

Regular Meeting (Thursday, November 9, 2023)

Northumberland County, Virginia

Members present

James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann, Maurice E. Johnson

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. Carl Hayden, IT Technician

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

Pastor Lee Farmer led us in the Pledge of Allegiance.

Supervisor Long requested a moment of silence in memory of Chairman Haynie's mother, Esther W. Haynie.

Action: C. Approval of Agenda

County Administrator Tadlock explained that the closed meeting will also need to include 2.2 3711 A(3) which includes discussion of potential acquisition or disposition of real property.

Vice Chairman Brann asked the Board to consider changing the order of the public hearings tonight.

The Board asked that the order of the public hearings go as follows:

1. Request by Charles W. & Christiane P. Jacobs, 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)20-6 and is located at 85 Leming Avenue.
2. Request by Mark Malley, owner, for a Conditional Use Permit to construct residential solar exceeding 25 kw on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel #2-(1)-61 and is located at 1530 Mundy Point Road.
3. Request by AFD LLC dba Virginia Halal Meat Farm, owner, for a Conditional Use Permit to allow an abattoir (commercial slaughterhouse) on property zoned A-1,

Agricultural. The property is shown as Tax Map Parcel 7-(1)-46-A and is located on Fruit Plain Road.

In addition, Supervisor Johnson requested that closed meeting be moved to the end of the meeting.

Motion to approve the agenda for today's meeting with the suggested revisions.

Motion by: James M. Long, second by: Maurice E. Johnson.

Final Resolution: Motion Carried

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

2. Approval of Minutes

Action, Minutes: A. October 12, 2023 Regular Meeting

Motion to approve the minutes from the regular meeting on October 12, 2023.

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, Maurice E. Johnson

3. Presentations

Information: A. Update from Northumberland County Schools

Superintendent Wargo presented the school's weekly highlights. This information can be accessed in board docs.

Mr. Jeff Brann spoke on behalf of the Elementary School heating system. He stated that each boiler is at a 28-year service life and one of the boilers failed causing significant heat damage to the outer shell of the boiler rendering it inoperable. The other boiler is online; however, it is aging and showing the same symptoms as the other one. Mr. Brann explained that they tried to get a new refractory insulation liner put in this week with a company outside of Roanoke, but they had to stop work because they found further damage. The company and Mr. Brann's department urge this to be replaced with a new system but recommend changing to a propane condensing system instead of choosing the original oil fire boiler system. Mr. Brann informed the Board that he has two quotes for propane condensing units, and he has authorized Noblett's to come out to ensure that the school's onsite propane system is ready if the Board chooses to upgrade to the propane system. Mr. Brann also explained that if they do change to the propane system, the aging underground fuel tank and failing smokestack system can be abandoned because there will be no use for those anymore.

Chairman Haynie asked if this would require removal of the existing fuel tank or would they just leave it there.

Mr. Brann explained that they would remove the diesel fuel from it and donate it to the transportation facility and utilize it for the buses/generators. The smokestack would stay in place as a chase for the new CPVC exhaust systems. Mr. Brann explained that it is still a double walled system and the two stacks that would come out from the condensing units would be routed through them. He informed the Board that he found this to be a common practice with this upgrade instead of trying to put two new appendages through the roof.

Mr. Brann stated that the companies believe the only upgrade needed is to put another 1,000 gallon propane tank on site.

Chairman Haynie stated that the efficiency rate on the condensing furnace must be more than 92%.

Mr. Brann stated the companies have mentioned the 92% efficiency on several occasions.

Mr. Brann informed the Board that he would forward the two quotes on the condensing units to the County Administrator for their review.

Supervisor Tomlin asked if these were the original boilers from when the building was first constructed and then asked about their useful life.

Mr. Brann confirmed that these are the original boilers, but he's received conflicting reports on their useful life. Some say they have up to 30 years with optimal maintenance over the years and some say they are 15-year boilers.

Supervisor Tomlin stated that we have things aging out and the entire County needs to better plan to replace them based on their useful life.

Mr. Brann explained that he has submitted this replacement in the school's capital improvement plan for the last four years.

Supervisor Tomlin stated that these are quotes, but this is a public procurement and will have to be put out for bids. Mr. Tomlin doesn't think they'd hit the desired Christmas time frame.

Mr. Brann explained that he has informed the companies that an RFP would have to go into place, and they understand and are willing to work with the school on the time frame.

