

**RICHMOND COUNTY BOARD OF SUPERVISORS**

**August 14, 2014**

**MINUTES**

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 14th day of August, 2014, thereof in the Public Meeting Room of the County Office Building.

Present:

F. Lee Sanders, Chairman  
Richard E. Thomas, Vice-Chairman  
Jean C. Harper, Member  
John L. Haynes, Jr., Member  
Robert B. Pemberton, Member

Also Present:

R. Morgan Quicke, County Administrator  
Denise Dunaway, Development Services Manager  
John Brown, Richmond County Public Schools  
Sheriff Douglas Bryant  
Greg Baker, EMS  
Randy Passagaluppi, RCVFD Chief  
Jennifer Delano, Commissioner of the Revenue  
Edith Anne Sanders, Treasurer  
Vanessa Livingstone, DSS Director  
Tayloe Emery  
Anne Tayloe Neuman  
Frank Albert Johnson, Jr.  
David Brown, VDOT Residency Administrator

**WELCOME AND CALL TO ORDER – CHAIRMAN SANDERS**

Chairman Sanders called the meeting to order at 9:00 a.m. and led the invocation and Pledge of Allegiance.

**SHERIFF**

Sheriff Bryant reported that the Sheriff’s Office has dispatched 650 calls for service (police, fire & rescue) since July 10, 2014. There have been 5033 calls this year.

The Northern Neck Regional Jail population for Richmond County this week is 24.

Sheriff Bryant reported that the total delinquent fines and costs collected for the month of July was \$20.00. \$123,963.71 has been collected since April 2007.

Sheriff Bryant told the Board that he recently received information from Chris Jett that we will be moving forward with the security camera upgrade. A meeting will be scheduled with Communication Specialist, Inc. in order to discuss the details.

Sheriff Bryant reported that the School Resource grants have been approved for the second year. The SRO's have been working the regular shift through the summer and will be returning to the schools on August 25, 2014.

The Sheriff's Office is working the Richmond County Fair this week and off duty deputies will be working the law enforcement tent.

### **ANIMAL CONTROL**

Sheriff Bryant reported that the Animal Control Deputies are in the second week of their basic training and they should be finished next week.

Sheriff Bryant presented the following Animal Control report for the month of July: 48 total calls answered, 12 were wildlife; 13 dogs transferred to the pound; 2 cat calls; and 1 dog bite.

### **TREASURER**

Ms. Edith A. Sanders, Treasurer, presented the Trial Balance Report for the month of July 2014.

### **COMMISSIONER OF THE REVENUE**

Mrs. Jennifer Delano, Commissioner, stated that the personal property and real estate work is moving along. Mrs. Delano hopes that the Real Estate book will be completed and printed by early September and the Personal Property to follow in early October.

Mrs. Delano told the Board that Fred Pearson has given her a tentative schedule for the remaining work that has to be done. Mrs. Delano informed the Board that all field work should be complete by September 1st, data entry is expected to be finished by October 17<sup>th</sup>, and reassessment notices should be mailed by October 27<sup>th</sup>. It looks like hearing appointments will be scheduled through November 28<sup>th</sup> and the final book print date by December 5<sup>th</sup>. Mrs. Delano told the Board that she hopes to stick to the schedule in order to assure that everything will be complete by January 1, 2015.

### **EMERGENCY SERVICES**

Greg Baker gave the following report for the month of July 2014: 132 calls; 2 calls for mutual aid into Richmond County; 4 calls for mutual aid to bordering counties; 2 calls handled with assistance from off-duty providers and fire department members; 2 fly-outs; and multiple standbys with little or no issues.

Mr. Baker stated that the total amount collected during the month of July for recovery billing was \$17,864.00.

**RICHMOND COUNTY VOLUNTEER FIRE DEPARTMENT**

Chief Randy Passagaluppi, RCVFD, presented the following report for July 2014: Company 1: 23 calls (2 EMS assists); Company 2: 14 calls (6 EMS assists); Company 3: 4 calls (3 EMS assists). Total calls for the month of July 2014 – 41 (11 EMS assists).

Chief Passagaluppi reported that they responded to a structure fire at 1320 Mulberry Road that displaced three adults. The Red Cross was called for assistance.

**PUBLIC COMMENT**

Ms. Anne Newman informed the Board that her family resides at Mount Airy and she has concerns with the proposed paving project on Millpond Road.

