

RICHMOND COUNTY BOARD OF SUPERVISORS

September 11, 2014

MINUTES

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 11th day of September, 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
Dr. Greg Smith, Superintendent, Richmond County Public Schools
Sheriff Douglas Bryant
Randy Passagaluppi, RCVFD Chief
David Thomas, RCVFD Assistant Chief
Edith Anne Sanders, Treasurer
Frank Albert Johnson, Jr.
Chuck Walsh, Executive Director, MP-NN Community Services Board
Richmond County Senior Girls Softball Team
Harry Smith, NNEC

WELCOME AND CALL TO ORDER – CHAIRMAN SANDERS

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

RESOLUTION – RICHMOND COUNTY SENIOR SOFTBALL TEAM – ALL STAR 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 the 2014 Richmond County Little League Senior Girls Softball Team

WHEREAS, The 2014 Richmond County Little League Senior Girls Softball Team competed in and won the Senior League All Star Virginia State Championship on July 20, 2014 by beating Clarke County 6-1; and

WHEREAS, The Senior Girls Softball Team, by virtue of their State Championship, traveled south to Fort Meyers, Florida to represent Richmond County and the Commonwealth of Virginia in the Little League Southeast Regional Tournament against the teams from West Virginia, Tennessee, North Carolina, Georgia and Florida; and

WHEREAS, The Senior Girls Softball Team advanced from the pool play and into the semi-finals where they were defeated by eventual champions Florida 6-3; and

WHEREAS, The Senior Girls Softball Team consisted of Megan Baughan, Meredith Slaw, Hailee Green, Courtney Berhalter, Megan Elbourn, Lexi Hanks, Mikayla Rapp, Alexi Taylor, Karli Taylor, Maeve Collins, Jenna Whelan, Mary Alyce Bronner and Sarina Darby and were coached by Mike Slaw, Lisa Whelan and Steve Elbourn; and

NOW BE IT RESOLVED by the Richmond County Board of Supervisors that we express our congratulations, admiration and pride to this outstanding team for their State Championship victory and for representing Richmond County and the Commonwealth of Virginia with distinction at the Little League Southeast Regional Tournament.

BE IT FURTHER RESOLVED that a copy of this resolution is made a part of the minutes of the September 11, 2014 meeting of the Board of Supervisors of Richmond County, Virginia.

September 11, 2014

F. Lee Sanders, Chairman

Chairman Sanders congratulated the softball team and presented each member of the team with a signed copy of the resolution.

RICHMOND COUNTY PUBLIC SCHOOLS – DR. GREG SMITH

Dr. Greg Smith informed the Board that the school year was off to a great start.

Dr. Smith gave a brief presentation to the Board on the progress of the school construction project.

Dr. Smith asked the Board to consider approving a carryover of federal dollars to be expended during the current year budget in the amount of \$68,238.15. Dr. Smith stated that the federal dollars are used for special programs.

“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 approve a carryover of federal dollars to be expended in FY15 in the amount of \$68,238.15.”

SHERIFF

Sheriff Bryant reported that the Sheriff's Office has dispatched 621 calls for service (police, fire & rescue) since August 14, 2014. There have been 5654 calls this year.

The Northern Neck Regional Jail population for Richmond County this week is 23.

Sheriff Bryant reported that the total delinquent fines and costs collected for the month of July was \$40.00. \$124,003.71 has been collected since April 2007.

Sheriff Bryant told the Board that the Sheriff's Office cleared eight larceny cases during the month of August.

Sheriff Bryant reported that the Sheriff's Office had a booth at the Rappahannock Church of Christ Community Fair and conducted child ID fingerprinting.

The Sheriff's Office also participated in the YMCA guns and hoses football game on September 6th and the police won 41-22.

The Sheriff's Office is working with the Town Police in preparation for the upcoming Rotary Club Octoberfest on September 20th.

The Sheriff's Office is also preparing for the Mulberry Parade on September 20th.

Sheriff Bryant informed the Board that the National Drug Takeback Day will be on September 27th at the Sheriff's Office from 10 a.m. until 2 p.m.

ANIMAL CONTROL

Sheriff Bryant presented the following Animal Control report for the month of July: 21 total calls answered; 5 dogs transferred to the pound; 5 wildlife calls; and 4 licenses inspected.

Sheriff Bryant reported that the Animal Control Deputies have completed their basic training.

TREASURER

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

COMMISSIONER OF THE REVENUE

Mr. Quicke reported to the Board that the Commissioner's Office is in the process of wrapping up the real estate book and hopes to have it printed next week. Personal Property is moving along nicely now that all values have been calculated and are back from NADA.

RICHMOND COUNTY VOLUNTEER FIRE DEPARTMENT

Chief Randy Passagaluppi, RCVFD, presented the following report for August 2014: Company 1: 11 calls (1 EMS assists); Company 2: 2 calls (0 EMS assists); Company 3: 7 calls (2 EMS assists). Total calls for the month of July 2014 – 20 (3 EMS assists).

Chief Passagaluppi reported that August was a busy month for public service standbys.

Chief Passagaluppi reported that they were called on Sunday, September 7th to a report of smoke inside Welcome Grove Church on Newland Road. When units arrived, they found a rear room of the church involved in fire. Fire was quickly extinguished with minor smoke and water damage in the adjacent areas of the church. Company 3 was assisted by Company 1&2, Montross fire, Richmond County Emergency Services, and the Richmond County Sheriff's Office. At this time, the fire is believed to be electrical in nature.

Assistant Chief Thomas informed the Board that the fire department has 1000 wristbands to sell to support the Susan G. Komen Breast Cancer Foundation. Each band is \$1.00 and 100% of the proceeds will go to the Breast Cancer Foundation.

MP-NN COMMUNITY SERVICES BOARD – PERFORMANCE CONTRACT

Mr. Chuck Walsh, Executive Director of the MP-NN Community Services Board, thanked Richmond County for their ongoing financial support.

Mr. Walsh informed the Board that he is seeking approval of their FY15/16 performance contract. This contract is an agreement between the state authority for the Public Mental Health System and the local authority, which is the local Community Services Board. There are no substantial changes to the contract that would impact the localities; there are some legislation changes that affect the Community Services Board. The Department of Mental Health and Behavioral Services approved a provisional contract a month ago but it is not formally approved until each locality that established the Community Services Board has approved the contract. Mr. Walsh explained how state, federal, and local funds are spent and how the Community Services Board benefits each locality.

Mr. Walsh stated he was very pleased to have Sheriff Bryant on his Board.

“On a motion made by John L. Haynes, 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 MP-NN Community Services Board Performance Contract.”

MERRIMAC JUVENILE DETENTION CENTER – CHANGE TO MEMBERS AGREEMENT RESOLUTION

Mr. Quicke asked the Board to table this item indefinitely.

FARNHAM CREEK BOAT LANDING GRANT RESOLUTION

Mr. Quicke reminded the Board that in order to apply for the DGIF funds to repair the Farnham Creek Boat Landing, a Resolution must be passed by the governing body.

Chairman Sanders asked if the boat landing would be turned over to the Department of Game and Inland Fisheries after it is repaired. Mr. Quicke stated that the county would be maintaining the landing but he would check with VDGIF to see if an agreement could be made.

“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 adopt the following resolution:”

RESOLUTION OF RICHMOND COUNTY BOARD OF SUPERVISORS APPROVING APPLICATION FOR A GRANT FROM THE “GRANTS TO LOCALITIES” PROGRAM FROM THE VIRGINIA DEPARTMENT OF GAME AND INLAND FISHERIES

WHEREAS, the Virginia Department of Game and Inland Fisheries (VDGIF) offers a “Grants to Localities” Program (Grants) for public boating access facilities that is available only to jurisdictions in Virginia; and

WHEREAS, the purpose of the program is to assist localities in providing public opportunities for boating access facilities; and

WHEREAS, continued boating access from the Farnham Creek Public Boat Landing is envisioned in perpetuity; and

WHEREAS, awards from the Grants require a 25% local match; and

WHEREAS, the 25% local match for a grant award of \$35,000.00 is \$8,750.00, which is available in designated fund balances; and

WHEREAS, in accordance with the VDGIF “Grants to Localities” Program for public boating access facilities application procedures, the Board of Supervisors must commit to supporting the project as reflected in a Resolution;

NOW, THEREFORE BE IT RESOLVED by the Richmond County Board of Supervisors, on this the 11th day of September, 2014, that the County Planning and Zoning Administrator be and he hereby is authorized to apply to the FY2015 Virginia Department of Game and Inland Fisheries (VDGIF) “Grants to Localities” Program for public boating access facilities for a grant in an amount not to exceed Thirty-Five Thousand Dollars (\$35,000.00), for the design and reconstruction of the Farnham Creek Public Boat Landing; and

BE IT FURTHER RESOLVED that the Board supports the public boating access facility located along Farnham Creek; and

BE IT STILL FURTHER RESOLVED that the County Administrator be and he is hereby authorized to accept the Grant and to sign all documents associated with acceptance.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors

Date

Attest: _____
R. Morgan Quicke
Richmond County Administrator

Date

EASRRB REVISED AGREEMENT

Mr. Quicke explained that an ordinance was recently approved by all localities allowing Northumberland County to join the EASRRB. Each governing body must adopt the “Amendment to Intergovernmental Agreement Ambulance Billing Services.” The agreement outlines the fact that Northumberland County will reimburse the four original counties \$5,000; therefore, allowing each locality to have a 20% stake in the partnership.

“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 adopt the Amendment to Intergovernmental Agreement Ambulance Billing Services.”

Mr. Haynes questioned if the \$5,000 from Northumberland County would go into the General Fund. Mr. Quicke stated that it would go in the General Fund unless it is discussed to put it somewhere else.

NORTHERN NECK ELECTRIC – EASEMENT REQUEST

Mr. Quicke informed the Board that he has been working with Harry Smith and Marty Mothershead from NNEC. Northern Neck Electric has purchased land across the Rt. 3 bypass from the Community Park with the hopes of constructing a pole yard and years down the road, their headquarters. Mr. Quicke stated that he is very happy that NNEC has decided to stay in Richmond County.

Mr. Quicke told the Board that the property is currently in Dominion Virginia Power’s service district but an agreement has been made which will allow NNEC to serve their own facility. In order to bring power to their property, the only access that they have would be through county owned property, which would go through the vicinity of the property leased by the Fair Association, through the county property, and then under Rt. 3. NNEC has verbally agreed to run the power underground along the property lines so that as little interruption as possible will occur to the land. Mr. Quicke provided overheads to the Board and explained what discussions have taken place so far. Mr. Quicke feels that a 20’ easement along the property should not de-value the county property much at all.

Mr. Quicke asked the Board to allow him to continue working with Northern Neck Electric and come up with a more detailed plat showing where the easements and junction boxes would be located and what direct affect this would have on the Commerce Park.

Mr. Thomas asked that the Richmond County Fair Association be included in this discussion because it does affect parking and operational opportunities. Mr. Quicke agreed to include Kelly Liddington in on this discussion.

Chairman Sanders questioned the placement of the easement down the middle of the existing road. Harry Smith said it would be difficult to make a 90° turn, since everything will be placed in pipe. Mr. Smith said they hope to have this done before spring.

Mr. Thomas said that he believes that the Fair has obtained permission to park along the opposite side of that road, which is a given 20' area now. Mr. Quicke said that area was not in the crop lease.

The Board unanimously agreed to allow Mr. Quicke to move forward with this discussion.

RICHMOND COUNTY COMMUNITY PARK – ADDITIONAL PARKING

Mr. Quicke informed the Board that he has been approached by the Fair Association about the possibility of expanding the parking opportunities throughout the Community Park. The Fair this year drew a large crowd and the parking was an issue.

Mr. Quicke said that there is a parcel of land, 1.9 acre in size, across from the Fair Lease, that could be used for additional parking for the entire Community Park. Mr. Quicke provided the Board with a map that showed the site. If agreed to, he could work with the lease to have an additional addendum included that would remove the 1.9 acres from the crop lease prior to the property being replanted.

Mr. Quicke asked the Board to allow him to work with the crop lease in order to allow additional parking for the entire Community Park.

Mr. Haynes asked how much does the county receive per acre. Mr. Quicke responded that the County receives \$131.75 per acre.

Mr. Thomas questioned if the area discussed for the easement should be taken out of the crop lease at this time. Mr. Quicke said it would be a good time to amend the lease for both issues.

“On a motion made by John L. Haynes, 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 remove the 1.9 acre parcel of land out of the crop lease in order to provide additional parking for the Community Park.”

RICHMOND COUNTY ELECTORAL BOARD – CHANGE OF POLLING PLACE REQUEST

Mr. Quicke told the Board that he received a letter from the Electoral Board regarding their request to change the District 5 Polling from Newland Church of Christ to the Newland Fire Station. If the Board wishes to consider this request, it must be done in the form of an Ordinance and passed only after required advertising and public hearing.

“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 advertise the change of polling place ordinance for the next scheduled public hearing.”

RCPS QSCB/VPSA UPDATE

Mr. Quicke provided the Board a quick update of the spending on the school construction project as of September 4, 2014. Roughly, 50% of the financed money has been spent to date.

