

**RICHMOND COUNTY BOARD OF SUPERVISORS
SEPTEMBER 10, 2015**

MINUTES

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 10th day of September, 2015, 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
Dr. Greg Smith, RCPS, Superintendent
Jennifer Delano, Commissioner of the Revenue
Greg Baker, Chief of Emergency Services
Joseph Quesenberry, Planning & Zoning Administrator
Steve Smith, Sheriff
Carter Wellford
David Brown, VDOT, Superintendent
Kristie Brann, Deputy Treasurer
Phillip Belfield, YMCA
Sandy Young, YMCA
Stuart McKenzie
Approximately 20 others

CALL TO ORDER

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

RICHMOND COUNTY PUBLIC SCHOOLS – DR. GREG SMITH

Dr. Greg Smith, Superintendent, briefed the Board on the school events from the past several weeks and said he was pleased with the attendance of each event. Dr. Smith said that they are fully staffed.

Mr. Haynes asked how many new teachers were hired and Dr. Smith responded that there are 20 new teachers for this school year.

VIRGINIA DEPARTMENT OF TRANSPORTATION – DAVID BROWN

Mr. David Brown reported that the maintenance operations are going strong and they are currently preparing for the upcoming winter.

Mr. Brown reported that a recent speed study has been completed on Rt. 624 and the speed limit will remain the same based on the average speed.

Mr. Brown said that the pipe replacement project has begun on Rt. 638 (Oak Row Road) and is expected to be completed by the end of November.

Chairman Sanders asked Mr. Brown to consider replacing the end 45 mph speed sign with a 55 mph sign on Rt. 624. Mr. Brown said he would look into replacing that sign.

Mr. Baker questioned passage on Rt. 638 during the pipe repair and Mr. Brown responded that all traffic will need to take an alternate route during that time. Chairman Sanders said the project only affects two or three houses.

SHERIFF

Sheriff Smith commented on the speed study that VDOT conducted on Rt. 624. He said in early August, the Sheriff's Office did a two week saturated control on Rt. 624 and the average tickets written were between 64 and 72.

Sheriff Smith reported that the Sheriff's Office dispatched 690 calls for service during the month of August, bringing the total for the year to 6,089. He said that the Richmond County jail population the past week was 26.

Sheriff Smith said that the new live-scan machine has been purchased and installed. He stated that the machine was purchased with grant money through the Attorney General's Office.

The Sheriff reported that his office is assisting with school bus traffic again this year.

Sheriff Smith told the Board that his office is still receiving several calls about a current IRS scam. He stated that he has personally talked to an investigator and is advising citizens not to give out any information and report all incidents to the Sheriff's Office.

Sheriff Smith said that his office recently picked up a fugitive in New Jersey and returned him to Richmond County for trial. He added that all the expenses have been send to the State for reimbursement.

ANIMAL CONTROL

Sheriff Smith presented the following Animal Control report for the month of August: 14 total calls answered; 3 dog bites; 6 dogs transferred to the pound; 10 licenses inspected, and 29 deputy assists.

TREASURER

Kristie Brann, Deputy Treasurer, presented the Trial Balance Report for the month of August 2015.

COMMISSIONER OF THE REVENUE

Jennifer Delano, Commissioner, reported that during the last month, her office has been focusing on completing the 2015 Real Estate Land Book and they have processed roughly 590 real estate deeds and will transfers, as well as 25 new land use applications. She said that with the guidance of the SLEAC and Virginia Tech use-value assessment estimates, she has decided to raise the land use rate of agricultural, horticultural, and open space land from \$1,200 per acre to \$1,400 per acre. Mrs. Delano said the projected estimated rates for Agricultural land seem to be on the rise so this will cover the increase over the next four year reassessment cycle and the rates will be re-evaluated in four years at the next general reassessment. She said that a letter will be mailed to all land use participants explaining the increase and then the real estate land book can be printed and handed over to the Treasurer's Office.

Mrs. Delano said that they are more than half way through with the valuation of all personal property items and they hope to complete the book soon.

Mr. Haynes asked how much revenue will be generated with the land use increase. Mr. Quicke responded that it will generate about \$20,000 in additional revenue.

PLANNING/ZONING/LAND USE

Joseph Quesenberry, Planning and Zoning Administrator, provided the Board with the August report.

