

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia, on the 12th day of January, 2010, at 4:00 p.m.

Present:

H. Spencer Murray, Vice Chairman	Laurence J. Trala
Richard Tankard	Willie C. Randall
Oliver H. Bennett	Samuel J. Long, Jr.

The meeting was called to order by the Vice Chairman.

Closed Session

Motion was made by Mr. Tankard that the Board enter Closed Session in accordance with Section 2.2-3711 of the Code of Virginia of 1950, as amended:

(A) Paragraph 1: Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of any public body.

Appointments to Boards/Commissions

(B) Paragraph 3: Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or of the disposition of publicly held property.

(C) Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

(D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Board of Supervisors regarding specific legal matters requiring the provision of legal advice by counsel.

All members were present and voted “yes.” The motion was unanimously passed.

After Closed Session, the Chairman reconvened the meeting and said that the Board had entered the closed session for those purposes as set out in paragraphs 1, 3, 5, and 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

Mr. Murray offered the invocation.

The Pledge of Allegiance was given.

The Vice Chairman read the following statement:

It is the intent that all persons attending meetings of this Board, regardless of disability, shall have the opportunity to participate. Any person present that requires any special assistance or accommodations, please let the Board know in order that arrangements can be made.

Organizational Matters:

Mr. Tankard read the following comments:

“I move to nominate Mr. Spencer Murray as chairman of the Northampton County Board of Supervisors for the 2010 calendar year.

“I have had the satisfaction of working with Murray over the last 2 years. Although we may have sometimes disagreed on policy, I could count on Mr. Murray to rely on facts and extensive research.

“In 2009, when Mr. Murray served ably as Vice-Chairman, he was twice called to serve in the chair’s stead. He conducted those meetings in an even-handed and courteous fashion. He made very deliberate efforts to ensure that all issues received proper attention and adequate opportunities for discussion were available for all parties concerned.

“Looking ahead into 2010, I know that Mr. Murray’s financial skills will be invaluable. I also know that the Commonwealth will continue to make drastic cuts to local funding for our core services and school system. Mr. Murray has the distinction of being the only one of us to also serve on the School Board. We need Mr. Murray’s leadership to help guide us through these turbulent financial times.”

Mr. Long nominated Mr. Trala. There being no further nominations, the floor was closed. Motion was made by Mr. Tankard that Mr. Murray be elected Chairman. Mr. Tankard voted “yes”; Mr. Long, Mr. Bennett, Mr. Trala and Mr. Randall voted “no”; and Mr. Murray abstained. The motion failed. Motion was made by Mr. Long that Mr. Trala be elected Chairman. Mr. Long, Mr. Randall and Mr. Bennett voted “yes”; Mr. Murray and Mr. Tankard voted “no”; and Mr. Trala abstained. The motion was passed. Mr. Trala assumed the chair.

Mr. Trala asked that each Board member meet with the County Administrator in advance of the regular monthly meeting in order to review the agenda.

Mr. Tankard nominated Mr. Murray to serve as Vice Chairman of the Board for 2010. Mr. Bennett nominated Mr. Randall. There being no further nominations, the floor was closed. Motion was made by Mr. Tankard that Mr. Murray be elected Vice Chairman. Mr. Tankard voted “yes”; Mr. Long, Mr. Bennett, Mr. Trala and Mr. Randall voted “no”; and Mr. Murray abstained. The motion failed. Motion was made by Mr. Bennett that Mr. Randall be elected Chairman. Mr. Long, Mr. Trala and Mr. Bennett voted “yes”; Mr. Murray and Mr. Tankard voted “no”; and Mr. Randall abstained. The motion was passed.

Motion was made by Mr. Tankard that the Board set its regular meeting dates, times and locations as follows:

Regular meeting: second Tuesday of each month, closed session beginning at 4:00 p.m., public session (county officials) beginning at 5:00 p.m., public session (public hearings) beginning at 7:00 p.m. in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia.

Work session: fourth Tuesday of each month, commencing at 5:00 p.m., in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia.

All members were present and voted “yes.” The motion was unanimously passed.

(1) Motion was made by Mr. Randall that action on the Board Member Manual be tabled. All members were present and voted “yes.” The motion was unanimously passed.

Board & Agency Presentations:

(2) Mr. Robert Isdell, Virginia Department of Transportation, commented on routine maintenance operations including sign repair, drainage, cleaning gutters and snow removal. Mr. Murray asked Mr. Isdell to investigate the overwash occurring near the intersection of Johnstontown Road and Bayside Road. Mr. Bennett asked Mr. Isdell to provide an estimate for a used spider (ditch cleaning equipment). Mr. Randall asked Mr. Isdell to investigate drainage issues on Cheriton Crossroad as well as Butlers Bluff.

(3) Mr. Joel Knopp of Didawick & Knopp, presented an overview of the County’s Fiscal Year 2009 audit noting that three control deficiencies pertaining to the School Board were identified as material weaknesses as well as once instance of noncompliance with major federal award programs for the School Board.

