



Mathews County Board of Supervisors Regular Meeting

Tuesday, March 23, 2021 at 6:00 PM

Due to the COVID-19 Pandemic and pursuant to Section 4.000(g) in HB30, this meeting will be held electronically per Governor Northam's amended Executive Orders 63, 67, and 72 which impose limitations on the gathering of more than 10 people, and per the Continuity of Government Ordinance adopted by the Board of Supervisors at its regular meeting on December 15, 2020.

PUBLIC NOTICE:

This meeting will be conducted electronically. Citizens are encouraged to view the meeting online at <https://www.facebook.com/MathewsCountyVA/>. Due to a temporary technical difficulty, a recording of the meeting will be uploaded to the Mathews County Meeting Portal (<https://www.mathewscountyva.gov/355/Meeting-Portal>) immediately following its conclusion.

PARTICIPATION IN OPPORTUNITY FOR PUBLIC COMMENT:

Citizens wishing to comment during either "Opportunity for Public Comment" may submit written comments prior to the meeting via the County website at: <http://mathewscountyva.gov/219/Submit-Public-Comment-to-the-Board-of-Su>. Citizens wishing to call in their comments via the Zoom platform may Email BOSpubliccomment@mathewscountyva.gov for instructions. Submitted comments and requests for call in instructions will be received until 9:00 A.M. on Tuesday, March 23, 2021.

MINUTES

CALL TO ORDER

Chairman Rowe called the meeting to order at 6:00 p.m.

INVOCATION

Rev. Dede Parish of Beulah and St. Paul's UMC provided the invocation.

PLEDGE OF ALLEGIANCE

ROLL CALL

Board of Supervisors Members Present:

Michael Rowe, Chairman
Melissa Mason, Vice Chair
Paul Hudgins, Supervisor
Jackie Ingram, Supervisor
Amy Dubois, Supervisor

Board of Supervisors Members Absent:

None

Staff Present:

Mrs. Melinda Conner, County Administrator
Mrs. Julie A. Kaylor, Deputy County Administrator/Clerk
Mr. Thomas D. Jenkins, Planning, Zoning and Wetlands
Director
Mr. James Knighton, Senior Planner
Mr. Kevin Zoll, Building Official
Ms. Andrea G. Erard, Esq., County Attorney
Mrs. Caroline Oxley, Communications Manager/Deputy
Clerk

APPROVAL OF AGENDA

MOTION: On Motion of Melissa Mason, seconded by Amy Dubois, the Mathews County Board of Supervisors voted 3-2-0 as follows: Michael Rowe, Melissa Mason, Amy Dubois - aye; Paul Hudgins, Jackie Ingram - nay; to approve the agenda, as presented.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor -Nay
Jackie Ingram, Supervisor -Nay
Amy Dubois, Supervisor - Aye

SPECIAL PRESENTATION: GWYNN’S ISLAND HISTORIC DISTRICT

Ms. Lori Jackson Black, President of Preservation Mathews, introduced Ms. Caitlin Sylvester, ESHPF Grant Project Coordinator, Ms. Elizabeth Lipford, Preservation Specialist Eastern Region, and Mr. Blake McDonald, Manager of Architectural Survey and Cost Share Grant Program, all from the Department of Historic Resources.

Ms. Lipford stated that the Gwynn’s Island Historic District project began in 2014 when a county- wide survey was completed and identified a possible Gwynn’s Island Historic District which was recommended for further study. In 2015, it was noted that Gwynn’s Island had several important sites and that it was in danger of critical threats from coastal flooding and erosion. In 2017, a Preliminary Information Form (PIF) was submitted for Gwynn’s Island Historic District and it was found eligible for registry by the Virginia State Historic Registry Board and was later confirmed by the National Park Service in 2018. In 2020, funding became available through the ESHPF Disaster Assistance Grants for Historic Resources.

Ms. Lipford explained that the Virginia Landmarks Register is the state listing of historic places and the National Historic Register covers national listings. Ms. Lipford outlined the requirements that must be met in order to be considered eligible for listing, noting that Gwynn’s Island met most of those requirements.

Ms. Lipford stated that one of the questions her office gets is whether a designation will restrict someone’s property. She stated that it would not and explained that the State and National Registries are honorary, that there are no requirements and no restrictions on property owners. She noted that there are a lot of benefits from designation and outlined those specifically related to easements and rehabilitation efforts.

Ms. Lipford noted that the period of significance begins in 1635 when Mr. Henry Gwynn received his land patent and ends in 1971 which is the 50-year cut off even though that may not be the actual end date. She then deferred to Ms. Caitlin Sylvester.

Ms. Caitlin Sylvester provided background on the grant funding source, noting that there would be no cost to

Mathews County. She stated that this project, if accepted by the Board of Supervisors, would be managed in-house at DHR with input from Preservation Mathews and the local government. Ms. Sylvester stated that the next step after presentation to the Board will be a public information session, and noted that the public is welcome to comment during any portion of the project. Ms. Sylvester stated that DHR will write the scope of work, hire the contractor and will serve as the project administrator. She noted that 600 properties will be surveyed and said that the survey work is expected to take place over several months with completion in the fall. She further noted that she expected the application would be ready to submit for consideration by Spring of 2022. Ms. Sylvester stated that notification letters will be sent out to all property owners and a public hearing will be held. After all of this is complete, the final step will be to submit the report to the state review board for review by summer 2022.

Supervisor Hudgins stated that he had a glitch with his computer and had to switch to a phone line. He questioned whether restrictions would apply to landowners in district. Ms. Lipford stated that there were none.

Mrs. Conner stated that no action was necessary by the Board at this time but noted that if the Board is in support of the project, expression of that support could be helpful.

MOTION: On Motion of Amy Dubois, seconded by Melissa Mason, the Mathews County Board of Supervisors voted 5-0-0 as follows: Michael Rowe, Melissa Mason, Paul Hudgins, Jackie Ingram, Amy Dubois - aye; None - nay; to support the Department of Historic Resources application to both registries designating Gwynn's Island a Historic District.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye

Melissa Mason, Vice Chair – Aye

Paul Hudgins, Supervisor – Aye

Jackie Ingram, Supervisor – Aye

Amy Dubois, Supervisor - Aye

OPPORTUNITY FOR CITIZEN COMMENTS

There were no comments.

CONSENT AGENDA

Supervisor Hudgins stated that he had a problem with the minutes. He stated that the Board of Supervisors minutes did not correspond with the Planning Commission's minutes, specifically noting page 11. He said that the Board's minutes have different information than the Planning Commission's minutes, noting that not only was the information different, but the topics were different as well. Chairman Rowe asked Supervisor Hudgins if the minutes were wrong. Supervisor Hudgins confirmed that he felt they were wrong. Chairman Rowe explained the differences between the two Boards and why the discussions would be different. Mrs. Conner stated that the minutes should be a record of what was discussed at each meeting. She noted that the Board has the ability to amend the minutes if there is an error. Supervisor Hudgins stated that some corrections need to be made. Vice Chair Mason stated that the Board is attesting to what was said in its meeting. She stated that it is possible that the conversation was different, that it is highly possible because it is two different meetings. Chairman Rowe agreed with Vice Chair Mason. Supervisor Hudgins was unable to point out specific errors, so no amendments were proposed.

Supervisor Hudgins asked what the Section 125 Plan is. Mrs. Conner stated that this Plan is adopted annually, that it is pro forma and that it is on the consent agenda each year. Supervisor Hudgins asked if there were no extra cost to the citizens. Mrs. Conner stated that there were not.

MOTION: On Motion of Amy Dubois, seconded by Melissa Mason, the Mathews County Board of Supervisors voted 3-2-0 as follows: Michael Rowe, Melissa Mason, Amy Dubois - aye; Paul Hudgins, Jackie Ingram - nay; to approve the consent agenda, as presented.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor -Nay
Jackie Ingram, Supervisor -Nay
Amy Dubois, Supervisor – Aye

- A. Meeting Minutes
 - 1. February 23, 2021 Board of Supervisors Regular Meeting
- B. Supplemental Appropriations
 - 1. Sheriff
 - 2. Department of Fire Programs
- C. Section 125 Plan Documents
 - 1. Certificate of Resolution
 - 2. Adoption Agreement
- D. Proclamations
 - 1. Bay Aging: March for Meals

REPORTS AND REQUESTS OF BOARDS, DEPARTMENTS, COMMISSIONS AND AGENCIES

A. Mathews County School System:

A written report was included in the agenda packet.

B. Virginia Department of Transportation:

A written report was included in the agenda packet.

C. Mathews County Department of Planning and Zoning:

Mr. Thomas Jenkins, Planning and Zoning Director, stated that his written report was included in the agenda packet. He noted updates on court green project, staffing changes, and the lighthouse construction project. Mr. Jenkins stated that he anticipated receiving an updated survey for the Hole in the Wall property by the end of the week and noted that he would be presenting the Capital Improvement Plan later during this meeting.

Supervisor Dubois stated that she was happy to see the courthouse green project nearing completion and recognized the community effort.

D. Mathews County Building Department:

Mr. Kevin Zoll, Building Official, stated that people are putting building projects on hold currently due to the increased cost in building materials. He asked that if any Board members had any springtime concerns to let him know and noted that staff would begin work outside of the buildings.

Chairman Rowe complimented Mr. Zoll and his staff on all of the work done at the Registrar's office, the Administration building, and the historic courthouse green.

E. Mathews County Broadband Advisory Board:

Mrs. Judy Rowe, Chair, provided an update on the VATI grant project. She stated that the County was successful with both grant applications totaling over \$4.5 million dollars and noting that both applications were a collaboration with other jurisdictions. Mrs. Rowe gave kudos to Mr. Jeff Beekhoo and Mr. Tyler Beekhoo for their consulting efforts and kudos to everyone else involved. Mrs. Rowe thanked the Board and noted that now the real work begins. Mrs. Rowe stated that all work under both grant awards must be completed within one year of signing contracts with the Department of Housing and Community Development. Mrs. Rowe also thanked Mr. Michael Downing of Atlantic Broadband for his efforts in providing a low-cost internet service plan for those who qualify. She then deferred to Mr. Jeff Beekhoo who provided an update on the work going forward.

Supervisor Dubois applauded everyone for all the work done to date. Vice Chair Mason stated that she was so excited to get in her work email communication that her County was awarded grants from the Governor.

UNFINISHED BUSINESS: PUBLIC SAFETY RADIO SYSTEM

Mrs. Conner stated that the Board directed staff to move forward with joining the K&Q public safety radio system. She stated that the best option for financing is a lease-purchase agreement with interest of 1.85% for 5 years or 2.05% for 7 years. She noted that County Attorney Erard and herself are currently reviewing the instruments to make sure it meets all statutory requirements. Mrs. Conner stated that she does not yet have a final cost, and noted that a microwave antenna is needed and that those costs need to be factored in. Chairman Rowe stated that staff still has the directive to move forward on this project. Mrs. Conner agreed, and noted that progress is being made. Mrs. Conner stated that she has not seen anything that would cause any kind of procedural problem for Mathews. Chairman Rowe stated that the current system is old and that this project needs to move forward. County Attorney Erard stated that so far there does not appear to be any issues with this finance document.

Supervisor Hudgins stated that he would like copies of contracts and documents for review prior to finalizing. County Attorney Erard stated that she would be happy to share what she has, noting that they are not tailored for this transaction yet, but are rather a boilerplate template. Supervisor Dubois asked if any action was needed to keep things moving. Chairman Rowe stated that the Board had already done that. Mrs. Conner stated that she has not yet been authorized to sign any documents and noted that a special meeting could be scheduled to do that. Supervisor Dubois provided a motion to authorize the County Administrator to execute the agreements as necessary. Supervisor Hudgins provided a motion to table the matter for 30 days for review and to gather more information. Vice Chair Mason stated that if information is gathered prior to next meeting, a special meeting be scheduled to review the documents and proceed then, reminding everyone that this is a dire situation. Vice Chair Mason commented to Mrs. Conner that If she receives information prior to next meeting she should contact the Board to set up a special called meeting. Mrs. Conner stated that this was a reasonable way to proceed.

SUPERVISORS' REPORT

A. Chairman Rowe

1. Board of Supervisors Meetings

a. Cancel Budget Work Session Meeting: March 25, 2021

Chairman Rowe explained that the Budget Work Session scheduled for March 25, 2021 was cancelled due to staff and members of the Board receiving the second COVID vaccination to err on the side of caution in case of aftereffects from the vaccine.

b. April 2021 Meetings: Electronic or In Person

Chairman Rowe stated that the Governor has relaxed inside capacity rules in regard to COVID and recommended the Board meet in person in the Harry M. Ward Auditorium for the regular meeting of the Board of Supervisors

for April. Due to a scheduling conflict, the meeting was moved to 4:00 p.m. instead of 6:00 p.m.

MOTION: On Motion of Melissa Mason, seconded by Paul Hudgins, the Mathews County Board of Supervisors voted 5-0-0 as follows: Michael Rowe, Melissa Mason, Paul Hudgins, Jackie Ingram, Amy Dubois - aye; None - nay; to schedule the April 27, 2021 regular meeting of the Board of Supervisors for 4:00 p.m. in the Harry M. Ward Auditorium at Mathews High School.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor – Aye
Jackie Ingram, Supervisor – Aye
Amy Dubois, Supervisor – Aye

c. Schedule In-Person Closed Meeting for April 2021

By consensus, the Board agreed to schedule a closed meeting on Monday, April 12, 2021 at 1:00 p.m. in the Historic Courthouse for the purpose of discussions pertaining to personnel and legal matters.

B. Supervisor Hudgins

1. Questions on Evaluations that are Due

Supervisor Hudgins stated that this will be addressed with the closed meeting.

2. Questions on Survey Work at Hole in the Wall

Supervisor Hudgins stated that Mr. Jenkins addressed this matter.

3. Questions on Pump and Haul Tickets for Hole in the Wall

Supervisor Hudgins stated that there was an invoice error. He stated that the date on a particular invoice pertaining to the pump and haul services at the Hole in the Wall had a date of December 2021. He stated the error could be found on page 131 of the claims in the Board's agenda packet. Mrs. Conner stated that she will take care of this.

4. Status on In Person Meetings and Needed Closed Meetings for the Board

Supervisor Hudgins stated that this matter had also already been addressed.

C. Supervisor Ingram

1. Follow-Up for Regarding IT Position

Supervisor Ingram asked for an update. Mrs. Conner stated that the job has advertised, three applications were received to date, and that interviews had not yet begun. Supervisor Ingram questioned whether the Board would be involved in the interviewing and hiring of this position. Mrs. Conner noted that this is normally handled administratively, noting that positions like the Building Official where the position has some regulatory authority, the Board is responsible for making the appointment and is involved.

2. Lost Previous Meeting Information

Supervisor Ingram questioned where minutes are that appear lost. Mrs. Conner reminded her that the minutes have never been lost, that what Supervisor Ingram is referring to are the audio recordings and again noted that this is a technology project and that once that position has been filled, this will become part of that person's workload.

3. Zoom Closed Meeting Questions

Supervisor Ingram asked that video equipment be installed in the Historic Courthouse. Mrs. Conner stated that the Board had not utilized video in their meetings but if video has become important to the Board, staff will look into it. Chairman Rowe stated that this is something that will need to wait until the new IT staff is in place. Supervisor Mason agreed. Mr. Zoll stated that he believed the room was already equipped with video. Supervisor Dubois stated that she thought this had already been taken care of.

County Attorney Erard stated that if the pandemic does not go away, everyone will probably still need to wear a mask. Chairman Rowe stated that at least for the next several months, the Board will meet in the auditorium. Supervisor Mason stated that it would be reasonable to say that for the remainder of 2021, the Board will not go back to the Historic Courthouse just for spacing and strict mask enforcement purposes.

D. Supervisor Dubois

Supervisor Dubois provided an update on the following matters:

- 1. Mathews County Resource Council Update**
- 2. Local Government Advisory Committee Update**

COUNTY ADMINISTRATOR'S REPORT: REVIEW OF PROPOSED FY2021 DRAFT BUDGET

Mrs. Conner stated that a copy of the draft proposed budget was included in the agenda packet. She stated that the budget is balanced with no proposed tax increase. She stated that this budget incorporates expenditures for a new public safety radio system and the local match for both VATI grants. Mrs. Conner stated that this budget provides level funding for Schools. Mrs. Conner stated that this budget will be amended once state budget impacts are known and once we know what the rules are pertaining to the latest Fiscal Recovery Funds Act. She noted that the County is set to receive \$1,728,583 in additional aid and that it will impact the budget in a positive way, but until the details are known, she cannot incorporate these funds in proposed budget. Mrs. Conner stated that some funds are expected to be released in the current fiscal year with the rest coming sometime next year, and that when that happens the Board will be asked to do a supplemental appropriation.

Mrs. Conner stated that Mr. Jenkins would go over the CIP budget. Mrs. Conner explained that the positive thing with this revenue, as we did with last round of revenue received, is that it allows us to shift things and fund things differently and she anticipates doing this again. Mrs. Conner noted that the CIP will be handled the same as the operating budget, where the Board can expect amendments going forward. Chairman Rowe stated that staff had done a good job with CARES funding.

Supervisor Dubois stated that with level funding for Schools, pay plans put in place over last two years will likely be stalled, noting that this is the right decision now but with any additional money received, this needs to be prioritized. She stated that she wants to safeguard the pay plans for future boards. Chairman Rowe stated that the General Assembly is proposing a 5% increase across the board and if they do, the Board will have to incorporate that into the budget. He noted that until that happens, we are presuming level funding. Mrs. Conner stated that the recommended action for this matter is authorization to advertise for the public hearing on April 12th.

MOTION: On Motion of Paul Hudgins, seconded by Jackie Ingram, the Mathews County Board of Supervisors voted 5-0-0 as follows: Michael Rowe, Melissa Mason, Paul Hudgins, Jackie Ingram, Amy Dubois - aye; None - nay; to authorize the advertisement of the proposed FY22 Budget for Public Hearing on Monday, April 12, 2021 at 6:00 p.m. in the Harry M. Ward Auditorium in Mathews High School.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye

Paul Hudgins, Supervisor – Aye
Jackie Ingram, Supervisor – Aye
Amy Dubois, Supervisor - Aye

County Attorney Erard stated that the motion is to hold meeting at Mathews High School in addition to advertising public hearing.

Mr. Thomas Jenkins, Planning and Zoning Director, presented the CIP. He addressed dredging and stated that the Planning District Commission is working on combining projects, which would include dredging Hole in the Wall and then placing the spoils at Haven Beach to shore up the breakwaters there and that this may lead to a cost savings for Mathews by using a grant available through the Virginia Port Authority. He noted that there is \$100,000 currently set aside in the Committed Reserves for Public Access, if a local match is required. He addressed the County's ERP system, noting that many of the departments utilize this system and that at present, Mr. Huntley proposed a figure of \$130,000 for replacement of this outdated system. He noted that this figure may change depending on the outcome of needs. Mr. Jenkins addressed repairs and improvements to buildings. He noted that the Emergency Services building is in need of repairs and that an ADA ramp is necessary at the Administration building. He also addressed equipment replacement and upgrades for the maintenance staff. Mr. Jenkins stated that funds have been earmarked for improvements to the boiler burner and windows at Thomas Hunter Middle School. He stated that the Communications Supervisor, Christian Collier, has applied for a grant to replace E-911 equipment and that if successful, out of the \$229,000 cost, \$150,000 of that would be grant funded. He noted that the equipment in the 911 center is 20 years old. Mr. Jenkins stated that the Planning Commission voted 6-0 at its most recent meeting to recommend approval of this plan.

Supervisor Hudgins, referring to the handicap ramp at the Administration building, asked whether a handicap door was also included in the budget. Mr. Zoll stated that he would take care of this.

Mrs. Conner stated that this was a high-level overview of the draft budget and CIP and that if the Board had any questions to let her know.

OPPORTUNITY FOR CITIZEN COMMENTS

There were no comments.

APPOINTMENTS

A. Board of Zoning Appeals: Mrs. Susan Thomas (Recommendation)

Supervisor Hudgins stated that he has an issue with Mrs. Susan Thomas and that he believes the applicant has pending litigation with the County. Supervisor Dubois stated that the Board needed to be careful with discussions of personnel or legal matters in open meeting. Supervisor Dubois suggested the Board could discuss this application in the scheduled closed session. County Attorney Erard stated that this applicant is appointed by the Circuit Court, not the Board of Supervisors, and therefore they cannot discuss this applicant in closed meeting.

Correction to these minutes from the April 27, 2021 Regular Meeting of the Board of Supervisors, as follows:

MOTION: On Motion of Amy Dubois, seconded by Paul Hudgins, the Mathews County Board of Supervisors voted 4-0-0 as follows: Michael Rowe, Paul Hudgins, Jackie Ingram, Amy Dubois – aye; to amend the March 23, 2021 Regular Meeting Minutes to reflect the correct meeting date of March 23, 2021 and to retract Paul Hudgins use of Mrs. Sue Thomas' name.

MOTION: On Motion of Amy Dubois, seconded by Melissa Mason, the Mathews County Board of Supervisors voted 3-2-0 as follows: Michael Rowe, Melissa Mason, Amy Dubois - aye; Paul Hudgins, Jackie Ingram - nay; to recommend Mrs. Susan Thomas to the Circuit Court for consideration of appointment to the Mathews County Board of Zoning Appeals for a full five-year term beginning August 2021 and expiring in August 2026. Mrs. Thomas previous was appointed to fill the unexpired term of Mr. Michael C. Rowe.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor -Nay
Jackie Ingram, Supervisor – Nay
Amy Dubois, Supervisor – Aye

B. Wetlands Zoning Board and Planning Commission: Mr. Nicholas Koch and Ms. Danette Machen

MOTION: On Motion of Paul Hudgins, seconded by Melissa Mason, the Mathews County Board of Supervisors voted 5-0-0 as follows: Michael Rowe, Melissa Mason, Paul Hudgins, Jackie Ingram, Amy Dubois - aye; None - nay; to appoint Mr. Nicholas Koch to the Wetlands Zoning Board to fill the unexpired term of Mr. Michael Brown whose term expires December 2022, and to reappoint Ms. Danette Machen to the Planning Commission for a new five-year term to expire December 2026.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor – Aye
Jackie Ingram, Supervisor – Aye
Amy Dubois, Supervisor - Aye

RECESS

MOTION: On Motion of Amy Dubois, seconded by Melissa Mason, the Mathews County Board of Supervisors voted 5-0-0 as follows: Michael Rowe, Melissa Mason, Paul Hudgins, Jackie Ingram, Amy Dubois - aye; None - nay; to recess this meeting to Monday, April 12, 2021 at 1:00 p.m. in the Historic Courthouse for the purposes of a closed meeting. The purpose of the closed meeting is for the discussion of personnel and legal matters.

Roll Call Vote:

Michael C. Rowe, Chairman – Aye
Melissa Mason, Vice Chair – Aye
Paul Hudgins, Supervisor – Aye
Jackie Ingram, Supervisor – Aye
Amy Dubois, Supervisor - Aye

Michael C. Rowe, Chairman
Mathews County Board of Supervisors

Melinda Conner, County Administrator

Julie A. Kaylor, Deputy County Administrator/Clerk