Supervisor Tomlin stated that this won't be an RFP. It will be a bid and there's a big difference. An RFP is requesting proposals, consisting of interviews and negotiations. A bid requires the buyer to choose the low bidder unless the company is unable to perform.

Chairman Haynie asked what the lead time is for shipment.

Mr. Brann explained that one company's lead time is 48 hours, and the other company has both units on site.

Finance Director Booth then gave the Board a finance update. Supervisor Tomlin asked for an update on some of the school's federal funds, so she printed off a report for the Board that comes straight from "Omega" which is the online management system of education grant awards. The report shows everything that's been active for the last year and what's currently active. The Omega report can be accessed in board docs.

Information: B. 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.

Action: C. Rob Mangrum- School Drainfield Project

Mr. Rob Mangrum, engineer, presented a PowerPoint presentation to the Board on the proposed wastewater treatment changes at the Middle/High School plant. The full presentation can be accessed in board docs.

Chairman Haynie asked if the original plan consisted of abandoning the sewer plant completely and having a drainfield to take care of all the water.

Mr. Mangrum explained that initially there was discussion on a drip irrigation system based upon the area needed, and when working with the health department on this, the treatment system would still have to stay in operation, it just wouldn't discharge. The water would have to be pre-treated and then drip irrigation would be done. When moving forward on this, they found it to be very costly with many disadvantages, but Mr. Mangrum confirmed that this was their initial thinking. Additionally, they looked into doing a regular drainfield but there were many rules and challenges associated with that as well.

Vice Chairman Brann asked if this system would reduce the man hours to monitor it.

Mr. Mangrum confirmed that right now some things are monitored daily and there's monthly permitting/compliance paperwork. If the County moves forward with the proposal, there will be a quarterly monitoring process with annual permitting/paperwork.

Vice Chairman Brann asked if this would be covered by ARPA funding.

County Administrator Tadlock confirmed that we are looking to use ARPA funds for this project.

Motion to advertise the invitation for bid (IFB) for the wastewater treatment changes at the Middle/High School.

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, Maurice E. Johnson

Action, Information: D. Mr. Jerry Davis - Potential DHCD Planning Grant

Mr. Davis stated that Supervisor Long, representative for the County on the Planning District Executive Committee, expressed his interest in a housing assessment for Northumberland County. Mr. Davis explained that this effort would be looking countywide and trying to document potential housing units that may be substandard. This is done by reaching out to stakeholder groups and through windshield surveys. All this information will be plotted on a map to show where those units are and to see what they look like, and then a strategy will be developed. There are planning grant monies available, and Mr. Davis believes that it will most likely be funded once the application is finalized.

Chairman Haynie asked what the timeframe is for receiving the funds.

Mr. Davis stated that the application needs to be submitted by December 15, 2023, but they'd expect an answer probably within a month. A contract would be put in place and the turnaround time after that would be pretty quick in regard to receiving the funds.

Chairman Haynie then asked how long it would take to do the project.

Mr. Davis believes that realistically, if done right, it'd take between 6 to 12 months.

Mr. Davis informed the Board that they've increased the grant limits, so the request would be for \$50,000.

Vice Chairman Brann asked if there was a required County match.

Mr. Davis stated there is no match required.

Motion to move forward in working with the Northern Neck Planning District Commission in applying for the DHCD planning grant related to a county-wide housing assessment.

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

Final Resolution: Motion Carried

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

Mr. Davis asked if they could use tonight's meeting to satisfy the requirement of having a public meeting on the housing assessment planning grant, so he requested those in the public to raise their hands if they were in support of this effort.

4. County Administrators Report

Information: A. Building Permit Report

Action: B. Re-appointment - Paul Carlson, Local Board of Social Services

Motion to approve the re-appointment of Mr. Paul Carlson on the Local Board of Social Services.

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, Maurice E. Johnson

Action: C. Supplemental Appropriation - Sheriff's Department

Motion to approve the supplemental appropriation to line item 3102-3012 in the amount of \$987.00 for vehicle repairs.

Motion by: James W. Brann, second by: Maurice E. Johnson.

Final Resolution: Motion Carried

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

Action: D. Supplemental Appropriation - Sheriff's Department

Motion to approve the supplemental appropriation to line item 3102-1006 in the amount of \$568.75 for ball games.