Mr. Quesenberry reminded the Board that they have a public hearing tonight at 7:00 p.m. to consider a special exception request from Mr. Alan Smith. He said that after the public hearing, they will have a worksession regarding the Fones Cliffs project.

Mr. Quesenberry said that two bids were received for the Farnham Creek Boat Landing project and he continues to assist citizens with the flood plain map amendments. Mr. Quesenberry stated that he is working on grant funding with the Department of Historical Resources to fund repairs to the Circuit Courthouse.

EMERGENCY SERVICES

Greg Baker gave the following report for the month of August 2015: 112 calls; 5 calls for mutual aide to bordering counties; 1 fly-out; and multiple standbys with no incidents.

During the month of August, \$19,104 was collected through EMS recovery billing.

Chief Baker said he has been emailing the Department of Homeland Security regarding the grant request for Code Red and although he has not received the final word, a grant award seems very promising.

PUBLIC COMMENT

Mr. Carter Wellford spoke to the Board to clear up a misconception from last month's meeting. Mr. Wellford said that it has been brought to his attention that it came across to some that he and Mr. Hill Wellford were advocating Richmond County to be a poor county. He said that they were trying to point out that raising property values does not make a county wealthy.

REMOTE AREA MEDICAL FUNDING REQUEST - \$1,500.00

Mr. Quicke provided the Board with a letter from Carrie Lewis with the Rappahannock Community College Remote Area Medical. He explained that this event will be held on November 14th and 15th at the Richmond County Elementary School and the organization is requesting a donation of \$1,500 for the event.

Chairman Sanders said that they could use funds from the non-designated reserve.

Mr. Haynes said that this is a vital service and feels that this service will benefit our citizens.

"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 donate \$1,500 from the reserve non-designated fund, as listed in line item 6708, to the Rappahannock Community College and Remote Area Medical (RAM) clinic that will occur on November 14&15, 2015."

INDUSTRIAL DEVELOPMENT AUTHORITY – BOND REFUND (PENINSULA YMCA)

Mr. Quicke provided the Board with documents related to the Resolution that needs to be adopted to approve the funding by the Middlesex County EDA. He explained that the reason Richmond County is involved in this project is because the Richmond County IDA originally issued this bond and the bond proceeds will go towards improvements to the Richmond County YMCA facility. Mr. Quicke said that a resolution is in their packet and it will need to be approved.

Mr. Phillip Belfield, Executive Director of the Richmond County YMCA, provided the Board with a diagram and explained the future plans for the Richmond County YMCA, which will include a new group exercise studio, renovations to the current space, and a new parking lot. He concluded that this is a \$1,000,000 project.

Mr. Haynes commented that the future improvements are impressive and congratulated Mr. Belfield on his efforts.

“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: to adopt the following resolution:”

A RESOLUTION APPROVING THE ISSUANCE BY THE ECONOMIC DEVELOPMENT AUTHORITY OF MIDDLESEX COUNTY, OF ITS REVENUE BOND IN AN AMOUNT NOT TO EXCEED \$9,000,000 FOR THE BENEFIT OF PENINSULA METROPOLITAN YMCA

WHEREAS, the Economic Development Authority of Middlesex County (the “Middlesex EDA”), whose address is 865 General Puller Highway, Saluda, Virginia, 23149, held a public hearing on August 27, 2015, on the application of the Peninsula Metropolitan YMCA (the “Company”), whose address is 41 Old Oyster Point Road, Suite C, Newport News, Virginia 23602, requesting the Middlesex EDA to issue up to \$9,000,000 of its revenue bonds (the “Bond”) and to assist the Company in (1) refinancing an interim loan which refinanced that certain \$5,000,000 Revenue Bond (Peninsula Metropolitan YMCA Project), Series 2005, which was issued by the Industrial Development Authority of the City of Poquoson, Virginia (the “Poquoson IDA”) on November 15, 2005 (the “Poquoson IDA Bond”), (2) refinancing that certain \$5,000,000 Revenue Bond (Peninsula Metropolitan YMCA Project), Series 2005, which was issued by the Industrial Development Authority of Richmond County, Virginia (the “Richmond IDA”) on October 18, 2005 (the “Richmond IDA Bond”), (3) financing the costs of construction and equipping of (A) up to approximately 7,700 square feet of additional space at, and further renovation and equipping of other portions of, the Company’s existing facility known as Middlesex Family YMCA, located at 11487 General Puller Highway, Hartfield, Virginia, and (B) up to approximately 4,000 square feet of additional space at, and further renovation and equipping of other portions of, the Company’s existing facility known as Richmond County Family YMCA, located at 45 George Brown Lane, Warsaw, Virginia (all of the Company’s facilities as described in clauses (1) through (3) above are hereafter referred to as, the “Facilities”), and (4) financing all or a portion of the costs of issuance of the Bond in permissible amounts; and

