

ACCOMACK COUNTY PLANNING COMMISSION MINUTES OF NOVEMBER 17, 2015

At a meeting of the Accomack County Planning Commission held on the 17th day of November 2015, in the Accomack County Airport Conference Room, Melfa, Virginia.

1. **CALL TO ORDER**

A. **MEMBERS PRESENT AND ABSENT**

Planning Commission Members Present:

Mr. David Lumgair, Jr., Chairman

Mr. C. Robert Hickman

Mr. Lynn Gayle

Mr. Stephen Corazza

Mr. Brantley Onley

Mr. Roy Custis

Mrs. Angela Wingfield

Planning Commission Members Absent:

Mr. Leander Roberts, Jr.

Mr. Spyridon Papadopoulos, Vice-Chairman

Others Present:

Mr. Rich Morrison, Director of Planning and Community Development

Ms. Jessica Taylor, Temporary Administrative Assistant

Ms. Kristen Tremblay, Assistant Planner

Mr. Charles R. Pruitt, Director of Public Safety

Mr. Dave Lovell, Local Chicken Grower, Owner of Old Mill Farms

B. **DETERMINATION OF A QUORUM**

There being a quorum, Chairman Lumgair called the meeting to order at 7:00 p.m.

2. **ADOPTION OF AGENDA**

On a motion made by Mr. Corazza and seconded by Chairman Lumgair, the Planning Commission voted to adopt the agenda.

3. **DISCUSSION ITEMS**

A. **Capital Improvement Plan (CIP)**

Additions and Revisions to the 2017-2021 Capital Improvement Plan was presented to the Planning Commission.

Chairman Lumgair asked if the Derelict Building Removal Program is being deleted because it is fully funded.

Mr. Morrison informed the Planning Commission that the solar company closed on their deal and has written Accomack County a check for \$100,000.

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During a brief discussion, Mr. Custis requested that Mr. Morrison ask Mike Mason, Director of Finance, why the Clerk's Office Handicap Access project is being deleted. Mr. Morrison informed the Planning Commission that Mr. Mason would be available to answer questions at a future meeting.

Chairman Lungair asked Mr. Morrison if the Planning Commission should schedule a public hearing on the Capital Improvement Plan; Mr. Morrison responded that he does not believe a public hearing should be scheduled at this time.

B. Poultry Related Concerns

Charles R. Pruitt, Director of Public Safety was asked to speak on prevention and management of fires in manure sheds.

Mr. Pruitt stated that he does not specialize in manure shed fires, but is making this presentation from research and his experience. In 2014, there were six (6) manure shed fires. In 2015, there were five (5) manure shed fires. This information was obtained from the coding used for calls at the 911 center.

Mr. Pruitt informed the Planning Commission that management of the manure shed is of utmost importance, this includes monitoring the temperature within a manure pile. Mr. Pruitt expressed concern that more often it is being found that the owner of chicken houses does not live on the property, but there is a care taker. This causes an issue for the fire department as fires can burn longer, due to no one seeing the burning manure shed and that the fire department or 911 center often does not know who to contact.

The manure shed allows litter to be stored in an environmentally sound manner with protection from the weather and allows flexibility in the time of application while preserving nutrient content and avoiding loss of nutrient to surface water. Storing litter properly is a must in order to avoid the danger of a fire. Microbial activity within the litter pile produces heat and methane gas.

Mr. Pruitt stressed the importance of keeping a pile to a manageable size; Heat is easily released from a small pile while a larger pile allows excessive heat buildup. Piles that are too high create an insulating compacted area that traps heat. Compaction is also caused by driving over a pile to layer new litter. When litter is layered, moisture from new litter is stacked on the dry old litter, or pushed against it. As a result, the new and old litter produce heat. If the temperature of the manure pile exceeds 190 degrees Fahrenheit or smoldering occurs, manure will need to be removed from the pile.

At this time, if overheating is expected, the pile may burst into flames from exposure to air. The fire department should be contacted and requested on site, prior to moving the litter pile. Mr. Pruitt expressed concern with this; He stated that due to Accomack County being a rural community, many of our local growers do not require the assistance of the fire department for every manure shed fire as growers are able to manage the fire themselves by spreading the manure across an area and allowing it to cool down, before pushing it back into the manure shed. By law, manure is only allowed to be stockpiled outside of the manure shed for two (2) weeks or fourteen (14) days.

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The Planning Commissioners inquired about using foam as an alternative to water, in the instance of a large fire such as the one on Savageville Road. Mr. Pruitt informed the Planning Commission that while foam is an alternative, it is not ideal. First, the local fire departments do not keep large amounts of foam, as it is cost prohibitive. Secondly, the foam expires in a relatively short period (when compared to the number of manure shed fires in Accomack County). Lastly, Mr. Pruitt stated that foam will suppress the fire and assist in removing the immediate threat, but the fire will eventually reignite if hot enough.

Mr. Pruitt informed the Planning Commission that once the initial threat of a fire is gone, it is out of the fire departments jurisdiction. The only way that the fire department is able to force a person to put out a fire is if it is directly hindering others. For example, the smoke from the fire is going directly into a neighboring house and the neighbor reports the fire to the Sheriff's Office or 911 center.

Chairman Lumgair stated that Accomack County needs to have a plan in place, placing responsibility on the responsible parties to have fires extinguished properly. This includes a chain of ownership of the manure once the fire is extinguished.

Mr. Dave Lovell, Local Chicken Grower and owner of Old Mill Farms was asked to join the discussion to provide his insight as a grower with twenty-four years of experience.

Mr. Lovell stated that when manure shed is on fire, the best way to extinguish the fire is to dig out the manure, spread it out to cool and dry, and then put the manure back into the manure shed. Mr. Lovell has been able to manage many of his own small fires by following this process. During Mr. Lovell's twenty-four years in the industry, he has only had the fire department called two (2) times. Mr. Pruitt informed that during one (1), if not both, of these calls, Mr. Lovell was the person to direct and assist the fire department with extinguishing the fire.

Mr. Onley inquired about the structure of manure sheds. Mr. Lovell informed the Planning Commission that currently, the plank side is four (4) feet or five (5) to seven (7), with tapered edges. The Natural Resources Conservation Service (NRCS) often assists farmers financially to improve their manure sheds and build if they are able to finance the materials.

Mr. Onley asked if the side walls could be made of a fire retardant material, such as concrete. Mr. Lovell and Mr. Pruitt agreed that concrete could help. If the fire department is called and has to cut out a side wall to put out the fire, cutting through concrete would slow the process and cost the grower additional funds. The Planning Commission agreed that they would like to meet with an employee or spokesperson from the Natural Resources Conversation Service (NRCS).

Chairman Lumgair asked Mr. Lovell about the chain of custody of manure as it leaves the farm. Mr. Lovell stated that on his farm, this is not a mandated chain of custody, but once the farmer touches the manure it belongs to that farmer. Mr. Lovell also stated that there is a paper trail of every movement of the manure by the grower and farmer or broker Chairman Lumgair would like to have the staff research to see if there is a chain of command for the possession of manure.

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Chairman Lumgair began discussion on the public's concern of the Avian Influenza (also known as the Avian Flu). Mr. Pruitt stated that Accomack County is working with the U.S. Department of Agriculture, Delmarva Poultry Industry, Inc. and Virginia Poultry Alliance on the emergency response plan for such an occurrence. Currently, the plan in place in Accomack County includes the Department of Public Safety, Sheriff's Office, the poultry company that owns the chickens, and the Community Emergency Response Team (CERT). The County is alerted, all traffic in the area is stopped, the property is quarantined, all houses are foamed and chickens are run through two (2) heat cycles to compost them for removal. This is a twenty-four hour process, at minimum.

Chairman Lumgair asked Mr. Lovell if his employees wear protective clothing or breathing apparatus while working. Mr. Lovell stated that they do not use a breathing apparatus day-to-day, he and his employee(s) do wear dusk masks and boots while inside of the chicken house and as needed, they will wear goggles and gloves.

Chairman Lumgair asked Mr. Lovell if he is concerned for his and his employee's health. Mr. Lovell states that other than one accident on his farm, there have been no health related issues to raise concern in his twenty-four (24) years in the industry.

Mrs. Wingfield asked Mr. Lovell how many manure sheds are required per number for chicken houses. Mr. Lovell responded that there is currently no regulation in place stating how many manure sheds that you must have per number of chicken houses. Mr. Lovell does state that if you receive funding to build a manure shed, NCRS will build manure shed in proportion to the number or size of chicken houses.

Mrs. Wingfield asked if when Mr. Lovell cleans out his chicken houses every three (3) years, if he cleans a set number each year or all at once. Mr. Lovell informed the Planning Commission that the schedule is per the poultry company involved, but with his plan they no longer do a complete clean out. Mr. Lovell's program requires that the middle-third of the chicken house be cleaned out and the side levelled over the cleared area. Mr. Lovell states that the time in which this clean out occurs is dependent on the level of manure.

Mr. Hickman asked if with the additional chicken houses expected to be built, will there be enough fields locally for the manure to be spread on. Mr. Lovell is confident that with the number expected, as long as the soil is continually tested as it is now and manure lying regulated, the local area will not have an overabundance of manure. Mr. Lovell states that with farmers being allowed to spread in the Spring and Fall, growers rarely, if ever even get to the standard amount of manure allowed to be stored per the NCRS standards. There is an agronomic issue that growers in Virginia, are usually unable to spread during the hottest time of the year (summer) due to crops in the fields.

Rich Morrison informed Chairman Lumgair that Kristen Tremblay has reached out the Department of Agriculture and communicated with the State Veterinarian. Ms. Tremblay was given documentation of the protocols should there be an outbreak of Avian Influenza. Mr. Morrison noted that staff has the documents readily available and will provide to the Planning Commission, if they would like to view the document in their entirety.

The documents received from the Department of Agriculture were not presented, but are available at the Accomack County Planning and Community Development office for review.

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Brief discussion ensued about the bird disease, Mycoplasma Gallisepticum: a disease that (from past history) is only transferred from bird to bird. Currently, there is no concern of this disease transferring from bird to human.

Mr. Morrison stated that workers are given a medication to person(s) closest to the birds if the Avian Influenza is transmitted. If there is an outbreak, the farm is locked down with people on the grounds and unable to leave. Birds and humans are transmitters of Avian Influenza. The Planning Commission would like more information on the transfer of Avian Influenza from bird to human.

Chairman Lumgair believes that it is important to have this information readily available to the public.

Mr. Morrison informed the Planning Commission that the Health Department is reviewing materials provided to-date. Mr. Morrison stated it may be wise for the Planning Commission to prepare questions for Dr. Matson.

The Planning Commission requested that staff invite a spokesperson from the County Health Department and Natural Resources Conservation Service (NRCS).

Chairman Lumgair stated that the following issues should be addressed in the future, by documents with answers or an action plan.

- Recommendations for litter disposal
- Water usage
- Public health concerns
- Fire and Emergency Response Plans
- Next generation of chicken houses
- Record of manure possession
- Disposal of dead chickens

4. **NEXT MEETING**

The next regular Planning Commission meeting is scheduled for Wednesday, D, 2015 at 7:00 p.m. in the Accomack County Board Chambers, Room 104, in Accomac.

5. **ADJOURNMENT**

On a motion made by Mr. Onley and seconded by Chairman Lumgair, the Planning Commission voted to adjourn the meeting.

The meeting was adjourned at 9:05 p.m.

David Lumgair, Jr., Chairman

Jessica Taylor, Temporary Administrative Assistant