(4) Mr. Jeff Stodghill of Planning Management Associates and Mr. Sean Milner, Director of Juvenile Court Services briefed the Board on the new court services building project, noting that they were ready to proceed with final documents. Mr. Stodghill provided layouts of the new building and stated that an additional \$14,000 in civil engineering fees were going to be needed in order to provide a pump station required by the location of the building. The pump station itself was estimated to cost \$25,000 - \$40,000. The Board concurred with the proposed building plan and additional civil engineering fees although they stressed to Mr. Stodghill that he should strive to lessen the additional costs as much as possible.

(5) Mr. Dan DeYoung and associates of DJG Architects provided an update on the

Administration Renovation Project. The Board was asked to provide feedback by the end of the week on two options for layout of the Board meeting room (former circuit courtroom).

The Board briefly recessed at 6:45 p.m. for a short dinner break.

At 7:00 p.m., the Chairman reconvened the meeting.

The Pledge of Allegiance was given.

Consent Agenda:

(6) Minutes of the meetings of December 8 and 18, 2009. Motion was made by Mr. Tankard that the minutes of the meetings of December 8 and 18, 2009 be approved. All members were present and voted "yes." The motion was unanimously passed.

(7) Motion was made by Mr. Long that the following resolution be adopted. All members were present and voted "yes." The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

WHEREAS, Northampton County's economic and social well-being requires the best efforts and cooperation of county residents of all races, creeds and backgrounds; and

WHEREAS, the Northampton County Branch of the National Association for the Advancement of Colored People, the Citizens for a Better Eastern Shore, and the Northampton County Public Schools have organized a COMMUNITY UNITY DAY to commemorate the life of Dr. Martin Luther King, Jr., which includes a community breakfast to be held at 8:30 a.m. at Northampton High School, followed by a walk to Eastville.

NOW, THEREFORE, the Northampton County Board of Supervisors does hereby endorse the COMMUNITY UNITY DAY to be held January 18, 2010.

County Officials' Reports:

(8) Ms. Glenda Miller, Director of Finance, distributed the Quarterly Financial Reports at December 31, 2009, which cover memo stated as follows:

“Enclosed please find the monthly financial package as of December 31, 2009. In the General Fund, 67% of budgeted revenues and 51% of expenditures have been recorded for the year compared to 67% and 52% last year at the same time. Revenues for the year exceeded expenditures in the General Fund by \$3,902,241 mainly due to the cyclical nature of the County’s cash flow. During the previous fiscal year, second quarter expenditures exceeded revenues by \$3,898,258. Keep in mind, the first forty-five days of tax revenue collections during the FY 10 fiscal year were recorded in FY 09. Likewise on the expenditure side, the first payroll of July 2009 and other FY 09 expenditures paid during July and August were charged back to that fiscal year under the modified accrual basis.

“For the current fiscal year, the School Operating Funds reflect revenue collections at 40% of the budget and expenditures at 47% compared to 43% and 47% respectively last year. The Social Services operating fund reflects revenue collections of 40% and expenditures of 42% of the adopted budget compared to 39% and 44% last year. State and federal reimbursements for Social Services come in one month after the expenditures. The Eastern Shore Regional Jail Fund shows that 44% of revenues have been collected while 42% of expenditures have been recorded. Information on all capital projects’ budget performance for the year and life-to-date is included behind the Capital Projects Performance Report divider.

“A chart depicting the County’s cash flow pattern is included in the report after the Treasurer’s statement of account. For information on delinquent tax collections, please see the Delinquent Tax Report section of this report. Included are the Top 40 reports as of January 8, 2010, collection percentage reports and other information on delinquent tax collections. On a cash basis, the collection rate for current year taxes increased from 77.7% at December 31, 2008 to 78.22% at December 31, 2009. Approximately 11.5 million was collected prior to December 31, 2009 for 2009 taxes, and is included in the charts located in the cash balance section of the report”.

Mr. Randall asked for staff to develop pros-and-cons for biannual tax billing. The Chairman suggested that this might be a possible work session topic.

(9) Ms. Sandra Benson, Director of Planning, presented the Planning & Zoning departmental update including activity reports for the following projects: Board of Zoning Appeals, Staff Activities, AFD’s and Purchase of Development Rights Committee. Additionally, Ms. Benson noted that the certified planning commissioners training program will be conducted on the Shore this month. Also, the Planning Commission’s 2009 annual report will be presented to the Board next month and possibly a joint session can be scheduled thereafter.

(10) Ms. Katie Nunez, County Administrator, presented the following work session

agenda schedule for the Board's information:

- (i) 1/13 or 1/14 (?): Work session on Enterprise Zone
- (ii) 1/26/10: Work session on Economic Development Incentives + Capital Improvement Plan Presentation by Davenport & Co.
- (iii) 2/23/10: Work session (topic: public service authority)

The County Administrator's bi-monthly was presented as follows:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: January 7, 2010
RE: Bi-Monthly Update

I. PROJECTS:

Federal Stimulus Projects:

1. Broadband Grant: The County has been awarded a Community Development Block Grant Recovery funding in the amount of \$1,000,000 for the Eastern Shore of Virginia Broadband Buildout Project – Phase IV (covering the areas of Nassawadox, Exmore, Willis Wharf & Belle Haven).