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, Maurice E. Johnson

Action: E. Supplemental Appropriation - Sheriff's Department

Motion to approve the supplemental appropriation to line item 3102-7009 in the amount of \$8,117.27 for a VACorp reimbursement due to property damage caused by a lightning strike.

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, Maurice E. Johnson

Action: F. Supplemental Appropriation - Sheriff's Department

Motion to approve the supplemental appropriation to line item 3102-1006 in the amount of \$1,627.50 for ball games.

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, Maurice E. Johnson

Action: G. Supplemental Appropriation - Opioid Abatement Settlement Funds

Motion to approve the supplemental appropriation to line item 47-5102-3200 in the amount of \$1,837.62 for FY24 Opioid Abatement Settlement funds.

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, Maurice E. Johnson

Supervisor Tomlin asked what these funds were going to be used for.

County Administrator Tadlock explained that these funds are very specific for what they can be used for, and you don't want to jeopardize other funding by how these funds are utilized. Currently, we are looking at regional projects with the regional jail. We've received \$45,000 so far, and staff is looking into more of how these funds can be used.

Supervisor Tomlin asked if the funds can be used to help the Community Services Board.

County Administrator Tadlock explained that this is one of the regional projects that they're looking into.

Action: H. Supplemental Appropriation - Litter Grant

Motion to approve the supplemental appropriation to line item 10-5302-5625 in the amount of \$5,766.00 for FY 24 Litter Grant funds.

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

Final Resolution: Motion Carried

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

Action: I. Compensation Board and 2% Salary Adjustments

County Administrator Tadlock explained that the State has provided the Constitutional Officers Compensation Board with a 2% salary increase with associated increases, so to stay consistent, provided in the Board's packet is information consisting of a 2% salary increase for not only the comp board employees, but County employees as well. The total supplemental appropriation needed is \$112,398.37 and that's for the 7-month period, covering December through the end of June. These monies were placed in this year's (FY23) proposed budget, but they were cut out

not knowing what the State was going to do at that time. A full write up of the supplemental appropriation can be accessed in board docs.

Motion to approve the supplemental appropriation in the amount of \$112,398.37 for a 2% salary increase, compensation board adjustment, and consideration of additional adjustment of a constitutional officer salary effective December 1, 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, Maurice E. Johnson

Action: J. New Courts Building Roof Discussion

County Administrator Tadlock stated that the Board asked for a draft bid document regarding the roof of the new courthouse. After conversations with the engineer for the old EVB roof recent repair, staff found out that we can move forward with an invitation for bid for the shingles, however, there were discussions related to getting a metal roof, and if this is how the Board proceeds, there are some engineering aspects involved. The County Administrator asked the Board if they would like to issue an RFP for Engineering Services or if the Board would like to move forward with an invitation for bid for the replacing the roof with shingles.

Supervisor Long asked what Mr. Tadlock's opinion is.

County Administrator Tadlock explained that the metal roof would certainly last longer, but there is a higher cost.

Motion to advertise a request for proposal (RFP) for engineering services on the repair of the new courthouse building roof.

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, Maurice E. Johnson

Information: K. RFP- Auditing Services

Last month the Board asked staff to draft the forensic audit RFP, so staff provided a draft RFP in the Board's packet. County Administrator Tadlock explained that the draft is created from the standpoint of having the Board talk to contractors to determine the scope of work that's needed. The RFP is drafted in a manner that allows the Board some flexibility once talking with the contractors. The concern was limiting it to a forensic audit and the Board choosing a different route, then the RFP would have to be re-advertised.

Supervisor Johnson stated that if he was an accounting firm looking at this and not qualified to do a forensic audit, he would still put in information wasting the County's time. The board

passed unanimously to do a forensic audit and this draft does not sufficiently meet the need or intent of the Board's vote. Supervisor Johnson would like to see this draft be more direct. He stated that there are several RFP examples done by other Counties who have the same needs and desires that we do.

Vice Chairman Brann agreed and stated that he believes the RFP needs to be better drafted to reflect what the Board voted on.

County Administrator Tadlock said they'd go back and narrow it down specifically to what the Board is requesting for the forensic audit and look at several examples provided by the Board to come up with the scope of work.

Information: L. Budget Request Form Draft

County Administrator Tadlock provided the Board with a budget request form draft as requested by the Board at a previous meeting. He explained that the form would be sent out to each department to submit their budget requests.

Vice Chairman Brann asked that 2021-2022 budget also be included in the form so they can look at a three-year trend.

