300.00
Proposed Fee- Building Inspection Short Term Rental	100.00	-

Motion to advertise for a public hearing on the proposed fee schedule as presented to the Board.

Motion by: Thomas H. Tomlin, second by: James W. Brann.

Final Resolution: Motion Carried

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

Information: E. Department Agency Monthly Updates

Department agency monthly updates can be found in board docs.

Information: F. Other County Administration Items

County Administrator Tadlock concluded his report by informing the Board that the Electoral Board requested some information regarding additional space for the presidential election next year. Staff is following up on that request and will bring further information back to the Board once received.

5. Board of Supervisor Items

Action: A. Approval of Check Register

Motion to approve the check register for September 2023.

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

Final Resolution: Motion Carried

Aye: 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 school board building.

County Administrator Tadlock explained the status on that building has not changed and no decisions have been made regarding the use for that property due to several other obligations.

Supervisor Long stated that County is in need of more businesses.

County Administrator Tadlock stated that task will be passed along to the Economic Development Commission.

Vice Chairman Brann asked staff to look into the costs of installing a permanent water line at the Lottsburg trash site.

Supervisor Tomlin stated that the Board needs to think about what is going to be done with the old Sheriff's Office building.

County Administrator Tadlock stated he'd get with Sheriff Beauchamp or Mr. Albrite for gaining access to that building so the Board members can set dates to do a walk through.

Chairman Haynie asked if Mr. Tadlock had an idea for additional space for the new employee.

County Administrator Tadlock stated the only current space that is available is on the elevator side of the old Courthouse for the Assistant Chief and Assistant IT Technician, so staff is trying to make that work.

Vice Chairman Brann stated that the County needs to take some steps forward in drafting a five-year plan.

County Administrator Tadlock explained that staff could work on compiling information received from the firm that did a space analysis for the County several years ago. He suggested starting there and then looking at the condition of the old Sheriff's Office building and the old Courthouse.

6. Public Comments

Mr. Mandell Jackson asked what the code requires for dumping debris at the dumpsite in Horsehead. An individual with a dump truck/trailer was turned away although it was for personal use, not commercial.

County Administrator Tadlock explained that dump trucks are not allowed to dump debris for commercial purposes.

Chairman Haynie asked if dump trailers were allowed to dump debris.

Mr. Tadlock stated he would look into this for the Board.

Ms. Susie Cambria commented on the proposed fee schedule and asked what the public policy goal is of the Chesapeake Bay Preservation Act. She suggested the County confirm that the proposed fee aligns with the public policy goal.

7. Public Hearings 7:00 P.M.

Action, Information: A. TABLED FROM AUGUST 10, 2023; Request by Jon & Pamela Woodrum, owners, for a Conditional Use permit to allow a vacation home rental on property zoned R-3, Residential Restricted. The property is shown as Tax Map Parcel #45-B(3)7--25 and is located at 204 Chesapeake Street in Fleeton Beach Subdivision.

Chairman Haynie asked Mr. Woodrum if he was okay with the conditions of the conditional use permit.

Mr. Woodrum stated he was not familiar with the conditions.

Zoning Administrator Martson explained that the suggested conditions were emailed to Mr. and Mrs. Woodrum and a response from Mrs. Woodrum was sent to the Board.

Zoning Administrator Marston read the suggested conditions.

Suggested Conditions if Approved:

1. All required permits and/or licenses shall be obtained from all appropriate regulatory agencies including compliance with all applicable state, federal, and local laws, regulations, ordinances, or rules concerning taxes, including transient occupancy tax.
2. A smoke detector and a carbon monoxide detector shall be located in each bedroom and in any other location required by the Building Code.
3. There shall be at least one off-street parking space for each bedroom and no on-street parking.