The Eastern Shore of Virginia Broadband Authority, working with ANPDC, had prepared and submitted this application in the fall with Northampton County serving as the lead/grant applicant since the majority of the proposed service area is located in our county. The Department of Housing and Community Development (DHCD) had received \$6 million from the Federal Stimulus bill and opted to focus on 6 projects at \$1 million each. We were ranked as Project #7 when the initial awards were made. However, one of the original projects has withdrawn and our project has now moved forward for this grant award.

There are several key requirements to this grant: 1) It must result in the creation of 20 jobs in the service area within 30 months; 2) A line of security must be provided for this grant. The original requirement was that it be a dollar for dollar security match; however, we have negotiated with DHCD to reduce that requirement to \$300,000 (with our earlier pledge of \$100,000 as well as a similar pledge from Accomack County being added to the \$300,000).

Under Action Items for the 1/12/2010 agenda, there are agreements that require your action as well as the authorization of the letter of credit to fulfill the match requirements of this grant..

Regional wastewater/water projects- Subcommittee Report: Board Member Murray, Board Member-Elect Long and I met with representatives from Cape

Charles and Cheriton as a continuation of our meetings from fall 2009. The focus and intent of the meeting was to reach concurrence on requesting a regional planning grant from the Department of Housing and Community Development (DHCD) and to define what it the intended service area for study. We concurred to recommend to our respective governing bodies to submit a letter to DHCD to request planning assistance to examine three options for a wastewater system: 1) collection system for the Town of Cheriton and the outlying county areas and sending this to the Town of Cape Charles for treatment and disposal; or 2) collection system for the Town of Cheriton and the outlying county areas and the construction of a treatment plant in or near the Town of Cheriton to handle this collection system for treatment and disposal; or 3) collection system for the Town of Cheriton and the outlying county areas and the consideration of utilization of the existing Bayview treatment plant to serve as the treatment plant for this collection system. The study will provide financial costs associated with each option, environmental impacts and engineering reviews for each option.

Therefore, under the Action Items for the 1/12/2010 agenda, I am requesting the Board to authorize the submittal of a regional planning grant with the Towns of Cheriton and Cape Charles for the purposes outlined above and to allow the County to serve as the lead agency for said grant.

Fiscal Year 2010 Budget & Fiscal Year 2011 Budget: Enclosed is a budget briefing memo regarding Governor Kaine's budget released on December 18, 2009 and its impact on the Fiscal Year 2010 budget as well as its potential impact in the development and creation of our Fiscal Year 2011 budget.

MEMORANDUM

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: January 6, 2010
RE: Budget Briefing

On December 18, 2009, Governor Kaine released his proposed biennial budget for Fiscal Year 2011 and 2012. In addition, he submitted further reductions to the Fiscal Year 2010 budget through a Caboose Budget Amendment. Below is a brief summary of the reductions included in the budget and the impact to Northampton County. Please note that these reductions are in addition to the reductions that were imposed in October 2009.

Fiscal Year 2010 Reductions

1. GENERAL FUND

- A. Elimination of state reimbursement of VRS retirement and group life insurance premium amounts for constitutional officers and their employees: \$21,271

- B. State imposed One Day Furlough for all Constitutional officers and their employees, General Registrar, Social Services Department: \$11,194 (savings to the state)

2. REGIONAL JAIL FUND

- A. Elimination of state reimbursement of VRS retirement and group life insurance premium amounts for constitutional officers and their employees: \$31,218
- B. State imposed One Day Furlough for all Constitutional officers and their employees: \$7,242 (savings to the state)
- C. REGIONAL JAIL FUND: Reduction in per diem funding of 5%: \$2,808

3. SCHOOL OPERATING FUND

Even with the use of additional Fiscal Stabilization Funds to offset sales tax shortfalls in the amount of \$264,315, the school will still experience a state aid shortfall of \$251,796

FY10 Reduction Summary: This is a total reduction of revenue of \$325,529; the school will need to make adjustments in its expenditure budget to address the shortfall in its operating fund; the County will need to make adjustments to accommodate the shortfall for the General Fund and the Regional Jail Fund, excluding the furloughs (\$18,436) which will be imposed through a direct reduction of one day's pay to the affected employees.

The state has provided for an employer contribution rate premium holiday for VRS retirement, group life and retiree health care credit for the fourth quarter of fiscal year 2010 for school employees and constitutional officers. We are still calculating the savings that will be achieved through this premium holiday.

Fiscal Year 2011 Reductions

These reductions are based upon Governor Kaine's submitted budget proposal. With a new Governor taking office, it does not mean that this will be the final budget impact to the County; however, it is important to note this impact since it is representative of the revenue shortfall facing the Commonwealth.

