

Virginia: At the regular work session meeting of the Essex County Board of Supervisors held on Tuesday, August 15, 2023 at 5:00 p.m. in the School Board Meeting Room, at 109 S. Cross St., Tappahannock, Virginia:

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

County Administration Present: April Rounds, Interim County Administrator, Deputy Clerk

CALL TO ORDER

Chairman Akers called the Regular Board of Supervisors Work Session of August 15, 2023, to order.

ROLL CALL

The Clerk called out the roll for the Board of Supervisors; a quorum was met.

AGENDA

None

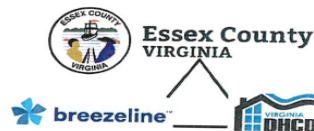
DISCUSSION

Boadband Update (Wayne Verlander)

Mr. Wayne Verlander wanted to give a brief update on the Essex Broadband project.

Essex County Broadband Project

Providing Universal Broadband Access to Essex County



Virginia Telecommunication Initiative (VATI)	
Grant Award	5/11/23
Project Funding	
DHCD	\$ 8,753,009
Essex County	\$ 4,000,000
Breezeline	\$15,113,941
Total	\$27,866,950
Project Duration	3 Years
Project Scope	530 miles Fiber Backbone 3,726 Passings / Drops

Current Project Status
Contract Negotiation Meeting - 6/2/23
Next Steps / Priorities
▪ Complete Pre-Contract Activities
▪ Secure DHCD Contract
▪ Implement process to address citizen inquiries & concerns
▪ Execute a Project Agreement
▪ Construction kick-off meeting

Wayne Verlander – Essex County Broadband Project Manager
wverlander@essex-virginia.org 804-443-0658 Office 804-514-7647 Mobile

There is a significant effort put out by County staff to pursue funds from the Virginia Telecommunication Initiative. That resulted in an award and an approved project for about \$28,000,000 to provide universal broadband to Essex County. He was not a part of that effort but commends the people put the effort forward to make that happen. That is a great win for the County. The grant award was back in May it is basically a \$28,000,000 and Essex County is contributing up to \$4,000,000. Roughly a 3 year project. After the award the first kickoff was a contract negotiation session with DHCD which happened on June 2. That meeting triggered a 90 day period to complete a lot of precontract activities to secure our contract with DHCD. They are in the midst of those now and have made a lot of progress over the last couple of weeks getting the documents uploaded to get them approved by DHCD. He thinks that they are in pretty good shape to everything in line to have our contract by 8/31 which is really the deadline of that 90 day period. The focus right now is to complete the precontract it is roughly 10 documents that have to be developed and approved by DHCD. As of today there are about 6 that have been submitted and approved. There are 4 more in process that we are very close on and need a few signatures on them. His goal is that by next Monday they will all be submitted and approved by DHCD which gives us 10 days to secure the contract from DHCD. In the meantime one of the next priorities that will happen pretty quickly is to implement a process to address citizens inquires and concerns. When we get publicity about this people start asking a lot of questions. Is my address included? When is this going to happen? In order to get a streamlined response for the citizens, Breezeline is creating a landing page with a lot of information about what is happening with the project, details of what is covered and not covered, timing, as well as ways that they can inquire within Breezeline that they can get information. It will be much quicker than if they go through us. We will put a link on our website that leads them to breezeline and they will handle all of the inquiries.

Chairman Akers asked if he knew if they would have an implementation map?

Mr. Verlander stated that they will have a map but they are also looking at having a search engine that someone could type in their address to see if it is included or not and maybe a timeline of when it might be done in the construction process. After the contract is secured from DHCD the next step would be to execute a more definitive agreement between Essex County and Breezeline that covers some of the things that you need to cover in a real construction project. Insurance, limits of liability, those kinds of things that are not in the Memorandum of Agreement today. That will be done after we get our contract from DHCD and then we will have a construction kickoff meeting and meet the project manager and all of the people that are going to implement this. We will have ongoing weekly meetings and walk out sessions with them to see how the project is going. We will report to you on a monthly basis but when we hit significant milestones in the project we will come before you in person if you would like for us to.

Supervisor Johnson asked about the implement process to address the inquiries and concerns of the citizens. What about general information?

Mr. Verlander stated that on our website, he would work with Chuck, but there would be some general information to lead you into it but once you click on the link that takes them into breezeline there will be extensive information on this project. Within the first two days of him being on the project someone called and asked if their address was included in the project. We can search that pretty quickly and find out but he thinks we will get a lot of that from citizens so having a search engine they can find it quickly and when theirs will be implemented.

Supervisor Johnson stated that he is more concerned with the people at this point do not have access to electronic media. Making them aware so that they can be included.

Mr. Verlander stated that is a great point so we need to have a mechanism for a number that they can call to get all of that information. At some point that will be directed into Breezeline because they have all of the resources and information. They can call him but it would probably be him calling someone else to get the answer. So we are trying to shorten that process for them.

Vice Chairman Gill asked if he had a hotline connection to someone at Breezeline that can answer questions quickly?

Mr. Verlander stated that all of his contact has been with the grant manager, a lady who has been involved with this whole process. The point of this process for citizens hotline will be to connect someone to a support person who is there all the time to answer questions. He has a person that he can call and answer questions but it probably won't be the same person that a citizen would get.

Vice Chairman Gill stated that some of questions they have may be above the support level and as long as you have a good contact at breezeline that is all he is worried about.

Mr. Verlander stated that they have excellent support from them.

Supervisor Magruder asked if new construction is happening right now are they going to be included in getting connected or is there a drop deadline date for people that anyone after that would have to pay for?

Mr. Verlander stated that at some point it will be about timing after implementing a project and a new house is built they won't be included. The infrastructure and drop location should be fairly close in most cases. It is a little bit of a moving target on addresses today. They are doing the walk outs right now so Breezeline is already working to get the design. There are a pretty good number of houses that have been built since this application was put in. It's a timing thing. If we are two years into a three year project and a new house is built then they probably would not be included.

Chairman Akers stated that once a drop is placed past a place you are not going to get it dropped to your house.

Supervisor Magruder asked that he knows there would be a cutoff at some point because they would have to get supplies but it should be addressed in the agreements. He asked for a rough date as to when the construction kick-off meeting would be this in year in October, December, next year?

Mr. Verlander stated that he would say September. They have to have the DHCD contract by August 31st; subsequent to that we will issue the project agreement. He is sure there would be negotiations back and forth on that. But certainly by the end of September we should have the agreements in place and the construction kick-off set.

Supervisor Magruder asked if they start in the North District and they have the lines in are they going to wait until they finish the whole County to start people up or are they going to start people up in phases? You might not have the answer to that question but it would be a good question to ask.

Mr. Verlander stated that he does not have the answer but he will get it for them.

Supervisor Magruder stated that a lot of people don't want to wait three years if it has been run past their house. They want to get on as soon as possible. This may be more towards the County Administrator but at one point the school put a commitment with some of the ARPA funds. It would be

nice to know what the final, 1) we had requested \$500,000, 2) they had offered \$300,000 are we at zero? He would like to have a good formal letter that says this is what we are going to do.

Administrator Rounds stated that currently they are at zero.

Supervisor Magruder asked so the full \$4,000,000 is Essex County funded.

Administrator Rounds stated that is correct.

Vice Chairman Gill asked how do you envision our component of the funds being dispersed? Is it at the end or are we putting it out in stages.

Administrator Rounds stated that she thought they were going to follow the plan that we discussed during the budget discussion. That was to encumber the ARPA funds that are on receipt which is an action item on for tonight during the regular meeting before we used any of our own funds. Then we would use the \$2,000,000 that we have allocated for that purpose before we look at the \$2,000,000 place holder or debt service which could be readdressed later if circumstances change.

Vice Chairman Gill is thinking about the timing of these disbursements.

Administrator Rounds stated that she would recommend that they use the ARPA funds as soon as possible because the timelines keep changing as to how those funds can be used. That is why you see the action item on there tonight because they can always draw that money back. So we want to encumber it so that they can earmark it for that.

Chairman Akers stated that he is sure that it will be laid out in the project agreement.

Mr. Verlander stated that it would be but disbursements will start occurring as progress payments on the project.

Vice Chairman Gill asked if they would be even disbursements?

Mr. Verlander stated they everyone takes their prorated share. We have about 14% of the total so that would be our part in any requisition. That will happen sometime in the next couple of months. He does not think that the initial invoices will be very large because the construction hasn't started yet. This is just walkouts and design. He sees that happening within the next couple of months.

Supervisor Magruder stated that we would need to time that with the loan that they will be taking out.

Administrator Rounds stated does not anticipate that happening anytime soon. But we will look at during our budget time as we are looking at the financial policies as well.

Mr. Verlander stated that once we get build out a timeline we will have a better idea. We will have a schedule of the values for that work and a break down of that \$2,000,000.

Supervisor Magruder asked if he was excited?

Mr. Verlander stated that he was and glad he could help out. It has been challenging to get it off the ground but he is confident we will deliver a good project in a timely manner.

Supervisor Magruder stated that the County is excited, they are anticipating this and hopefully it will go as smooth as possible.

Supervisor Johnson asked Supervisor Magruder where he was getting the loan information from. He was not aware that the board had decided.

Supervisor Magruder stated that they had discussed it two months ago at their meeting.

Supervisor Johnson stated that they didn't come up with anything.

Supervisor Magruder stated that they hadn't come up with anything final but that was what was decided.

Vice Chairman Gill stated that they have pretty good funds right now and may not need all of it.

Administrator Rounds stated that we may not need the loan but it was a consensus during the budget discussions to consider a \$2,000,000 placeholder just for future discussion depending on the financial situation of the board at the time.

Supervisor Johnson stated that they said they would consider.

Administrator Rounds stated that is correct that they would consider but it was not set in stone.

Supervisor Magruder stated that we have not made any final decision.

Supervisor Johnson stated that he wanted to clarify that because it sounded different.

Administrator Rounds stated that we did not discount the possibility but it is up for discussion.

Chairman Aker stated that it is an option and is still on the table.

Supervisor Smith asked if the people that already have internet will have an increase in service?

Mr. Verlander stated that they could potentially have an increase in the level of service. If it is anywhere they are putting fiber infrastructure in, maybe. There are some areas that are currently cable that will remain cable and will probably not see an increase in that. There are other areas that they will be putting the fiber backbone in and those people would see an increase in service.

Administrator Rounds stated that to Supervisor Johnson's question about those that do not have access to computers and technology we can always use town hall meetings, newspapers, libraries, post office, we can use paper literature to flood the community. We can go to the Chamber of Commerce we can get the word out to folks.

Mr. Verlander stated that there will be a lot of publicity around that.

Just Harvest Discussion (Dr. Roane/ Max Hlavin)

Dr. J.T. Roane gave a presentation on Just Harvest. He stated that he had worked with a couple of the board members and moving forward with using some of the county property in town. He wanted to give a brief overview of what they have been doing and what they plan to do moving forward. In the fall of last year they began by hosting at First Baptist Church, Tappahannock, a seed exchange and a workshop that emphasized the practical information on how to grown an indoor winter garden. That workshop included a wide range of community members a lot of them were middle-aged and seniors. We want to be able to draw in some young people in the future. This led us to the development through Jay Richardson Yates, who is their primary

farmer to begin using private land to have a mutual aid garden for distribution in Essex County we support from the WRATH Project as well as some other funding that they have been able to draw on through Rutgers University and others. They are looking at the lot that is directly adjoining the Tire Doctor. In their first harvest they reaped approximately 100 pounds of produce from the garden on private land. The produce they harvested included kale, kohlrabi, lettuce, okra squash and zucchini. They distributed the produce to 15 households in two communities in Tappahannock. In the second harvest they reaped 96 pounds of produce from the garden on private land. The produce they harvested included basil, kale, okra, melons and peppers. They distributed that to 12 households in Tappahannock. They are planning their third harvest distribution tomorrow. They have reaped 88 pounds of produce including, tomatoes, okra, cucumber, and corn. They want to expand out from this process and move it onto a public parcel. They are hoping to use an event after the farmers market to gather artists, farm oriented. They would like to reach out to the schools to see about an outdoor classroom. With the parcel by the Tire Doctor they have a budget of about \$3,000-\$4,000 to develop that. They would hope to draw more funding.

Chairman Akers stated that he and Supervisor Smith have met with J.T. and Jay about this through a conference call this morning. They wanted to bring it to the board you all see where they are at and to give the recommendation to allow them to use the County Owned lot. County Attorney Max Hlavin was on that call as well. We will have to have a public hearing to allow lease of that space. It will also need to go through town zoning to get the approval from there and for any structures they would want to put up. Tonight's meeting was to ask any questions you may have but also to provide the directive back to Max and April to get the MOU started so that when we came at the September meeting we can have the public hearing and make that decision.

Supervisor Johnson asked if they needed a decision from the board before they moved forward?

Chairman Akers stated that they need a directive from the board to authorize the development of an MOU.

Vice Chairman Gill asked how the families were selected on the distribution schedule.

Dr. Roane stated that the first few distributions have been who we could make contact with. As they move forward they have the prospects and finances a public refrigerator. They want to build a more systematic distribution system especially as they move onto public land. This year they were trying to get their ducks in a row with how the process might work. In the future they intend to partner with public refrigerators and more distributions. The hope is to not be the proprietors of this but for this model to spread. First Baptist and Reverend Holmes already have 100 distribution list, Beale Memorial has a garden that they distribute primarily to the food bank. They are hoping to use this space to better serve these efforts that is more of a mid-range goal. This year has been to get it started and see if it is possible to do this.

Vice Chairman Gill stated that Reverend Holmes is a great gardener as well.

Supervisor Magruder stated that the parcel they are looking at has high visibility and asked if they were going to put up signs to let people know what you are doing there?

Dr. Roane stated that they have a large format printer and they do have some principles of how to message in certain ways that are inviting for public into the conversation. They want to make it appealing to with a small shaded area where people can sit or a small shed to store things. He has visions of trying to involve youth directly in this as well. It would be important to have a visual of what is going on.

Supervisor Magruder likes the idea a starting small and going into the schools. Does this have to go through zoning with the Town?

Dr. Roane stated that he believes that it does.

Supervisor Magruder stated he knows that the Town has some open land as well. Have they been approached to where there might be multiple of these around the community.

Chairman Akers stated that he believes that it is the consent of the Board so we will pass that in the regular meeting.

Boundary Map Presentation (Carlos Disla)

On the Determination of the Boundaries of Tappahannock

Carlos Disla

Essex County GIS Coordinator

September 11, 2023

Mr. Disla stated that his presentation is about the which shapefiles for Tappahannock and what they think is the resolution for that.

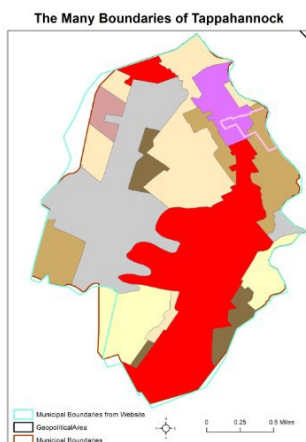
The Initial Discrepancy



As Connie and I were checking the Tappahannock Zoning layer on the website, we noticed that the boundaries of the zoning map did not align with the boundaries of Tappahannock that existed on the website. The municipal boundary on the website is highlighted in blue, while the zoning map layer is the region of multicolored polygons.

Notice that the Tappahannock zoning layer does not completely cover the mobile homes.

Notice also, as Rob pointed out, that the highlighted blue boundary goes along the wetland region.

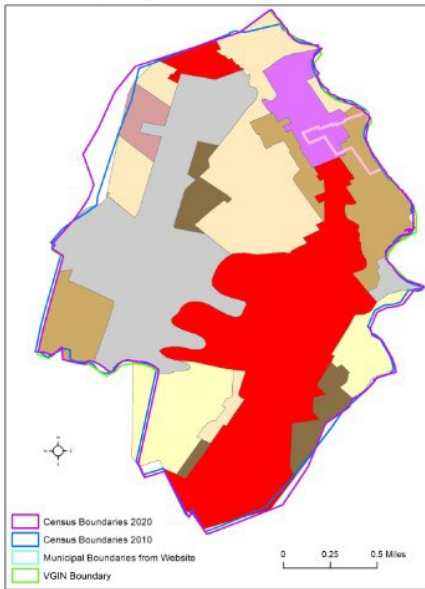


The boundary that is on the website matches exactly the Geopolitical Area file in our GIS data, which indicates that it was the layer uploaded to the website.

The Municipal Boundaries file in our GIS data matches perfectly the Tappahannock Zoning shapefile, which indicates that it was the layer given to the town to make the zoning map.

First I wanted to see if all the boundaries we had on file matched each other. There are two boundaries that we have, so I then wanted to see from whence they came.

Comparing Data to Official Sources



The Census boundaries from 2010 are closer to the Town Zoning boundary in the northwest, but align closely with the web boundary on the bottom left.

The Census boundaries from 2020 align pretty closely with the municipal boundary from the website.

The VGIN (Virginia Geographic Information Network) boundary matches exactly the municipal boundaries from the website.

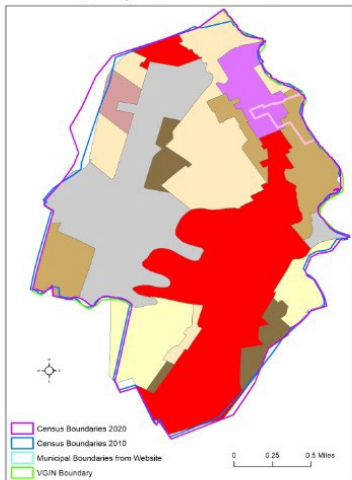
There is an important caveat: the Census and VGIN get their information from the county level.

We hand draw in the Census boundary updates, which I think explains some of the misalignment on the right hand side.

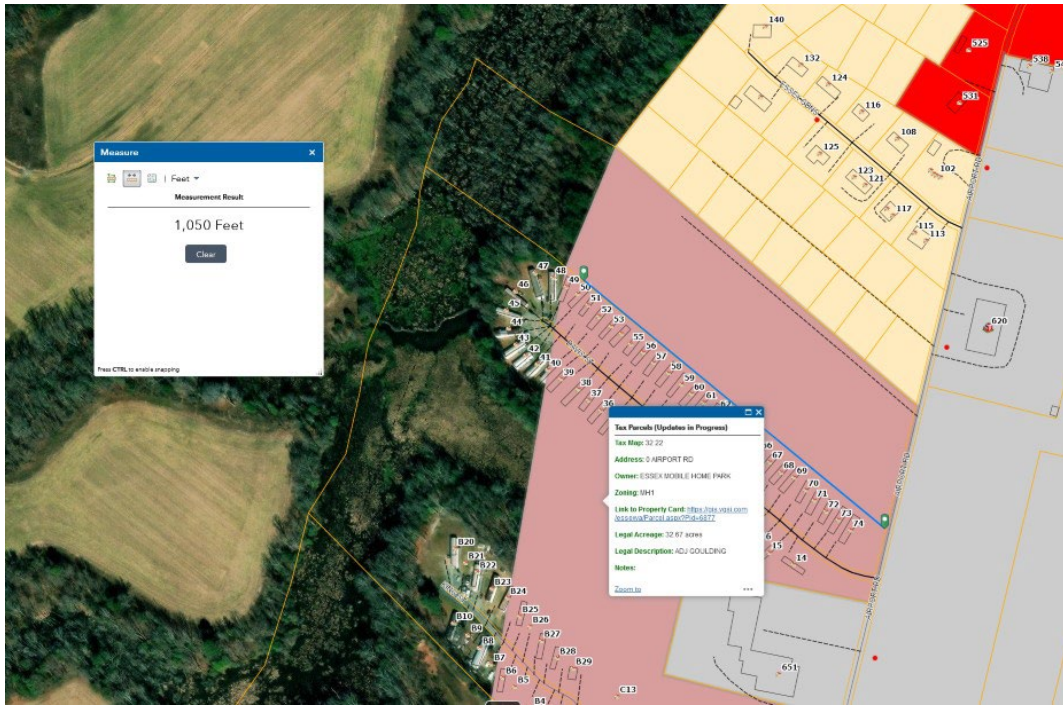
The boundaries from the web map are likely the ones we gave to VGIN and the Census.

Because the Census and VGIN get their data from the county level, their boundaries are only as good as what we give them.

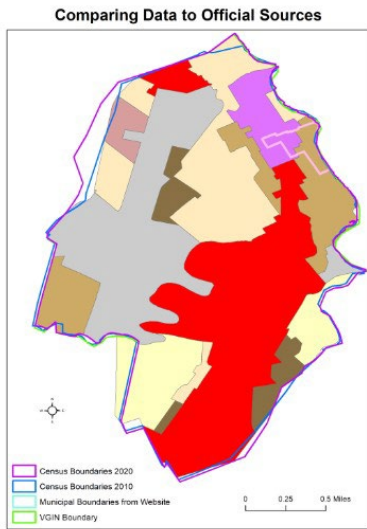
Comparing Data to Official Sources



The map in the Tome at the Commissioner of the Revenue seems to match the Tappahannock zoning boundary better in the northwest, with only a minor adjustment, which we'll see when we look at parcel 32 18.

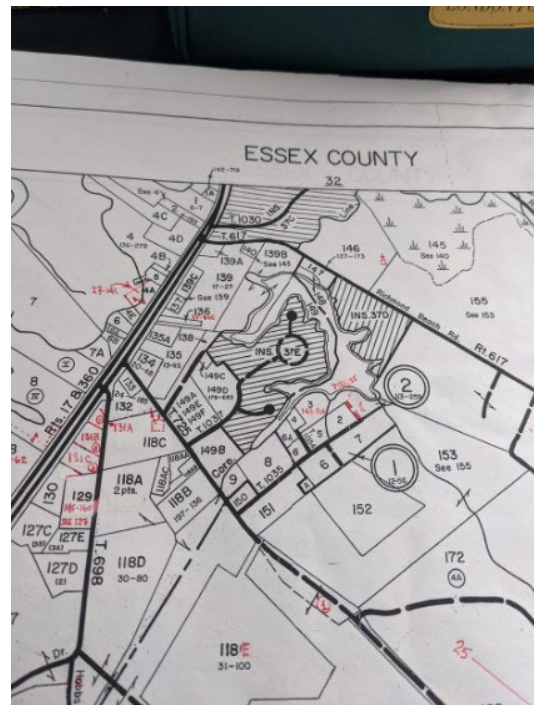
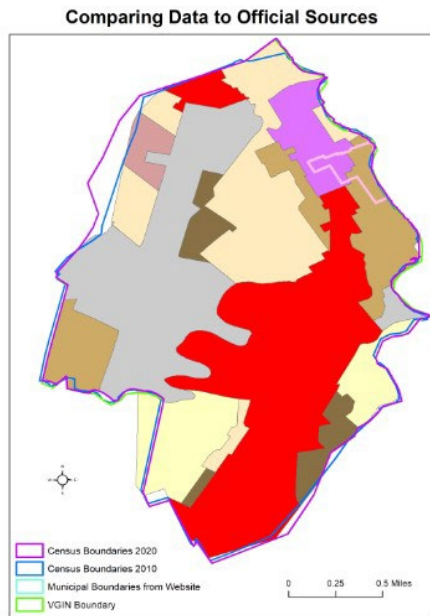


The Commissioner of the Revenue distance of 1050 ft between the road and the town boundary for the North boundary of 32-22 also does not seem to cover the Mobile Home Park though.



The map in the Tome at the Commissioner of the Revenue seems to match the Tappahannock zoning boundary fairly exactly in the southwest and southernmost portions.

Along the eastern part, the 2010 Census boundary seems to be the best fit.

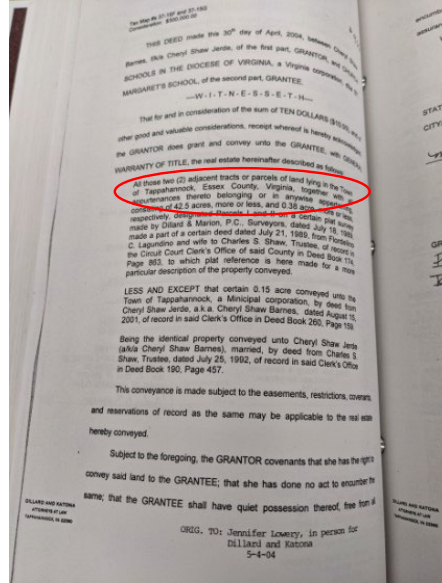
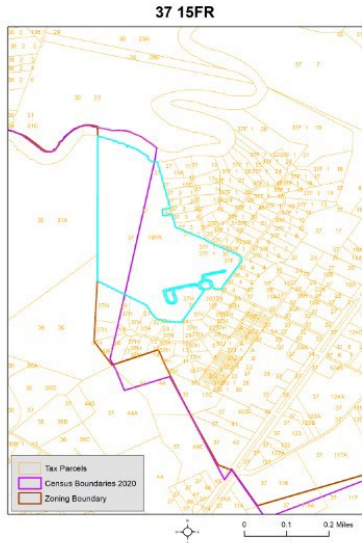


In this stretch, it appears as though the boundary flows through the waterbody, although I can't fully follow where it goes.

