

**Regular Meeting (Thursday, May 9, 2024)**  
*Northumberland County, Virginia*

**Members present:**

James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Other Staff Present:**

Mr. Luttrell Tadlock, County Administrator

Mr. Drew Basye, Assistant County Administrator

Ms. Morgan Wilson, Executive Assistant

Ms. Mary Dodson, Bookkeeper & Benefits Administrator

Mr. Robert Headley, IT Administrator

Mr. Carl Hayden, IT Technician

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

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

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

Pastor Kori Kiss led the invocation.

**Procedural: B. Pledge of Allegiance**

Chairman Haynie led us in the Pledge of Allegiance.

**Action: C. Approval of Agenda**

County Administrator Tadlock explained that he needed to add an additional item to closed meeting related to 2.2 3711 A(3) for the discussion or consideration of potential acquisition of real property for public purposes.

Chairman Haynie suggested moving the closed meeting to the end of the meeting.

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

Motion by: James M. Long, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**2. Approval of Minutes**

**Action, Minutes: A. April 4, 2024 Special Meeting**

Motion to approve the minutes from the special meeting on April 4, 2024.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Minutes: B. April 10, 2024 Special Meeting**

Motion to approve the minutes from the special meeting on April 10, 2024.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Minutes: C. April 11, 2024 Regular Meeting**

Motion to approve the minutes from the regular meeting on April 11, 2024.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Minutes: D. April 24, 2024 Special Meeting**

Motion to approve the minutes from the special meeting on April 24, 2024.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **3. Presentations**

**Information: A. Delegate Hillary Pugh Kent Update**

Delegate Hillary Pugh Kent provided an update to the Board and stated that she voted on over 2,000 bills during their 60-day session on an assortment of issues facing the Commonwealth that include issues on economic development, education, school safety, resiliency, mental health, and social media regulation. She explained that she heard a lot from District 67 on issues that include the cost of goods, workforce shortages, taxes, small business support, farming, and fishing. Delegate Kent shared a little about the bills that passed as well as the bills that didn't. She stated that the bill for the paperwork requirement related to split precincts was going very well and had lots of support, but unfortunately, it died in committee. She continued and stated that the right to fish bill will be signed by the Governor that allows a prosecutor to prosecute when watermen are harassed or inhibited or where their personal property is destroyed by someone else under a misdemeanor and restitution. Delegate Kent stated that they went back to reconvene session in April and worked on the Governor's vetos, amendments on the bills, and the budget. She voted for the house version of the budget which kept appropriations in for things like project ceasefire, SRO grants, police officer recruitment, STEM programming, CTE, Broadband access, and workforce development while not increasing taxes. She stated unfortunately they did not sign a budget at that time because the senate budget was much different than the house and the administration budget. She informed the Board that she will go to Richmond on Monday and back to that special session to vote on a budget that still highlights the priorities of District 67.

Supervisor Fisher thanked Mrs. Kent on behalf of the watermen for her hard work on the right to fish bill.

Chairman Haynie asked if she had an idea on the time frame for when the budget will be approved.

Delegate Kent stated that she anticipates the budget to be approved before Thursday.

County Administrator Tadlock thanked Mrs. Kent for her assistance in supporting the bill on the split precinct.

### **Information: B. Update from Northumberland County Schools**

Dr. Wargo provided the Board with updates and events related to the school division. These updates can be accessed in board docs.

Mrs. Booth offered to answer any questions the Board may have related to an email she sent to them with more information on the school nutrition funds and then provided an update on monthly reconciliations. Additionally, she provided some clarification on some comments that were made during the school budget public hearing. She stated that there were several people who stated that the school budget has increased by \$1.7 million and that is just not the case. The facts are as follows: "For fiscal year 24, the Board approved an appropriation of \$21,957,409. The request for fiscal year 25 is \$22,153,020 which is an increase of \$195,611." She stated that the reason the increase of \$1.7 million keeps coming into the conversation is because the local composite index for Northumberland County has changed by the state from 0.6971 to 0.7672 which means there was an increase in the local share requirement for the school budget. She continued and stated that a local composite index of 0.7672 means that the county must fund 76.72% of the school budget instead of the 69.71% that was required last year. That increase alone was over \$1.5 million. Mrs. Booth reiterated that we still do not have a final revenue budget from the state, however, if the most recent proposal by the general assembly is approved, Northumberland would receive an additional \$546,000 in state revenue. She stated that there were also comments made about the school system having an excess of \$9 million that had not been returned to the County. She explained that when the Board approves the budget, the school isn't handed millions of dollars; the budget simply tells the school how much they can spend. Mrs. Booth stated that every time they pay an invoice or run payroll, the transmittals come to the Treasurer's office for approval. She explained that this is why the school never has money to return, because they never get extra money. Mrs. Booth concluded by providing an update on the forensic audit. She stated that she and Dr. Wargo met with the UHY team to review any issues that may be preventing progress on the audit and then they reviewed what was completed that week and detailed the next steps for themselves and for the auditors. Eventually, there will be additional feedback regarding findings, insights, and identified risks. She explained that UHY stated there were no issues preventing progress for the entire month of April. Mrs. Booth made the Board aware that the school has been cooperative and transparent with every request received. In regard to the Board's request for an update on ESSER funds, Mrs. Booth stated that she plans to share information about that in detail at the joint meeting on May 30, 2024.

Supervisor Williams brought attention to Mrs. Booth's comment about \$546,000 additional funding from the state and asked what the difference is between that amount and what was received last year.

Mrs. Booth stated she didn't have that information with her, but the revenue was changed because of the local composite index. She told the Board she could get that information for them.

Dr. Wargo announced that the School Board held a special called meeting and prioritized some capital improvement projects to be purchased through the new construction funds. After going through the RFP process, the School Board approved the resurfacing of the track and replacing the remainder of the flooring in the elementary school. She explained that the School Board is honoring their agreement with the Board of Supervisors related to the old EVB bank building.

**Action, Information: C. Resolution - Mr. Edward Johnson, Electoral Board**

**A RESOLUTION HONORING  
MR. EDWARD JOHNSON**

**WHEREAS;** Mr. Edward Johnson dedicated over six years of public service to Northumberland County by serving on the County Electoral Board, and

**WHEREAS;** Mr. Edward Johnson demonstrated the highest qualities of dedication and commitment to public service, and

**WHEREAS;** Mr. Johnson served as Vice-Chairman of the Electoral Board, and,

**WHEREAS;** Mr. Johnson was a faithful, reliable, and committed Board member who will be greatly missed for his dedication and willingness to take on the most difficult tasks in service to the people of Northumberland County,

**NOW, THEREFORE, BE IT RESOLVED,** that the Northumberland County Board of Supervisors hereby expresses its deepest appreciation and gratitude to Mr. Edward Johnson for his service to the County and its citizens and wishes for him success and happiness in his future endeavors.

**BE IT FURTHER RESOLVED** that this resolution is hereby adopted on this day, May 9, 2024.

Motion to approve the resolution for Mr. Edward Johnson as presented.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: D. Proclamation - National Safe Boating Week**

**Proclamation  
For National Safe Boating Week  
May 18-24, 2024  
County of Northumberland, Virginia**

During National Safe Boating Week, May 18th through May 24th this year, the U.S. CoastGuard and its federal, state, and local safe boating partners encourage all boaters to explore and enjoy America’s beautiful waters responsibly. Safe boating begins with preparation. The Coast Guard estimates that human error accounts for most boating accidents and that life jackets could prevent nearly 75 percent of boating fatalities. Through basic boating safety procedures – carrying lifesaving emergency distress and communications equipment, wearing life jackets, attending safe boating courses, participating in free boat safety checks, and staying sober when navigating – we can help ensure boaters on America’s coastal, inland, and offshore waters stay safe throughout the season. National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so that they can have a safer, more fun experience out on the water throughout the year.

- Whereas, in 2023, 8 people died and 39 were significantly injured on Virginia waters.
- Whereas, in 2023, 63% of boating-related fatalities in Virginia were caused by drowning, and;
- Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and
- Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets.
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Therefore, The Northumberland County Board of Supervisors hereby support the goals of the Safe Boating Campaign and proclaim May 18-24, 2024 as National Safe Boating Week and the start of the year-round effort to promote safe boating. In Witness Thereof, I urge all those who boat to practice safe boating habits and wear a life jacket at all times while boating. Given under my signature and the seal of the County of Northumberland, VA, this 9th day of May, 2024.

Motion to approve the proclamation for National Safe Boating Week as presented.

Motion by: Chip Williams, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: E. Resolution - EMS Week**

**EMS WEEK RESOLUTION  
May 19-May 25, 2024**

A resolution from the Board of Supervisors of Northumberland County, Virginia, recognizing the important contributions made to the well-being and safety of the County's citizens by Emergency Services personnel, and, establishing the week of May 19 through May 25, 2024, as Emergency Medical Services Week in Northumberland County.

**WHEREAS**, emergency medical services is a vital public service; and

**WHEREAS**, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

**WHEREAS**, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

**WHEREAS**, emergency medical services has grown to fill a gap by providing important, out of hospital care, including preventative medicine, follow-up care, and access to telemedicine; and

**WHEREAS**, the emergency medical services system consists of first responders, emergency medical technicians, paramedics, emergency medical dispatchers, firefighters, police officers, educators, administrators, pre-hospital nurses, emergency nurses, emergency physicians, trained members of the public, and other out of hospital medical care providers; and,

**WHEREAS**, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and,

**WHEREAS**, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

**NOW THEREFORE BE IT RESOLVED** that the Board of Supervisors of Northumberland County, Virginia, hereby commends all Emergency Services Personnel who serve this county for their dedication to the safety, health, and well-being of all County citizens, and,

**BE IT FURTHER RESOLVED** that the week of May 19 through 25, 2024 marks the 50th Anniversary of EMS Week which shall be observed throughout the County as Emergency Medical Services Appreciation Week with this year's theme being, "Honoring Our past. Forging Our Future," reminding us to acknowledge the foundational work of those who came before us, while also striving to build and lead the EMS system we envision for the future.

**ADOPTED:** May 9, 2024

Motion to approve the resolution for EMS Week as presented.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: F. Resolution - Teacher Appreciation Week**

**NATIONAL TEACHER APPRECIATION WEEK  
MAY 6, 2024 – MAY 10, 2024**

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

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

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

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

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

**NOW, THEREFORE, BE IT RESOLVED** that the Northumberland County Board of Supervisors proclaims May 6-10, 2024, to be **TEACHER APPRECIATION WEEK**; and

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

**ADOPTED:** May 9, 2024

Motion to approve the resolution for Teacher Appreciation Week as presented.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: G. Resolution - Police Week**

**DESIGNATING MAY 12-18, 2024 AS  
VIRGINIA POLICE WEEK**

**WHEREAS**, police officers throughout state of Virginia work tirelessly to protect and serve citizens, enforce laws, keep our neighborhoods, schools and families safe; and

**WHEREAS**, police officers report for duty aware of the sacrifices they may be called upon to make and risk their lives each and every day in order to safeguard the public and enforce laws of the Commonwealth; and

**WHEREAS**, the selfless dedication and bravery of our local, Northumberland County police officers as our safety and well-being is promoted by their devotion to maintaining peace and security; and

**WHEREAS**, Virginia Police Week are opportunities to honor officers and recognize the sacrifices made by the families of those that continue to protect and serve our county and the state of Virginia, and;

**NOW THEREFORE BE IT RESOLVED**, that the Northumberland County Board of Supervisors recognize Virginia Police Week and hereby commends all police officers in the County and in the state of Virginia; and

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

**ADOPTED:** May 9, 2024

Motion to approve the resolution for Police Week as presented.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: H. Resolution - Public Service Recognition Week**

**Public Service Recognition Week  
Resolution of Appreciation**

**WHEREAS:** public servants give tireless efforts every single day to serve Americans at many levels of government.

**WHEREAS:** public servants in Northumberland County include local, state, and federal government employees from varied professions; and

**WHEREAS:** public employees take not only jobs, but solemn oaths;

**WHEREAS:** day in and day out they continue to fulfill their duties by providing the diverse services demanded by the American people of their government with efficiency and integrity; and

**WHEREAS:** without these public servants at every level, continuity would be impossible in a democracy that regularly changes its leaders and elected officials;

**NOW THEREFORE BE IT RESOLVED**, that the Northumberland County Board of Supervisors do hereby announce and proclaim to all citizens and set hereto, that May 5-11, 2024,



is Public Service Recognition Week. All citizens are encouraged to recognize the accomplishments and contributions of government servants within Northumberland County, Virginia.

**Adopted:** May 9, 2024

Motion to approve the resolution for Public Service Recognition Week as presented.

Motion by: Chip Williams, second by: James W. Brann.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: I. ARPA Tourism Funds Review - Bob Bullard, EDC Director**

Economic Development Commission Director, Bob Bullard, explained that the Virginia Tourism Commission offered the County ARPA funds to spur economic activity and travel across the Commonwealth to restore Virginia's tourism industry following the COVID pandemic. Mr. Bullard provided an overview of their awarded funding and explained the categories of how they plan to utilize those funds. He then presented a map of their Billboards In advertising coverage and stated that the grant money received is being put to good use. Mr. Bullard requested that the Board consider approving the invoice for LeisureMedia 360 for banner advertisements.

Vice Chairman Brann stated that Judge McKenney's son has an eagle scout project at the Lodge Landing site and asked what's being done to maintain that.

