

**RICHMOND COUNTY BOARD OF SUPERVISORS
APRIL 14, 2016**

MINUTES

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 14th day of April 2016, thereof in the Public Meeting Room of the County Office Building.

Present:

F. Lee Sanders, Chairman
Richard E. Thomas, Vice-Chairman
Robert B. Pemberton, Member
J. David Parr, Member
William C. Herbert, II, Member

Also Present:

R. Morgan Quicke, County Administrator
Denise Dunaway, Development Services Manager
Delegate Margaret Ransone
Dr. Greg Smith, RCPS, Superintendent
David Brown, VDOT, Resident Engineer
Carter White, VDOT
Stephan B. Smith, Sheriff
Kristie S. Brann, Treasurer
Senator Ryan McDougale
Dwayne Sanders, Planner
Greg Baker, Director of Emergency Services
Jennifer Delano, Commissioner of the Revenue
Kathy Clarke, Soil & Water, District Manager
Approximately 10 others

CALL TO ORDER

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

DELEGATE MARGARET RANSONE – GENERAL ASSEMBLY UPDATE

Delegate Ransone updated the Board on the recent 2016 General Assembly Session. She said that she voted for the budget, which is fiscally sound, focuses on key initiatives, and looks ahead to the future.

Delegate Ransone said that Richmond County was very well represented during the session and asked the localities to continue to communicate.

Delegate Ransone commended and thanked the Board and the Emergency Services for an incredible job with the aftermaths of the recent tornado.

Chairman Sanders thanked Delegate Ransone for her service and for the updates.

RCPS

Dr. Smith briefed the Board on the schools accomplishments, the end of the school year calendar, and sports schedules. Dr. Smith said that the JROTC program recently received a stellar rating and he reported that the Richmond County Library is temporarily using the library space at the old Richmond County Intermediate School while renovations are being made to the College.

VDOT

Mr. Brown introduced Mr. Carter White, Assistant Resident Engineer, to the Board.

Mr. Brown reported that they are currently preparing for the spring/summer operations, which include cutting back vegetation, mowing, and pot hole and pavement repairs.

Mr. Brown reminded the Board that the intersection project in town will start sometime over the summer.

Mr. Brown provided the Board with handouts regarding the Secondary System Construction Program and briefed the Board on the Secondary Six Year Plan process.

Mr. Quicke asked Mr. Brown to explain the difference in the old and new CPD threshold. Mr. Brown explained the formula used to calculate the threshold. Mr. Quicke asked if the funds have to be used for unpaved roads. Mr. Brown said that funds can be used elsewhere. Mr. Pemberton asked if 50 cars per day are required to be eligible for the six year plan. Mr. Brown said that they look at the number of cars per day and also the number of households.

Mr. Pemberton asked Mr. Brown to look at Moores Mill Road for the secondary six year plan.

Mr. Herbert commended VDOT for the recent repairs made to Wellfords Wharf Road.

Chairman Sanders asked Mr. Brown if the speed study on Oak Row Road has been performed. Mr. Brown said the speed study has been completed; he just hasn't received the results yet.

Mr. Quicke asked the Board to schedule a public hearing for the Secondary Six Year Plan.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr -

aye: to schedule a public hearing on the proposed Secondary Six-Year Plan for fiscal years 2017-2022 on May 12, 2016 at 9:00 a.m.”

SHERIFF

Sheriff Smith presented the following report for the month of March: 709 calls for service; served 286 civil papers; served 33 arrest warrants with 45 total warrants served; and served 57 traffic summons. He said that the jail population this week for Richmond County was 17.

Sheriff Smith reported that through a DMV grant, his office has received eight body worn camera systems and hardware. He said that training will be provided before the cameras will be issued to the road officers.

Sheriff Smith reported that an employee recently resigned that has been employed by the Sheriff's Office for ten years. He said that he will be advertising for a deputy position this week.

Sheriff Smith said that through scheduling and re-structure, the Richmond County Sheriff's Office now has 24-hour coverage.

ANIMAL CONTROL

Sheriff Smith presented the following Animal Control report for the month of March 2016: 1 dog bite call; 20 dog calls; and 8 dogs transferred to the pound.

Sheriff Smith said that the Animal Control Officer responded to 52 deputy calls and served 11 papers.

TREASURER

Kristie Brann, Treasurer, presented the Trial Balance Report for the month of March, 2016.

Mrs. Brann said that her office has started the process for issuing civil warrants for delinquent personal property and she reported that the land sale did take place in March.

Mr. Herbert asked Mrs. Brann if she has had any response from the recent DMV stops. Mrs. Brann said she has had some response but she expects it will pick between the months of April and July.

COMMISSIONER OF THE REVENUE

Jennifer Delano, Commissioner of the Revenue, informed the Board that her office is finalizing the new construction assessments. Mrs. Delano reminded the citizens that state income, personal property forms, and first quarter estimated payments are due by May 2, 2016.

SENATOR RYAN MCDOUGLE – GENERAL ASSEMBLY UPDATE

Senator McDougle briefed the Board on a few of the legislative agenda items that affected Richmond County. He said that they have a structurally sound budget, which includes adding one deputy position in the Richmond County Commissioner's Office, allowing the Registrar to serve on a full-time basis, compression pay for local sheriff deputies, 2% salary adjustment for employees, and an increased education budget. He said that they were able to include additional language to the budget, which will allow money to be allocated from the Disaster Planning Operations Assistance Fund to the Tornado Relief Fund.

Senator McDougle said it is great to have a Board that communicates so strongly with his office and he appreciates the partnership.

Mr. Quicke thanked the State and VDEM for the assistance provided to Richmond County since the recent tornado. He asked Senator McDougle if he has any comments regarding the upcoming VRS issues that could cost the schools an additional \$150,000.

Senator McDougle said that VDEM recently made some structural changes and he is happy to hear that after the changes, the results have been positive. He said in relation to the VRS, the State has been trying to make payments into VRS to make it more structurally sound, and to also lessen the blow to the localities. Senator McDougle said this issue is a struggle for the state and local side and conversations will continue.

Chairman Sanders thanked Senator McDougle for his visit.

PLANNING & ZONING

Mr. Quicke informed Board that the Planning Commission met on Monday night and recommended approval for a re-zoning request made by Richard & Cynthia Thomas. Mr. Quicke recommended that the Board set a public hearing date for May 12, 2016 at 7:00 p.m.

“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – abstain; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye: to advertise a public hearing on May 12, 2016 at 7:00 p.m. in order to receive public comment regarding a re-zoning request by Mr. & Mrs. Richard E. Thomas.”

Mr. Quicke introduced Mr. Dwayne Sanders to the Board. He said that Mr. Sanders has been hired as the new County Planner. Mr. Quicke said that Barry Sanders is now the Director of Code Administrator and he will be attending the Board meetings in the future.

CHIEF OF EMERGENCY SERVICES

Chief Baker presented the following EMS report for the month of March: 108 calls in Richmond County; 2 call for mutual aid into Richmond County; 4 calls for mutual aid to bordering counties; and 4 fly-outs.

Chief Baker reported that \$31,729 was collected during the month of March for EMS recovery billing.

Chief Baker told the Board that Naylor's Beach is progressing with clean-up and all houses, except two, have been hauled away. Chief Baker said that the contractor that the County hired (Barrack Excavating) did a wonderful job and his part has been completed.

Chief Baker said that FEMA reimbursement request that was made has been declined. He said that VDEM requested a total expenditure amount from the localities, which was submitted. Chief Baker said that the latest email correspondence received from the state indicated a possible 9 to 10% reimbursement.

HAZARDOUS BUOY PLACEMENT

Chief Baker said that he had a meeting last month with the Game and Inland Fisheries, Soil & Water Conservation, VMRC, and the Friends of the Rappahannock regarding the debris that is around and in the marsh in the Naylor's Beach area. He said that the recommendation at this point is to do a joint safety program through public awareness and to place three hazardous buoys around the affected area.

Chief Baker said that the buoys cost \$365.00 each. He said that the State Game Department will contribute one (1) buoy, Soil & Water has agreed to pay for (1) buoy, which leaves the Board to cover one (1) buoy. He said that the buoys would be set before the Memorial Day weekend and be removed around the 1st of November. Chief Baker said that a public hearing and Resolution will be needed.

"On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to schedule a public hearing on May 12, 2016 at 7:00 p.m. to receive public comment regarding the installation of three (3) hazardous/warning buoys to be placed in three separate locations along the mouth of Cat Point Creek."