WHEREAS, the above Facilities to be financed or refinanced with the proceeds of the Bond are or will be owned by the Company; and

WHEREAS, a proceeds of the Richmond IDA Bond were loaned to the Company by the Richmond IDA and used by the Company to finance, among other things, the costs of renovation to an existing Company facility known as the Richmond County Family YMCA (the “Richmond Facility”), located at 761 Main Street, Warsaw, Virginia, in Richmond County, Virginia (“Richmond County”); and

WHEREAS, a public hearing with respect to the issuance of the Bond is required by Section 15.2-4906 of the Code of Virginia of 1950, as amended (the “Virginia Code”), and Section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”), and such public hearing was held as a joint public hearing by the Middlesex EDA on behalf of Richmond County on August 27, 2015 (the “Public Hearing”); and

WHEREAS, at its meeting and public hearing on August 27, 2015, the Middlesex EDA adopted a resolution (the "Middlesex EDA Resolution") in which it provided its preliminary approval of the issuance of the Bond and, among other thing, recommended that the Board of Supervisors of Richmond County (the "Richmond Board") approve the issuance of the Bond and concur with the Middlesex EDA Resolution, and directed the submission to the Richmond Board of a Fiscal Impact Statement and a summary of the statements from the Public Hearing; and

WHEREAS, Section 147(f) of the Code and Section 15.2-4906 of the Virginia Code provide that the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of private activity bonds is located must approve the issuance of the bonds and Section 15.2-4905 of the Virginia Code requires the governing body to concur in the inducement resolution of the issuer of such bonds; and

WHEREAS, the Richmond Board constitutes the "applicable elected representative" of the County under Section 147(f) of the Code; and

WHEREAS, a copy of the Middlesex EDA Resolution, a reasonably detailed summary of the statements made at the Public Hearing, and a Fiscal Impact Statement have been filed with the Richmond Board; and

WHEREAS, the Middlesex EDA has recommended that the Board approve the issuance of the Bond and concur with the Middlesex EDA Resolution; and

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF RICHMOND COUNTY:

1. The Board concurs with the Middlesex EDA Resolution and approves the issuance of the Bond by the Middlesex EDA to the extent required by Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Virginia Code, respectively, provided such approval and the issuance of the Bond shall be subject to the prior satisfaction by the Middlesex EDA and the governing bodies of the other jurisdictions in which the Facilities are located, of all applicable requirements of the Code and Virginia Code.

2. The approval of the issuance of the Bond, as required by the Virginia Code, does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the Facilities or the Company and the Bond shall provide that no political subdivision of the Commonwealth of Virginia shall be obligated to pay the Bond or the interest thereon or other costs incident thereto and neither the faith or credit nor the taxing power of the Commonwealth of Virginia or any political subdivision thereof, including the County, Middlesex County, York County and the City of Hampton shall be pledged thereto.

3. This resolution shall take effect immediately upon its adoption.

Adopted by the Board of Supervisors of Richmond County this 10th day of September, 2015.

<u>Name</u>	<u>Vote</u>
F. Lee Sanders, Chairman	
Richard E. Thomas, Sr., Vice Chairman	
Jean C. Harper	
John L. Haynes, Jr.	
Robert B. Pemberton	

Clerk, Board of Supervisors of Richmond
County

[SEAL]

FARNHAM CREEK BOAT LANDING – BID AMOUNTS AND CONSIDERATION

Mr. Quicke said that they received the round two bids for the renovations of the boat ramp, pier, and site work at the Farnham Creek Boat Landing. He reminded the Board that first bids received were higher than expected so they went back to DGIF to see what could be done to the plans to bring the costs down considerably.