- 1. SCHOOL OPERATING FUND: Freezing of the Composite Index at the FY09 levels until the FY12 budget. The County's composite index, based upon the two-year recalculation, would have decreased from .5482 to .5109 which would have resulted in an increase in state aid. There have been proposed changes to reduce funding for administrative and support personnel in schools and central offices, to alter the funding practice for health insurance reimbursement, to reinstate local match requirements on several line items in Basic Aid, and the inclusion of the remaining Fiscal Stabilization Funds in the amount of \$168,221. Based upon these presumptions, the state aid for education will decrease by \$403,532 from the adopted Fiscal Year 2010 budget.
- 2. GENERAL FUND

- A. Sheriff's Office: Alteration of Staffing Standards from 1 Deputy per 1,500 residents to 1 Deputy per 2,000 residents. A reduction of 2 law enforcement deputies - \$67,349

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$53,425

Elimination of remaining 50% of Liability/Surety Bond: \$3,846

- B. Commonwealth Attorney: Reduction of Compensation Board funding: \$13,071

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$12,670

Elimination of remaining 50% of Liability/Surety Bond (estimated): \$3,846

- C. Circuit Court Clerk: Reduction of Compensation Board funding: \$29,489

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$10,631

Elimination of remaining 50% of Liability/Surety Bond (estimated): \$3,846

- D. Treasurer: Elimination of remaining 50% Compensation Board funding for staff support positions: \$33,817

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$3,625.92

Elimination of remaining 50% of Liability/Surety Bond (estimated): \$3,846

- E. Commissioner of Revenue: Elimination of remaining 50% Compensation Board funding for staff support positions: \$37,042

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$3,681

Elimination of remaining 50% of Liability/Surety Bond (estimated): \$3,846

3. REGIONAL JAIL FUND

- A. Staffing: Reduction in funding from Compensation Board - \$282,430 which approximates to 12 Corrections Officers

Elimination of reimbursement for VRS retirement and group life insurance premium amounts: \$124,871

B. Reduction in per diem funding: \$112,351

FY2011 Reduction Summary: This budget proposal would result in a total reduction of state aid in the amount of \$1,207,215 for the County budget.

OTHER PROPOSED BUDGET ITEMS

1. There are proposed legislative language changes that would allow localities to require employees to pay up to 5% of salary as their share of the total contributions required for membership in the Virginia Retirement System in FY2011. Currently, the employer pays 100% of the employer required share as well as the employee required share.
2. There is proposed legislative language that would allow localities to offer an early retirement incentive (predefined in the language).
3. Reduction in the litter control grants – we currently receive an annual litter control grant.
4. Reduction of FY2010 state support for local libraries by 5%.
5. For the past two fiscal years (FY09 & FY10), the state had enacted the Reversion Clearing Account – Aid to Localities which imposed state reductions to localities and provided the localities the ability to determine how to implement: directly reduce the various impacted departments (constitutional officers, social service, registrar) or to make a direct payment from the County equal to the reductions. We have chosen to make this payment directly and not to apply this reduction to the impacted departments – for FY10, this amount was \$192,013. The proposed FY2011 budget does not reenact this reduction program.
6. There is proposed legislative language that would allow any county or city to establish a department of finance. The county boards of supervisors shall have the option of appointing the director of the department of finance or delegating that authority to the county administrator. If a county exercises this option to establish a department of finance, the director of the department shall assume the duties and responsibilities of Commissioners of the Revenue and Treasurers as set out in Chapter 31 of Title 58.1 Code of Virginia that relate to local financial matters.
7. There is proposed legislative language that would move the Compensation Board from the Secretary of Administration to the Department of Public Safety.
8. Reduction of funding for regional planning commissions by 15%.
9. Reduction of funding for juvenile justice programs after June 30, 2009, including those costs incurred by the State Board of Elections.
10. DHCD will give preference in the allocation of Community Development Block Grant (CDBG) funds to community development projects that further the Principles of Sustainable Community investment as identified in Executive Order 69 (2008).
11. Reduction of funding for the Virginia Enterprise Zone program.
12. Reduction of funding for the Homeless Intervention program.
13. There is proposed legislative language that clarifies the definition of definition of half-day and full-day programs under the Virginia Preschool Initiative and requires that at least 75% of the local match must be cash.

14. There is proposed legislative language that authorizes the Department of Finance to recover the costs associated with the value use taxation program from localities. Currently, the department contracts with Virginia Tech to develop use value assessment estimates for local Commissioner of Revenues to consider when arriving at assessment values for agricultural real property – amount of recovery from localities is estimated at \$105,000 annually.
15. There is proposed legislative language that removes the \$200,000 hold-harmless for local governments before the greater match rate for non-Medicaid residential services kicks in for the programs under the Office of Comprehensive Services for At-Risk Youth and Families. The estimated cost shift from state to local governments is \$800,000 annually.
16. Reduction of funding for Community Services Board by 5%.
17. Reduction of funding for local department of social services by 1%.
18. Increase all base fees for restaurant, hotel, campground, and summer camp permits and plan reviews to cover the costs to perform the inspections by the local health departments.
19. A new .5% fee on property and casualty premiums with the dedication of this revenue for public safety.
20. A new 18 cents monthly E-911 fee increase on wireless and traditional phones with the dedication of this revenue for Line of Duty Death and Health Benefits Trust Fund.
21. A new \$10 fee increase on every recorded deed with the dedication of this revenue to the Virginia Natural Resources Commitment Fund for agricultural best management practices.
22. Governor Kaine is proposing to eliminate the Car Tax Relief payment which is used to offset some portion of the local car tax bills for the first \$20,000 in value of personal vehicles. Northampton County receives \$1,421,967 which enables us to provide tax relief of 58% up to the first \$20,000 in value for the vehicle owner. He is proposing to implement a one percent state income tax surcharge which will require the locality to eliminate the local car tax in order to participate in this program/revenue share.