The Board chose to move forward with the new form for the budget submittal process.

Information: M. Other County Administration Items

County Administrator Tadlock had no further items and concluded his report.

Information: N. Department Agency Monthly Updates

Department agency monthly updates can be found in board docs.

5. Board of Supervisor Items

Action: A. Approval of Check Register

Motion to approve the check register for November 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, Maurice E. Johnson

Information: B. Board Comments

Supervisor Johnson explained that vacation home rentals are a by right use in every zoning district besides R-3, however the County has an application that contains language for approval or denial. Supervisor Johnson believes that the application looks as though someone with a by

right use is actually applying for permission to do what they already have the by right use to do. Mr. Johnson requested the application be revised and mentioned that he doesn't agree with the \$75 fee that goes along with the application.

Supervisor Long asked for an update on the old school board office.

County Administrator Tadlock explained that it hasn't fallen off their radar, but they've been tied up with several other projects, so no progress has been made at this time.

Vice Chairman Brann stated that the County worked with the YMCA and Rice's Hotel/Hughlett's Tavern to host a Halloween Boo Bash (Trunk-or-Treat) and well over 400 people attended. Vice Chairman Brann thanked Ms. Wilson for her efforts as well as everyone else who helped put this event together. Additionally, Mr. Brann announced that the County will host a tree lighting ceremony on December 2, 2023 at the old Courthouse. Lastly, Mr. Brann thanked all those who voted for him during the election, thanked everyone who ran, and congratulated those who won.

Supervisor Tomlin suggested the County create a spreadsheet to track new purchases and determine their useful life so we can plan for its replacement as well as better provide capital maintenance until it is replaced.

Information: C. Committee Updates

Vice Chairman Brann stated that the Joint Finance Committee met on November 2, 2023 and their initial focus was discussed. Members agreed to recommend the scope of work to both the Board of Supervisors and the School Board. Superintendent Wargo put together a presentation on how the school budget is prepared and Mr. Basye presented details on the County budget on behalf of County Administrator Tadlock who was unable to attend the meeting. Vice Chairman Brann explained that the short-term scope of work for the Committee is to ensure that the 2024-2025 budget be timely and transparent. Timely meaning to have the school budget approved by the Board of Supervisors at the April 2024 Board of Supervisors meeting provided that the School Board approved budget is submitted in January 2024. The School Board has rearranged their budget process and their budget calendar to be able to present a budget to the Board in January for their consideration. The goal is to have all documentation in place and all questions answered so that the Board of Supervisors can approve the school budget in April. Transparent meaning the school budget will be submitted with a summary at the major classification level and with line-item detail to facilitate analysis and reporting and the processes used to develop, analyze, and approve the budget are fully explained and made publicly available.

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)(3) 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. 3. Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

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, Maurice E. Johnson

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: James M. Long, Richard F. Haynie, Thomas H. Tomlin, James W. Brann, Maurice E. Johnson

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, Thomas H. Tomlin, James M. Long, James W. Brann, Maurice E. Johnson

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, Maurice E. Johnson

Action: D. Action taken from Closed Meeting, Assistant Chief of Emergency Services

Motion to hire Mr. Ethan Harding as the Assistant Chief of Emergency Services with a starting salary of \$71,500.00.

Motion by: Thomas H. Tomlin, second by: Maurice E. Johnson.

Final Resolution: Motion Carried

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

Action, Information: E. Action taken from Closed Meeting, Supplemental Appropriation

Motion to approve a supplemental appropriation in the amount of \$42,377.39 for the Assistant Chief of Emergency Services position for the 6-month period of January 1, 2024 to June 30, 2024. The line-items totals are as follows:

3203-1001 = \$35,004.76

3203-2001 = \$2,620.85

3203-2002 = \$4,272.16

3203-2003 = \$459.07

3203-2004 = \$20.55

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, Maurice E. Johnson

7. Public Comments

Mr. Thomas Hudnall stated that if the housing assessment grant money has already been allotted, he believes the County should take advantage of it because there's a lot of older people in the area with homes that need to be upgraded. Mr. Hudnall asked the Board to please help these people if the County receives this grant money.

Mr. Joe Thompson thanked the Board of Supervisors for the many improvements in the County over the years and supports the grant money efforts for the housing assessment. He offered the County any services they may need.

Mr. Tom Jeffries, Chairman of the Northern Neck Patriots, has a great interest in the workings of the Northern Neck Regional Jail. He brought allegations of mistreatment of pre-trial detainees housed in the jail for charges resulting from January 6, 2021 to the Jail Board's attention on numerous occasions. Mr. Jeffries stated that he's highlighted these problems to the jail for over a year now and implored the Jail Board to investigate the allegations reported. Additionally, Mr. Jeffries explained that as of September 20th of this year, the Northern Neck Regional Jail has been approved to house juveniles. He requested that the Board take up this topic of juvenile housing at the Northern Neck Regional Jail at their next Board meeting.

Dr. Pica stated that she was pleased to hear that the school included their boiler request in their capital improvement plan, meaning that this should be a planned expense, not an emergency one

so the County should not have to fund additional resources. Additionally, Dr. Pica asked what the County obligations or individual obligations are for the community development block grant (CDBG). For example, if an individual homeowner does not choose to participate, are they allowed to opt out or do they lose their sovereign rights over their property. Dr. Pica explained that CDBGs have a lot of strings attached and require public hearings and input at every stage of the process. There are reporting requirements that the grantees must do to the government, so there may not be a match required, but she questions the sovereignty of the County and the homeowners. Dr. Pica believes it's a great program to ensure that people are living in houses in which they should be, however some questions she has are: If you choose to opt out, does the government still come in and raise your property? What are the requirements if they put up a new home? Do you have to have solar panels put on your roof? Who pays for the additional maintenance? Is it fully funded? Are you getting a new home with following expenses the County/homeowner can't afford? What is it going to cost the residents in any additional funding? Dr. Pica stated that these questions need to be looked at along with the benefits of the program.

Ms. Sally Conley asked if the County issues permits for private runways and private planes.

County Administrator Tadlock and Chairman Haynie confirmed that these permits are conditional use permits.

Ms. Conley then asked how they are regulated and how the County knows what cargo they're carrying.

Chairman Haynie stated that this would be determined in the application.

Ms. Conley asked who inspects the planes after that.

Chairman Haynie stated the County would not.

Ms. Conley informed the Board that she was at a meeting some years ago and someone applied for a permit, but they were told it would never be approved because no one could monitor what the individual was bringing in and taking out. She then stated that she went to a meeting with the Sheriff and a few deputies recently who discussed that most of the gun problem is related to the drug problem. Ms. Conley believes that there is a drug and gun problem in the County, and we shouldn't wait for the Sheriff to do address it by himself.

Mr. Bob Kane referred to the article in the Northumberland Echo related to the forensic audit. He thought that the issue with the school budget had already been taken care of until he read this article. Mr. Kane researched a forensic audit and found that they generally only take place when there is malfeasance or fraud expected so there can be details in the fact finding in order to sustain charges in the court of law. Mr. Kane isn't clear on the purpose of the forensic audit. He encouraged the Board to pursue the audit if there is fraud in the school system, but otherwise he doesn't understand why the County would spend this amount of money on a forensic audit when that money could be better spent elsewhere, for example having County Administrator Tadlock hire someone as a budget officer to oversee all these issues that seem to be occurring in the

County budget. Mr. Kane emphasized that unless there is some sort of legal issue, he doesn't believe a forensic audit is appropriate.

Ms. Sabrina Conley supports the grant efforts for the housing assessment in the County. Ms. Conley explained that her job is to buy/sell homes and the biggest downfall she's come across is not being able to help her buyers. Most don't have the resources and she can't put people into homes that need them. Ms. Conley believes this grant would be a great opportunity for the community because a lot of homes she's been to have leaking roofs, have foundation issues, and little window support. Ms. Conley is in favor of the grant effort and believes it will allow families to live better and healthier lives, physically and mentally.

***Chairman Haynie requested a 5-minute recess.*

8. Public Hearings 7:00 P.M.

Action: A. Request by Charles W. & Christiane P. Jacobs, 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)20-6 and is located at 85 Leming Avenue.

Mrs. Christiane Jacobs provided the Board with some details related to her vacation home rental located at 85 Leming Avenue in Fleeton Beach and hopes the Board will consider approving their conditional use permit.

Public Hearing Open.

Mrs. Natasha Heming expressed her support for Mr. and Mrs. Jacob's application for a conditional use permit. She explained that homeowners with vacation rentals contribute to job opportunities in their local area by hiring services such as cleaning, landscaping, property managers, contractors, and property maintenance.

Public Hearing Closed.

Mr. Charles Jacobs made the Board aware that the Fleeton Beach Homeowners Association has a sign in front of their public beach saying that it's open to residents and guests.

Zoning Administrator Philip Marston read the 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.
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.

Motion to approve the Conditional Use Permit to allow a vacation home rental on property zoned R-3, Residential Restricted 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: Maurice E. Johnson, second by: Thomas H. Tomlin.
Final Resolution: Motion Carried

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

**Action: B. TABLED FROM THE REGULAR MEETING ON OCTOBER 12, 2023:
Request by Mark Malley, owner, for a Conditional Use Permit to construct residential solar exceeding 25 kw on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel #2-(1)-61 and is located at 1530 Mundy Point Road.**

Zoning Administrator Marston read the suggested conditions if approved:

1. All required permits and/or licenses shall be obtained from all appropriate regulatory agencies.
2. The solar array shall be constructed as shown on the site plan and any further expansion would require Board of Supervisors approval.
3. An eight (8) foot tall fence shall be constructed along Rock Lane and parallel to Mundy Point Road to screen the solar array from ingress and egress on Rock Lane. The materials for this fence shall be approved by the Zoning Administrator prior to construction.

Mr. Malley stated that he was ready to accept the conditions, but he did send some alternative options to the Board. He believes that two fences seem excessive, however he does respect his neighbors and their right to privacy. Mr. Malley asked that the Board consider his alternative, but otherwise they are ready to accept the original suggested conditions.

Supervisor Johnson asked to hear the alternative options out loud.

Mr. Malley suggested putting up an 8-foot privacy fence along Rock Lane so they can't see the solar panels, but not putting one along the back side. The other option is instead of putting up an 8-foot privacy fence, they plant trees that will grow rapidly so there is a natural buffer.

Vice Chairman Brann stated that he spoke with some of his neighbors, and it seems as though they would like to privacy fence put up.

Supervisor Johnson applauded Mr. Malley for working with his neighbors on this project.

Public Hearing Open.

No comments were made.

Public Hearing Closed.

Supervisor Tomlin asked if there were any setbacks on systems like this.

Zoning Administrator Marston stated that there are only 10-foot setbacks for primary structures.

Motion to approve the Conditional Use Permit to construct residential solar exceeding 25 kw 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: 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, Maurice E. Johnson

Supervisor Tomlin suggested that the Planning Commission look at further setbacks for private scenarios such as this one.

Additionally, Vice Chairman Brann stated that the code allows having up to a 25 KW system and the County should not allow someone to go ahead and put posts in the ground or to install a switch to go beyond that in hopes the County will grant them the conditional use permit.

**Action: C. TABLED FROM THE REGULAR MEETING ON OCTOBER 12, 2023:
Request by AFD LLC dba Virginia Halal Meat Farm, owner, for a Conditional Use Permit to allow an abattoir (commercial slaughterhouse) on property zoned A-1, Agricultural. The property is shown as Tax Map Parcel 7-(1)-46-A and is located on Fruit Plain Road.**

Mr. Wayne Nunnally, the attorney, talked a little bit about Mr. Dawood and his background. He invited a friend of Mr. Dawood to speak on his behalf.

Mr. Robert Moore stated that he spent a tour in Afghanistan with Mr. Dawood and learned a lot about him. Mr. Moore expressed his utmost respect for his patriotism, his services, and his ethics.

Mr. Dawood Jr. presented a PowerPoint presentation of the project to the Board. The full presentation can be accessed in board docs. After the presentation, he explained that one of the biggest concerns they've heard is odor control, so he went through several different methods to address this issue.

Mr. Nunnally further explained that Mr. Dawood has reached out to his neighbors to try and satisfy their needs. Additionally, he stated that there's no environmental impact and no runoff associated with this project. There's a state-of-the-art septic system that will be installed and they have a waste company lined up to pick up the waste daily. At this time, he asked the Board of Supervisors to express any concerns they may have.

Supervisor Long asked approximately how many neighbors Mr. Dawood talked to.

Chairman Haynie asked those in the public to raise their hand if they have not been reached out to by Mr. Dawood.

Multiple hands were raised indicating that they were not reached out to by Mr. Dawood.

Vice Chairman Brann asked if the animals would have to be delivered to the slaughterhouse, meaning additional traffic in that area.