PUBLIC COMMENT

Kathy Clarke, Soil & Water Conservation's District Operations Manager, passed out flyers for the upcoming Tire Amnesty Collection & Recycling Day, which will be held on May 14, 2016.

Mrs. Clarke said there are 26 agencies and organizations working together to clean up the tornado debris in marsh areas. She said they are currently planning an airplane ride over the debris area to take aerial shots. Mrs. Clarke said that Andrew Freiden with NBC 12 will be on board providing press coverage.

Mrs. Clarke said the Soil & Water Conservation continues to celebrate their 75th Anniversary and reminded the Board that they are there to assist the County.

Chairman Sanders thanked Mrs. Clarke for her assistance.

CLOSED SESSION

“On a motion made by Robert Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: as permitted by Virginia Code Section 2.2-3711(A)(7), consultation with legal counsel to receive advice on pending legal action.”

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; William C. Herbert, II – aye; J. David Parr – 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.

RICHMOND COUNTY SCHOOL BOARD – RICHMOND COUNTY CIP POLICY

Mr. Quicke provided the Board with a drafted CIP policy that would cover how end of the year financial surpluses could be split evenly between the School Board and the County. Mr. Quicke explained that the School Board monies would be placed into the designated RCPS CIP and the County monies, unless otherwise directed, would be left into the undesignated fund balance.

Mr. Quicke read the proposed Policy.

“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye: to approve the following policy:”

**Richmond County Board of Supervisors – Richmond County School Board
Year End Fund Balance Sharing Policy**

Policy Objective:

To create a policy to outline how unspent funds, either appropriated to the RCSB or unappropriated to the RCSB, but intended for the Schools, shall be allocated at the end of each Fiscal Year.

Policy Guidelines:

- At the end of each Fiscal Year, the Superintendent of the Richmond County Public Schools and the County Administrator shall get together to determine the amount of funds, believed to be unspent from the original appropriation, and any additional un-appropriated monies that have been distributed to the County from the State Government.
- Un-appropriated funds may mean additional money from the State for additional Average Daily Membership (ADM), which were originally not budgeted for. For example, the original adopted budget by the Board of Supervisors may have been for an ADM of 1,230 students and the actual recorded year end ADM may be 1,250 students. This would create an un-appropriated fund balance.
- The School Superintendent and County Administrator shall report to the Board of Supervisors the estimated unspent fund balance at the July Board of Supervisors Meeting each year.
- The Board of Supervisors and the School Board agree to split this balance evenly (50%-50%)
- The final number shall be taken directly from the end of the Fiscal Year Audit, and adjusted accordingly.
- Unless otherwise directed, the 50% portion directed towards the Board of Supervisors will be left in the Undesignated Fund Balance.
- Unless otherwise directed, the 50% portion directed towards the Richmond County School Board is to be placed in the Designated Fund titled "RCPS CIP Fund."
- All monies placed into the "RCPS CIP Designated Fund" may be available for use by the RCSB, only after requesting the appropriation from the Board of Supervisors, and may be used in the following circumstances, primarily non-re-occurring costs:
 - Capital Projects
 - Facility Maintenance
 - RCSB Initiatives = Ex: Text Book Adoptions
 - Other (Pending BOS Approval)

F. Lee Sanders, Chairman
Richmond County Board of Supervisors

John Brown, Chairman
Richmond County School Board

PROPERTY DAMAGE RELIEF POLICY

Mr. Quicke provided the Board with a policy which outlines how and when the County will offer reduced real estate assessments to property owners affected by widespread events, such as the tornado recently experienced along Rappa Point Road.

Mr. Quicke said that the Commissioner of the Revenue, Mrs. Delano, helped write the policy to ensure her office will understand completely the procedures to which relief may be granted.

Mr. Quicke said that if the Board members are happy with the policy, he would place the policy in ordinance form, and he recommended that the Board schedule a public hearing.

“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye; to schedule a public hearing on May 12, 2016 at 7:00 p.m. to receive public comment regarding the proposed Property Damage Relief Ordinance.”

TORNADO EXPENSE REVIEW

Mr. Quicke provided the Board with a spreadsheet outlining the costs borne to the County for tornado clean-up. He said that expenses total \$38,642.10.