Purchase of Development Rights Committee: The County has received notification of the distribution of funds for the Purchase of Development Rights program in the amount of \$4,391.22 as match money based upon available local money assigned to this program.

BOS Goals & Objectives: Enclosed please find the final 2009 Goals & Objectives with the work achieved for each goal listed. The Board will need to update and develop goals & objectives for 2010. *The County Administrator asked each Board member to provide input on the 2010 Goals & Objectives in advance of the January work session.*

**BOARD OF SUPERVISORS
2009 GOALS & OBJECTIVES
FINAL REPORT - JANUARY 5, 2010**

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
LAND USE		
Short Term	Comprehensive Plan - revision and adoption of remaining component of plan (Economic Development Chapter)	Adopted 4/14/09
	Land Use Map Adoption – Summer 2008	Adopted 10/20/09 <hr/> Adopted 10/20/09
	Zoning Ordinance Adoption –Summer 2008	Planning Commission & Staff are starting work on Town Edge Plans – 12/2009
	Create Watershed Management Plan (BOS to take lead on this item)	Planning Department has received grant from VA CZM for assistance with stormwater ordinance.
	Proffer Policy	BOS to develop committee, consisting of 2 board members to review submitted proffers prior to public hearing
	Medium Term	Historic Corridor/Architectural Review
Subdivision Ordinance – review for compliance with revised Comprehensive Plan and Zoning Ordinance		
Historic Corridor Designation for Business 13 Eastville and Stone Road in Cape Charles		At their 12/8/09 meeting, BOS referred matter to Planning Commission to develop Highway Overlay District for Rte 184 (Stone Rd) & Old Cape Charles Rd
US Route 13 – continue to implement the changes outlined in the Rte. 13		

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
Long Term	Access Management Plan	

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
SOLID WASTE		
Short Term	Collection Centers (remaining 2 of 6 sites: Cheapside, Eastville)	Cheapside site purchased. Engineering in process 6/09. Anticipated construction start of 4/2010
	Institute recycling for County offices.	
	Landfill Closure	Construction bid awarded 6/9/09. Project complete with exception of acceptance of final seeding – contractor will return in early spring to finalize seeding.
	Get Assign-a-Probationer widespread in County	In 2009, 40 probationers assigned to program through court. 129 miles of roadway were cleaned, resulting in 239 bags of trash removed – in kind value of probationers' labor is \$3,610.50
	Anti-Litter Enforcement	
Beautify Waste Collection Centers and sponsor competitive beautification program for the 6 centers		
Medium Term	Review Solid Waste Enforcement Ordinance	Revised fee schedule – August 2009; Adopted Policy re: waste collection centers – August 2009

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
Long Term		

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
AFFORDABLE HOUSING		
Short Term	CDBG List Update	Received planning grant for Culls housing project
	Continue to provide housing/rehabilitation of homes for communities through CDBG funding	CDBG Fairview project – still ongoing.
	Increase frequency of Delinquent Tax Sales	Auction schedule runs every 9 weeks.
	Support efforts of NAHRC and ANRHA and to clarify the roles of the Board of Supervisors and ANPDC	
Medium Term	Designate land dedicated to the construction of low to moderate & workforce housing incomes and work with developers to encourage this type of housing development	
	Pursue through the ANPDC the development of 20 units of rental housing for moderate and low income families through the identification of suitable real estate; identification and pursuit of planning grant; and obtaining funding.	
Long Term	Pursue through the ANPDC the development of a home ownership subdivision for moderate and market rate families (80% area median) through the identification of land for subdivision; identification of funding source; identification of design; and pursuit of funding.	

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
PUBLIC SERVICE AUTHORITY		
Short Term	Drainage, County wide Comprehensive plan to begin process of clearing ditches in the more heavily impacted neighborhoods	
	Review of existing PSA structure and determine suitability for use, possibly for Cape Charles/Cheriton	BOS reviewed item at multiple meetings during spring 2009. Request to determine wastewater/water needs for the County – look for grant money to conduct analysis. BOS has selected Spencer Murray & Dave Burden to serve as subcommittee re: wastewater (Cape Charles/Cheriton & Nassawadox/Exmore)
Medium Term	Review of existing PSA structure and determine suitability for use	
Long Term		

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
ECONOMIC DEVELOPMENT		
Short Term	Finish Economic Development Portion of Comprehensive Plan	Adopted 4/14/09.
	Resolve all issues associated with STIP property, specifically the Nature Preserve Property and the 2 acre leased property	USDA DCR – Nature Preserve Property scheduled for transfer to DCR on in January 2010. Escrow funds released to DCR to satisfy grant conditions in November 2009.
	Identify an individual/entity responsible to the business community in the County (“Economic Development Point Person) and clarify their responsibilities	Funds included in FY2010 Budget for Economic Development. Contract executed with NC Chamber of Commerce to handle some ED responsibilities – effective 9/2009 thru 6/30/2010.
	Annually update the CEDS (Comprehensive Economic Development Strategy) through the ANPDC	Community meeting held 10/29/09. ANPDC adopted the revised CEDS on 12/21/09.
Medium Term	Tourism/Agriculture/Aquaculture/Fisheries need to be encouraged in the Land Use Plan. Need to then translate this to the various boards and committees to be implemented as part of their mission and goals.	Additional categories added in Table of Use charts for ag/aquaculture/tourism.
	Elimination of Merchant’s Capital Tax - determine level of compliance of reporting of this tax and collection efforts	This tax is eliminated effective with FY2010 budget.
	Institute a Business License (but not	Business License

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
Long Term	BPOL)	Ordinance adopted in October 2009.
	Lower Taxes on Existing Businesses	
	Obtain legislation for creation of Aquaculture Enterprise Zone	

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
RECREATION		
Short Term	Implement grant funds for renovation of Indiantown Park	On-going with Parks & Rec Advisory Board. Engineer hired; master plan finalized. Roof repairs of building completed. Site plan submitted to P&Z – final comments resubmitted re: E&S, stormwater management.
	Privatize administration of recreation programs	Reviewed privatization options. Moved forward with hiring of full-time Director, effective 8/2009.
	Work with School System to evaluate and maximize recreational use of Middle School property	Parks is using gymnasium for recreation programs. School is sharing use of gymnasium during school year.
Medium Term	Acquire bayside beach in Northern half of county	
	Investigate feasibility of a firing range at closed landfill	
	Re-assess recreation opportunities at the Landfill site	
	Community Docking	Expansion of recreation opportunities

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
Long Term	for youth	

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
COUNTY PROPERTY		
Short Term	Build J&DR Court Services building	Executed contract for A/E services with PMA, Inc. Schematic design finalized 10/2009. Anticipated construction start date spring 2010.
	Get nighttime lighting to be more dark-sky friendly	
	Work with School Board and Admin. to obtain a site for shared garage and storage facility	
	Implement fee system for non-locals at county owned boat ramps	
	Renovate Admin buildings and utilize 1914 jail	Executed contract for A/E services with DJG, Inc. Timeline for renovation start is 6/2010. County Admin will vacate current space and move to Middle School during renovations. Structural study being conducted on jail – decision still pending re: future use of this structure.
	Work with Health Dept. to move offices from Nassawadox to Middle School Property	
	Develop comprehensive management plan for use of the former middle school property	Legal working on deed for split of property. Deed recorded. Agreement to be finalized on shared usage of property at December meetings of BOS and

<u>GENERAL CATEGORY</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
		<p>School Board</p> <p>Laura has developed forms for daily rental of gym and/or recreational lands of the Middle School Property.</p>
	<p>Investigate whether the use of CDBG funds can be used for middle school property renovations</p>	<p>Planning Grant request submitted to DHCD for this property. Request denied due to lack of specificity for long-term use of property.</p>
	<p>Devise strategy for Raccoon Park</p>	
	<p>Obtain old Eastville HS property by US 13 and sell to private redevelopment company</p>	
Medium Term	<p>Sell all holdings east of Courthouse Road</p>	
Long Term		

<u>GENERAL</u>	<u>SPECIFIC TOPIC</u>	<u>STATUS REPORT</u>
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CATEGORY	
OTHER	
Short Term	Property Maintenance Code BOS adopted Rental Property Inspection Ordinance for two neighborhoods on 12/8/09.
	Boat Tax (reduction or elimination) No further reductions were imposed on this tax in the FY10 budget.
	Improve Town/County relations & communications Working with Exmore/Nassawadox on wastewater; working with Cape Charles/Cheriton on wastewater.
	Gateway Signage program – completion and installation of Town signage Signs installed for Cape Charles, Cheriton, Eastville, Exmore, and Nassawadox (waiting on one more site for Nassawadox).
	Pursue “Eastern Shore” specific signage rather than generic VDOT signage as an asset for local businesses
	Boundary Adjustment request from the Towns of Cheriton, Eastville & Exmore BOS adopted Boundary Line Adjustment Policy in July 2008 – distributed to all towns. No further requests or action from the towns has been received to comply with policy.
	Abandoned Cars & Abandoned Structures <ul style="list-style-type: none"> - Vehicles - Structures – develop prioritized list; full inventory list 98 abandoned vehicles removed; 40 dangerous structure violations issued/addressed/demolished; 23 solid waste violations; 64 overgrown grass violations (Shift emphasis to structures rather than vehicles)
	Designate Bayside Road (south of Nassawadox) as a Scenic By-Way
Continue Merit Pay pool for County Not funded in FY2010	

	Employees	budget due to budget reductions across the board.
	Update Hurricane Preparedness Plan	
	Investigate use of CDBG funds to help ESAAA/CAA in the old Hare Valley School	ESAAA/CAA does not qualify to apply for CDBG funds – County would need to acquire interest in the property in order to apply for CDBG funds for this property. Relayed this to ESAAA/CAA. No further action.
	Evaluate collection of delinquent accounts through internet methods	
	Make uniform all benefits packages for county, school and constitutional office employees	
Evaluate elevation requirements for structures located near tidal waters		
Medium Term	Restructuring EMS System	BOS held work session in 7/2009 to receive update from each company re: capital needs, staffing issues, call volume, operating budget.
	Broadband Plan Fully Developed and Financing Secured	Eastern Shore of Virginia Broadband Authority – Fiber backbone will be completed and lit by 12/31/2009. County served as lead agent for ARRA Grant funds – received award of \$1 million which will provide fiber to Nassawadox, Exmore, Belle Haven, Willis Wharf. ESVBA has applied for \$14 million grant under additional ARRA funds to
Long Term		

	continue build-out to the communities on the Eastern Shore.
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II. MEETINGS

III. GRANT OPPORTUNITIES

IV. OTHER

Department of Conservation and Recreation (DCR) and Department of Environmental Quality (DEQ) is holding a public input meeting to discuss drafting a water quality improvement plan for portions of Cherrystone Inlet and Kings Creek. The meeting is scheduled for Wednesday, January 20, 2010 @ 7:00 p.m. at the old Courthouse, 2nd Floor in Eastville.

Citizen Information Period:

Mr. Robert Richardson asked the Board to suspend the newly adopted Zoning Ordinance; to reduce staff by 65% and to suspend the AFD program. He also encouraged the new Supervisors to meet with their constituents.

Mr. G. F. Hogg, Jr., asked the Board to encourage local businesses in order for them to flourish and to consider requesting VDOT to lower the speed limit to 45 mph in the Cheriton/Cape Charles area. He also asked the Board to consider remediation of the Food Lion intersection at Cape Charles.

Mr. Adam Ashby stated in part,

“I am here at the Northampton County Board of Supervisors meeting tonight in order to represent, uphold, and defend the citizens constitutional property rights implemented by this country's founding fathers some two hundred years ago. Our small family business, Highland Heights Subdivision, was established thirty plus years ago by my late father Owen Startt Ashby was based upon and fully complied with the Zoning Ordinance of Northampton County. I would invite you to please come by Highland Heights so that you can view the road which my father paid to have installed. Additionally please take a good look at the pine trees that he planted from saplings thirty years ago marking the stakes from the second survey which was done when the road was built. We fully adhered to the Northampton County zoning laws when creating our

subdivision/business. In fact we thoroughly based our business around the zoning laws which existed at the time. Highland Heights Subdivision, OUR, property is now being robbed from us under the new Northampton County Zoning Ordinance. Highland Heights Subdivision was not designed to be a quick sell. For decades we did business with John Humphrey (now retired) on a lot by lot basis. We have had not one, not two, but three surveys completed for Highland Heights subdivision. What was wrong with the first two? We were an established business for over thirty years! Why were we compelled to have a third survey for Highland Heights when we were an existing business within Northampton County for the last thirty years? We established our business and complied with all of Northampton County's rules thirty years ago. Why were we not grandfathered in as an existing business? Do the above facts not establish a vested interest?"

Public Hearings:

The Chairman called to order the following public hearing:

(11) Zoning Map Amendment 10-01 NHCO: The Northampton County Board of Supervisors proposes to amend the zoning on Tax Map 10, double circle A, parcel 53 from the TE-1 Town Edge – One District to the EI Existing Industrial District. The property, owned by Charles & Jean Ames, is located at 11420 Oakland Drive near Exmore.

Chairman Trala asked if there were any present desiring to speak.

Ms. Benson indicated that the Planning Commission was recommending approval of this petition.

There being no further speakers, the public hearing was closed.

Motion was made by Mr. Murray that Zoning Map Amendment 10-01 NHCO be approved in keeping with Planning Commission recommendation and staff report. All members were present and voted "yes." The motion was unanimously passed.

Chairman Trala called to order the next public hearing:

(12) Zoning Map Amendment 10-02 NHCO: The Northampton County Board of Supervisors proposes to expand the area known as Bridgetown Hamlet to include Tax Map 29, double circle A, parcels 24, 28, 29, 30, 31, 36A, and 40A and that portion of parcel 37 with road frontage on the west side of Bayside Road south of parcel 29-A-39 and to a depth of 180 feet west side of Bayside Road and all of that portion of parcel 37 with road frontage on the east side of Bayside Road; Tax Map 29A1, double circle 1, parcels 3, 4, D3, E1 and E2; the road frontage only of Tax Map 29, double circle A, parcel 20 to a depth of 200 feet east of Bayside Road; and that portion of Tax Map 29, double circle 2, parcel A that abuts parcel 29-A-28 on three sides to the northwest, west-southwest, and southeast, constituting approximately 0.5 acre, with the distance from Bayside Road to the northwest corner of the proposed Hamlet boundary being 480 feet and

from Bayside Road to the northeast corner of the proposed Hamlet being 570 feet. Zoning on all parcels shall be changed from the A/RB Agriculture/Rural Business District to the H - Hamlet District. The parcels are located along the east and west sides of SR 622, Bayside Road.

