

Virginia: At a regular scheduled meeting of the Essex County Board of Supervisors held on Tuesday, September 13, 2022, at 7:00 p.m., in the School Board meeting room, 109 Cross Street, Tappahannock, Virginia.

Present: Robert Akers, Chairman
Ronnie G. Gill, Vice Chairman
John C. Magruder, Supervisor
Edwin Smith, Jr., Supervisor
Sidney Johnson, Supervisor

Present: Michael Lombardo, County Administrator, Clerk
April Rounds, Assistant County Administrator, Deputy Clerk
Andrew McRoberts, County Attorney

CALL TO ORDER

Chairman Akers called the meeting of Tuesday, September 13, 2022, to order at 7:00 p.m.

ROLL CALL

The Chairman asked the Assistant County Administrator to call out the roll; a quorum was met.

INVOCATION AND PLEDGE OF ALLEGIANCE

Supervisor Johnson led the Invocation and the Pledge of Allegiance.

AGENDA APPROVAL

Chairman Akers asked the Board if anything else needs to be added or deleted from the agenda. Supervisor Gill asked to add an additional item under the closed session for legal matters. Asked for a motion to approve the agenda as amended. Supervisor Johnson so moved, and Supervisor Smith seconded the motion. AYES: 5 NAYES: 0 ABSENT: 0

RECOGNITION

None.

PUBLIC HEARINGS

None.

PUBLIC COMMENTS

Jeff Howeth, 556 Riverdale Rd. Was asking if we have adopted the zoning map? After hearing that we had not he commended Mr. Hodges for the work he did. He noticed some things that are anomalies in the zoning map. He asked that we hold off on adopting the zoning map until the public has a chance to see the map and see what those are anomalies are. The changes were made to make an industrial area. A house will built where it was an A2 but could still be industrial. He is asking that we give the citizens a chance to ask questions before the decision is made

Hearing no more Chairman Akers closed out the Public Comments Section.

COUNTY ADMINISTRATOR'S and AGENCIES' REPORTS

County Administrator

Administrator Lombardo did send an email to propose a boundary line adjustment with King and Queen County and it currently resides with the part-time County Administrator. It was on their agenda for this months meeting and would get back to us on their decision. If they are in agreement we can work with Sands Anderson to get the resolutions made. The coordinates are confirmed so they are just waiting on approval from King and Queen.

Vice Chairman Gill commented from the previous meeting he appreciated Administrator Lombardo reaching out to the airport to clarify their report.

Supervisor Magruder gave shout outs for the following:

Sheriff for collecting 209 bags of trash, 35 tires and a bunch of mattresses your program is working well.

Treasurers office and Mary Davis working with the auditors.

IT funding for cyber security that will be available to apply for once the program is released. The top three countries that check out our website are Canada, India and Egypt.

This is new library card month and if you go to sign up for a library card you can get a pair of sunglasses.

SCHOOL SUPERINTENDENT'S AND CONSTITUTIONAL OFFICERS' REPORTS

No additional comments.

BOARDS AND COMMITTEES' MINUTES

No discussion.

CONSENT AGENDA

Chairman Akers asked for a motion to approve all three the motion was made by Supervisor Johnson and seconded by Vice Chairman Gill. AYES: 5 NAYES: 0 ABSENT: 0

NEW BUSINESS

Virginia Property Maintenance Code

Administrator Lombardo stated that chapters 1-3 were presented at a former work session. We would like to move forward to adopting those three sections.

Mr. Sadler, Building Official, stated we are just looking to adopt chapters 1-3 as it covers unsafe structures and seeing what income we get through that. Then we can look at the other sections if need be. Supervisor Magruder asked if we adopt the first three sections there is a rental inspection ordinance that we would have to adopt as well. Mr. Sadler stated that is a separate adoption that would have to be done as an amendment.

Supervisor Magruder also asked about the fees and enforcement that would have to be set. Mr. Sadler stated that is correct we would have to talk about that as to if there is a violation to put a fee on that. The first step is to adopt it and then discuss fees. Supervisor Magruder asked about section 104 which Mr. Sadler stated that is the General Administration code which is the same for all of the building codes. Supervisor Magruder also asked about section 105 which is the appointment of a Maintenance Official and qualifications.

Vice Chairman Gill asked if it was adopted tonight when would it become in effect. Mr. Sadler said it would be effective immediately. Vice Chairman Gill asked what the timeline on adopting the other chapters would be? Mr. Sadler stated that we could adopt that as a mapping area down the road.

Administrator Lombardo stated that we want to become familiar with the process and what the time would be for additional staff time to put this into place.

Vice Chairman Gill made a motion to adopt chapters one, two and three of the Virginia Property Maintenance Code to be enforced by the Property Maintenance Official on a complaint basis. Supervisor Magruder seconded.

Chairman Akers asked if there was discussion. No discussion. AYES: 5 NAYES: 0 ABSENT: 0

Appointment of Property Maintenance Official

Administrator Lombardo stated that we have a candidate that is certified and ready to take on the responsibility Ernie Sadler and he recommends that he is appointed as that Official. Supervisor Magruder moved that the Board of Supervisors appoint Ernie Sadler as the Property Maintenance Official for Essex County. Supervisor Smith seconded. AYES: 5 NAYES: 0 ABSENT: 0

CLOSED SESSION

Supervisor Johnson stated in accordance with Section 2.2-3711. A.7 of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss a Board of Zoning and Appeals, to discuss personnel matters and under section 2.2-3711.A.3 to discuss potential real estate transactions and under

section 2.2-3711.A.7 to discuss potential litigation with the County Attorney.
Supervisor Smith Seconded.
AYES: 5 NAYES: 0 ABSENT: 0

RECONVENE IN OPEN SESSION

Supervisor Johnson stated RESOLUTION TO CERTIFY COMPLIANCE WITH THE FREEDOM OF INFORMATION ACT REGARDING MEETING IN CLOSED MEETING

WHEREAS, the Essex County Board of Supervisors has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 D of the Code of Virginia requires a certification by the Essex County Board of Supervisors that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED by the Essex County Board of Supervisors this the 13th day of September 2022, hereby certifies that, to the best of each member's knowledge, 1) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and 2) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed, or considered by the Essex County Board of Supervisors.

Chairman Akers - Certifies
Vice Chairman Gill – Certifies
Supervisor Johnson – Certifies
Supervisor Magruder – Certifies
Supervisor Smith - Certifies

BOARD REQUESTS AND DIRECTIVES

Vice Chairman Gill made the motion to appoint Gamaliel Rose to the Board of Zoning Appeals, for the term of one year, commencing 9/14/2022 with expiration date of 9/13/2023. AYES: 5 NAYES: 0 ABSENT: 0

Town Hall Meeting is September 27, 2022 at 7pm
Work Session is October 11, 2022 at 5PM
Regular Session is October 11, 2022 at 7PM
VACO annual conference is November 13-15
Work Session is November 15, 2022 at 5PM
Regular Session is November 15, 2022 at 7PM
Work Session is December 13, 2022 at 5PM
Regular Session is December 13, 2022 at 7PM
Strategic Planning is TBD

Supervisor Magruder gave the directive to Administrator Lombardo to provide full report detailing dollar amount and explanation for each department that ended the budget year “over budget.” Administrator Lombardo to also provide explanation how funds were appropriated or approved as they did not receive individual (case-by-case basis) approval from the Board.

ADJOURN

Supervisor Smith made a motion to adjourn. Vice Chairman Seconded. Chairman Akers adjourned the meeting.

Chairman

Clerk of the Board