Mr. Tayloe Emery stated that he was representing the Tayloe family, owner of Mount Airy. He told the Board that the dirt road has been part of the driveway to Mount Airy for years and a signer of the Declaration of Independence is buried at the end of the dirt road. Mr. Emery asked the Board to consider relooking at this issue and leave Millpond Road like it is. Mr. Emery said that the county is only as beautiful as its dirt roads.

Mr. Frank Johnson spoke to the Board about the proposed VDOT Intersection project. He asked the citizens, Sheriff’s Office, and town police to be proactive and encourage safety due to the increase in pedestrian traffic. Mr. Johnson informed the Board that Bay Transit is starting a Neck Connect bus route from Montross to Callao, which will include two stops on Main Street.

**RESOLUTION – RAPPAHANNOCK HIGH SCHOOL GIRLS SOFTBALL TEAM, STATE CHAMPIONS**

*“On a motion made by Richard Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to adopt the following resolution:”*

**A Resolution Recognizing Rappahannock High School’s Softball Team**

**WHEREAS**, the Rappahannock High School Softball team competed and won the State 1A Championship in Radford, Virginia on June 14, 2014; and

**WHEREAS**, the Rappahannock High School Softball team consisted of Xenna Belfield, Hallie Berger, Courtney Berhalter, Rachel Douglas, Megan Elbourn, Hailee Green, Myra Hall, Katelin Hamilton, Alexandra Hanks, NaJocelyn Jackson, Brandi Mulvena, Rhiannon Mulvena, Mikayla Rapp, Summer Sanders, Chelsea Smith, Jenna Whelan, Jordan Whelan and was led by their Coaches Ms. Ellen Gaines and Mrs. Dori Sanders; and

**NOW BE IT RESOLVED** by the Richmond County Board of Supervisors that we express our congratulations, admiration and pride to this outstanding group of Rappahannock High School students and their coaches for their exceptional accomplishments at the State level.

**BE IT FURTHER RESOLVED** that a copy of this resolution is made a part of the minutes of the August 14, 2014 meeting of the Board of Supervisors of Richmond County, Virginia.

August 14, 2014

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F. Lee Sanders, Chairman  
Richmond County Board of Supervisors

Chairman Sanders recognized the Rappahannock High School softball team. Each member was presented a signed copy of the resolution.

Mr. John Brown congratulated the RHS Softball Team on behalf of the Richmond County School Board.

Ms. Ellen Gaines, Coach of the RHS Softball Team, thanked the Board for the recognition and told the Board that the team was also given the sportsmanship award. Ms. Gaines also congratulated the Richmond County Little League softball team for winning the state title. Ms. Gaines stated that she is looking forward to the softball team's success for many years to come.

**RESOLUTION – MRS. CAROLYN GRAY, BAY AGING BOARD OF DIRECTORS – RICHMOND COUNTY**

*“On a motion made by Richard Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to adopt the following resolution:”*

**A Resolution Recognizing the Service of Mrs. Carolyn Gray to the Bay Aging Board of Directors as a Representative of Richmond County**

**WHEREAS**, Mrs. Carolyn Gray is the longest serving member of the Bay Aging Board of Directors, serving two terms as a representative from Richmond County from July 1991 until June 1998 and again from October 2004 until June 2014; and

**WHEREAS**, Mrs. Carolyn Gray began her career working in Social Services and continues to hold a lifelong passion for those who are less fortunate, and championed causes to benefit those with disabilities and special needs; and

**WHEREAS**, Mrs. Carolyn Gray had a keen interest in Economic Development, especially in Richmond County, that would benefit Senior Citizens; and

**WHEREAS**, Mrs. Gray had a vested interest in the staff of Bay Aging and was very proud of all of their achievements both personal and professional; and

**NOW BE IT RESOLVED** by the Richmond County Board of Supervisors that we express our sincere appreciation to Mrs. Carolyn Gray for being a lifelong supporter of Richmond County and especially her dedication to the Bay Aging Board of Directors for many years. Her service to the County in this capacity made the quality of life better for many of her fellow citizens.

**BE IT FURTHER RESOLVED** that a copy of this Resolution is made a part of the minutes of the August 14, 2014 meeting of the Richmond County Board of Supervisors.

August 14, 2014

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F. Lee Sanders, Chairman  
Richmond County Board of Supervisors

Chairman Sanders thanked Mrs. Gray for her services and presented her with a framed copy of the resolution.

**VDOT**

Mr. David Brown informed the Board that the mowing has been completed on the primary and secondary roads and this will be done again this fall and next spring. Crews are busy patching holes, surface treatment, and cutting back vegetation.

Mr. Brown told the Board that a public hearing is scheduled for August 26, 2014 at the Town Office regarding the Intersection Project for Rt. 360 in Warsaw.

Mr. Brown explained the upcoming Resolutions that the Board will consider for Rt. 646 and Rt. 664. Both projects will allow the non-surface roads to receive a surface treatment, which will allow the road to be maintained better. Mr. Brown provided the Board with the updated traffic counts and updated the Board on upcoming projects.

Mr. Haynes questioned the number of dwellings located on Millpond Road. Mr. Brown estimated that there are four to five dwellings on Millpond Road.

**VDOT RESOLUTION – ROUTE 646 MILLPOND ROAD**

*“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – nay; Robert B. Pemberton – aye: to adopt the following resolution:”*

**RESOLUTION**

**RURAL RUSTIC ROAD PROJECT**  
**ROUTE 646 – MILLPOND ROAD**

The Board of Supervisors of Richmond County in regular meeting on the 14<sup>th</sup> day of August 2014 adopted the following:

WHEREAS, Section §33.1-70.1 of the Code of Virginia, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

WHEREAS, any such road must be located in a low-density development area and have no more than 1500 vpd; and

WHEREAS, the Board of Supervisors of Richmond County, Virginia (“Board”) requests that Route 646, Millpond Road, from 0.55 miles north of Route 360 to Route 621, be designated a Rural Rustic Road; and

WHEREAS, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

WHEREAS, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

WHEREAS, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

WHEREAS, the Board believes that this road should be so designated due to its qualifying characteristics; and

NOW, THEREFORE, BE IT RESOLVED, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

BE IT FURTHER RESOLVED, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

Recorded Vote

A Copy Teste:

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Signed \_\_\_\_\_

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

**VDOT RESOLUTION – ROUTE 664 EMMANUEL CHURCH ROAD**

*“On a motion made by Robert Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye; to adopt the following resolution:”*

**RESOLUTION**

**RURAL RUSTIC ROAD PROJECT**  
**ROUTE 664 – EMMANUEL CHURCH ROAD**

Richmond County Board of Supervisors Minutes: August 14, 2014

The Board of Supervisors of Richmond County in regular meeting on the 14<sup>th</sup> day of August 2014 adopted the following:

**WHEREAS**, Section §33.1-70.1 of the Code of Virginia, permits the improvement and hard surfacing of certain unpaved roads deemed to qualify for designation as a **Rural Rustic Road**; and

**WHEREAS**, any such road must be located in a low-density development area and have no more than 1500 vpd; and

**WHEREAS**, the Board of Supervisors of Richmond County, Virginia (“Board”) requests that Route 664, Emmanuel Church Road, from Route 637 to the End of State Maintenance, be designated a Rural Rustic Road; and

**WHEREAS**, the Board is unaware of pending development that will significantly affect the existing traffic on this road; and

**WHEREAS**, this road is in the Board’s six-year plan for improvements to the secondary system of state highways; and

**WHEREAS**, the general public and particularly those citizens who own land abutting this road have been made aware that this road may be paved with minimal improvements as is consistent with the development of a rural rustic road project; and

**WHEREAS**, the Board believes that this road should be so designated due to its qualifying characteristics; and

**NOW, THEREFORE, BE IT RESOLVED**, the Board hereby designates this road a Rural Rustic Road, and requests that the Residency Administrator for the Virginia Department of Transportation concur in this designation.

**BE IT FURTHER RESOLVED**, the Board requests that this road be hard surfaced and, to the fullest extent prudent, be improved within the existing right of way and ditch-lines to preserve as much as possible the adjacent trees, vegetation, side slopes, and rural rustic character along the road in their current state.

**BE IT FURTHER RESOLVED**, that a certified copy of this resolution be forwarded to the Residency Administrator for the Virginia Department of Transportation.

Recorded Vote

A Copy Teste:

Moved By: \_\_\_\_\_

Seconded By: \_\_\_\_\_

Yeas: \_\_\_\_\_

Nays: \_\_\_\_\_

Signed \_\_\_\_\_

Printed Name \_\_\_\_\_

Title \_\_\_\_\_

Mr. Thomas asked Mr. Brown about the speed limit on Scott Town Road, which was brought up at the last meeting. Mr. Brown stated that the Resolution is in process and once that is received, a speed limit sign will be posted.

Mr. Quicke asked if speed bumps would be an option on Scott Town Road. Mr. Brown told Mr. Quicke that there is a process to follow if speed bumps were needed, but they are not being considered at this time.

Mr. Thomas asked about locating rumble strips just before the houses on Scott Town Road. Mr. Brown advised that they would have to review that option.

**DEPARTMENT OF EMERGENCY SERVICES – STAFFING CHANGES**

Mr. Quicke reminded the Board about the staffing changes made last year to the EMS Department, which added two full-time staff positions to the rotating shifts, decreased the costs to the part-time pool, and eliminated two staff vehicles. This allowed the full-time staff to go from 6 to 8, which meant that two of the shifts were staffed with three full-time providers, while one of the shifts had only two full-time providers. It was discussed at that time that ideally the department wished to have 9 full-time employees; therefore, having three full-time providers per shift. This has not been done due to budget constraints.

Mr. Quicke realized the opportunity to move the department in that direction within the approved FY15 budget. Mr. Quicke explained that recently one of the current ALS certified full-time providers resigned, which allows the department to hire two BLS providers to replace the one ALS provider, which would give all three shifts three full-time providers.

Mr. Baker outlined the plan to the Board and explained the benefit of having three full-time providers on all three shifts. Mr. Baker stated that he would stay within his budget.

***“On a motion made by John L. Haynes, Jr., the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to approve the Department of Emergency Services staffing changes.”***

**MERRIMAC CENTER JUVENILE DETENTION – CHANGE TO MEMBERS AGREEMENT – RESOLUTION**

Mr. Quicke asked the Board to table this agenda item until after the October Merrimac Center Juvenile Detention meeting.

**NORTHERN NECK TOURISM COMMISSION – APPOINTMENT**

Mr. Quicke asked the Board to consider appointing Joseph Quesenberry to the Northern Neck Tourism Commission. Mr. Quicke informed the Board that Mr. Quesenberry is very interested in the issue and has past experience working in the industry.

***“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to appoint Joseph Quesenberry to the Northern Neck Tourism Commission.”***

**FARNHAM CREEK BOAT LANDING PRESENTATION**

Mr. Joseph Quesenberry provided the Board with a power point presentation explaining the details of the grant application that would assist in the repair of the Farnham Creek Boat Landing. ([See Attachment 1](#))

Mr. Thomas asked if there were any historical grants available. Mr. Quesenberry informed Mr. Thomas that this grant is the only one he came across, but he would explore that

possibility. Mr. Quesenberry told the Board that he applied for a \$1500 grant through the Chesapeake Bay Restoration Fund that would pay for new directional signs and two on-premise signs.

Mr. Thomas also questioned if the Friends of the Rappahannock could assist. Mr. Quesenberry said he would check into that possibility.

Mr. Quicke said that he thought the engineer's estimate was high. Mr. Quicke said that Mr. Quesenberry had devoted a lot of time and work into this project and they had two options- repair the ramp or close the site to trailer traffic. Mr. Quicke said that a resolution would need to be approved in September if the Board chooses to move forward since the applications are due by October 1, 2014.

Mr. Haynes asked where the additional funds would come from. Chairman Sanders stated that there was money in the Community Park Fund, which has been set aside to spend for public use. Mr. Haynes stated that he was fully supportive. Mr. Quicke informed the Board that the Community Park fund has a balance of \$20,196.00.

Mr. Thomas recommended asking for private donations.

The Board agreed to move forward with this project and to include the resolution adoption at the September 11, 2014 meeting.

#### **MONTHLY APPROPRIATIONS – RICHMOND COUNTY DEPARTMENT OF SOCIAL SERVICES**

*“On a motion made by Jean C. Harper, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to appropriate \$89,330.00 to the Richmond County Department of Social Services for the month of September 2014.”*

#### **MONTHLY APPROPRIATIONS – RICHMOND COUNTY SCHOOL BOARD**

*“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – nay; John L. Haynes, Jr. – nay; Robert B. Pemberton – aye: to appropriate \$1,255,743.00 to the Richmond County Public Schools for the month of September 2014.”*

#### **APPROVAL OF MINUTES – JULY 10, 2014**

*“On a motion made by John L. Haynes, Jr., the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to approve the minutes from the July 10, 2014 meeting with two corrections.”*

## **OTHER BUSINESS**

Mr. Thomas thanked everyone who participated in the Richmond County Fair. Mr. Thomas congratulated the softball and little league teams for their accomplishments.