Mr. Nunnally stated that would be more traffic in addition to delivering to various customers.

Vice Chairman Brann asked if the fence they are installing would be a security fence or for containing the animals.

Mr. Nunnally explained the fence would serve as both.

Supervisor Tomlin asked where the product would be sold.

Mr. Nunnally stated that there will be a retail facility within this facility where you can purchase fresh meat.

Supervisor Tomlin stated that if there's a retail plant there, there will be even more traffic. He then asked where the product would go that is not sold.

Mr. Nunnally stated this meat would go to restaurants throughout the state.

Supervisor Tomlin asked Mr. Marston to confirm that since the zoning district is A1, they could grow additional livestock without any additional permitting.

Zoning Administrator Marston stated that is correct and no additional permitting would be needed.

Supervisor Long expressed his concern with the number of people who were not reached out to regarding this project.

Mr. Nunnally stated that a gentlemen reached out to Mr. Dawood Monday night about setting up a meeting with all neighbors to discuss their concerns, so Mr. Dawood came all the way from Fairfax to meet with those neighbors, but nobody showed up.

Chairman Haynie asked who was contacted for the meeting with Mr. Dawood.

No one raised their hands, indicating that no one was contacted to attend the meeting.

Mr. Nunnally further explained that they made an effort to contact everyone who wrote a letter in opposition to the project.

Mr. Dawood spoke on his efforts made to inform his neighbors as well as some of the operational exercises that will be performed at the slaughterhouse.

Supervisor Tomlin asked how they'll have enough livestock brought in to keep the number of employees working all the time.

Mr. Nunnally explained that the cattle can't be processed all in one day, so they'll be cleaning the facility and doing other necessary duties in the 8 hours that they work. He stated that this facility will not operate 24 hours a day.

Chairman Haynie asked how long it would take to process one steer (cow).

Mr. Dawood explained that a lot of the machinery is automatic but it's anticipating 8-10 cows per hour and 15-20 sheep per hour.

Public Hearing Open.

Mr. Thomas Hudnall understands the citizens' concerns, however if they're giving the public the ability to purchase cheaper meat there, then he's for it. Mr. Hudnall believes that yard meat is better than what's in stores because that contains many chemicals.

Ms. Tamra Mears shared her concerns on traffic, air pollution, and the animal odor. She asked if anyone had any proof that the business would address these concerns in the appropriate way.

Ms. Leila Smith shared her concerns about the community's health, the traffic, and the runoff. Ms. Smith stated that this business shouldn't be placed in a residential area where people live, walk, and ride bikes. She provided the Board with pictures of the runoff in that area after a rainstorm and a petition containing 80 signatures of those who are opposed to the project.

Ms. Gail Sorrell believes that this business is not meant to be in their community because of the low land, runoff, and their health.

Mr. James Burrell stated that his family is more than welcome to come into their neighborhood, but he is not welcome to bring in a slaughterhouse. Mr. Burrell explained that he has a shallow well and grandkids who do not need to be involved in this type of act. He expressed his concerns about waking up to an odor everyday and lots of traffic.

Ms. Monica Johnson stated that she has a lot of health issues, and she does not need any more hazards coming in to affect that. She reiterated previous concerns stating that there's simply no room for a slaughterhouse in their neighborhood.

Mrs. Thelma Gray and her husband own the trailer park. She thanked Mr. Dawood for his service but his character is not the question here. She explained that they have a community here that they've worked hard on, and her residents/children don't need to hear screaming animals when they go to bed at night. Mrs. Gray stated that there's plenty of places to put a slaughterhouse, so she suggested Mr. Dawood find a commercially zoned district instead of an agriculturally zoned district with residents.

Mr. Michael Shanks is Mrs. Gray's husband and co-owner of the trailer park. He explained that they just purchased a playground for the trailer park, and he doesn't think having a slaughterhouse next door would be a good idea. Mr. Shanks stated that Mr. Dawood is a great man, but the neighborhood simply can't handle a slaughterhouse.

Ms. Charlotte Muse stated the community doesn't want a slaughterhouse here. There are already existing issues in their water system, they don't want the odor in their neighborhood, and the roads aren't capable of handling any extra traffic.

Mr. Darrell Shaw explained that he rather not listen to animals scream at night.

Mr. Robert Rose shared his concerns on leaking retaining tanks, runoff, and property values.