4. The vacation home rental shall have an access driveway to a state highway with a sufficient twelve (12) foot width, twelve (12) foot height, and condition to accommodate emergency services vehicles and equipment.
5. The vacation home rental shall register and maintain registration with the County's registry if such ordinance is enacted by the Board of Supervisors.
6. The vacation home rental shall register a local manager who possesses the authority and ability to promptly address and correct any violations of the conditions, use requirements and/or limitations applicable to the vacation home rental with the Building and Zoning Office and the Sheriff's Office. This registry shall include the name, address, and telephone number of the local manager and this shall also be posted in a conspicuous area of the vacation home rental.
7. The vacation home rental's boundary lines shall be clearly marked and identified for the occupants of the rental home.
8. An inspection of the vacation home rental shall be conducted annually by the Building Official or designee and shall be paid by the owner pursuant to the County's adopted fee schedule.
9. Recreational vehicles may be parked on the property but may not be used by guests for living quarters during their stay at the vacation home rental.
10. Renter's pets shall be kept under control at all times.
11. Overnight occupancy shall be limited to two (2) persons per bedroom plus two (2) additional persons per residence.
12. This Conditional Use Permit is non-transferable and does not attach to the property if ownership changes.
13. There shall be no golf cart use by the renters on the roads.
14. The applicant shall maintain liability insurance.
15. The renters shall not use the Civic Association's amenities.

Mr. Woodrum stated that there is no point in having a short-term rental without their guests having the right to the Civic Association's amenities.

Chairman Haynie explained that these were the conditions agreed upon for the other short-term rentals that were approved last month.

Supervisor Tomlin stated that this is a different subdivision than the other short-term rentals and when the public spoke on the matter during the public hearing, he did not hear any objections to the beach usage.

Motion to approve the Conditional Use permit to allow a vacation home rental on property zoned R-3, Residential Restricted with the suggested conditions while removing number 15 related to the use of community amenities. This motion is made in due consideration of the public health and safety, the general welfare of the community, public necessity, convenience, and in the exercise of good zoning practices and in pursuant to the body's statutory authority.

Motion by: Thomas H. Tomlin, second by: James W. Brann.

Final Resolution: Motion Carried

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

Action, Information: B. TABLED FROM AUGUST 10, 2023; A revision to the Northumberland County Zoning Ordinance 148-155, Solar Energy Facilities, to modify the definition of solar energy facility, small system; to require negotiations on compensation of impacts to the county; to prohibit solar energy facilities in R-1, Residential General and R-2 Residential Waterfront zoned properties; require an environmental impact statement, a landscape agreement and surety; require an annual report of power output by month; stipulate decommissioning requires removal of infrastructure above and below ground; reduce the time for revision of the decommissioning plan from every five years to every two years; increase the time to decommission a solar energy facility from six to twelve months; as well as stipulate when the decommissioning plan and surety are due.

Motion to approve the current revision to the Zoning Ordinance 148-155, Solar Energy Facilities. This motion is made in due consideration of the public health and safety, the general welfare of the community, public necessity, convenience, and in the exercise of good zoning practices and in pursuant to the body's statutory authority.

Motion by: James W. Brann, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

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

Action: C. Planning Commission Review Solar Ordinance

Motion to send the solar ordinance back to the Planning Commission for further review based on the recommendations given by Mrs. Seward with the Rural Solar Development Coalition.

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

Action, Information: D. Request by Edward Wayne and Monica W. Moore, owners, for a Conditional Use Permit to allow commercial tent camping on property zoned R-2,

Residential Waterfront. The property is shown as Tax Map Parcel # 4-B(4)-9 and is located at 72 Moschetti Lane.

Mr. Moore explained the commercial tent camping operation and shared his experiences since the operation began, such as harassment and trespassing.

Public Hearing Open.

Mr. Jim Johnson shared his opposition to the tent camping operation and stated that it does not address safety or environmental concerns. Mr. Johnson then explained that the Public Health Department has taken absence of responsibility for proper waste disposal at this site because it is not defined as a permanent structure in the County.

Mrs. Julie Deaver shared a packet with the Board that entails roughly 100 signatures of citizens who are against the commercial tent camping operation in a residential neighborhood. Mrs. Deaver explained that she has a 30-foot easement from her property to Mr. Moore's that she has a right to utilize. Construction workers were doing repairs on her house and were right at the edge of that easement, so she wanted to clarify that there was no trespassing on her part. Mrs. Deaver then shared several experiences that she has had with the renters during this operation.

Mr. Glenn Goodpasture suggested that if the conditional use permit is going to be considered, there must be a good result that is going to benefit the community and serve the established people who have lived there for years.

Mrs. Betsy Skelton shared her opposition for the commercial tent camping operation and expressed her concerns of trespassing, safety, and property values.

Mr. Eddie McFarland stated that Mr. Moore assumed that Mr. Jimmy Moore was driving by taking pictures of his property, but he wanted to clarify that he has a similar truck and also has been by to take pictures of the operation.

Mrs. Barbara Johnson believed that the tent site has access to the septic at Mr. Moore's home, so there may be some misleading information.

Public Hearing Closed.

Zoning Administrator Philip Marston read the suggested conditions.

Suggested Conditions if Approved:

1. All required permits and/or licenses shall be obtained from all appropriate regulatory agencies including compliance with all applicable state, federal, and local laws, regulations, ordinances, or rules concerning taxes, including transient occupancy tax.
2. There shall be at least two off-street parking spaces for this campsite and no on-street parking. There shall be no parking in the right of way named Moschetti Lane.

3. The campsite shall have an access driveway to a state highway with a sufficient twelve (12) foot width, twelve (12) foot height, and condition to accommodate emergency services vehicles and equipment.
4. The campsite shall have all sanitary and domestic waste picked up and disposed of within 24 hours of the renter's departure.
5. The property boundary lines shall be clearly marked and identified for the occupants of the campsite.
6. Recreational vehicles may be parked on the property but may not be used by guests for living quarters during their stay at the campsite.
7. Renter's pets shall be kept under control at all times.
8. Overnight occupancy shall be limited to four (4) persons and only one additional camping tent shall be allowed to be occupied.
9. This Conditional Use Permit is non-transferable and does not attach to property ownership.
10. This Conditional Use Permit is limited to one (1) commercial tent camping site and no more than two (2) tents to be occupied at this one (1) campsite.
11. The owner and renters shall locate any sanitation device adjacent to this campsite and in an area where it does not impact the aesthetics of the neighboring homes.

Mr. Moore stated that he plays a big role in maintaining the road and informed the Board that there is running water and electricity at the tent site.

Supervisor Tomlin asked how the sanitation system works at the tent site.

Mr. Moore explained that there is a bag in the toilet that contains chemicals approved by NASA, and it forms a gel-like substance from the waste, similar to a baby's diaper.

Supervisor Tomlin asked for clarification on the water access and asked if it was coming from his house. Supervisor Tomlin explained that if Mr. Moore sold his house, there would be no way for the campers to have access to water.

Motion to deny the Conditional Use Permit to allow commercial tent camping on property zoned R-2, Residential Waterfront. This motion is made in due consideration of the public health and safety, the general welfare of the community, public necessity, convenience, and in the exercise of good zoning practices and in pursuant to the body's statutory authority.

Motion by: James W. Brann, second by: Thomas H. Tomlin.

Final Resolution: Motion Carried

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

Action: E. Planning Commission Review Commercial Tent Camping

Motion to request the Planning Commission review commercial tent camping and determine whether there should be a minimum acreage requirement.

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

Action, Information: F. Request by Aqua Virginia, Inc., owner, and Jeff Kapinos, applicant, for a Conditional Use Permit to allow a replacement elevated water tank 150 feet in height on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel #38-B(1)-82-A and is located at 743 Main Street in Reedville.

Mr. Jeff Kapinos, design consultant for Aqua Virginia, presented the project to the Board. He explained that Aqua is the water provider in the Reedville area and the existing tank is over 70 years old, at the end of its useful life. Aqua would like to provide a similar elevated tank to the same height on the same site within a few feet of the existing one. The current tank will need to be removed to install the new tank and Aqua agreed to putting the same logo on the two sides of the tank. Mr. Kapinos provided pictures of the proposed tank to the Board, and this can be accessed in board docs.

Supervisor Tomlin asked what would happen if the tank was not replaced.

Mr. Kapinos explained that there would not be enough volume and pressure to meet the Virginia Health Department requirements.

Vice Chairman Brann asked if there was any way the tank could be duplicated to match what's there today because Reedville is a historical district.

Mr. Kapinos explained that the proposed model is very similar and the closest to the existing style.

Public Hearing Open.

Mrs. Gayle Sterrett asked if the Greater Reedville's Association could have some input in the design.

Zoning Administrator Marston explained that the Greater Reedville's Association has been in touch with Ocean Harvesters, and they are all working together on the planning of this installation.

Mr. Charles Williams asked what the total costs for the project would be and if those costs will be distributed to the users in any way. He also explained that the museum did several fundraisers

to raise enough money for the existing logo, so it would be appreciated if Aqua could carry those costs for designing the new logo for the new tank.

Mrs. Emily Williams asked if there was anything wrong with the current tower other than the capacity.

Mr. Kapinos explained that the latest inspection recommended a lot of repairs to the existing tower.

Public Hearing Closed.

Zoning Administrator Marston read the suggested conditions.

Suggested Conditions if approved:

1. The water tower shall be constructed as shown on the application and there shall be no encroachment into the 50-foot Resource Protection Area.
2. Erosion and sediment controls shall be in place and maintained during construction.

Motion to approve the Conditional Use Permit to allow a replacement elevated water tank 150 feet in height on property zoned R-2, Residential Waterfront with the suggested conditions. This motion is made in due consideration of the public health and safety, the general welfare of the community, public necessity, convenience, and in the exercise of good zoning practices and in pursuant to the body's statutory authority.

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

Final Resolution: Motion Carried

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

Action, Information: G. Consideration of adding a new Article "Cigarette Tax" to Chapter 132 of the Northumberland County Code of Ordinances to authorize the levy of taxes upon the sale or use of cigarettes in the portions of the County of Northumberland outside of the corporate limits of the Town within the county.

Mr. Davis informed the Board that the General Assembly adopted legislation to allow counties to implement a cigarette tax effective July 1, 2021. He then explained the formation of the regional tax board which was formed similar to the one in Northern Virginia in order to implement the tax.

Supervisor Long asked if the other counties were taxing the same amount as proposed here.

Mr. Davis explained that the tax limit is up to 40 cents per pack and 10 out of the 11 localities on the tax board utilize the 40-cent tax rate.

Public Hearing Open.

Mr. Maurice Johnson asked what the overhead is involved with implementing this in the County.

Mr. Kunal Kumar is a business owner in the County and believes increasing taxes on consumers should not be considered at this time due to many other hardships that consumers face. Mr. Kumar explained that this will encourage customers to seek cheaper jurisdiction which will drive out revenue in the County.

Public Hearing Closed.

Vice Chairman Brann explained that other localities with the same number of stores as Northumberland are seeing approximately \$150,000 - \$200,000 annually. Mr. Brann asked how much this was going to cost the County and how much of that revenue is the County actually going to receive.

Mr. Davis explained that the Board has a 5% administration fee. The wholesale distributor pays the tax board who retains 5% of that and passes the balance to the locality.

Vice Chairman Brann then asked where the 5% fee goes.

Mr. Davis stated that it pays the costs of dealing with the wholesale distributors, the permitting, the licensing, the collecting and distributing of the tax to localities, and the auditing/compliance of the tax.

Public Hearing Closed.

Motion to approve the addition of a new Article "Cigarette Tax" to Chapter 132 of the Northumberland County Code of Ordinances to authorize the levy of taxes upon the sale or use of cigarettes in the portions of the County of Northumberland outside of the corporate limits of the Town within the county with the tax set at 40 cents per pack and an effective date beginning January 1, 2024.

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

Final Resolution: Motion Carried

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

Action, Information: H. Consideration of an ordinance approving the formation of a joint entity to be known as The Chesapeake Bay Region Cigarette Tax Board, with the County of Northumberland as a member thereof, and bestowing on such entity all powers necessary and proper for the performance of its duties as provided by law.

Public Hearing Open.

No comments were made.

Public Hearing Closed.

Motion to approve the formation of a joint entity to be known as The Chesapeake Bay Region Cigarette Tax Board, with the County of Northumberland as a member thereof, and bestowing on such entity all powers necessary and proper for the performance of its duties as provided by law with an effective date of January 1, 2024.

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

Final Resolution: Motion Carried

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

Action, Information: I. Consideration of adding a new Chapter 43 “Businesses” of the Northumberland County Code of Ordinances for the creation of a registry for short-term rental properties in Northumberland County.

County Administrator Tadlock explained that if this ordinance is approved, it would create an annual registry for the short-term rentals and would include a cost of \$75 to help defray the cost of administering/maintaining the program.

Public Hearing Open.

Mr. Jim Johnson believes the registry is appropriate for the County to maintain to ensure public safety as well as to keep record of the businesses in the County.

Mr. Jeff Bramblett expressed his opposition in the registry because as a business owner, there are already many taxes that he must pay.

Public Hearing Closed.

Motion to approve the addition of Chapter 43 “Businesses” of the Northumberland County Code of Ordinances for the creation of a registry for short-term rental properties in Northumberland County.

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

Final Resolution: Motion Carried

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

Action, Information: J. Consideration of adding a new Article “Transient Occupancy Tax” to Chapter 132 of the Northumberland County Code of Ordinances to authorize a tax of two percent of the amount paid for lodging by or for any such transient to any hotel, motel, boardinghouse, travel campground or other facility offering guest accommodations rented out for continuous occupancy for fewer than 30 consecutive days for the occupancy of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging or sleeping purposes. The tax shall be collected from such transient at the time and in the manner provided by this article.

County Administrator Tadlock explained that if the ordinance is passed it would create a transient occupancy tax of 2% of the amount paid for lodging by or for any such transient to any hotel, motel, boardinghouse, travel campground, or other facility offering guest accommodations rented out for continuous occupancy for fewer than 30 consecutive days.

Public Hearing Open.

Mr. Jim Johnson is in support of the transient occupancy tax and believes it will serve to offset other general fund expenditures as well as try to keep the tax rate as low as possible in the County.

Mr. Bramblett expressed his opposition as a business owner to the transient occupancy tax.

Public Hearing Closed.

Motion to approve the addition of “Transient Occupancy Tax” to Chapter 132 of the Northumberland County Code of Ordinances to authorize a tax of two percent of the amount paid for lodging by or for any such transient to any hotel, motel, boardinghouse, travel campground or other facility offering guest accommodations rented out for continuous occupancy for fewer than 30 consecutive days for the occupancy of any room or space that is suitable or intended for occupancy by transients for dwelling, lodging or sleeping purposes. The tax shall be collected from such transient at the time and in the manner provided by this article. The Transient Occupancy Tax shall have an effective date of January 1, 2024.

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

Final Resolution: Motion Carried

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

Action, Information: K. Consideration of amending Chapter 34 “Animals” of the Northumberland County Code of Ordinances to replace the annual dog license with a lifetime dog license of \$20.00 effective January 1, 2024. New lifetime tags would go on sale in the fall of 2023. Other licenses (kennel, vicious and dangerous dog, replacement tag) will remain the same.

Public Hearing Open.

No comments were given.

Public Hearing Closed.

Motion to amend Chapter 34 “Animals” of the Northumberland County Code of Ordinances to replace the annual dog license with a lifetime dog license of \$20.00 effective January 1, 2024. New lifetime tags would go on sale in the fall of 2023. Other licenses (kennel, vicious and dangerous dog, replacement tag) will remain the same.

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

Final Resolution: Motion Carried

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

Action, Information: L. In order to consider an amendment to the fiscal year 2024 budget. This budget amendment is for the purpose of appropriating monies for the ARPA carryover funds, School Division, Sheriff's Office, and the Sanitary District.

County Administrator Tadlock stated that the total amount being budgeted is \$1,883,978.16. The detailed budget amendment can be accessed in board docs.

Public Hearing Open.

Dr. Karen Pica shared her concern for the school health insurance and bus driver benefits because she can't find any analysis showing that this is a one-year cost.

Mrs. Gayle Sterrett stated that the 9.9% health insurance increase awarded to the school employees was the same increase that was awarded to the rest of the County's employees and only four bus drivers took advantage of the bus driver benefits. Mrs. Sterrett continued by stating that the budget is renegotiated every year in terms of health insurance and benefits, so there really is no way of knowing what those costs will be and how many will be employed in the years to come.

Public Hearing Closed.

Motion to approve the resolution amending fiscal year 2024 budget.

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

Final Resolution: Motion Carried

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

Action: M. Request for Cigarette Tax Fund and Capital Improvement Plan

Motion to request that cigarette tax funds be directed to the capital improvement plan.

Motion by: Richard F. Haynie, second by: James W. Brann.

Final Resolution: Motion Carried

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

8. Closing of Meeting

Action: A. Adjournment

Motion to adjourn.

Motion by: Thomas H. Tomlin, second by: James W. Brann.

Final Resolution: Motion Carried

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