Mrs. Harper recognized the new Social Services Director, Ms. Vanesa Livingstone.

Mr. Haynes congratulated the softball and little league teams for their accomplishments.

Mr. Pemberton informed the Board that the Northern Neck Food Bank is requesting volunteers to pick corn in Leedstown on August 16, 2014 at 9:00 a.m.

Mr. Quicke told the Board that the Planning District Commission will hold a fracking panel discussion on Wednesday, September 3, 2014 at 2:00 p.m. at the RCC Lecture Hall.

Mr. Quicke mentioned that Senator Mark Warner has requested the public meeting room for one day in September. He said that once additional information is available, he will pass it on to the members.

Mr. Quicke introduced the newly hired Social Services Director, Ms. Vanesa Livingstone. Mr. Quicke informed the Board that Ms. Livingstone comes to Richmond County from New Kent County. The Board welcomed Ms. Livingstone to Richmond County.

Mr. Quicke informed the Board that HGTV will be doing a large restoration project on Mount Airy. The episodes are scheduled to begin airing in January, 2014.

## **CLOSED SESSION**

***“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: as permitted by Virginia Code Section 2.2-3711(A)(7), a consultation with legal counsel or a briefing by staff about potential future litigation.”***

## **CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC SESSION**

***“On a motion made by Robert B. Pemberton, the Board voted by roll call: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: that the Board certifies that, in the closed session just concluded, nothing was discussed except the matter or matters (1) specifically identified in the motion to convene in closed session and (2) lawfully permitted to be so discussed under the provisions of the Virginia Freedom of Information Act cited in that motion.”***

## **ACTION FROM CLOSED SESSION**

There was no action taken by the Board of Supervisors resulting from the closed session.

**RECESS**

There being no further business, Chairman Sanders recessed the meeting until 7:00 p.m. to hear one public hearing.

**RECONVENE MEETING – 7:00 P.M. - PUBLIC HEARING**

Present:

F. Lee Sanders, Chairman  
Richard E. Thomas, Vice-Chairman  
Jean C. Harper, Member  
John L. Haynes, Jr., Member  
Robert B. Pemberton, Member

Also Present:

R. Morgan Quicke, County Administrator  
Joseph Quesenberry, Planner  
David Durrett  
Mildred Minor  
Harry Smith

**PUBLIC HEARING**

1. David Durrett, 9154 Laurel Grove Road, Mechanicsville, Virginia 23116, has requested special exception approval, under Section 3-3-7 of the Richmond County Zoning Ordinance, in order to expand or enlarge an existing non-conforming use, located at 4283 Naylor's Beach Road. The parcel in question is zoned Residential (R-1) and is further identified as Tax Map 14A parcel 3.

Mr. Quesenberry read the staff report which explained that the existing structure is a legal non-conforming use that was constructed prior to zoning in 1995 and the applicant would like to increase the height from 74 inches to 96 inches. Mr. Quesenberry told the Board that the staff has no issues with the request and that the Planning Commission had recommended approval with a 7-0 vote.

Chairman Sanders opened the public hearing.

Mr. David Durrett, owner/applicant, told the Board that he requested permission to increase the height of his existing accessory structure in order to have better access to the building.

***“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to approve the special exceptions request by David Durrett in order to expand or enlarge an existing non-conforming use.”***

**OTHER BUSINESS**

Mr. Quicke distributed a letter to the Board from the Superintendent of the Regional Jail asking the Board to consider approving a budget amendment request in the amount of \$220,000.00. Mr. Quicke explained that this amendment has been approved by the Jail Board but must also be approved by the governing bodies of all localities. Mr. Quicke mentioned that most of this money would come back to the jail in the form of reimbursements at the close of the fiscal year.

***“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Jean C. Harper – aye; John L. Haynes, Jr. – aye; Robert B. Pemberton – aye: to approve the budget amendment request by the Northern Neck Regional Jail in the amount of \$220,000.00”***

**ADJOURNMENT**

After no further business, Chairman Sanders adjourned the meeting.

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F. Lee Sanders, Chairman  
Richmond County Board of Supervisors