Mr. Quicke recommended moving forward and accepting the low bid of \$69,000 from Dameron Construction. He said that the landing is at the point where it needs to either be closed or repaired. Mr. Quicke said that a \$35,000 grant will be used from the DGIF and the remaining to come out of the general fund.

Mr. Haynes feels that a lot of positive things will be generated from the landing repair and he recommends moving forward.

“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 move forward with the renovation project at the Farnham Creek Boat Landing and award the contract to Dameron Marine Construction at a project cost of \$69,000.00.”

YMCA – RESOLUTION TO ABANDON GEORGE BROWN LANE – STATE ROUTE 711

Mr. Quicke said that the advertisement ran in the Northern Neck News, per state code, and there were no requests to hold a public hearing for the abandonment of George Brown Lane. Mr. Quicke stated that there are still details that will need to be worked out between the YMCA, the adjacent property owner, and VDOT, but the resolution can be passed in advance of those specifics being worked out. Mr. Quicke read the Resolution to abandon George Brown Lane.

“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 adopt the following resolution:”

**A RESOLUTION TO ABANDON OLD SECONDARY ROUTE 711
IN RICHMOND COUNTY**

WHEREAS, the Richmond County YMCA has requested that the Richmond County Board of Supervisors consider the abandonment of an unused 0.10 mile segment of State Route 711 roadway located also known as George Brown Lane in the Town of Warsaw, which extends from Main Street to the dead end in front of the Richmond County YMCA ; and

WHEREAS, the project sketch attached and incorporated herein as part of this resolution, defines adjustments required in the Secondary System of State highways as a result of this proposed abandonment, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject section of road; and

WHEREAS, public notices were posted and published as prescribed by the terms of *Section 33.2-909, Code of Virginia* announcing the Board of Supervisors' intention to abandon the subject section of road from the Secondary System of Highways and inviting requests for public hearing on the matter and no requests were forthcoming; and

WHEREAS, there having been no requests for public hearing and no objections expressed, the Board has determined that the subject segment of State Route 711 serves no public necessity and, accordingly, is no longer necessary as part of the Secondary System of State Highways;

NOW, THEREFORE BE IT RESOLVED, by the Richmond County Board of Supervisors, this the 10th day of September, 2015, that pursuant to *Section 33.2-909 of the Code of Virginia of 1950*, as amended, it does hereby abandon this 0.10 mile stretch of State Route 711, also known as George Brown Lane in the Town of Warsaw.

BE IT FINALLY RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Recorded Vote
Moved By: _____
Seconded By: _____
Yeas: _____
Nays: _____

A Copy Teste:

(Name), (title)

NORTHERN NECK – CHESAPEAKE BAY ACCESS AUTHORITY – MEMBERSHIP

Mr. Quicke told the Board that Richmond County has been approached by the Planning District Commission about joining the Northern Neck – Chesapeake Bay Access Authority. He said that Richmond County is the only County that did not join the Authority. Mr. Quicke explained that the Authority works to develop, modify, and implement a regional public access strategic plan and will not undertake any project in any jurisdiction without the approval of the

Richmond County Board of Supervisors. Mr. Quicke discussed the duties of the Authority & said that there are no additional costs to be part of the Authority and he suggests that they join.

Mr. Stuart McKenzie said that the Authority has been in place since 2006 and explained the advantages and the funding.

Mr. Quicke asked about the members. Mr. McKenzie said that there are two members from each County, one of the members needs to be an elected official or County Administrator. Mr. McKenzie said that the PDC will provide staff support.

Mr. Haynes said that waterfront is limited and felt that this would be a tremendous asset.

Mr. Thomas asked if the public access sites are maintained by the DGIF. Mr. McKenzie said that the DGIF funding is limited and there is more flexibility with the Access Authority.

"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 join the Northern Neck- Chesapeake Bay Access Authority."

Chairman Sanders recommended that Mr. Quicke and Mr. Quesenberry serve on the authority until the re-organizational meeting in January 2016. Mr. Quicke agreed.