CONSTITUTIONAL OFFICER – VACATION PAY OUT POLICY

Mr. Quicke explained that it has always been Richmond County’s policy to allow constitutional officers to accrue vacation and sick leave. Mr. Quicke provided the Board with a policy regarding pay out of accrued vacation time to elected constitutional officers.

Mr. Quicke said that the current constitutional officers will be paid for their unpaid vacation, at their deputy rate.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye; to adopt the following policy:”

Policy Regarding Pay Out of Accrued Vacation Time to Elected Constitutional Officers

WHEREAS, The Board of Supervisors of Richmond County wishes to amend the current practice of paying out elected Constitutional Officers at the end of their employment with Richmond County effective April 14, 2016, and

WHEREAS, County employees that are elected to the office of a Constitutional Officer, will be paid out accrued vacation time, as of the day prior to taking office, at their current hourly rate, and

WHEREAS, Current Constitutional Officers, as of the date of this policy, will be paid out their accrued vacation balances as of April 14, 2016, and

WHEREAS, This policy shall not apply to employees of these offices that have adopted the County’s Personnel Policy as their own.

Adopted this 14th day of April, 2016.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors

R. Morgan Quicke, Clerk
Richmond County Board of Supervisors

UPDATE OF COUNTY ENTRANCE SIGNS

Mr. Quicke told the Board that the County Planner, Mr. Sanders, has been tasked with permitting the entrance signs through VDOT. He said that once permitted, they will be ordered and installed at the four entrances to the County, off of Rt. 360 and Rt. 3. Mr. Quicke said that in order to locate the signs within the right-of-way, a Resolution of surety must be adopted.

“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye; to adopt the following resolution:”

“RESOLUTION”

WHEREAS, it becomes necessary from time to time for the Richmond County Board of Supervisors to obtain land use permits from the Virginia Department of Transportation to install, construct, maintain and operate certain public works and public utilities projects along, across over and upon highway systems of the Commonwealth of Virginia; and,

WHEREAS, expense, damage or injury may be sustained by the Commonwealth of Virginia growing out of granting to the Richmond County Board of Supervisors by the Virginia Department of Transportation of said permits for the work aforesaid;

NOW, THEREFORE, BE IT RESOLVED by the Richmond County Board of Supervisors this 14th day of April 2016:

Section 1: That in accordance with the provisions of Section 24VAC30-151-720 of the Land Use Permit Regulations of the Virginia Department of Transportation, the Richmond County Board of Supervisors does hereby grant assurances to the Virginia Department of Transportation (VDOT) that it shall in all respects comply with all of the conditions of the permit or permits that have been, or will be, granted to the Richmond County Board of Supervisors and that said jurisdiction does hereby certify that it will carry liability insurance for personal injury and property damage that may arise from the work performed under permit and/or from the operation of the permitted activity as follows: up to one-million dollars (\$1,000,000) each occurrence to protect the Commonwealth Transportation Board members and the Virginia Department of Transportation’s agents or employees; seventy-five thousand dollars (\$75,000)

each occurrence to protect the Commonwealth Transportation Board, the Virginia Department of transportation or the Commonwealth of Virginia in the event of suit.

Section 2: That the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized to execute on behalf of the Richmond County Administrator's Office all land use permits and related documents of the Virginia Department of Transportation.

Section 3: That this resolution shall be a continuing resolution and shall not be revoked unless and until sixty (60) days written notice of any proposed revocation be submitted to the Virginia Department of Transportation.

Section 4: That the Richmond County Board of Supervisors shall, if requested by the Virginia Department of Transportation, provide a letter that commits to using the surety provided by its contractor or to have the contractor execute a dual obligation rider that adds the Virginia Department of Transportation as an additional obligee to the surety bond provided to the locality, with either of these options guaranteeing the work performed within state maintained right-of-way under the terms of the land use permit for that purpose.

BE IT STILL FURTHER RESOLVED that the County Administrator, City or Town Mayor, or their designee, be, and hereby is authorized and directed to procure insurance required by Section 1 herein.

The foregoing Resolution was adopted by the Richmond County Board of Supervisors at its regular meeting held on the 14th of April 2016 in Richmond County, Virginia.

