

Virginia: At a regular scheduled meeting of the Essex County Board of Supervisors held on Tuesday, November 15, 2022, at 7:00 p.m., in the School Board meeting room, 109 Cross Street, Tappahannock, Virginia.

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

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

Absent: Robert Akers, Chairman
Andrew McRoberts, Attorney

CALL TO ORDER

Vice Chairman Gill called the meeting of Tuesday, November 15, 2022, to order at 7:00 p.m.

ROLL CALL

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

INVOCATION AND PLEDGE OF ALLEGIANCE

Vice Chairman Gill led the Invocation and the Pledge of Allegiance.

AGENDA APPROVAL

Vice Chairman Gill asked the Board if anything else needs to be added or deleted from the agenda. Supervisor Magruder would like to add the SERCAP grant that was mentioned in the work session as well as discussion about the Poor House Property. Vice Chairman Gill would like to add under the closed session to discuss a personnel issue. Vice Chairman Gill asked for a motion to approve the agenda as

amended. Supervisor Johnson so moved, and Supervisor Smith seconded the motion. AYES: 4 NAYES: 0 ABSENT: 1

RECOGNITION

Jessica Sydnor

Sheriff Holmes shared a video of a news report done on Dispatcher Jessica Sydnor. Sheriff Holmes and Vice Chairman Gill presented a resolution.

Sheriff Holmes presented Jessica with a Stork Pin and also a Pin from the County. Sheriff Holmes stated that next year the state is requiring that there is a certified dispatcher 24/7 he will be coming to the Board for help. If there is only one dispatcher who will answer the second call when it comes it. The dispatcher is the heart of the sheriff's office.

PUBLIC HEARINGS

Vice Chairman Gill announced that there were several from the Town Council: Mayor Gladding, Town Manager Eric Pollack, Anita Latane, Kay Carlton, Mr. Gillis, Carolyn Barrett, and Fleet Dillard.

FY2022-2023 Budget Amendment: Proposal to appropriate \$1.281.328 from the School Construction Grant Program Entitlement

Hearing none Vice Chairman closed out the public hearing.

PRESENTATION

Branding Presentation Stephanie Heintz and Michael Kimbell from Consociate Media

Stephanie Heintz and Michael Kimbell from Consociate Media gave a presentation on the new branding and tourism website for Essex County and Tappahannock. <https://visittappahannock.com>

Supervisor Smith asked about if the video branding and who would show the video. Mrs. Heinatz stated that the video would be on the website and in advertising.

Supervisor Smith also asked about the apparel if that was included in the cost? Mrs. Heinatz stated that we would have the files so that we could make the apparel but the actual shirts and things would come at an additional cost.

Vice Chairman Gill asked about when the Grant money runs out would your company continue the content to where it would need to be a budgeted item for both the county and the town? Mrs. Heinatz stated that when the grant funding runs out there would be a need to sustain the proactive marketing of the tourism brand which would need to come from the county or the town or other grants. Vice Chairman Gill asked if their company would continue with funding? Mrs. Heinatz stated they would love to continue.

Vice Chairman Gill asked how long it has taken to get to get to this point? Mrs. Heinatz stated they have been working on this for about 9 months.

Supervisor Magruder if a business is not listed who would they contact to add them? Mrs. Heinatz stated that in the contact section it has a part to add your business. That would come to them and they will make sure to VET that through the county to make sure before it gets published. Supervisor Magruder also asked about the content on the website we control and then when someone clicks to another website that is for the business. Mrs. Heinatz said yes that is correct.

Supervisor Johnson after a program is up an running what kind of financial support is needed to keep it going? Mrs. Heinatz did not have an actual dollar amount but stated she could get back to us on that.

Supervisor Johnson asked how they can tie in the agriculture into the tourism. Mrs. Heinatz stated that agritourism is a big industry right now. The start of a tourism campaign could be the way to get folks to think about different ways their business can grow.

Vice Chairman Gill asked once the social media apps are launched how often are you all posting on those social media? Mr. Kimbell stated it is about 4 times per

week. Vice Chairman Gill asked if it is their intention down the road to give some admin privileges so we can post or would it all be through your company? Mrs. Heinatz stated that it is our tool so they would give some guidelines so keep everyone posting in a similar way.

PUBLIC COMMENTS

Lou Spencer from Caret, Virginia wanted to give the Board an update on things that VDOT is doing on US 17 Northbound at the Essex County/Caroline Line. There is a guardrail that has been damaged at Portcago creek that has been damaged for some time. There are over a dozen orange reflective barrels along that guardrail. This needs to be fixed. He spoke with VDOT and has been told that it goes beyond routine guardrail repair and may need some retaining walls. He also spoke about traffic signs that are down along 17 and some side roads but was told all of these are a work in progress.

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

COUNTY ADMINISTRATOR'S and AGENCIES' REPORTS

County Administrator Lombardo

A couple of announcements for positions that were recently filled: Tim Smith has started as our part time Code Enforcement Officer and has been working to draft a policy for short term rental program. Tim will also be working on many of the code violations and complaints, documenting them and working with Rob Hodges on how to move forward with them.

The second position that was filled by Carlos Disla for our GIS coordinator. He is currently deployed and going through some transitions but will join us when his deployment ends.

The Boundary adjustment with King and Queen is still something I am working towards. He reached out to the incoming county administrator and to Tom to see where they are in the deliberation and will reach out again to see if he can get an answer.

The raise grant there was recent action at the town level to add the marina into that and it is already in the grant to evaluate.

Tim Smith

Stated he was hired part time and has drafted a registration packet for short term rentals which includes the application, an agreement, and an addendum that covers all of the regulations under the short term rental in the County zoning ordinance. In Codes compliance there are several sites that he will be visiting. When he is not doing short term rentals or code compliance he is looking through the ordinance.

Supervisor Magruder asked if someone has a complaint about ordinance would they go directly to you or would they go to Rob and he passes it on to you? Mr. Smith Stated that it could go either way.

Shout Outs

- To Beth, TMS and John Harvey the trunk or treat event was great.
- To the Sheriff's office on that event as well.
- To Kelly Lafollette and all the poll workers for the election it went very smoothly.

SCHOOL SUPERINTENDENT'S AND CONSTITUTIONAL OFFICERS' REPORTS

Tommy Blackwell, Commissioner of Revenue

There was one highlighted portion in his report, he recently submitted a web grant forest sustainability fund application. There were 55 applications submitted in Virginia. This grant has to do with forest land use and the amount of revenue deferred by each locality. Any funds received are to be used solely for public education generally or for projects related to outdoor recreation or forest conservation. Essex County deferred about \$550,000 in 2022.

Vice Chairman Gill asked what the timeline that they might be hear back from this application? Commissioner Blackwell stated he thinks it may be a couple of weeks.

DMV Connect will be here on December 15th at the Essex County Public Library from 10-4.

Supervisor Magruder asked if Tommy could give an update as to what transpired at the King and Queen board meeting regarding the boundary line adjustment. Commissioner Blackwell stated it was a working group meeting and asked to please help with the Beazley Corner and we will just need to continue to push forward with this.

Sheriff Holmes

Sheriff Holmes stated that he want to thank the Town Council as well as Main Street for their help with the Trunk or Treat. He has also already had requests for an Easter Egg Hunt.

BOARDS AND COMMITTEES' MINUTES

None

CONSENT AGENDA

Supervisor Johnson made a motion to approve all three and seconded by Supervisor Smith. AYES: 4 NAYES: 0 ABSENT: 1

NEW BUSINESS

FY23 Budget Increase by Appropriating Grant Funds in the amount of \$1,281,328

Supervisor Magruder stated if you read the information it states clearly what that money can and cannot be used for. He would like to get a better accounting of how that money will be spent.

Libby stated that are hoping to use some of those funds for the broadband project. She also stated that this was all part of the original budget. The state had not given how the revenue would be allocated. They have two years to spend that money and it goes directly to the school but has to be shown in the county budget as well.

Supervisor Magruder would like to see that the School Board has a meeting to discuss where all of this money is going to go as opposed to just waiting and seeing. The Board of Supervisors has a request with the school board for \$500,000 to assist with the broadband project and we have not gotten a response back from them.

Libby stated that they had talked with Mr. Lombardo about using \$300,000 of these funds for Broadband.

Supervisor Magruder asked if that was in addition to the \$330,000 that they were originally going to use from the ESSER funds making it \$630,000 or have they dropped it to just the \$300,000.

Vice Chairman Gill asked if there was a date that we could have a joint meeting to discuss these options.

Supervisor Johnson made a motion to approve this additional appropriation. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

NG911 Grant Funding Request

Chief Hicks stated that our current 911 system is in a need of an upgrade to the NG911. We would then be able to receive more information for wireless, texting, and video. VDIM provides grants for these options. We have applied regionally with King and Queen. This funding would be anywhere up to but not exceeding \$200,000 that is fully reimbursable to the county. The request would be to reallocate the funds to purchase the necessary equipment to assist the dispatchers in the migration to NG911.

Supervisor Johnson made the motion to approve. Supervisor Smith Seconded. AYES: 4 NAYES: 0 ABSENT: 1

Non-Corporate Resolution for Davenport and Company

Administrator Lombardo stated that this stems from a gift from an estate that is going to the animal shelter. 20% of an IRA from Marie F. Minor she had already left sizeable sums to the animal shelter and we have just learned about this additional amount. They are going through Davenport and the documents are there allow him to sign to receive those funds.

Vice Chairman Gill asked if he was wanting them to make a motion to give him the authority to sign and fulfill whatever application is needed.

Supervisor Johnson made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Resolution #22-011

In Recognition of Extraordinary Service and Leadership, the Essex County Board of Supervisors Presents this Resolution in Honor of
Jessica Sydnor

WHEREAS, on September 28, 2022, at 7:15 am, the Essex County Sheriff's Office Communication Center received a 911 call for service. A husband reported that his wife's water had broken, and she was in active labor at their residence in Essex County. Due to the progress of her labor, he did not feel that they would make it to the hospital in time for the birth;

WHEREAS, On September 7, 2022, the Essex County Sheriff's Office launched a new Emergency Dispatch Program that provides life-saving instructions during 911 calls. All of the Essex County Sheriff's Office Dispatchers are certified as EMD providers and have completed extensive training to offer this service to the community;

WHEREAS, Using the new Emergency Medical Dispatch program that came into use on September 7, 2022, Communications Officer Jessica Sydnor, was able to take over the call and dispatch EMS to respond. While waiting for EMS to arrive, Communications Officer Sydnor provided childbirth instructions to the father and at 7:22 am the father stated that the baby was born and breathing normally;

WHEREAS, that in addition to this emergency call, Communications Officer Sydnor was dispatching for a brush fire occurring at the north end of Essex County, which required assistance from the Forestry Department and Caroline County Fire;

NOW, THEREFORE, BE IT RESOLVED, that the Essex County Board of Supervisors with much respect and gratitude extends its appreciation and recognition to Jessica Sydnor for her leadership, dedication and service given to Essex County.

BE IT FURTHER RESOLVED, that a copy of this resolution expressing the appreciation and respect of this Board of Supervisors on this matter shall be conveyed to Jessica Sydnor and shall be spread upon the meeting minutes of said Board of Supervisors.

Signed on this 15th day of November, Two-Thousand and Twenty-Two by the Essex County Supervisors.

Supervisor Smith made the motion to approve Resolution #22-011. Supervisor Johnson Seconded. AYES: 4 NAYES: 0 ABSENT: 1

SERCAP Grant

This would allow Middle Peninsula Planning District to do a grant application to analyze the sewer and water in the county as the sea level is rising. There is no matching and will not proceed if there is matching. Supervisor Magruder is requesting a motion to allow the Middle Peninsula Planning district to apply for this grant as long as there is no matching required. Supervisor Johnson made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Poor House Track

Supervisor Magruder stated that the hunt club has requested that they be allowed to hunt part time if it doesn't conflict with anything on the poor house track. He asked if there would be any work being done in the next 6 weeks. Parks and Recreation Director Kay Carlton stated there probably would not be. They are hoping to get a better pricing for grinding in January. She stated that if they go in and tear stuff up then she will come back to the board. It is in the agreement with the hunt club but they did not fulfill their end the last time. We can create a list of the expectations and if they are not agreeable we will not do it.

Building Official Ernie Sadler stated that he is trying to get the grinding and gravel in and there will be delays if we proceed with the hunting.

CLOSED SESSION

Supervisor Magruder stated in accordance with Section 2.2-3711. A.1 of the Code of Virginia, I move that the Board of Supervisors convene in Closed Meeting to discuss appointments to the Animal Control Advisory Commission, Board of Building Appeals, CPMT, Middle Peninsula Planning District Commission, Parks and Recreation Advisory Commission, Tappahannock-Essex Airport Authority, Wetlands Board, and the Economic Development Authority as well as a personnel issue.

AYES: 4 NAYES: 0 ABSENT: 1

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 15th day of November 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.

Vice Chairman Gill – Certifies

Supervisor Johnson – Certifies

Supervisor Smith – Certifies

Supervisor Magruder – Certifies

Reappointment of Kelly Cooke to the Animal Control Advisory Commission for a term of 1/1/23 to 12/31/26. Supervisor Magruder made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of Steven Laffoon to the Board of Building Appeals for a term of 12/1/22 to 11/30/26. Supervisor Smith made the motion. Supervisor Johnson seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of John Magruder to the Middle Peninsula Planning District Commission for a term of 1/1/23 to 12/31/23. Supervisor Johnson made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Appointment of Roger “Butch” Gross to the Community Policy and Management Team (CPMT) for a term commencing 11/16/22. AYES: 4 NAYES: 0 ABSENT: 1

Appointment of Natasha Cheek to the Community Policy and Management Team (CPMT) for a term commencing 11/16/2022. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of Edwin W. "Bud" Smith to the Middle Peninsula Planning District Commission for a term of 1/1/23 to 12/31/23. Supervisor Magruder made the motion. Vice Chairman Gill seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of George Jennings to the Essex County Parks and Recreation Advisory Commission for a term of 12/1/22/ to 11/30/25. Supervisor Smith made the motion. Supervisor Magruder seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of Michael J. Maurer to the Essex Airport Authority for a term of 12/1/22 to 11/30/26. Supervisor Magruder made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of Tim Smith to the Economic Development Authority for a term of 11/15/22 to 11/14/24. Discussion: The Board finds no conflict of interest with Tim Smith serving on the EDA while being an Essex County employee serving as the Zoning Codes Compliance Officer. Mr. Smith always has the option to recuse himself or abstain his vote. Supervisor Smith made the motion. Supervisor Magruder seconded. AYES: 4 NAYES: 0 ABSENT: 1

Reappointment of William A. Croxton, Jr., to the Economic Development Authority for a term of 1/1/23 to 12/31/26. Supervisor Magruder made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

Appointment of James Barry Bates to the Wetlands Board for a term of 11/16/22 to 11/15/23. Supervisor Johnson made the motion. Supervisor Smith seconded. AYES: 4 NAYES: 0 ABSENT: 1

BOARD REQUESTS AND DIRECTIVES

Board of Supervisors Work Session, December 13 at 5PM

Board of Supervisors Regular Session, December 13 at 7PM

ADJOURN

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

Chairman

Clerk of the Board