I'm not super worried about this part of the boundary, as the differences seem to largely be trying to represent the same thing.

Conclusion from Comparison to Commissioner of the Revenue

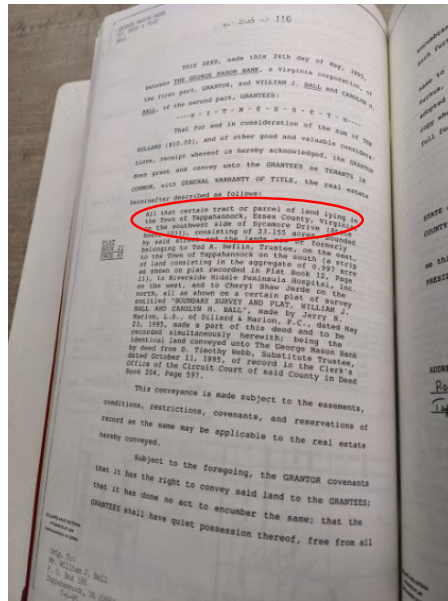
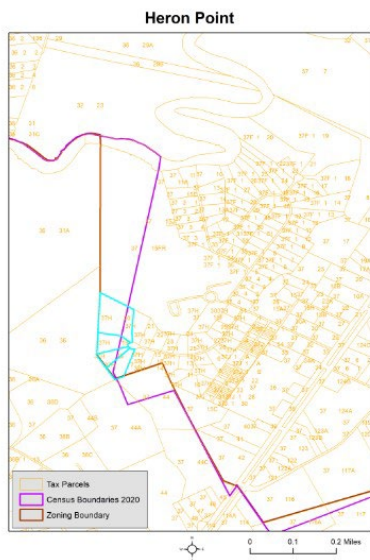
- The Zoning Layer seems to match the Tome of Knowledge in the Commissioner of the Revenue pretty well. It is unclear from whence the Census Boundaries came.
- Does that Census Boundary reflect changes that aren't in the Tome though?



Rob suggested I see whether or not the parcels are designated as "in Tappahannock" to help find the boundary, since it isn't shown on most of the plats. We'll start with the southwest since it has cleaner conclusions. The zoning map and municipal boundaries seem to follow along the parcel boundary, and the deed books second that as being correct by declaring the parcel to be within the Town of Tappahannock. Note: 37 15F was divided into 37 15F and 37 15FR recently, which is why the highlighted parcel says 37 15FR but the deed book says 37 15F.

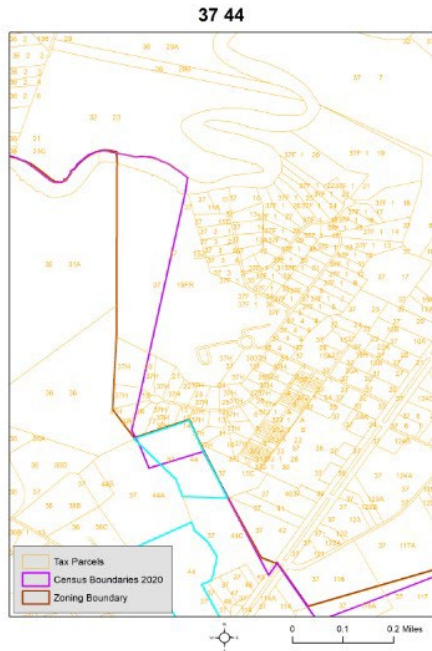
-Deed Book 292 Page 446 is shown in the picture

This matches what is on record at the Commissioner of the Revenue.



The Heron Point Subdivision (of which all of the highlighted parcels are a part) is also designated as in the Town of Tappahannock, which argues for the boundary that follows along their border.

The picture shows Deed Book 206 page 116, which was indicated by Plat Book 22 pages 42 and 43. This matches what is on record at the Commissioner of the Revenue.



No mention of Tappahannock in Deed Book 91 page 530, but it is from 1950s.

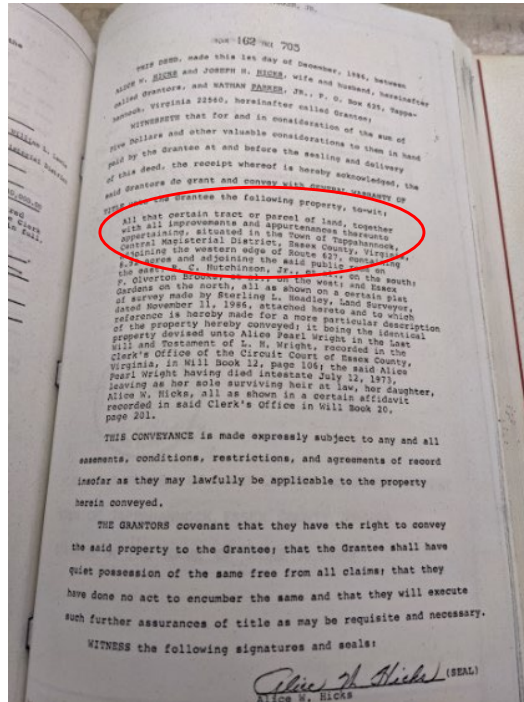
Neighboring parcel (37 44C) says adjacent to Tappahannock, but it is adjacent on one side in all of its boundaries.

In the absence of compelling information to the contrary, I propose going with the existing zoning boundary, which matches the Commissioner of the Revenue.

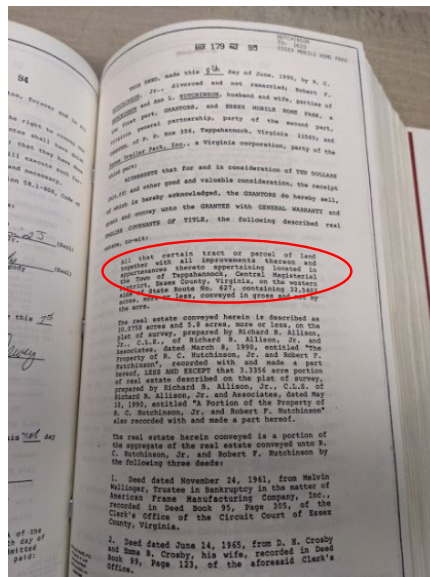
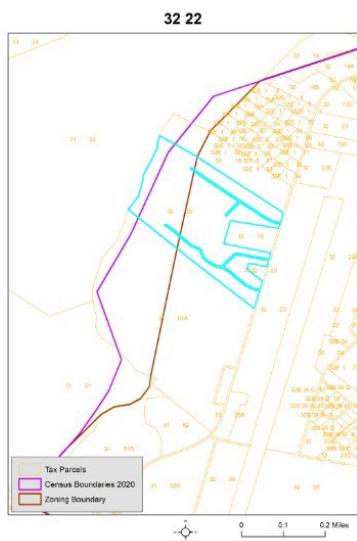
That 37 44C information is in Deed Book 191 page 579.



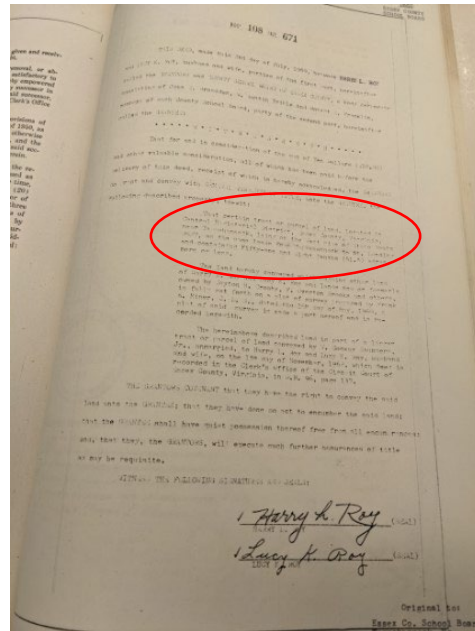
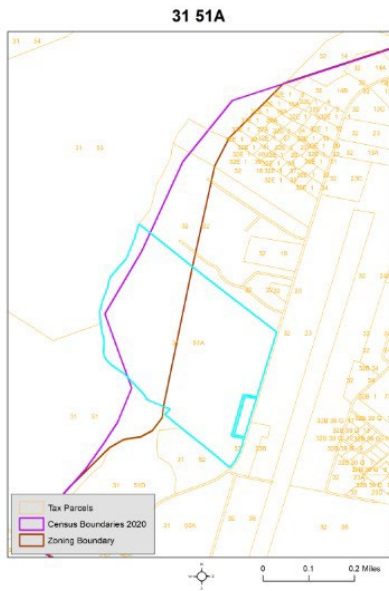
In addition to showing me that these are some of the parcels I needed to update in the GIS, Plat Book 30 Page 68 showed that the boundary line should be along the Town Zoning boundary. This matches what is in the Tome at the Commissioner of the Revenue. As you can see, the boundary line between the parcels does not match the zoning nor the Census boundaries.



Parcel 32 18, according to Deed Book 162 page 705, is in the Town of Tappahannock. Unfortunately, both boundaries show a little bit of the parcel sticking out of the town, but the Census covers more of it. The Commissioner of the Revenue seems to match up with the Zoning Boundary, except for where I've drawn the green line (which is outside the boundary of the parcel, but I felt here was a good place to show that difference since the map is zoomed in).



Parcel 32 22, according to Deed Book 179 page 95, is in the Town of Tappahannock. As before, neither line fully includes the parcel, but the Zoning Boundary bisects the Mobile Homes (remember from slide 2) while the Census boundary does not.

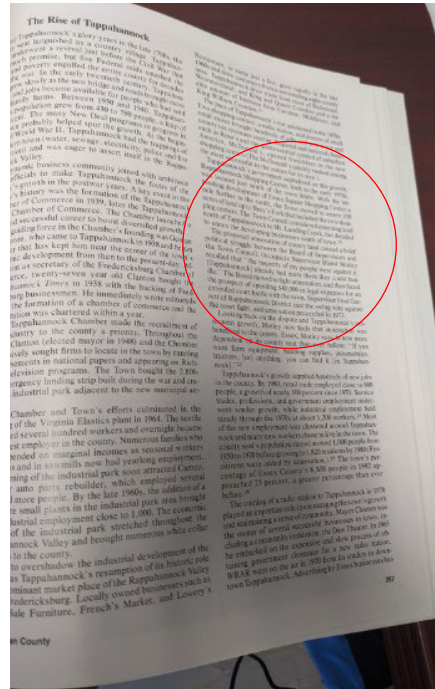
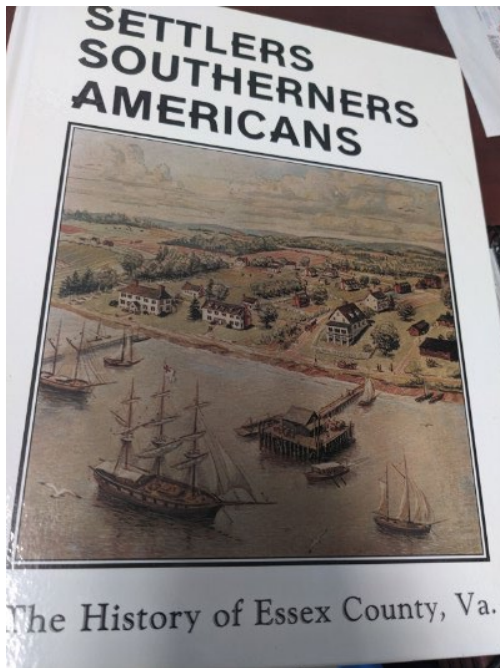


Before you start thinking things have gotten easy, 31 51A (which is Essex High School) is listed as near the town of Tappahannock. This is in Deed Book 108 page 671, and is from 1969.

Is Essex High School considered in the Town of Tappahannock?

Conclusions from Plats and Deeds

- The Southern Portions of the boundary match well the Commissioner of the Revenue's Tome of Knowledge.
- The Northwest portion of the boundary does not have a clear conclusion based on the plats and deeds.

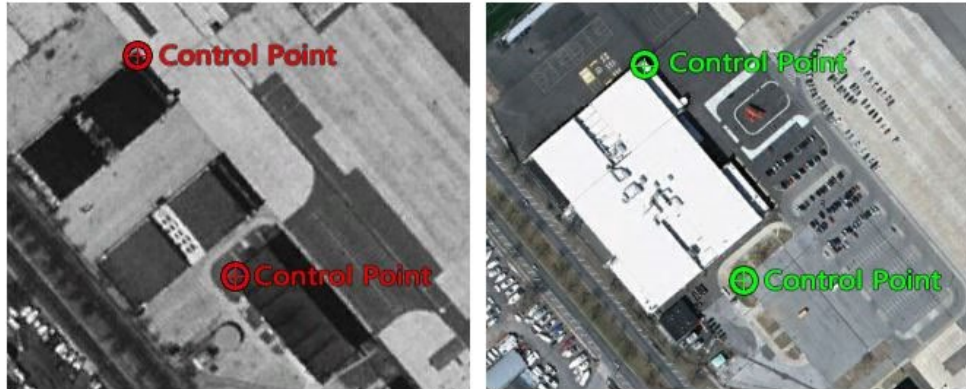


The final annexation for the town was in 1973



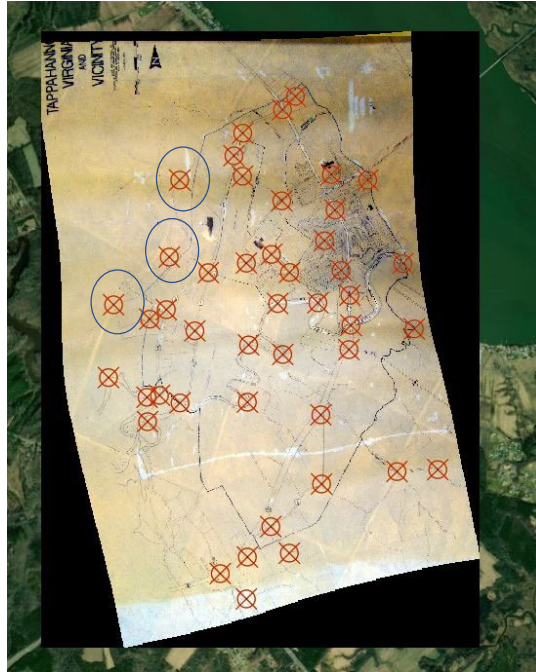
So we took this map that was in the Town Office from 1974 and decided to georeference it to establish the boundaries. This map seemed ideal because it had the older boundary, as well as the newly acquired areas

An overview of Georeferencing



<https://gisgeography.com/georeferencing/>

Georeferencing (which is also called georectifying) is a way to anchor maps, photos, and the like to spatial coordinates in a GIS. Essentially, you just click a point on the map you wish to position (in this case the scanned 1974 paper map), then click the corresponding point in a reference map in the GIS (the base maps in ArcGIS Pro in this case). Features should be consistent and readily identifiable, like road intersections, major water features assuming the course hasn't changed, distinctive buildings, etc. Also, it is possible that locations near the periphery of a map are less precisely mapped than those near the center (<https://storymaps.arcgis.com/stories/dd75d0398f7d4ded924d303161895b8b>). However, there is some error inherent in the process of georeferencing. While the control points are likely to be quite accurate, the software has to interpolate between them, so if an area is lacking in control points, then it is likely to have larger error.



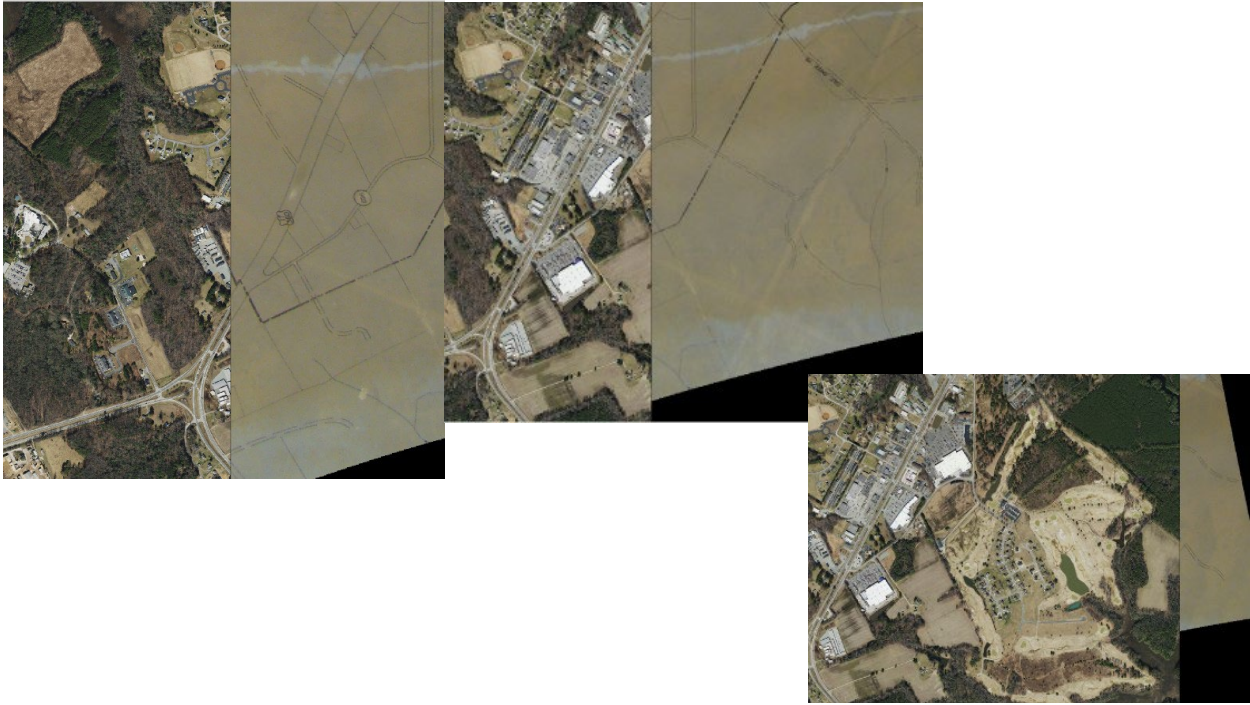
We took lots of control points! It took 45 to get a fit with which I was reasonably satisfied. As you may have noticed, not all of the map was equally feature rich. The downtown area, with its many intersections, was the easiest to georeferenced. Waterways provided many of the points in the Southwestern part of the map. In the Northwest, to the west of Airport Rd, there were not clearly identifiable features in the 1974 map. Consequently, and over the objections of half of the Essex County GIS department ;) we decided to rectify three of the points to the Tax Map layer. Those three tax parcels looked to be about the same shape in 1974 and now, and so I think it was a reasonable decision, but it was a deviation in methodology from the rest of the points. I have circled in blue the 3 points. Overall, I think the alignment is quite good! The next several slides will discuss my quality checks.



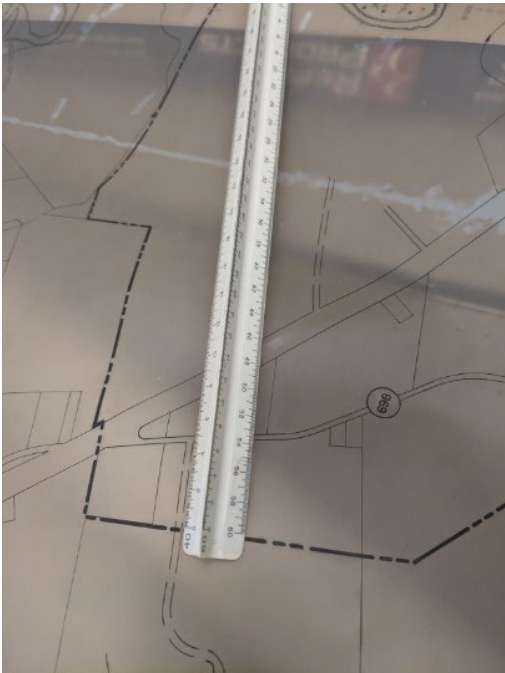
The downtown area is pretty spot on! What you're seeing is the Map Swipe tool in QGIS.



There were some substantial differences in the Southern portion of Tappahannock between the 1974 map and the modern reference imagery. Consequently, while some areas were very good, others were less so. Notice the substantially different road angle of the road where the arrow is pointing.



The left most image looks pretty precise. The middle image looks like there is some disconnect between the road paths in 1974 and in the modern imagery. The right image again looks like it has good alignment.

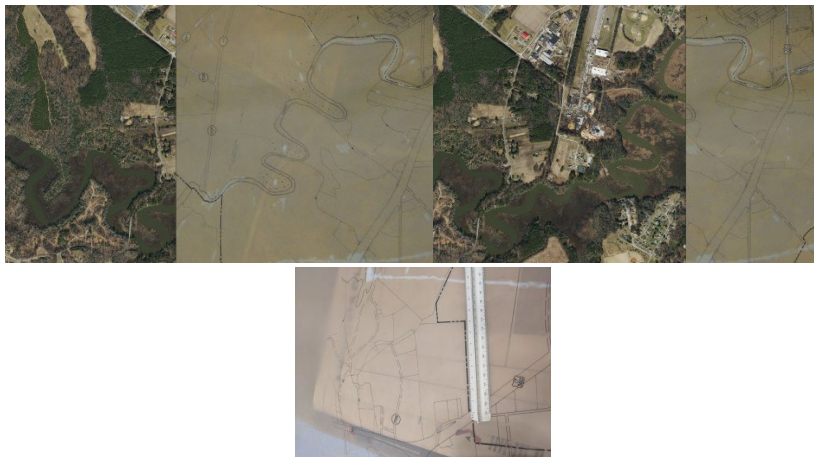


The length of the road beside the ruler in the paper 1974 map was about 500 ft.

The length of that road in the digitized 1974 map was 497 ft.



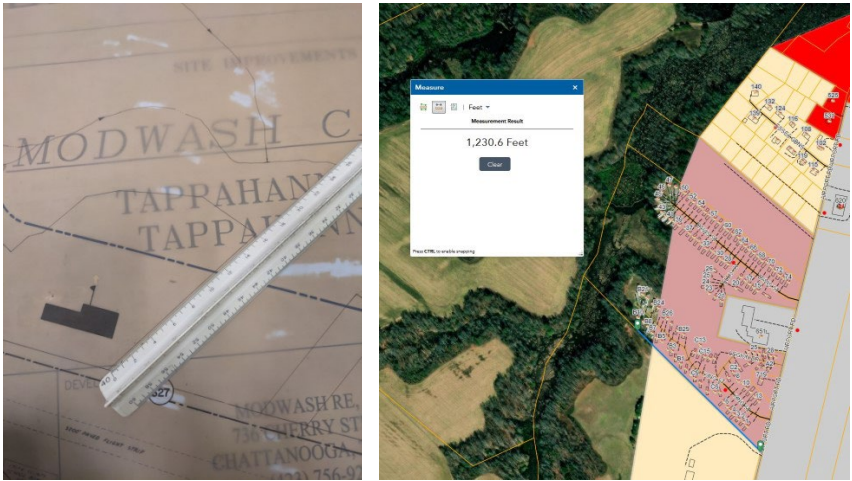
Tommy remembered the Lowe's as being within the Town of Tappahannock, and though the preceding images don't seem to show it, this plat of the Lowe's property does. Given the errors inherent in georeferencing, I would say to trust the plat more.



The Southwest of the map also has variable success, in part because I think many of the features either changed or were drawn imprecisely. For instance, the rivers vary significantly in the width of the meanders, which could very easily either be from natural changes or from errors in cartographic depiction since rivers were not the focus of the map. The measurement from 17 to the bend in the boundary at Heron Point was 1,640 feet on the paper map and 1,788ft on the digitized map.



There were not a ton of useable features in the northwest of the map beyond Airport Rd. I think the alignment was pretty good for the features that did exist, and this is where we used the Tax Parcels to get control points closer to the edge.



The line from Airport Rd along the high school to the town boundary on the paper map was 1,140ft on the paper map, and 1,230 ft on the digitized map. I compared the distance of the digitized line to the mobile home area, and it still doesn't quite cover it, but does get closer. Jimmy over at the town remembers the boundary going just beyond the Mobile Home Park (not to the parcel boundary, but like right at the last house). Unfortunately the plat does not depict the boundary for this one, but I defer to institutional knowledge.



To the North of town, the alignment is again pretty good in some spots and somewhat lackluster in others. Not really any discrepancies between Census and Municipal boundaries, so not an area of concern.

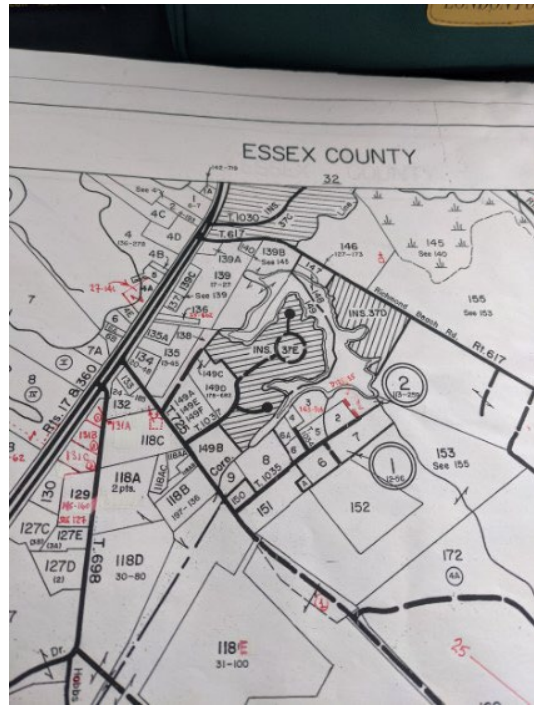


The Municipal Boundaries layer is the one that the Town used for the Zoning Map

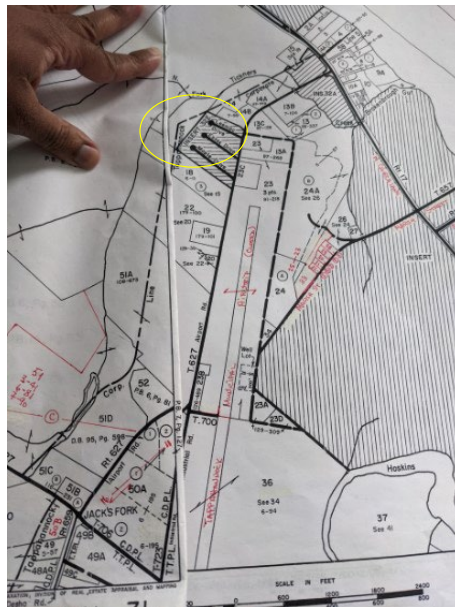
The 2020 Census Boundaries are downloaded from the Census

Accounting for some of the error in referencing, the 1974 map seems to align very well with the maps in the Tome of Knowledge at the Commissioner of the Revenue

If you recall, the Commissioner of the Revenue map was almost identical to the Municipal Boundaries map, except in the northwest by the mobile home park where it went out a little farther and along the East where it seemed to have deviations that were the result of digitizing lots of little changes along the water course



Those boundaries from the Commissioner of the Revenue are provided here for convenience of looking along the waterway. I circled in yellow a part I shall reference in the proposal.



And here is the Northwest portion. I have circled in yellow the part I shall mention in my recommendations

A Modest Proposal

- We largely keep the Municipal Boundaries layer intact, since it corresponds well with the Tome of Knowledge, which this 1974 map seems to match as well
- On the East of the city, retrace the boundary in the yellow circle so it better reflects the 1974 map and the Tome of Knowledge
- Use the parcel boundary between 37116 and 37-116A as the Southern boundary
- Adjust the Northwest boundary to just beyond the final mobile home, and add in the portion that exists in the yellow circle on the Tome of Knowledge and in the 1974 map, but that is absent from the Municipal Boundaries now.



The pink line is the boundary that implements my recommendations to try to represent the boundary as it currently exists.

I think it would be better to push the Northwest boundary to where the 2020 Census has it so that it fully encompasses the Mobile Home Park and uses the wetlands as the boundary area.



Want to avoid changing anyone's voting district, which is really only a concern in that Southwest portion. House and Senate districts are fine; it's the county districts that are impacted.

-Heron Point Subdivision properties are all registered as Greater Tappahannock, so that shift works perfectly

-following tax parcels south of Mount Landing Rd will result in a zig-zaggy line

-North of Mount Landing Rd, any Town boundary shifts are solidly within Greater Tappahannock district



The residences are currently assigned to Greater Tappahannock, so moving the boundary will not affect them

There are not residences in the portion that will change to Central, so no problem there either



Desha Rd cannot be the boundary, even though it would be neater, because that would change people's voting registration

Looping the boundary around the properties is foiled by the presence of buildings and voters in the Central District already

Following the tax parcels would require some zig-zagging to keep residences appropriately registered, but we'll have to find physical features that are the basis for the boundary (based on the last voting redistricting ordinance)

Unsure on what feature the current boundary is based here

Proposed Boundary of the Town of Tappahannock



- Proposed Boundary
- Municipal Boundaries
- Census Boundaries 2020

0 0.25 0.5 Miles



Supervisor Johnson asked to explain each of the three lines.

Mr. Disla stated that the purple is from the 2020 census and it comes from the County level but he is not sure what the foundation for that boundary is.

Supervisor Johnson stated that the voting aspect is very important.

Mr. Disla stated that the North and Greater Tappahannock would be the ones that they would want to make sure they stay where they are. It seems like this area would belong to Greater Tappahannock, It looks like about 3 parcels that were split.

Supervisor Johnson asked if it was going to be his initiative to determine because the voting aspect is critical.

Mr. Disla stated that he could find that out and make sure. If they are already Greater Tappahannock then it is super easy.

Chairman Akers asked if he already had a layer of the voting Districts where we could over lay that on top of this?

Mr. Disla stated that is what the map is but because they are split parcels. It looks like the house is in Greater Tappahannock but he is not sure if they are registered in Greater Tappahannock.

Supervisor Magruder stated that as important as the voting districts are if you look at the bottom of the map you will see the line that is going directly through the white building. That is Lowe's you don't want your boundary line to go through the middle of things. You also don't want your boundary lines to go through the middle of someone's property because then you can have some zoning issues. He sat down with Carlos a couple of times and suggested that they follow tax boundaries. What is that parcel being taxed. It doesn't effect us tax wise. We need to simplify it and follow property lines. The only problem is with Deshea Road you see the big swamp but we should go around the properties to make it easy and keep them in their voting district. He asked if the town would have to approve this?

County Attorney Hlavin stated that there are a couple of processes in which boundary lines can be adjusted. There is a voluntary boundary process where the two jurisdictions agree and that is submitted to the Circuit Court. It has to be accompanied by a plat or a GIS map or meets and bounds where you can follow a stream. Once the court approves the map then its done. It is the simplest way to go if there is agreement between the two jurisdictions. If you are changing any boundary line you have to follow a process that goes through the Commission on Local Government plus the courts or and agreement plus the courts.

Supervisor Magruder asked if we were on a timeline for this?

Mr. Disla stated that it will let us update zoning maps.

Supervisor Magruder stated that he gets that it should be done sooner than later but there is not a big time crunch. Would it be beneficial to have a joint committee with the town to see if they are agreeable and if they are not we can go to step 2.

Mr. Disla stated that he has been working with Connie and she seems eager to want to know what their boundaries are.

Chairman Akers stated that maybe a small subcommittee of maybe two of each.

Supervisor Magruder stated that he would like to be on that committee.

County Attorney Hlavin stated that is a reasonable approach. Once each governing body appoints that committee to meet jointly those meetings will need to be noticed for FOIA purposes.

Supervisor Johnson stated that he would also like to serve on that committee because he has had some problems in his district trying to get folks voting. He would like to ensure common agreement with all parties involved.

Chairman Akers asked where is the biggest opportunity for change. That is probably who should serve.

Mr. Disla stated that there are three main spots. Up in the Northwest portion where the mobile home park is, it is not changing voting district but it is changing Town vs County as it is marked.

Chairman Akers asked if that was Central District?

Supervisor Magruder stated that it should be Central District and Greater Tappahannock. He does not think it affects the North District at all.

Chairman Akers stated that the North District will not be affected by this discussion at all.

Supervisor Magruder stated that he would recommend that Rob serve for the Greater Tappahannock and he serve for the Central District since it affects them the most.

Chairman Akers stated that it does affect more of the Greater Tappahannock and maybe some of the South District.

Vice Chairman Gill stated that he would defer to the two of them on that. He asked when the boundaries are approved and the Circuit Court approves do they need to contact the Census Bureau of the changes or wait until 2030 when they do the new census?

Mr. Disla stated that each January send out this Boundary and Annexation survey update so this come January we can tell them this is the new boundary and attach the agreement and the Courts certifying it and then they would update through their process.

Vice Chairman Gill stated that it would be pretty immediate then and we wouldn't have to wait and all the maps would be all be consistent.

Mr. Disla stated that Virginia Geographic Information Network would probably be the one to update the fastest. They have data calls twice a year so they would be updated within a couple of months. The Census if the data is to them by March or May then it is reflected by the next year.

Supervisor Magruder stated that it doesn't affect the South District at all. It is probably 80% Greater Tappahannock and 20% Central District.

Chairman Akers stated that it affects 100% of Bud's District.

Chairman Akers asked Carlos or April to reach out to the town or Connie taking it back to the town to see who would want to get together to try to coordinate.

Chuck Huntley stated that Commissioner Blackwell was participating remotely and that he stated that there would probably need to be public hearings in both localities and any boundary changes would have to be reported to the State Cooperation Commission.

Chairman Akers stated when they come to an agreement they could come back to this board and with the decision going forward.

Supervisor Magruder asked if this was something that could be discussed at the joint meeting on the 29th and it be formed and done?

Chairman Akers stated that they could form the group then. He would not want to tag it to that meeting.

Administrator Rounds stated it could be an opportunity.

Town/County Opportunities vs Challenges Mapping (BoS Activity)

Chairman Akers mentioned the report from Jane Dittmar regarding the joint meeting that they had with the town. They are to pick the top priorities that they want to work on. He talked with April and would like to suggest that they looked at the strategic plan that they last developed and go through the list that came from the meeting. Pick two from each strategic area and bring them back for the next meeting with the Town. There may be others that were not captured on that meeting and he is ok with those going on there as well. He thought they would keep it at the top two for each of those strategic areas and see where we rank and fall.

Supervisor Johnson stated that looking at various possible projects that would be necessary for both the County and the Town to move forward. The thing that strikes him strongly is water and the education of our kids. We have a school that is not accredited and in order to move the County and the Town forward those two basic entities will have to be addressed immediately. Water especially and once you get the water and infrastructure for the water and sewer the school is going to play a major role in developing around that. Those are the two things that he thinks they should work together on.

Chairman Akers stated that he has no issues with anything that they want to put on there to see how they rank up. He thinks the Town is going to do the same thing where they will rank their priorities and the idea is to get back together and decide which ones fit the best that we can move forward on. Even if it is not on the list if we feel strongly about it we should put it on ours. He asked if the Board would be willing to submit to April so she can get it together.

Supervisor Magruder asked for an email to be sent out as a reminder that they could respond to that.

Chairman Akers stated that with the summary that was given by the facilitator he wanted to apologize to our County Administrator. He feels that there were certain things that they eluded to needed to wait until we had a full-time County Administrator. As far as he is concerned we do have one right now and he does not hold any part of that documentation with any merit.

Supervisor Magruder stated that when they did all of the rezoning we knew that there were going to be a few bumps. One of those has occurred. Currently the way we have determined our zoning if we are in a R-3 district agriculture is not allowed.

Chairman Akers stated that it is conditional use.

Supervisor Magruder stated that there are some exceptions if prior to agriculture being done it is grandfathered in and is non conforming. He does not think it was ever the intention to limit agriculture anywhere in the county. He asked Carlos how many acres are in R-3 and it was a couple 300 acres that could be affected by this. He wanted to see if they could get this to the planning commission to study so that we could get this change if we deem so with public hearings.

Vice Chairman Gill stated that it was all said well. One of the mission statements in the zoning ordinance is that the County is pro AG and forestry. This kind of contradicts that statement in the R-3 zone. It was never his intention to restrict it. They looked at bigger areas in zoning like solar and short term rentals and we assumed the AG part would stay the same. The boiler plate language got carried through the way it has and was brought up in a real situation. He is in favor of sending it to the planning commission for review.

Supervisor Johnson asked if the particular area in R-3 being farmed presently?

Vice Chairman Gill stated that it was.

Supervisor Johnson asked if the way it is zoned now it would not be able to be farmed in the future?

Vice Chairman Gill stated that if it was not farmed now it could not be farmed in the future.

Supervisor Johnson asked so if it is currently being farmed it is grandfathered in correct?

Vice Chairman Gill stated that it is a non-conforming use now.

Supervisor Magruder stated that if the commodity prices drop and they don't farm it for a year or two then they would not get the exemption. Then if the commodity prices came back up then they would not be able to reestablish it as agriculture and he does not want to limit them to that.

Vice Chairman Gill stated you could cut it as a big grass field but that is it.

Chairman Akers stated that they are looking at multiple parcels for them to look at.

Vice Chairman Gill stated that it is one parcel that brought it to light but there are multiple.

Chairman Akers stated that if they could have the planning commission to relook at the language to say it can be done in an R-3 under whatever criteria. Now we can have them start looking at the micro pieces.

Supervisor Magruder stated that they want it to be a conforming use so that they can look at the zoning and see it is a conforming use and they do not have to question it. It was correct in the previous zoning it just got missed on our radar this time. He would like to make that a directive at the regular meeting.

County Attorney Hlavin stated to clarify on process a directive given to the planning commission to study would leave it either for subsequent board action or motion of the planning commission to actually amend the zoning ordinance. So your intention is to leave that for a later stage?

Supervisor Magruder stated that is correct.

Supervisor Johnson stated that he would like the planning commission to look at some parcels that are not productive for farming or agriculture to be designated for other industrial uses so we can have some

economic growth. If they are looking at this parcel that is 300 acres are there other areas in the county that is not good for farm land that could be designated for economic growth.

Supervisor Magruder clarified that they are not looking at individual parcels they are looking at the zoning ordinance. They are going to look at the residential zoning ordinance and is agriculture a conforming use in those areas. What he thinks Supervisor Johnson is requesting, although it is a great idea, he does not think the planning commission can look at individual parcels and dictate to landowners what they can do with their property.

Chairman Akers stated that more of that would come out of the comprehensive plan. If the planning commission comes up and sees certain areas of potential growth they may kick-off some changes in zoning.

County Attorney Hlavin stated that in general the comprehensive plan land use designations map out potential future legislative actions that would rezone the property to a higher or more productive use or a use that is more conducive to the long term goals of the locality.

Chairman Akers stated that this specific request was just to look at the language in the zoning ordinance to look at R-3 to see if it is suitable for agriculture as it was before.

Supervisor Johnson asked why it was designated R-3 instead of R-1 or R-2?

Supervisor Magruder stated that we designated some areas in our County in zoning for that type of development which is high density but there is agricultural land in those areas even though they might not be development yet we have designated those as future growth. That was covered during the zoning ordinances and maps.

Chairman Akers stated that the landowner could come in and put in a high density development and there wouldn't be any agriculture at that point.

Supervisor Johnson asked why was designated R-3 from the beginning?

Chairman Akers stated from the Comprehensive plan identifying high density areas.

Supervisor Johnson asked so what John is asking them to do is at least give it the flexibility to maintain it as R-1 or R-2.

Supervisor Magruder stated that it was a request from a farmer.

Chairman Aker stated that it is a simple request for them to do some research and come back with a recommendation.

Vice Chairman Gill stated that the planning commission is aware of this as well.

ADJOURN

Having no further discussion, Chairman Akers adjourned the Work Session meeting of the Board of Supervisors.

Chairman

Clerk of the Board