Assistant County Administrator Basye explained that the pavilion area is a part of the weekly inspections and if anything comes up, Maintenance Supervisor Mr. Albrite notifies staff.

Motion to authorize the Economic Development Commission to move forward with LesuireMedia360 in the amount \$7,200 for banner advertisements.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: J. Lodge Landing Land Based Kayak Launch IFB**

Assistant County Administrator Basye explained that only one bid for each site was submitted and they came back way over what they had budgeted, so there's only enough funding in their ARPA tourism budget to do one site. The EDC members recommended choosing the site at Lodge Landing because there is more traffic, and they feel that it would be utilized more.

Supervisor Fisher asked if Lodge Landing was owned by the State or the County.

Mr. Basye stated that the County owns that land.

Vice Chairman Brann asked if there are any additional funds the County can apply for to continue working on these projects because there is another piece of land at Hampton Hall bridge that would be nice to do something with.

Supervisor Fisher stated that a roadblock they ran into about six years ago at that location was that VDOT required a turning lane which is costly, but he agrees that is a prime piece of land.

Motion to move forward with the bid from Docks of the Bay, LLC for the Land Based Kayak Launch at Lodge Landing in the amount of \$22,000.00 utilizing the County's ARPA Tourism funds.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **Information: K. Update from the Virginia Department of Transportation**

Mr. Vanlandingham provided an update to the Board on behalf of VDOT. He commented on the tornadic activity in early April and thanked others for their support. VDOT's full report can be accessed in board docs.

Supervisor Williams thanked Mr. Vanlandingham for his concerns being addressed last month.

Supervisor Long thanked VDOT for their good work with patching potholes.

Vice Chairman Brann stated that he doesn't believe the public understands how much VDOT is called out and how hard they work to communicate.

Supervisor Fisher expressed his appreciation for VDOT and asked if their mowing contracts address grass being thrown into the highway.

Mr. Vanlandingham stated that there is something within the contracts stating they need to clean the road up after mowing as it is a violation of law.

Chairman Haynie thanked VDOT for their help during the tornado as well as their work around the County.

## **4. County Administrators Report**

### **Information: A. Building Permit Report**

	<b>2024</b>	<b>2023</b>
Const. Cost for Month	\$4,624,318.23	\$4,799,441.93
Total Bldg. Permit Cost for Month	12,370.84	6,392.56
Total Zoning Permit Cost for Month	5,875.00	2,500.00
Total Levy Fee for Month	247.40	127.83

TOTAL CONSTRUCTION COST  
YEAR TO DATE \$18,428,857.91 \$21,115,647.90

**Action: B. Supplemental Appropriation - Sheriff's Department**

Motion to approve a supplemental appropriation for the Sheriff's Department to line item 3102-1111 in the amount of \$424.80 for FBI payroll reimbursement.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: C. Supplemental Appropriation - Sheriff's Department**

Motion to approve a supplemental appropriation for the Sheriff's Department to line item 3102-5805 in the amount of \$400.00 for a tow bill.

Motion by: Chip Williams, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: D. Supplemental Appropriation - Sheriff's Department**

Motion to approve a supplemental appropriation for the Sheriff's Department to line item 3102-1006 in the amount of \$455.00 for ball games worked by deputies.

Motion by: Chip Williams, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: E. Supplemental Appropriation - Animal Control**

Motion to approve a supplemental appropriation for animal control to line item 10-3501-5802 in the amount of \$44.29 for animal friendly plate funds received.

Motion by: James M. Long, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: F. Supplemental Appropriation - National Opioid Settlement**

Motion to approve a supplemental appropriation for National Opioid Settlement to line item 47-5102-3200 in the following amounts with a total of \$32,014.47.

National Opioid Trust Walmart \$ 17,749.57

National Opioid Settlement Fund \$ 3,037.07

National Opioid Trust Allergan \$ 2,015.36

National Opioid Trust CVS \$ 2,540.37

National Opioid Trust TEVA \$ 1,821.39

National Opioid Trust Walgreens \$ 2,922.00  
National Opioid Trust Walgreens \$ 1,928.71

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: G. Northern Neck Regional Jail Board Budget**

County Administrator Tadlock explained that each year the member localities are required to approve the jail budget and it does not require any funds from any of the localities.

Motion to approve the Northern Neck Regional Jail Board Budget in the amount of \$12,228,834.00.

Motion by: James M. Long, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: H. EMS Medication Storage and Distribution Project**

Chief Balderson explained that regulations are taking place and by November 27, 2024, the Department of Emergency Services will be required to store and distribute their own medications and no longer be allowed to get them from the hospitals like years passed. They have been looking for what would be the most efficient and effective way to store as well as track the medications as required. Chief Balderson presented the Board with what is believed to be the best way to move forward with this project, which is by using the vending style machine that has a cabinet along with it.

Supervisor Williams asked if Chief Balderson was recommending the Board move forward with the Fire & Safety quote.

Chief Balderson stated that was their request because they believe that machine allows for expansion in the future for other projects.

Vice Chairman Brann asked if this would be purchased through grant funds.

Assistant County Administrator Basye explained that it was eligible and approved to be purchased through the opioid grant funds.

County Administrator Tadlock made the Board aware that the County has a total of \$77,817.98 in opioid funds.

Motion to approve the quote from Fire & Safety Equipment Company in the amount of \$14,510.00 for the EMS medication storage and distribution project. This purchase will be made utilizing the Opioid Abatement funds.

Motion by: Chip Williams, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **Action, Information: I. Other County Administration Items**

Assistant County Administrator Basye explained that the Board authorized staff to move forward with drafting the VMRC Abandoned or Derelict Vessel grant application for the abandoned vessels at Bridge Creek and Lodge Landing. He informed the Board that another abandoned vessel was brought to their attention in the meantime off the Great Wicomico near Whays Creek, so staff included this vessel on the application as well. In the Board's packet is the draft application for all three abandoned vessels for the Board's consideration.

Supervisor Williams asked if there was any reason to not include the third vessel.

Mr. Basye stated in his opinion there's no reason not to include the third vessel.

Motion to authorize staff to move forward in submitting the VMRC Abandoned or Derelict Vessel grant application for three abandoned vessels located at Bridge Creek, Lodge Landing, and off the Great Wicomico near Whays Creek.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **Information: J. Department Agency Monthly Updates**

Department agency monthly update can be accessed in board docs.

## **5. Committee Reports**

No committee reports were given tonight.

## **6. Board of Supervisor Items**

### **Action: A. Approval of Check Register**

Motion to approve the check register for May 2024.

Motion by: James M. Long, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Chip Williams, AC Fisher, Jr.

Nay: Richard F. Haynie, James W. Brann

### **Information: B. Board Comments**

Supervisor Long asked for an update related to cigarette tax.

County Administrator Tadlock stated that Treasurer King provided information to the Board members which was \$38,282.93 received to date (total of three months).

Supervisor Long asked for an update on the old School Board office.

Mr. Tadlock stated that the Board is in the process of scheduling interviews for the engineering firms and Mr. Basye has started scheduling those.

Supervisor Long asked for an update on the personnel policy.

Mr. Tadlock stated that was updated and it was provided for the Board for their review and consideration.

Vice Chairman Brann would like to see the Board review the Planning Commission's County property recommendation at the July meeting.

## **7. Public Comments**

Mr. Eric Haught, President of the Harbor Point Homeowners Association, came to the Board to talk about their community assets being shut down by the County due to being unsafe. He met with Mr. Marston, Zoning Administrator, to find out what needed to be done for the refurbishment of the assets and Mr. Haught stated he was told they could take them down to the pilings and as long as they were rebuilt the way they were, then they could refurbish them without having to get a permit. So, Mr. Haught stated they got contractors to rebuild the assets as they were originally built. After the job was completed, Mr. Mike Plante, Building Official, sent a notice to them requesting to see the boardwalk and facilities. After review, Mr. Haught stated that Mr. Plante put tape on the assets, closing them. Mr. Haught then requested to have a meeting with Mr. Tadlock, Mr. Marston, Mr. Plante, and another board member and the outcome of that meeting was that this was a non-conforming structure as allowed by Virginia code. He explained that this was agreed upon by all parties that attended the meeting and that they would receive a letter stating this information. The agreement also consisted of adding another stringer as suggested by Mr. Plante. Mr. Haught stated that they were expecting the letter to be sent by Monday from the County, but it was never received so he started to get concerned. Then, when the letter was received, it stated that the structures were unsafe, and he felt that it accused him of lying about the work done on the structure and other statements that he believes are false. Mr. Haught called another meeting with Mr. Tadlock and his assistant, and they discussed that they are allowed to appeal the decision within 30 days but there is no board to appeal to right now. He asked that the County honor the agreement that was shook on in their first meeting.

Supervisor Williams asked what happened to bring the matter back to the County after the job was completed by the contractor.

Mr. Haught stated that some people in the community sent letters to the County related to the issue.

Supervisor Williams told Mr. Haught that he seemingly accused the County of the escalation, but it appears that the escalation occurred within the HOA.

Mr. Haught stated that the County worked with others in the community instead of through the Board of Directors, which frustrated him.