PROPOSED ORDINANCE AMENDMENT – SOLAR FACILITIES

Mr. Quicke said that they have had considerable interest over the last few weeks from private companies wishing to install solar fields to sell power back to the power companies of Dominion Power and Northern Neck Electric Co-op. Mr. Quicke explained that this type of use is not provided for in the Zoning Ordinance; therefore, if a business wanted to create this kind of facility, there would be no provisions to allow it.

Mr. Quicke said he has asked Mr. Quesenberry and the Planning Commission to draft and review an ordinance amendment to allow solar facilities to be allowed in the A-1 zone by special exception.

Mr. Haynes asked Mr. Quicke what the primary benefits would be to the County. Mr. Quicke said there would be real estate revenue and the cost of the panels would be taxed. He stated that the companies are looking to purchase or rent land off of the secondary roads. Mr. Quicke said he feels that this would be a great revenue benefit to the County.

Mr. Haynes asked about the possibility of local people being involved in the installations. Mr. Quicke said that it would be up to the Company. Mr. Quicke said the locals would benefit with the rental or sale of their land.

Mr. Quicke said that the proposed amendment would require a special exception so the County would have control. Mr. Haynes said that he would appreciate any additional information as it becomes available.

Chairman Sanders suggested that Mr. Quicke show a power point presentation regarding the solar panel facilities at next month's meeting.

UPCOMING BOARD APPOINTMENTS

Mr. Quicke provided a list to the Board with the appointments that will be expiring at the end of the year. He asked the members to be consider names for the upcoming terms.

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 \$85,000.00 to the Richmond County Department of Social Services for the month of October 2015.”

MONTHLY APPROPRIATIONS – RICHMOND COUNTY PUBLIC SCHOOLS

“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 appropriate \$1,295,860.00 to the Richmond County School Board for the month of October 2015.”

APPROVAL OF MINUTES – AUGUST 13, 2015

“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 approve the minutes from the August 13, 2015 meeting.”

OTHER BUSINESS

Mr. Thomas said that school is back in session and he asked that everyone be conscious of the changes in traffic.

Mrs. Harper told the Board about an email that she has received from a non-profit organization under the name of In God We Trust - America. She said that their mission is to promote patriotism by encouraging elected officials to vote “yes” to legally and prominently display the national motto of the United States of America, ‘In God We Trust’ in every City, County Chamber, and State Capitol in America. Mrs. Harper informed the Board of the Counties and Cities in Virginia that are currently participating and she read a sample resolution. Mrs. Harper said that the resolution could be changed if they want to consider participating in this organization and she said that there would be no tax payer funds needed to participate, this would be done through donations. Chairman Sanders asked Mrs. Harper to provide Mr. Quicke with a packet of information and suggested this item be added to next month's agenda.

Mr. Haynes referenced the question asked by Sandy Garretson at the Newland meeting regarding the Fones Cliffs project. Mr. Haynes said Ms. Garretson asked at what point does the value of a home pay for itself before it is revenue neutral or positive. Mr. Haynes said this was difficult to determine due to the jail population, but between he and Mr. Quicke, they came up with a figure between \$200,000.00 and \$250,000.00. Mr. Haynes said this is a key and important issue that needs further study.

Mr. Haynes encouraged the Board members to attend Artisan Trail Day on September 22, 2015 between 12:00–3:00 p.m. at the Dupont Memorial Library. He added that R.S.V.P's are requested by September 17, 2015.

Mr. Haynes recommended opening up discussion regarding the Fones Cliffs project.

Mr. Haynes said his concerns were about the erosion and setbacks and after talking with Mr. Smith, it seems to him that the intent is to route the water away from the cliffs, which would have a positive effect and slow down the erosion.

Mr. Haynes said he also asked about a probably alternative usage of the property if their request is denied. He said that Mr. Smith responded that timbering and small scale mining is an option. Mr. Haynes pointed out that many believe that if the rezoning is denied, that it would hinder any type of development, but that is not the case. Mr. Haynes said that a golf course, club house, and several waterfront homes could be permitted the way the zoning presently stands.

Chairman Sanders asked Mr. Rob Smith if he has anything to say.

Mr. Smith said the trees on top of the bank create the erosion and with their plan, the water will be flowed and directed away from the bank to the detention pond. He said that they will be construction an \$18,000,000 hotel and they will make sure there is no erosion. Mr. Smith said that a geological study was done in 2012 and although valuable, the minerals would be extremely costly to get out of the ground and the process is not very environmentally friendly.

Mr. Smith commented on Mr. Wellford's take on the economic analysis that Richmond County would be better off if everyone lived in a tar paper shack with twelve barefoot children going to public schools. Mr. Smith said that intend to do the opposite by enhancing the tax base. He added that very little of the population will be using the public schools.

Mr. Quicke reminded everyone about the Historic House Party in Emmerton on September 19, 2015 from 2:00-5:00 p.m. He said that all proceeds will benefit the Richmond County Museum.

CLOSED SESSION

“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; as permitted by Virginia Code Section 2.2-3711A(1), personal matter involving the demotion, discipline, or resignation of a specific employee or employees.”

CERTIFICATION MOTION AFTER RECONVENING IN PUBLIC 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; 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

Chairman Sanders recessed the meeting until 7:00 p.m. to hold a public hearing and a possible work session regarding the Fones Cliffs project.

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
Denise Dunaway, Development Services Manager
Rob Smith, Fones Cliffs Development
Jeff Howeth, Fones Cliffs Development
Joyce Pemberton
Carter Wellford
Pat Weakland
Harry Smith
Charlene Smith
Approximately 10 others

PUBLIC HEARING

1. Allen Smith, 3490 Kilburn Circle, Henrico, Virginia 23233, has requested special exception approval, under Section 3-13-7 of the Richmond County Zoning Ordinance, in order to expand or enlarge an existing non-conforming use (pier), located at 4253 Naylor's

Beach Road. The parcel in question is zoned Residential (R-1) and is further identified as Tax Map 14A, parcel 5.

Mr. Quesenberry read the public notice and highlighted the staff report, which recommended approval. He said that the Planning Commission recommended approval with a 7-0 vote and he noted that he did not receive any objections to the request.

Mr. Haynes questioned the water depth. Mr. Quesenberry verified that the depth is 38" at the 110' length.

Chairman Sanders opened the public hearing. After no comments from the public, Chairman Sanders closed the public hearing.

"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 special exception request by Allen Smith in order to expand or enlarge an existing non-conforming use."

OTHER BUSINESS

Chairman Sanders asked the Board if there were any questions or concerns regarding the Fones Cliffs project.

Mr. Haynes asked what type of feasibility study was done in relation to the golf course and questioned a letter that was written. Mr. Smith said that the letter Mr. Haynes mentioned was written by Architect Lindsay Ervin. He said that an extensive study was done by a company called PKF, a national resort consulting firm, which determined that there is a significant demand for a golf course.

Mr. Thomas asked about the bonds for this project. Mr. Quicke responded that bonds will be required for the all public facilities.

Mr. Smith said he heard a comment earlier today about the property being used for public housing if the proposed project doesn't work out. Mr. Smith offered to proffer that they will not seek Section 8 housing, as part of the conditional zoning.

Mr. Pemberton questioned how the wastewater will be handled. Mr. Howeth said public water and sewer will be created on site. He explained that once the waste water from residential uses is generated and collected, it will be moved to a treatment area, then they are proposing to use drip irrigation to apply the water to the golf courses. Mr. Howeth said they would like to tie all of the stormwater back to the irrigation system. He said they will do anything they can do to capture and re-use any amount of water that shows up on the property.

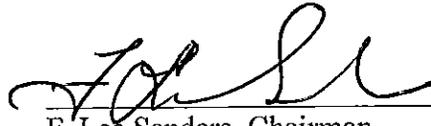
Mr. Pemberton asked Mr. Howeth if they will have a wastewater treatment plant. Mr. Howeth said they would have numerous wastewater treatment facilities.

Mr. Pemberton questioned how many well sites there will be. Mr. Howeth said each building will not have an individual well. He said that the single family housing may have an individual well that will serve a cluster of homes and the townhouses will have large water tanks in a centralized location.

Mr. Haynes said that he understood that approximately 30% of the area will be developed. Mr. Howeth said that percentage is very close.

ADJOURNMENT

After no further business, Chairman Sanders adjourned the meeting.

A handwritten signature in black ink, appearing to read 'F. Lee Sanders', written over a horizontal line.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors