RICHMOND COUNTY BOARD OF SUPERVISORS  
December 14, 2017

MINUTES

At a regular meeting of the Board of Supervisors for Richmond County, Virginia, held on the 14th day of December, 2017, 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
   William C. Herbert, II, Member
   J. David Parr, Member

Also Present:
   R. Morgan Quicke, County Administrator
   Hope D. Mothershead, Administrative Assistant
   Kristie S. Brann, Treasurer
   Stephen Smith, Sheriff
   Trevor Johnson, Captain, Sheriff’s Department
   Charles P. Bowles, IV, Deputy
   Randy Passagaluppi, Fire Chief
   Greg Baker, Chief of Emergency Services
   Dr. Greg Smith, Superintendent
   Barry Sanders, Director or Code Administration
   Jennifer Delano, Commissioner of the Revenue
   John Brown, Chairman, School Board
   Vanessa Livingstone, Director, Department of Social Services
   Dave Cordes, Chairman, Social Services Board
   Dana Shride, Virginia Chief’s Association
   Aaron Hawkins, Robinson, Farmer and Cox
   Approximately 15 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.

SHERIFF

Sheriff Smith presented the following report for the month of November, 2017: 919 calls for service; served 274 civil papers; 31 arrests with 47 warrants served; and served 77 traffic summons. The jail population for the week in Richmond County was 32. Animal Control: 27 calls for service, 2 dogs transferred to Westmoreland Animal Shelter.
Richmond County Board of Supervisors Minutes:
December 14, 2017

Sheriff Smith reported that the department assisted with the Christmas parade which was enjoyed by all. Members of the department also assisted with the snow storm resulting in 18 tree/power line calls and 2 accidents. Sheriff Smith invited the Board members to a luncheon that would be held at the Technical Center for the Senior Safe Call Program.

TREASURER

Kristie Brann, Treasurer, presented the Trial Balance Report for the month of November, 2017. Mrs. Brann noted that tax collection for 2017 has been steady.

COMMISSIONER OF THE REVENUE

Jennifer Delano, Commissioner of the Revenue, alerted the Board of two erroneous assessment cases that have been presented to her office. Mrs. Delano is working with Fred Pearson to address the assessments.

PLANNING/ZONING/LAND USE

Barry Sanders, Director of Code Administration, notified the Board of 17 new projects started in November. Mr. Sanders noted that the Planning Commission met on December 11, 2017 and unanimously voted on a rezoning for a commercial retail store. Mr. Sanders asked for scheduling of a public hearing at the January Board meeting.

"On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to schedule a public hearing for January 11, 2018 at 7:00 p.m. to allow for discussion on a rezoning request."

EMERGENCY SERVICES

Greg Baker presented the following EMS report for the month of November: 96 calls in Richmond County; 1 call for mutual aide into Richmond County; 2 calls for mutual aide to bordering counties and 3 fly outs. EMS recovery amount for November, 2017 was $25,940.00. Mr. Baker advised of a 50/50 grant ($116,111.00) awarded to Richmond County towards the purchase of a new F-550 ambulance and an 80/20 grant ($35,500.00) awarded to be used towards the purchase of 8 portables and 8 mobiles on the new radio system.

RICHMOND COUNTY VOLUNTEER FIRE DEPARTMENT

Randy Passagaluppi presented the following report for the month of November:

Warsaw: 12 total calls – 2 EMS Assist
Farnham: 8 total calls
Newland: 5 total calls – 1 EMS Assist
Richmond County Board of Supervisors Minutes:  
December 14, 2017

Mr. Passagaluppi also advised the Board members that Santa would be visiting portions of the County on the fire truck within the following week.

RICHMOND COUNTY PUBLIC SCHOOLS

Dr. Smith presented to the Board an informational slide show from his trip to Germany with the Goethe Institute Study Tour. The group reviewed systems in place to help train Syrian refugees to re-enter the work force.

The Board thanked Dr. Smith for sharing his experience and also thanked the school board for the wonderful holiday luncheon provided for the County employees at the Technical Center.

DANA C. SCHRAD – PRESENTATION – VIRGINIA CHIEF’S ASSOCIATION

Ms. Schrad, the Executive Director of the Virginia Police Chief’s Association was in attendance to present an award to Sheriff Smith, Captain Johnson and Deputy Bowles for a heroic lifesaving event involving a motor vehicle accident earlier in the year.

ROBINSON, FARMER AND COX – PRESENTATION OF FY17 AUDIT

Mr. Aaron Hawkins from Robinson, Farmer and Cox presented the audit results from the FY17 Audit. Mr. Hawkins noted that he was pleased with the direction of the fund balance compared to the past years. Some suggestions made in follow-up of the audit are a centralized accounting system, fiscal stress management, improvement with invoices and credit cards within social services department (finance charges) and continuity plan within social services.

Mr. Quicke noted that the centralized accounting system has been discussed and meetings will be set with vendors to determine which system is ideal for the County needs. Mr. Quicke added the follow-up on the fiscal distress would be discussed later in the meeting.

The full audit report may be viewed at https://co.richmond.va.us/images/pdf/2017-Final---Richmond-County.pdf

VIRGINIA TRUE (FONES CLIFF) – UPDATE

Mr. Rob Smith from Virginia True discussed the developments and progress of Virginia True. Mr. Smith has submitted partial documents for a section of the Phase II portion of the project, however complete submittals are still forthcoming. Mr. Smith noted that the crown jewel of the project will be the golf course, which will create value for the County. Once the golf course is created, the lodging aspect will follow. Mr. Smith added that all of the holes in the course will face the river. The course will be a National Membership Golf Course with lower rounds per year but extremely well maintained. A slogan that Mr. Smith would like to use is “The Northern Neck of Virginia – Come Right In!” All of the holes within the course have been staked and erosion and sediment control plans are being submitted. Mr. Smith hopes to use as many local companies as possible to begin the work on the site. A B-1 parcel has been zoned but needs to be subdivided out prior to development of the luxury resort. Mr. Smith mentioned the road
leading into the resort and hopes to use some of the existing remains as an area of interest. Mr. Smith noted that he is working on additional documentation to present with the Phase II portion of the project, pursuant to a list provided to him from Mr. Quicke.

Mr. Pemberton inquired about the plans to stabilize and keep cliffs in good shape throughout construction. Mr. Smith added that his knowledge was that 90% of the erosion comes from the trees pushing down on the earth, so he plans to remove select trees and replace with a variety of vegetation to control erosion. Mr. Pemberton inquired if the Chesapeake Bay Act would allow cutting of the trees and asked if the current work in progress was permitted. Mr. Smith felt that there was some miscommunication, he thought approval had been granted prior to beginning the work. Mr. Quicke added that a stop work order had been placed on the property, as the clearing of land on part of the project had gone too far without proper approval. Since the plan is deemed a golf course, the agricultural exceptions do not apply to the clearing, etc. The current activity on the property is solely measures to bring the project into compliance.

Mr. Pemberton added that he would like to see Mr. Smith be in contact with the Friends of the Rappahannock Group with updates every 60 days, as promised in the original approval of the project.

Mr. Quicke concluded that upon receipt of the required items for the plan for Phase II submittal, the project will be sent back to the Planning Commission for review and scheduled public hearings.

PUBLIC COMMENT

Richard Moncure from the Friends of the Rappahannock Group addressed the Board and noted that the group is in place to protect the Rappahannock River. In 2015, the County made a decision to approve the Virginia True (Fones Cliff) project. The Friends of the Rappahannock Group agreed to work with Mr. Smith on the project. Recent land disturbances raise concern for Friends of the Rappahannock. Moving forward, Mr. Moncure wanted to make it clear that the Friends of the Rappahannock Group cannot serve as a consultant to Virginia True but will offer support to Richmond County by identifying partners that may help shape this project into compliance. Mr. Moncure noted that he has nothing to gain by a failed project but we should keep in mind that at the foot of this project is the Rappahannock River, which all citizens of Richmond County should be concerned with.

Ms. Kathleen Harrigan, Executive Director of the Friends of the Rappahannock, addressed the Board and provided a letter attached as Exhibit A. Ms. Harrigan is not interested in seeing the Virginia True project fail but does wish to protect the Rappahannock River and all of its tributaries. Ms. Harrigan also thanked the Board for all of their service in every aspect of the County work.

Ms. Cassandra Rich addressed the Board with concern of the Keith Franklin junk yard. Ms. Rich would like for the County representatives to work with Mr. Franklin to limit the appearance of junk on his property. She is also very concerned about items that have been moved across the road to a vacant lot. Ms. Rich feels that it will cause a decrease in her property value and is also
Richmond County Board of Supervisors Minutes:  
December 14, 2017

very bothered by the fact that some of the vehicles stored on the lot may have fuel leaking onto the ground.

Mr. Joe McCauley, a member of the Chesapeake Conservancy, addressed the Board to add concern about the Virginia True project. The Chesapeake Conservancy has made protection of Fones Cliff its highest priority in Virginia. The Cliffs provide an outstanding wildlife habitat for eagles and other species. The area is also a historic site on the Chesapeake National Historic Trail. Mr. McCauley noted that promises were made to protect the bluff and create buffers when clearing began. The proffers included an intent to comply with the Golden and Bald Eagle Protection Act. Mr. McCauley felt that most certainly the latest land clearing will disturb the bald eagles and will cause erosion. Mr. McCauley is in hopes that there is still an opportunity to protect the sights along the Rappahannock River and is happy that the County has taken steps to stop clearing of the property until a proper plan is in place.

DEPARTMENT OF SOCIAL SERVICES – BY-LAW AMENDMENTS

Vanessa Livingstone and Dave Cordes presented the revised by-laws of the Department of Social Services to the Board and noted that amendments must be approved by the Board of Supervisors.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the noted amendments to the by-laws of the Richmond County Department of Social Services.”

OLD BUSINESS

WALNUT STREET PROPERTY – RENOVATION STATUS/POTENTIAL TRANSFER TO IDA

Mr. Quicke noted that since Supervisor Thomas asked about the feasibility of transferring the former Walnut Street Daycare property into the control of the IDA, he wanted to provide some information for thought. Industrial Development Authorities were created to allow Counties to encourage business development and retention in a more business friendly climate, and to facilitate deals in a more private sector way. When the Board of Supervisors wishes to sell, buy, lease or rent property, it is required to be done after public advertisement and public hearing. The IDA is not required to advertise or hold public hearings, meaning dealings may be done in a climate more conducive to attracting and retaining businesses in the community.

Mr. Quicke continued to note that currently, the Richmond County IDA’s sole possession is the IDA Building, housing the Richmond County School Board as well as the Richmond County Head Start Program. Should the County wish to convey the Walnut Street property to the IDA, it would need to be done through a resolution the traditional way of public notice and public hearing, and deed transfer. At that point, the Walnut Street facility would be owned by the IDA; therefore allowing the IDA to manage and rent the facility as they see appropriate and for a price they deem appropriate.
Richmond County Board of Supervisors Minutes:
December 14, 2017

Additionally, Mr. Quicke advised that the renovation of the facility is moving along. The building has been completely emptied, and the Maintenance Department has been working hard on sanding, filling holes, and general maintenance in preparation of releasing and advertising a painting contract.

Mr. Thomas asked about the rental going to public hearing. Mr. Quicke added that a public hearing would need to be held for rental by the County or transfer to the IDA. Mr. Quicke is in hopes that a long-term renter will be interested in the property.

Chairman Sanders offered that he thought it was best to offer the property for rent through the County, without switching it to the IDA at this time.

"On a motion made by Robert B. 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: to authorize Mr. Quicke to advertise the property for rent once the property is ready."

**VIRGINIA FISCAL DISTRESS EARLY WARNING – FOLLOW-UP LETTER FROM APA**

Mr. Quicke shared with the Board the follow up letter from the Virginia Auditor of Public Accounts regarding the Fiscal Distress Early Warning System. In short, this letter states that the County has provided sufficient evidence and proof that plans to regain financial stability over the next 3-5 years is on track, and that no further follow up is needed at this time.

The APA intends to present their overall findings to the Senate Finance Committee and House Appropriations Committee sometime in January.

**RESOLUTION – RATIFYING ORDIANCE AMENDMENTS – FRACKING**

Mr. Quicke provided a Resolution outlining the Ordinance Amendments that were approved at the November meeting regarding fracking. There was discussion at the end of the Public Hearing that a resolution be sent to our neighboring counties asking them to consider a ban on fracking as well.

"On a motion made by Robert B. 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: to adopt the following resolution."

**RESOLUTION – PROHIBITION OF FRACKING**

**WHEREAS**, Studies have proven that the practice of Hydraulic Fracturing, better known as Fracking, is a serious environmental concern, and a known threat to both surface and sub-surface water; and

**WHEREAS**, Richmond County is located on Virginia’s Historic Northern Neck, an environmentally sensitive area, dependent on the Rappahannock River for work and recreation as well as dependent on underground aquifers for drinking and other daily uses; and
Richmond County Board of Supervisors Minutes:
December 14, 2017

WHEREAS, the potential threat to our water sources is too great to risk; and

WHEREAS, the Richmond County Planning Commission spent many hours on research and analysis of Hydraulic Fracturing throughout 2017, and on October 10, 2017, unanimously recommended to the Board of Supervisors amendments to the Richmond County Zoning Ordinance that would ban Fracking within Richmond County; and

WHEREAS, on November 11, 2017, through amendments to the Richmond County Zoning Ordinance, the practice of Hydraulic Fracturing has effectively been banned within the borders of Richmond County; and

WHEREAS, Richmond County is the 2nd County within the Commonwealth of Virginia to ban the practice of Fracking, only behind Augusta County, Virginia;

THEREFORE BE IT RESOLVED, by the Richmond County Board of Supervisors, that through our actions and amendments to the Richmond County Zoning Ordinance, the practice of Fracking will be banned within the borders of Richmond County; and

BE IT FURTHER RESOLVED that the Board of Supervisors of Richmond County strongly urge our neighboring Counties of the Rappahannock Watershed to consider language that would ban or severely restrict the practice of Fracking within their localities.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors Date: December 14, 2017

NEW BUSINESS

FY19 BUDGET SCHEDULE

Mr. Quicke provided the proposed FY19 Budget and Capital Improvement Plan (CIP) Schedule for review/discussion. Additionally, Mr. Quicke noted that he would be presenting to the Board a Budget presentation at the January meeting, outlining the status of our current FY18 budget with respect to expenditures and revenues, and looking forward to the early stages of the FY19 budget preparation.

The FY19 Budget and Capital Improvement Plan (CIP) Schedule is as follows:

FY19 Budget Adoption Schedule

Friday, December 8, 2017 – Budget Request Letters submitted to Departments

Friday, January 26, 2018 – Department Budget Requests due to County Administrator

Friday, February 23, 2018 – FY19 Budget Requests and proposed Capital Improvement Plan (CIP) given to Board of Supervisors

Thursday, March 8, 2018 – FY19 Budget Presentations from Departments (1:00 – 5:00 PM)
Richmond County Board of Supervisors Minutes:
December 14, 2017

Monday, March 19, 2018 – FY19 Budget/CIP Worksessions (6:00 PM)

Monday, March 26, 2018 – FY19 Budget/CIP Worksessions (6:00 PM)

Thursday, April 12, 2018 – FY19 Budget/CIP Worksessions (1:00 or 6:00 PM)

Thursday, April 19, 2018 – FY19 Budget/CIP Public Hearing (7:00 PM)

Thursday, May 10, 2018 – FY19 Budget/CIP Adoption (7:00 PM)

2018 ORGANIZATIONAL MEETING

As done in 2017, Mr. Quicke suggested a special called meeting in January in order to organize the Board leadership and appoint the Board and commission members done annually.

“On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to schedule a 2018 Organizational Meeting (special called meeting) for January 4, 2018 at 6:00 p.m.”

RICHMOND COUNTY GARDEN CLUB – SPRING 2018 TOUR – BAY TRANSIT REQUEST

Mr. Quicke discussed with the Board the 2018 Virginia Historic Garden Week, held by the Garden Club of Virginia, that will be back in Richmond County in April of 2018. The four Northern Neck Counties rotate yearly, with the last event in Richmond County taking place in 2014.

As requested four years ago by the Garden Club of Northern Neck, they have requested the use of a Bay Transit bus for the day of the event to help with the tours. Bay Transit is permitted to do events throughout the year for member localities, provided they are deemed to be for the County Government or have the support of the County Government. For the 2014 event, the Board of Supervisors did in fact approve the request for the use of Bay Transit, and Mr. Quicke recommended approval by the Board of Supervisors for the use of Bay Transit by the Garden Club of the Northern Neck during the 2018 Garden Tour.

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the use of Bay Transit by the Garden Club of the Northern Neck during the 2018 Garden Tour.”

ONGOING PROJECTS

CONSTRUCTION UPDATE – EMS AND ANIMAL SHELTER – DISCUSSION ON BIDDING
Mr. Quicke noted that there had been a minor setback in the bid process for construction projects. As the engineers were working through the value engineering process, after bids had been submitted, Sands Anderson informed that some of our bid documents did not completely adhere to the Virginia Public Procurement Act. Since the options were limited in value engineering, Sands Anderson noted that it would be in the best interest to re-bid the projects.

After a meeting with Sands Anderson and Perretz & Young, it was agreed that new documents would be prepared, and a re-bid would be forthcoming. The current revised schedule shows bids due Thursday, January 11, 2018.

Additionally, it was determined at this meeting that, at this time, the Animal Shelter would not be included in the re-bid package. As high as that bid came in originally, it was agreed that in order to bring that facility into budget, it would need major plan and design modifications, something that could not be done in the short time frame we are working within. Once the EMS and Bus Garage projects begin, review of the Animal Shelter plans will be done in greater depth. Mr. Quicke noted that the animal shelter is definitely still a project that is needed.

**FEDERAL ENGINEERING RADIO STUDY UPDATE – DISCUSSION ON OPTIONS**

Mr. Quicke noted that throughout the last several months, the Board has heard and read reports and analysis from Federal Engineering (FE) regarding the status of our current ICom radio system as well as the new system being implemented by King and Queen County and Essex County, known as the Middle Peninsula Regional Radio Authority (MPRRA).

At the November meeting, Mr. Cliff Brown of FE, recommended that Richmond County work to pursue an agreement to join and be a part of the MPRRA. The analysis from FE has determined that money invested into the current ICom system is not money well spent and will not result in improved performance from our current system.

The current ICom Radio System was put into service sometime around 2010. Continuing to strive for continued improvements to the entire public safety network, the replacement of our emergency radio communications is the next great step. The opportunity to be able to join a newly created system, and to partner with neighbors from the Middle Peninsula, will lead to a greater inter-operability and a regional network which is always encouraged, especially in times of emergency.

After the presentation in November, it was agreed that in December, numbers would be presented to the Board showing infrastructure needed, costs of infrastructure and yearly subscription fees to MPRRA for use. Mr. Quicke reviewed two spreadsheets, attached as Exhibit II and Exhibit III.

The key financial information to understand:

- Radio needs by department (Portable and Mobile)
- Yearly subscription costs to MPRRA based off of total users
- 10 year debt schedule (Infrastructure+Subscription)
Richmond County Board of Supervisors Minutes:
December 14, 2017

Mr. Quicke continued to note that Richmond County has the opportunity to join a well planned, well built, public safety grade radio system with interoperability between three counties, and hopefully more in the future, at a projected 10-year cost of $700,000.

Mr. Quicke noted that he has met with the Town of Warsaw to discuss the new radio system and the needs of the Town.

Mr. Baker noted that the multi-jurisdictional radio system would allow counties to share “radio cashes” if necessary for emergencies. The additional radios/mobiles will be accumulated by the County over time through grant funds, etc.

Mr. Quicke added that the next step would be to begin the process of working with the MPRRA to create an official MOU or Contract outlining the terms.

"On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to allow Mr. Quicke to move forward with contract negotiations and report back to the Board at the January meeting."

BOARD APPOINTMENTS

"On a motion made by Richard E. Thomas, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to re-appoint Darnell Clayton to the Planning Commission for a term ending December 31, 2021."

"On a motion made by Robert B. 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: to appoint Brian Mothershead to the Planning Commission (replacement for the expired term of Martha Hall) for a term beginning January 1, 2018 and ending December 31, 2021."

"On a motion made by Robert B. 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: to re-appoint Stan Terhune to the Industrial Development Authority for a term ending December 31, 2021."

MONTHLY APPROPRIATIONS – RICHMOND COUNTY DEPARTMENT OF SOCIAL SERVICES

"On a motion made by Robert B. 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: to appropriate $85,000.00 to the Richmond County Department of Social Services for the month of January, 2018."
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 $1,339,971.00 to the Richmond County School Board for the month of January, 2018.”

APPROVAL OF MINUTES – NOVEMBER 9, 2017

“On a motion made by William C. Herbert, II, the Board voted: F. Lee Sanders – aye; Richard E. Thomas – aye; William C. Herbert, II – aye; J. David Parr – aye; Robert B. Pemberton – aye: to approve the minutes from the November 9, 2017 meeting.”

OTHER BUSINESS

Mr. Thomas wished everyone a Merry Christmas and a Happy New Year and also thanked the School Board and Technical Center for the holiday luncheon.

Mr. Parr commended the Sheriff’s Office for their accommodation at the vehicle accident, thanked the Technical Center for a wonderful luncheon and wished everyone a Merry Christmas.

Mr. Herbert wished the crowd a Merry Christmas and thanked the Sheriff’s office for their hard work with the Christmas parade in the Town of Warsaw.

Mr. Pemberton offered congratulations to Halle Cullison on the birth of her baby girl and also added that her staff did a wonderful job with the election in her absence.

Chairman Sanders wished everyone a Merry Christmas and a Prosperous New Year.

Mr. Quicke alerted the Board that the land sale with the Northern Neck Food Bank has closed and money has been received. Mr. Quicke also added that he and Barry Sanders were working with Keith Franklin on the junk mentioned by Cassandra Rich.

CLOSED SESSION

“On a motion made by Robert B. 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)(3), a matter involving the condition of public property and a matter involving the acquisition of property for public purposes.”

“On a motion made by Robert B. 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)(1), a personnel matter involving appointment or promotion of particular officers or employees.”
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

"On a motion made by Robert B. 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: to offer the proposed Right of First Refusal to Tayloe Murphy and, if acceptable to Mr. Murphy, move forward with signatures necessary for finalization and recording."

ADJOURNMENT

After no further business, Chairman Sanders adjourned the meeting.

F. Lee Sanders, Chairman
Richmond County Board of Supervisors
December 14, 2017

F. Lee Saunders, Chairman
6330 Menokin Road
Warsaw, VA 22572

Dear Mr. Saunders,

Friends of the Rappahannock, is a grassroots, non-profit, conservation organization and our mission is to protect the health and scenic beauty of the Rappahannock River, from its headwaters in Chester Gap to its confluence with the Chesapeake Bay at Sting Ray Point.

For nearly a decade, Friends of the Rappahannock and conservation partners have been working with Richmond County and all stakeholders to protect the river and natural resources on and adjacent to the Virginia True property at Fones Cliffs.

In 2015 the county made a decision to approve the re-zoning application for the Fones Cliffs Resort and Spa with the expectation for economic benefit to the county from the development. Friends of the Rappahannock honored the decision and agreed to work with the Mr. Smith and the developing partners, as proffered in the rezoning application. The decision was made with the expectation that the County’s ordinances, and applicable State regulations, related to land disturbance, the Chesapeake Bay Act, water supply, stormwater and wastewater management would be followed.

Recent land disturbance activity raises concerns for the Friends of the Rappahannock. In our experience in other parts of the watershed, the most successful projects (especially projects of this scale and along such sensitive areas of the river system) meet the above expectations at a minimum.

As part of this letter, we have included a packet of materials.

- Photo of the land disturbance activity (November 13 and 17, 2017)
- Stop Work Order (November 30, 2017) (partial document)
- Inspection Report, including map of area disturbed (December 1, 2017) (partial document)
- Phase II application (October 17, 2017) and response by the County (December 4, 2017)
- Approved proffers (November 12, 2015)

The land disturbance on the property first came to our attention on November 13. We investigated the situation from the river on November 17. [photos included in the packet]. Richard English conducted a site inspection on November 30 and rapidly issued a Stop Work Order to Virginia True for "violation of Richmond County's Erosion and Sediment Control Ordinance". This action was necessary and is applauded by Friends of the Rappahannock.
The Stop Work Order [attached] clearly outlined the corrective actions and other steps necessary for Virginia True to be compliant with applicable local and state requirements including:

- Submission and approval of an erosion and sediment control plan along with evidence of a Virginia Stormwater Management Program (VSMP) Permit from the Department of Environmental Quality (DEQ), and
- A local land-disturbance permit.

Mr. English conducted an extensive erosion & sediment control inspection on December 1. The inspection report [attached] summarizes the minimum standards that were non-compliant at the time of the inspection. In short, the inspection report documents:

- The 13.4 acres of land disturbance on the site, and
- Indicate for a variety of reasons that properties and waterways downstream from the development are not being adequately protected from erosion and sediment deposition.

The Stop Work Order required Virginia True to obtain plan approval by December 7th. Re-inspection of the site was scheduled for December 6th. Friends of the Rappahannock is very curious about the current status of the site and the submittal and approval status of Erosion and Sediment Control and Stormwater Management plans.

On December 4th, Morgan Quicke issued a response to Virginia True's Phase II application [both attached] listing items to be addressed in the formal site plan for the B-1 portion of the development. While the response does identify issues with cliff and wetlands protection, wetlands delineation, RPA delineations, etc., it does not address compliance with the local Erosion and Sediment Control ordinance, the DEQ Stormwater Management permit requirements, nor the proffers (including key environmental protections) that were part of the 2015 re-zoning approval [attached]. For example:

- #16 - Evaluate trees along the embankment in accordance with the Shoreline Erosion Advisory Services and sound engineering practices...
- #22 - Comply with the applicable provisions of the Golden and Bald Eagle Protection Act.
- #24 - Consult with the Friends of the Rappahannock during the Phase II engineering process...

We are not interested in seeing this project fail, especially at the cost of environmental degradation that may not be repairable. Failure to protect the water and other natural resources of the County is a failure for the project and the County. Virginia True and the County need to fulfill the promises made during rezoning regarding environmental protection AND compliance with applicable laws and regulations.

Friends of the Rappahannock offer our support for Richmond County to help shape this into the compliant and successful project that was discussed during the rezoning application back in 2015.

Sincerely,

Kathleen C Harrigan
Executive Director
Friends of the Rappahannock

cc: Board of Supervisors, Richmond County
    Morgan Quicke, County Administrator
    Peggy Sanner, Chesapeake Bay Foundation
    Joe McCauley, Chesapeake Conservancy
    Richard Moncure, Friends of the Rappahannock
<table>
<thead>
<tr>
<th>Department</th>
<th>Units</th>
<th>Cost/Unit</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheriffs Office</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portables</td>
<td>20</td>
<td>$2,142.00</td>
<td>$42,840.00</td>
</tr>
<tr>
<td>Mobiles</td>
<td>19</td>
<td>$2,803.00</td>
<td>$53,257.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>39</strong></td>
<td></td>
<td><strong>$96,097.00</strong></td>
</tr>
<tr>
<td>EMS</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portables</td>
<td>11</td>
<td>$2,142.00</td>
<td>$23,562.00</td>
</tr>
<tr>
<td>Mobiles</td>
<td>6</td>
<td>$2,803.00</td>
<td>$16,818.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>17</strong></td>
<td></td>
<td><strong>$40,380.00</strong></td>
</tr>
<tr>
<td>R.C.V.F.D</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portables</td>
<td>12</td>
<td>$1,892.00</td>
<td>$22,704.00</td>
</tr>
<tr>
<td>Mobiles</td>
<td>10</td>
<td>$1,960.00</td>
<td>$19,600.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>22</strong></td>
<td></td>
<td><strong>$42,304.00</strong></td>
</tr>
<tr>
<td>Administration</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portables</td>
<td>4</td>
<td>$2,142.00</td>
<td>$8,568.00</td>
</tr>
<tr>
<td>Mobiles</td>
<td>1</td>
<td>$2,803.00</td>
<td>$2,803.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>5</strong></td>
<td></td>
<td><strong>$11,371.00</strong></td>
</tr>
<tr>
<td>Dispatch/Microwave/Console</td>
<td></td>
<td></td>
<td>$60,000.00</td>
</tr>
<tr>
<td>Install</td>
<td></td>
<td></td>
<td>$25,000.00</td>
</tr>
<tr>
<td><strong>Equipment Only Total</strong></td>
<td></td>
<td></td>
<td><strong>$275,152.00</strong></td>
</tr>
<tr>
<td><strong>Equipment Interest</strong></td>
<td></td>
<td></td>
<td><strong>$21,258.00</strong></td>
</tr>
<tr>
<td><strong>Grand Total - Equipment</strong></td>
<td></td>
<td></td>
<td><strong>$296,410.00</strong></td>
</tr>
</tbody>
</table>

2.99% Interest for 5 years beginning July 2019
Total payback $296,410, for annual payments of $59,282

<p>| Total 10 year               | <strong>$695,290</strong> |
| Equipment + Interest        | <strong>$296,410</strong> |
| 10 year subscription        | <strong>$398,880</strong> |
| <strong>Total 10 year</strong>           | <strong>$695,290</strong> |</p>
<table>
<thead>
<tr>
<th></th>
<th>Equipment</th>
<th>Yearly Fee (MPRRS)</th>
<th>TOTAL</th>
<th>Available Debt Dollars</th>
<th>Supplement Needed</th>
<th>Total Available</th>
<th>Debt Surplus</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY18</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0.00</td>
<td>$0</td>
<td>0.00</td>
<td>0</td>
<td>$0</td>
</tr>
<tr>
<td>FY19</td>
<td>$0.00</td>
<td>$40,000.00</td>
<td>$40,000.00</td>
<td>$19,977</td>
<td>20,023.00</td>
<td>40,000</td>
<td>$0</td>
</tr>
<tr>
<td>FY20</td>
<td>$60,000.00</td>
<td>$40,000.00</td>
<td>$100,000.00</td>
<td>$37,877</td>
<td>62,123.00</td>
<td>100,000</td>
<td>$0</td>
</tr>
<tr>
<td>FY21</td>
<td>$60,000.00</td>
<td>$40,000.00</td>
<td>$100,000.00</td>
<td>$80,628</td>
<td>10,372.00</td>
<td>100,000</td>
<td>$0</td>
</tr>
<tr>
<td>FY22</td>
<td>$60,000.00</td>
<td>$40,000.00</td>
<td>$100,000.00</td>
<td>$95,376</td>
<td>4,624.00</td>
<td>100,000</td>
<td>$0</td>
</tr>
<tr>
<td>FY23</td>
<td>$60,000.00</td>
<td>$40,000.00</td>
<td>$100,000.00</td>
<td>$110,592</td>
<td>0.00</td>
<td>110,592</td>
<td>$10,592</td>
</tr>
<tr>
<td>FY24</td>
<td>$60,000.00</td>
<td>$40,000.00</td>
<td>$100,000.00</td>
<td>$115,933</td>
<td>0.00</td>
<td>115,933</td>
<td>$15,933</td>
</tr>
<tr>
<td>FY25</td>
<td>$0.00</td>
<td>$40,000.00</td>
<td>$40,000.00</td>
<td>$120,730</td>
<td>0.00</td>
<td>120,730</td>
<td>$80,730</td>
</tr>
<tr>
<td>FY26</td>
<td>$0.00</td>
<td>$40,000.00</td>
<td>$40,000.00</td>
<td>$125,409</td>
<td>0.00</td>
<td>125,409</td>
<td>$85,409</td>
</tr>
<tr>
<td>FY27</td>
<td>$0.00</td>
<td>$40,000.00</td>
<td>$40,000.00</td>
<td>$135,092</td>
<td>0.00</td>
<td>135,092</td>
<td>$95,092</td>
</tr>
<tr>
<td>FY28</td>
<td>$0.00</td>
<td>$40,000.00</td>
<td>$40,000.00</td>
<td>$135,092</td>
<td>0.00</td>
<td>135,092</td>
<td>$95,092</td>
</tr>
</tbody>
</table>

$300,000.00 | $400,000.00 | $700,000.00 | $976,706 | 106,142.00 | 1,082,848

*FY19 Supplement - $20,023 from $50,000 annual ambulance budget*

*FY20 Supplement - $25,000 from $50,000 annual ambulance budget*

* $17,000 from Capital Improvement Plan
* $20,000 from un-assigned fund balance

*FY21 Supplement - $39,372 from $50,000 annual ambulance budget*

*FY22 Supplement - $4,624 from $50,000 annual ambulance budget*