Supervisor Fisher asked what Mr. Mike Rasmussen's complaint is.

Mr. Haught stated that it deals with personalities and politics in their association. He informed the Board that Mr. Rasmussen has been on the Board twice and resigned twice. He objects to everything done in the community.

Mr. Haught closed and stated that he'd like to have another meeting, but he believes that the Supervisors must be present at the meeting.

Mr. Gene Lepley believes that the communication with Mr. Plante has not been good. He provided the Board with examples where he believes his responses have been inadequate and untruthful. He stated that the underlying problem is the lack of communication and the lack of trust. He provided the Board with some examples of larger communication styles that are used by Richmond and Lancaster counties and he concluded that Northumberland does not present themselves well when it comes to transparency and user-friendliness on the website. He stated that the other county websites are more focused on solving the problem rather than just stating a case.

Ms. Kimberly Reuter stated that she's been having issues with her neighbor on non-compliance related to several projects at their property. She believes there is no documentation, permits, or applications on these projects and she brought it to the County and VRMC's attention in February 2024, but there has been no action taken to date. Additionally, she stated that they have a septic leak that she reported to the Department of Health, but she has received no contact from them on this issue.

Chairman Haynie asked Mr. Marston to comment on the issue.

Zoning Administrator Martson explained that he required a survey of the existing improvements that were on site. What was proposed was redevelopment of those existing improvements aside from a little additional that came from removal of impervious cover that was closer to the water than what was approved. Mr. Marston stated that that was approved along with mitigation that's going to have to come after the construction is done.

Ms. Reuter stated that she doesn't believe Mr. Martson's comments align with what she sees.

Mr. Marston stated that he'd be happy to investigate the matter further and meet with Ms. Reuter to show her what was permitted.

Ms. Reuter thanked Mr. Marston and said they'd be in touch.

Chairman Haynie suggested she call the Health Department again to follow up with them.

Vice Chairman Brann stated that he feels when someone has an issue, they shouldn't hear that it's not the County's problem. He believes that if County staff cannot solve the issue, staff is responsible for helping find a solution for the citizen or finding them a contact for someone who can solve the problem.

Chairman Haynie stated they could meet onsite tomorrow at 12:00p.m. to discuss the issue. He looked to Mr. Marston to see if he could make the meeting.

Mr. Martson stated that he was scheduled to be off, but he would be there. Ms. Reuter stated that she has a conflict, so she requested to meet on Monday.

Mr. Marston stated that he will make Monday work, but he's unsure of his prior appointments at this time.

Mr. Tom Jeffries thanked the Board for inviting Dominion to the Board meeting a few months back to let them hear the public's concerns about the wireless radiation and smart meters. Mr. Jeffries stated that a Dominion representative agreed to provide the safety information from the manufacturer of the smart meters, so he asked if the Board received that information.

Chairman Haynie asked Mr. Tadlock if he received this information from Dominion.

Mr. Tadlock stated that he forwarded the Board any information received from Dominion.

Chairman Haynie asked Mr. Tadlock to reach out to Dominion tomorrow and request that information.

Mr. Jeffries provided the Board with a resolution that he'd like them to consider adopting to allow for opting out of smart meters for citizens who have concerns.

Dr. Pica and Dr. Blizzard offered assistance to the Board regarding a timeline for budget approval.

Vice Chairman Brann stated that hopefully the State will make a decision by the 15<sup>th</sup> and the Board will be scheduling some work sessions in the meantime.

Mr. Doug Morrisette lives in Harbor Point, and he'd like to walk the boardwalk so he can access the beach.

Mrs. Denise Mazyck stated that there's no better way to show teacher appreciation than making them a priority by voting positively tonight for the school budget.

Mr. Paul Cary thanked the Board for the urgency they've demonstrated on the VMRC application and thanked Mr. Basye for his good work.



Mr. Richard Lensis thanked the Board and County Administration for their swift and excellent work on the VMRC application.

Supervisor Fisher stated that it's his understanding there is a bid submitted for the removal of the vessel.

Assistant County Administrator Basye stated that VMRC received quotes from a contractor who could potentially perform the removal of the vessels at Lodge and Bridge Creek so the County could get a rough idea of what it would cost when putting the application together. However, the application process is still in progress and no funds have been received to move forward with putting that out for bid.

*\*\*Chairman Haynie requested a 10-minute recess.*

*\*\*Closed Meeting was postponed to the end of the meeting as agreed upon by the Board of Supervisors during the approval of the agenda.*

## **8. 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)(3)(8); 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. 8. Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

Motion by: James W. Brann, second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **Action: B. Reconvene into Open Meeting**

Motion to reconvene into open session.

Motion by: James W. Brann, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **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, AC Fisher, Jr., James M. Long, James W. Brann, Charles H. Williams

Motion by: James W. Brann, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action: D. Action(s) taken from Closed Meeting, Old EVB Building Deed Transfer**

Motion to advertise a public hearing on June 13, 2024 to consider transferring the deed of the Old EVB Building property (School Board office) to the School Board.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**9. Public Hearings 7:00 P.M.**

**Action, Information: A. Request by Robert W. Jacey, Trustee, owner, for a Conditional Use Permit to construct a commercial pier on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel # 43-(1)-194 and is located at 619 Train Lane.**

Mr. Roger McKinley, agent, presented the project to the Board and shared several stories about Mr. Jacey and his contributions to the community.

**Public Hearing Open.**

Mrs. Anna Ransome stated that she is an adjacent landowner and never got notification related to this application, although her mother did receive notification of the application. She doesn't believe that a commercial dock should be allowed on residential property as it is residential for a reason. Mrs. Ransome shared her concerns related to security and stated that she believes it will ruin a nice part of the creek.

Mrs. Susan Wagner stated that the purpose of the application was to gain access to the vineyard and restaurant, claiming they have no other alternative. She explained that several sources state otherwise and lists the number of docks they already have. Mrs. Wagner shared her concerns with the commercial entity increasing traffic on the creek and limiting the boatable waters for the rest of the residents. She stated that if this application gets approved, they have some conditions they'd like to see enforced which are: no overnight mooring, no electric, no water, no sanitation, no lighting, no fueling, no provisioning of boats, no peer events or parties, and not establishing a "no wake" zone around the pier. Mrs. Wagner encouraged the Board to look at the NOAA nautical chart to truly determine how much space the boaters are going to have in that waterway.

Mr. Patrick Neill shared his concern for a future owner expanding and utilizing what would already be an existing commercial pier permit.

Mrs. Anne Parker lives directly across the creek, and she expressed her concerns about precedent and light pollution.

Mr. Henry Lucas stated that he's not against the proposed pier, however, he is concerned about precedent, so he suggested the conditional use be very limited.

Mrs. Anne Relsan agreed with everyone's comments tonight and shared her concerns about light pollution.

Mrs. Andrea Levine also shared her concerns about setting a precedent and she believes this is a non-conforming use. She stated that there is easy access to the vineyard via land or water, so she believes that this proposed dock is unnecessary.

Mr. Kent Eanes also expressed his opposition to the commercial pier.

A gentleman from the public doesn't understand why the Board would allow a commercial pier on a residential property.

Supervisor Williams asked staff to speak on this.

Zoning Administrator Marston stated that the parcel in question isn't tied to the winery, but the owner of the business also owns that residential lot and that is the purpose of this process.

Supervisor Williams asked if the applicant didn't have the winery, could he still come before the Board with the same request.

Mr. Marston confirmed that he could.

Mr. Meehin William believes that the \$30,000 quote on the application is an attempt to minimize the impact the commercial pier will have on the creek.

Mr. Tommy Burn is the acting CFO of the vineyard and he stated that it's not a fancy dock so that's why the cost is low. He explained that there are three working docks, and he doesn't see how the water skiing, or the tubing could be affected.

Mrs. Brina Brennan stated that her and the community have nothing against the winery, but they simply do not want commercial pier on their creek.

Mr. Ransome stated that he thought there were building codes that required electric and lighting for safety purposes.

Chairman Haynie asked if staff had an answer to his concern.

Zoning Administrator Marston stated that he does not have an answer to that related to the building code.

## **Public Hearing Closed.**

Mr. McKinley explained that the commercial entity is the restaurant and will not be at the pier.

Supervisor Fisher addressed some concerns related to trees being cut down, roads, and who monitors those who may tie up to the dock at nighttime. Mr. Fisher informed the public that the Marine Police enforce the no nighttime tying up. To get a no wake sign, that would have to go through the department of game and inland fisheries as well as the County. There will be no electricity as it would cost a lot of money. Additionally, the Amry Corp of Engineers has already signed off on the project, so they feel there are no navigation problems there. Supervisor Fisher also explained to his understanding that the conditional use permit is non-transferable.

County Attorney Gregory stated that often times localities will impose a condition upon permits like these, for example that the conditional use permit expires upon transfer of the property.

Supervisor Fisher asked Mr. McKinley if the pier is going to be used at nighttime.

Mr. Burns stated that the restaurant closes at 5:00 p.m. and the only time it's open at night at the moment is on Fridays until 8:30 p.m.

Supervisor Williams asked for clarification from Mr. Gregory on the permit being non-transferable.

County Attorney Gregory explained that the Board could impose a condition upon the permit such that the conditional permit expires upon the transfer/sale of the property to a new owner. So, the CUP for the commercial pier would still be there, but the new owner would have to apply for a new permit since the other one expired upon the sale of the property. In addition, Mr. Gregory informed the Board that the CUP could be granted for a period of years. Mr. Gregory suggested that the Board consider deferring action until the next meeting to allow for the applicant to work on potential conditions that could address some of the neighbor's concerns.

Motion to table a decision to the regular Board of Supervisors meeting on June 13, 2024.

Motion by: AC Fisher, Jr., second by: Chip Williams.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: B. Request by Charles H. Williams, III, owner, for a Conditional Use Permit to install a boat canopy on property zoned R-2, Residential Waterfront. The property is shown as Tax Map Parcel #38-(1)-303-A and is located at 386 Seaboard Drive.**

## **Public Hearing Open.**

No comments were made.

## **Public Hearing Closed.**

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.
2. The boat canopy shall be situated as shown on the joint permit application.
3. The boat canopy shall be well maintained from damage and shall be replaced if tearing occurs that could cause a nuisance.

Motion to approve the conditional use permit to install a boat canopy 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: Richard F. Haynie, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, AC Fisher, Jr.

Abstain: Chip Williams

**Action, Information: C. A revision to the Northumberland County Zoning Ordinance § 148-155, Solar Energy Facilities, to increase the minimum setback from 25 feet to 50 feet, revise the first decommission plan review period to two years after completion, and thereafter every five years, and to state that after decommissioning plan review that if the cost to decommission has increased, then the decommissioning surety must increase by the same amount.**

County Planner Stuart McKenzie presented the revision of the zoning ordinance to the Board.

**Public Hearing Open.**

No comments were made.

**Public Hearing Closed.**

Motion to approve the revision to the Northumberland County Zoning Ordinance § 148-155, Solar Energy Facilities, to increase the minimum setback from 25 feet to 50 feet, revise the first decommission plan review period to two years after completion, and thereafter every five years, and to state that after decommissioning plan review that if the cost to decommission has increased, then the decommissioning surety must increase by the same amount.

Motion by: James M. Long, second by: AC Fisher, Jr.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: D. A revision to the Northumberland County Zoning Ordinance § 148 to revise Attachment A: Usage Table: Office Buildings from a by-right use in R-1, Residential General and R-2 Residential Waterfront to conditional use in R-1, Residential General and R-2 Residential Waterfront.**

County Planner Stuart McKenzie presented the revision of the zoning usage table to the Board.

**Public Hearing Open.**

No comments were made.

**Public Hearing Closed.**

Motion to approve the revision to the Northumberland County Zoning Ordinance § 148 to revise Attachment A: Usage Table: Office Buildings from a by-right use in R-1, Residential General and R-2 Residential Waterfront to conditional use in R-1, Residential General and R-2 Residential Waterfront.

Motion by: Chip Williams, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

**Action, Information: E. Consideration of the Northumberland County Capital Improvement Plan for the period FY 2025-2030.**

Mr. McKenzie explained that the Planning Commission recommends the approval of the CIP included in the Board's packet. The CIP subcommittee worked with all department heads in relation to their needs and approved projects that were considered necessary. Mr. McKenzie provided a spreadsheet that displays all the projects along with their associated costs. The total cost for FY25 is \$2,790,363.

Assistant County Administrator Drew Basye noted that the school construction funds are listed at \$1,278,874, but that is the total cost of the projects the school provided to them. He explained that the amount of the construction funds is a little bit less than the amount listed.

**Public Hearing Open.**

Dr. Karen Pica expressed her support for the capital improvement plan.

**Public Hearing Closed.**

Motion to approve the Northumberland County capital improvement plan for the period FY 2025-2030 as presented to the Board of Supervisors.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

*\*\*The Board convened into closed meeting at this time. See "Items Related to Closed Meeting."*

## **10. Closing of Meeting**

### **Action, Information: A. MOU - Local Board of Building Appeals**

Motion to authorize the County Administrator to enter into a memorandum of understanding with Lancaster County so that the Lancaster County Board provides the services of the local board of building appeals to the County.

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

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.

### **Action: B. Carry Over**

Motion to carry over to the special called meeting on May 15, 2024 at 2:00 p.m.

Motion by: Richard F. Haynie, second by: James M. Long.

Final Resolution: Motion Carried

Aye: James M. Long, Richard F. Haynie, James W. Brann, Chip Williams, AC Fisher, Jr.