FY16 USDA POLICE CAR GRANT

Mr. Quicke informed the Board he has applied for the FY16 USDA Police Car Grant. This does not require that we accept the grant if awarded. This grant would be for another grant car/loan car, or “buy one get one free.”

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 October 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 October 2014.”

APPROVAL OF MINUTES – AUGUST 14, 2014

“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 14, 2014 meeting.”

OTHER BUSINESS

Mr. Thomas congratulated the Richmond County Senior League Softball team for their accomplishments. He asked the community to stay involved with all of the upcoming events.

Mr. Haynes also congratulated the Richmond County Senior League Softball team for their accomplishments.

Mr. Pemberton informed the Board that he has attended two informational meetings on fracking. He has asked Mr. Quicke and Mr. Quesenberry to look in to how other counties are preparing. Mr. Pemberton said that this issue is scary and it could cause a lot of pollution in our ground water and river.

Chairman Sanders read a letter from the Northern Neck Free Health Clinic thanking the Board for their yearly contribution.

Mr. Quicke told the Board that the Annual VACO Conference is scheduled for November 9 -11th and if any members are interested in attending, please let him know.

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)(3), a matter involving the acquisition of property for public purposes.”

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.

OTHER DISCUSSION

The Board discussed correspondence from the Commonwealth’s Attorney regarding the recent embezzlement case involving Jennifer Clark.

The Board discussed the public hearing scheduled for 7:00 p.m. that evening.

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
James A. Russell
William Welch

PUBLIC HEARING

1. James A. Russell, 11 Hales Point Road, Farnham, Virginia 22460, has requested to amend his existing special exception approval, Zoning Ordinance Section 2-2-2A-13, in order to expand the days of operation of his antique/consignment shop, located at 11 Hales Point Road. The parcel in questions is zoned A-1 (Agriculture) and is further identified as tax map 38-20.

Mr. Quesenberry read the notice of public hearing and the staff report. The staff report explained the current special exceptions permit that was approved on June 14, 2012, with conditions. Mr. Quesenberry said that Mr. Russell would like to amend his current special exceptions to include Tuesday through Thursday as days of operation due to an increase in business, with the possibility to include Monday. Mr. Quesenberry informed the Board that the Planning Commission recommended approval last month, with the condition that it be revisited in six months to see how the parking has been addressed. Mr. Quesenberry said he has no issues with the additional days of operations. As for the parking, Mr. Russell intends to expand the current parking area and has several “no parking” signs posted along the road.

Mr. Haynes suggested granting Monday into the request, even if Mr. Russell chooses to not open on that day.

Mr. Russell thanked the Board for granting the original special exceptions request in 2012. He informed the Board that his shop was voted “Best of the Best” this year. Mr. Russell said he has over 100 consigners, including a seamstress, local artist, and that his youngest consigner is eight years old. He feels that his shop has brought together the community and he would like to have the choice to open different days during the week. Mr. Russell stated he realizes that parking is still an issue but he is doing his best to address it.

Mr. Thomas asked if there would be an entrance and an exit. Mr. Russell showed a photo of the additional parking, which showed the entrance and exit in the same location.

Mr. William Welch spoke in support of Mr. Russell's request. He feels that the business is in a good location and that he has never had any problem with parking.

Mr. Haynes said with the six month condition to monitor the parking expansion in place, he doesn't have a problem with granting the request. He feels it is an asset to the community.

Mr. Thomas' concern is the entrance and exits, especially those backing out in the highway, and wants to know what can be done to make it safer.

Mr. Russell said he has spoken with others about that corner and can't control how people drive. He feels that he should be able to back out of his driveway without issues. He advises his customers to be careful when crossing the road.

Mr. Thomas suggested extending the six month condition due to the busier season being in the summer months.

Mr. Quicke said that anytime a special exceptions permit is issued, the county will continue to monitor the situation long after the 6 months is over. If concerns are brought to our attention, we will address them.

Mr. Pemberton said that opening extra days during the week will not produce the traffic that the weekends do.

Mr. Haynes said that Mr. Quicke summed it up, when dealing with a special exception request, anytime there is a complaint, it is subject to review.

Mr. Quicke reminded the Board that they were given copies of letters in their packets, some in favor and some against. Mr. Quicke said out of all of the letters and calls, no one has been against the concept of the store; all of the concerns were dealing with the parking. Mr. Quicke feels that through the review period and the posted signs, the parking situation can be remedied.

“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 special exceptions request amendment by James Russell to include 7-days a week, with a 12-month review condition.”

ADJOURNMENT

After no further business, Chairman Sanders adjourned the meeting.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors