Thursday, November 9, 2023 Regular Meeting

220 Judicial Pl. Heathsville, VA 22473

5:30 P.M. Regular Meeting

7:00 P.M. Advertised Public Hearings

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

Subject: A. Invocation - Pastor Lee Farmer of Coan

Baptist Church

Meeting: Nov 9, 2023 - Regular Meeting

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

Type: Procedural

Subject: B. Pledge of Allegiance

Meeting: Nov 9, 2023 - Regular Meeting

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

Type: Procedural

Subject: C. Approval of Agenda

Meeting: Nov 9, 2023 - Regular Meeting

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

Type: Action

Recommended Action: Motion to approve the agenda for today's meeting with

the suggested revisions.

Motion & Voting

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

Subject: A. October 12, 2023 Regular Meeting

Meeting: Nov 9, 2023 - Regular Meeting

Category: 2. Approval of Minutes

Type: Action, Minutes

Recommended Action: Motion to approve the minutes from the regular

meeting on October 12, 2023.

Minutes: View Minutes for Oct 12, 2023 - Regular Meeting

Motion & Voting

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

Subject: A. Update from Northumberland County

Schools

Meeting: Nov 9, 2023 - Regular Meeting

Category: 3. Presentations

Type: Information

Public Content

File Attachments

School Highlights.pdf (1,478 KB) Omega Report.pdf (206 KB)

Subject: B. Update from the Virginia Department of

Transportation

Meeting: Nov 9, 2023 - Regular Meeting

Category: 3. Presentations

Type: Information

File Attachments

Northumberland BOS Report 11-2023 - Google Docs.pdf (142 KB)

Subject: C. Rob Mangrum- School Drainfield

Project

Meeting: Nov 9, 2023 - Regular Meeting

Category: 3. Presentations

Type: Action

Recommended Action: Motion to advertise the invitation for bid (IFB) for the

wastewater treatment changes at the Middle/High

School.

File Attachments

11.9.2023 Mangrum.pdf (161 KB)

Motion & Voting

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

Subject: D. Mr. Jerry Davis - Potential DHCD

Planning Grant

Meeting: Nov 9, 2023 - Regular Meeting

Category: 3. Presentations

Type: Action, Information

Recommended Action: 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 & Voting

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

4. County Administrators Report

Subject: A. Building Permit Report

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Information

Subject: B. Re-appointment - Paul Carlson, Local Board of

Social Services

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: Motion to approve the re-appointment of Mr. Paul

Carlson on the Local Board of Social Services.

Motion & Voting

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

Subject: C. Supplemental Appropriation - Sheriff's

Department

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: Motion to approve the supplemental appropriation to line

item 3102-3012 in the amount of \$987.00 for vehicle

repairs.

File Attachments

SheriffAppropriation1.pdf (18 KB)

Motion & Voting

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

Subject: D. Supplemental Appropriation - Sheriff's

Department

Meeting: Nov 9, 2023 - Regular Meeting
Category: 4. County Administrators Report

Type: Action

Recommended Action: Motion to approve the supplemental appropriation to line

item 3102-1006 in the amount of \$568.75 for ball games.

File Attachments

SheriffAppropriation2.pdf (16 KB)

Motion & Voting

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

Subject: E. Supplemental Appropriation - Sheriff's

Department

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: 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.

File Attachments

SheriffAppropriation3.pdf (18 KB)

Motion & Voting

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

Subject: F. Supplemental Appropriation - Sheriff's

Department

Meeting: Nov 9, 2023 - Regular Meeting
Category: 4. County Administrators Report

Type: Action

Recommended Action: Motion to approve the supplemental appropriation to line

item 3102-1006 in the amount of \$1,627.50 for ball

games.

File Attachments

SheriffAppropriation4.pdf (17 KB)

Motion & Voting

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

Subject: G. Supplemental Appropriation - Opioid Abatement

Settlement Funds

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: 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.

File Attachments

OpioidAbatementSettlementFunds.pdf (40 KB)

Motion & Voting

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

Subject: H. Supplemental Appropriation - Litter

Grant

Meeting : Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: 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.

File Attachments

LitterGrantAppropriation.pdf (32 KB)

Motion & Voting

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

Subject: I. Compensation Board and 2% Salary

Adjustments

Meeting: Nov 9, 2023 - Regular Meeting
Category: 4. County Administrators Report

Type: Action

Recommended Action: 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.

File Attachments

Supplemental Appropriation 2 percent comp board.pdf (75 KB)

Motion & Voting

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

Subject: J. New Courts Building Roof

Discussion

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Action

Recommended Action: Motion to advertise a request for proposal (RFP) for

engineering services on the repair of the new courthouse

building roof.