*F. Lee Sanders, Chairman
Richmond County Board of Supervisors*

*R. Morgan Quicke, Clerk
Richmond County Board of Supervisors*

EMS BUILDING – REPLACEMENT/REMODEL RFP

Mr. Quicke asked the Board to approve the advertising of an RFP for engineering/firm/planning services, to consider and evaluate the two future options that have been outlined in the CIP for the Emergency Services Building.

Chairman Sanders said he is in agreement with moving forward with proposals.

Mr. Thomas asked if this can be discussed after the budget adoption. Chairman Sanders said that this will not affect the budget. Mr. Quicke said that this process will take several months and he recommended getting the wheels turning.

Chairman Sanders recommended that Mr. Quicke get started on the RFP process.

Mr. Herbert asked about the option of constructing a joint Fire/Rescue building. Mr. Quicke said that it makes sense to include that option in the proposal.

The Board voted by consensus to allow Mr. Quicke to move forward with advertising a RFP for the engineering/firm/planning services for the future Emergency Services Building.

FOURTH OF JULY – FIREWORKS REQUEST

Mr. Quicke provided the Board with a request from Hillary Kent regarding the annual contribution to the Fireworks Celebration. Mr. Quicke said that they are asking for the Board to donate \$700.00, up from the past amount of \$500.00, due to the increase in costs.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye; to contribute \$700.00 to the July 4th Fireworks Celebration.”

RETIREMENT PARTY REQUEST – JUDGE TALIAFERRO AND JUDGE WILKINS

Mr. Quicke said that he has received a request from the Richmond County Circuit Court Clerk, Sherry Pierson, asking each of the five counties (Richmond, Essex, Lancaster, Westmoreland, and Northumberland) to donate \$250.00 to the retirement party that is being planned for the retired and retiring Judges.

Chairman Sanders said he doesn't agree with using tax dollars to fund this type of event.

Mr. Herbert said that \$250.00 is a small amount to show our appreciation for the Judge's many years of service.

“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – nay; Richard E. Thomas – nay; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye; to contribute \$250.00 to the retired and retiring Judge's retirement party.”

FARNHAM CREEK BOAT LANDING – UPDATE

Mr. Quicke said he would like to schedule a “small” grand opening ceremony at the newly constructed landing and pier for April 29, 2016 at 10:00 a.m.

All members informed Mr. Quicke that the April 29th date would work for them. Mr. Quicke said he would run an ad in the local newspaper.

MONTHLY APPROPRIATIONS – RICHMOND COUNTY DEPARTMENT OF SOCIAL SERVICES

“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr – aye;

to appropriate \$85,000.00 to the Richmond County Department of Social Services for the month of May 2016.”

MONTHLY APPROPRIATIONS – RICHMOND COUNTY PUBLIC SCHOOLS

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to appropriate \$1,073,901.00 to the Richmond County School Board for the month of May 2016.”

MONTHLY SUPPLEMENTAL APPROPRIATIONS

Mr. Quicke explained two (2) supplemental appropriations for the Board to consider this month.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to approve a supplemental appropriation in the amount of \$40,000.00 for line item 9000, Contingency Fund, for the Department Miscellaneous & Contingencies.”

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to approve a supplemental appropriation in the amount of \$16,000.00 for line item 6300, Maintenance, for the Department General Properties.”

APPROVAL OF MINUTES – MARCH 10, 2016

“On a motion made by Robert B. Pemberton, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; Robert B. Pemberton – aye; William C. Herbert, II – aye; J. David Parr - aye: to approve the minutes from the March 10, 2016 meeting, (which includes the March 21 and March 28, 2016 work sessions.”

OTHER BUSINESS

Mr. Thomas congratulated Colonial Collectibles for celebrating twenty-five (25) years in business. He commended Eagle Scout, Caleb Donovan, for the flag pole project that he recently completed at the Richmond County Elementary School. Mr. Thomas reminded the Board that the Artisan Trail Inaugural Celebration at the Belmont Vineyards will be held on April 29, 2016.

Chairman Sanders said he recently attended a Ribbon Cutting Ceremony for the Dahlgren Heritage Museum, which is located in the old state rest area building. He said that they are open five days a week and urged the members to visit the Museum.

Mr. Quicke told the Board that discussions continue with Gloucester County regarding a deal with the Northern Neck Regional Jail.

ADJOURNMENT

After no further business, Chairman Sanders adjourned the meeting.



F. Lee Sanders, Chairman
Richmond County Board of Supervisors