Ms. Brenda Davis shared her concerns about the additional traffic, air pollution, and leaks. Ms. Davis stated that this business shouldn't be considered somewhere with residents.

Mr. Lance Martson spoke on behalf of some members of Henderson United Methodist Church. Mr. Marston stated that there are many other places that are more suitable for this proposal. He continued by stating that this project would run adjacent to the trailer park and at the end of the road there's a bus terminal. Mr. Marston doesn't want to see this proposal impact the children and their safety.

Ms. Monica Thompson expressed her concerns about health, appropriate inspections, pollution, and leaks.

Mr. Ronnie Brann stated that he has a tractor trailer, and he can barely fit on the road, and he was raised on a dairy farm and the smell cannot be contained. Mr. Brann believes there is other land available for Mr. Dawood's business.

Mr. Davin Brann shared his concern about runoff and believes that Mr. Dawood could have made more effort to get in touch with neighbors about the project.

Ms. Shirley Coleman stated that Fruit Plan Road looks like a residential area and a slaughterhouse is a business. She would like to know if ecological studies have been performed on what this business can do to an area.

Mr. Ray Smith drove tractor trailers for 44 years and stated that tractor trailers should not be brought into this neighborhood.

Ms. Christy Williams is retired and moved to the area because it's quiet and relaxing. She does not believe that this community is the appropriate place for a slaughterhouse.

Ms. Cynthia Headley shared her concerns on the waterways, odor, cleaning chemicals, sounds, and traffic.

Mr. Tom Terrell stated that our community is here tonight, stating that this is not a place for a commercial slaughterhouse. He asked the board to vote no on this application.

Mr. Mark Wing reiterated that a commercial slaughterhouse is not meant for this neighborhood.

Mrs. Sue Laney-Wing agreed and doesn't believe that a slaughterhouse should be placed in this neighborhood.

Mr. Lewis Blackwell shared his concerns related to the project and believes that when he goes to sell that property it will lose its value.

Ms. Heidi Thompson spoke on behalf of the community and stated they don't want this business in their neighborhood.

Mr. Gary Keckley doesn't believe that they've been given complete information related to the proposal and it's already hurting people's property rights/values.

Ms. Geraldine Boldson stated that there are so many places this business can go, and it doesn't need to be in a residential neighborhood.

Ms. Cheryl Thompson explained that Monica Thompson and herself have a lot of health concerns. She believes that the community could benefit from another type of business but not this one. Ms. Thompson doesn't want to lose value on her home and this business could turn into a possible disaster.

Mr. Elijah lives with Mr. Dawood and understands the community's concern. Mr. Elijah believes there's an opportunity to communicate and address everyone's concerns.

Ms. Savannah Boldson stated that she has nieces and nephews that live in that trailer park, and she doesn't want to hear that they are listening to animals dying at night.

Ms. Janet Satterwhite stated that their neighborhood is her little piece of heaven on earth, and she'd like to keep it that way.

Public Hearing Closed.

Mr. Nunnally stated that he felt that they've addressed most of the concerns except the traffic, so he asked the Board to consider putting a traffic restriction in the conditions.

Motion to deny the Conditional Use Permit to allow an abattoir (commercial slaughterhouse) on property zoned A-1, Agricultural. 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: James M. Long.

Final Resolution: Motion Carried

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

Supervisor Johnson believes that the County and the state's infrastructure won't support this business at this location, and he doesn't want to see the County responsible for a bill for any accommodations.

Vice Chairman Brann stated that this business is doable, but in a different location in the County.

Supervisor Tomlin thanked Mr. Dawood for his service, however that is irrelevant to the situation. Mr. Tomlin emphasized that this is the wrong location for this business.

Information: D. TABLED TO THE REGULAR MEETING ON DECEMBER 14, 2023: Request by Neil Office Complex, owner, and Jack Knapp, applicant, for a Conditional Use Permit to allow a campground on property zoned A-1, Agricultural. The property is shown as Tax Map Parcel 8-B(1)-145-A1 and is located at 226 Village Green Drive in Callao.

County Administrator Tadlock announced that this public hearing is tabled to next month's meeting at 7:00 p.m. on December 14, 2023.

9. Closing of Meeting

Action: A. Carry Over

Motion to carry over to Board of Supervisors and School Board joint meeting on November 30, 2023 at 5:30 p.m.

Motion by: Thomas H. Tomlin, second by: Maurice E. Johnson.

Final Resolution: Motion Carried

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