Motion & Voting

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

Subject: K. RFP- Auditing Services

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Information

File Attachments

Draft Audit RFP.pdf (1,402 KB)

Subject: L. Budget Request Form Draft

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Information

Subject: M. Other County Administration Items

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Information

Subject: N. Department Agency Monthly

Updates

Meeting: Nov 9, 2023 - Regular Meeting

Category: 4. County Administrators Report

Type: Information

File Attachments

RSD Monthly Sheet for BOS October 2023 10-30-23.pdf (66 KB)

Zoning Monthly Report 10-2023.pdf (120 KB)

Building Dept Monthly Report.pdf (29 KB)

Monthly Report cover DSS September, 2023.pdf (83 KB)

agency stats September, 2023 (1).pdf (202 KB)

Monthly Report cover, September, 2023 CSA (1).pdf (85 KB)

IT Monthly Report - October 2023.pdf (248 KB)

Library Report to Board of Supervisors Nov 2023.pdf (3,494 KB)

2023 11 Monthly Report County Admin.pdf (247 KB)
Monthly Report EDC (October 2023).pdf (2,151 KB)

Stuart McKenzie Monthly Report Oct 2023.pdf (2,123 KB)

5. Board of Supervisor Items

Subject: A. Approval of Check Register

Meeting: Nov 9, 2023 - Regular Meeting

Category: 5. Board of Supervisor Items

Type: Action

Recommended Action: Motion to approve the check register for

November 2023.

File Attachments

BOS November 23 Check Register.pdf (12 KB)

Motion & Voting

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

Subject: B. Board Comments

Meeting: Nov 9, 2023 - Regular Meeting

Category: 5. Board of Supervisor Items

Type: Information

Subject: C. Committee Updates

Meeting : Nov 9, 2023 - Regular Meeting

Category: 5. Board of Supervisor Items

Type: Information

File Attachments

JFC_Executive Summary_Nov_23.pdf (448 KB)

JFC Scope.pdf (445 KB)

6. Items Related to Closed Meeting

Subject: A. Convene into Closed Meeting

Meeting: Nov 9, 2023 - Regular Meeting

Category: 6. Items Related to Closed Meeting

Type: Action

Recommended Action: 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 & Voting

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

Subject: B. Reconvene into Open Meeting

Meeting: Nov 9, 2023 - Regular Meeting

Category: 6. Items Related to Closed Meeting

Type: Action

Recommended Action: Motion to reconvene into open

session.

Motion & Voting

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

Subject : C. Certification of Closed Meeting

Meeting: Nov 9, 2023 - Regular Meeting

Category: 6. Items Related to Closed Meeting

Type: Action

Recommended Action: 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

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:

Ave: Richard F. Haynie, Thomas H. Tomlin, James M. Long,

James W. Brann, Maurice E. Johnson

Motion & Voting

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

Subject: D. Action taken from Closed Meeting, Assistant Chief

of Emergency Services

Meeting: Nov 9, 2023 - Regular Meeting

Category: 6. Items Related to Closed Meeting

Type: Action

Recommended Action: Motion to hire Mr. Ethan Harding as the Assistant Chief

of Emergency Services with a starting salary of

Motion & Voting

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

Subject: E. Action taken from Closed Meeting, Supplemental

Appropriation

Meeting: Nov 9, 2023 - Regular Meeting

Category: 6. Items Related to Closed Meeting

Type: Action, Information

Recommended Action: 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 & Voting

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

8. Public Hearings 7:00 P.M.

Subject: 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.

Meeting: Nov 9, 2023 - Regular Meeting

Category: 8. Public Hearings 7:00 P.M.

Type: Action

Recommended Action: 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.

File Attachments

Jacobs.pdf (1,382 KB)
BOS 11 10 2023 ad echo.pdf (62 KB)
Suggested Conditions 11-9-2023.pdf (78 KB)

Motion & Voting

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

Subject: 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.

Meeting: Nov 9, 2023 - Regular Meeting

Category: 8. Public Hearings 7:00 P.M.

Type: Action

Recommended Action: 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.

File Attachments

Malley.pdf (5,407 KB)
BOS 10 12 2023 ad echo.pdf (62 KB)
Suggested Conditions 11-9-2023.pdf (78 KB)

Motion & Voting

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

Subject: 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.

Meeting: Nov 9, 2023 - Regular Meeting

Category: 8. Public Hearings 7:00 P.M.

Type: Action

Recommended Action: 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.

File Attachments

Dawood-1.pdf (3,005 KB)
BOS 10 12 2023 ad echo.pdf (62 KB)
Suggested Conditions 11-9-2023.pdf (78 KB)
AFD LLC Powerpoint Presentation.pdf (991 KB)

Motion & Voting

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

Subject: 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.

Meeting: Nov 9, 2023 - Regular Meeting

Category: 8. Public Hearings 7:00 P.M.

Type: Information

File Attachments

Neill Office Complex LLC.pdf (2,857 KB) BOS 11 10 2023 ad echo.pdf (62 KB)

9. Closing of Meeting

Subject: A. Carry Over

Meeting: Nov 9, 2023 - Regular Meeting

Category: 9. Closing of Meeting

Type: Action

Recommended Action: Motion to carry over to Board of Supervisors and School

Board joint meeting on November 30, 2023 at 5:30 p.m.

Motion & Voting

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