The Chairman asked if there were any present desiring to speak.

Ms. Benson indicated that the Planning Commission had tabled action on this request until its February meeting at which it will review the public comments previously received on the proposed Hamlet zoning in this vicinity.

Ms. Benson read the staff report as follows: "Staff recommends approval of the amendments as proposed".

Mrs. Julie Head, owner of parcels E1, E2 and E3 totaling 12 acres, said that she was opposed to the hamlet status for her property noting that her family would like to have a cow and maybe a sheep, having purchased the agriculturally-zoned property some years ago with that in mind.

Mr. Dixon Leatherbury stated that a corner of his property would be affected and that he failed to see the rationale to increase the hamlet's size when there is very limited residential development in the area currently.

There being no further speakers, the public hearing was closed.

Motion was made by Mr. Long that Zoning Map Amendment 10-02 NHCO be tabled.

All members were present and voted "yes." The motion was unanimously passed.

Chairman Trala called to order the following public hearing:

(13) **Zoning Text Amendment 10-01 NHCO:** The Northampton County Board of Supervisors proposes to amend Chapter 154: Zoning Code of the Northampton County Code of Ordinances, specifically §154.003 Definitions and Appendix A. The proposed revisions would amend the definition of ***DESIGN/PRODUCTION FACILITY*** to increase the maximum number of employees from five (5) to twelve (12) and increase the allowable square footage for this use as set forth in Appendix A, Use Regulations, Category 3, Commercial Uses, from 3,000 square feet to 5,000 square feet.

Chairman Trala asked if there were any present desiring to speak.

Ms. Benson indicated that the Planning Commission was recommending some amended language for this text amendment. The staff's recommendation indicated that they were recommending approval of the amendments as proposed. The Commission's proposed amendments are set out below:

Amend Section 154.003, Definitions, specifically DESIGN/PRODUCTION FACILITY, as follows:

A facility for the design and production of speciality products, i.e., boat interiors, stage sets, speciality cabinetry intended for installation, acoustic musical instruments, hunting and fishing equipment.

Amend Appendix A to Chapter 154: Zoning Code of the Northampton County Code of Ordinances, as follows:

Use Regulations, Category 3, Commercial Uses: Design/Production Facility, up to 5,000 square feet.

Mr. Robert Richardson said that this petition was a prime example of why the Board should discard the Zoning Ordinance, noting that it was "completely ridiculous that this is included".

Mr. Dave Burden said that this amendment would provide for the type of development that is needed in the County and is in keeping with the goals of the Comprehensive Plan.

There being no further speakers, the public hearing was closed.

Motion was made by Mr. Tankard that Zoning Text Amendment 10-01 NHCO be approved including the recommendations from the Planning Commission. All members were present and voted "yes." The motion was unanimously passed.

Chairman Trala called to order the following public hearing:

(14) Receive public comment on a request by citizens of Wilsonia Pines Drive to have that road

name changed to: Wilsonia Drive. Interested citizens are invited to attend this meeting to express their views on this proposed road name change.

The Chairman asked if there were any present desiring to speak.

Mr. David Kelly, President of the Wilsonia Property Owners Association, spoke in support of the requested road name change.

There being no further speakers, the public hearing was closed.

Motion was made by Mr. Murray that the Board approved the requested road name change from Wilsonia Pines Drive to Wilsonia Drive. All members were present and voted “yes.” The motion was unanimously passed.

Tabled Item:

(15) **Bayview AFD:** Bayview Corporation has filed to create a new district containing 361.73 acres located on the west side of Lankford Highway and Plantation Creek Lane near Dalbys. *The AFD Advisory Committee and Planning Commission recommend approval as submitted.*

Mr. Tankard asked the Board to leave this matter on the table, noting that further research is needed into what other various corporations may be owned by the principle of the Bayview Corporation as the County should pursue all avenues to collect the delinquent taxes owed by the individual. Mr. Long responded that “this seems to be a personal, individual persecution”, and that the applicant has met all of the criteria required for this program.

Motion was made by Mr. Long that this matter be taken off the table. All members were present and voted “yes,” with the exceptions of Mr. Murray and Mr. Tankard who voted “no.”

The motion was passed.

AN ORDINANCE ESTABLISHING
BAYVIEW
AGRICULTURAL AND FORESTAL DISTRICT
AFD 09-07
AND IMPOSING CERTAIN CONDITIONS THEREON

WHEREAS, an application to create an Agricultural and Forestal District near Dalbys was filed with the Northampton County Board of Supervisors on August 31, 2009, and

WHEREAS, in accordance with Sections 15.2-4307, -4308, and -4309 of the Code of Virginia, 1950, as amended, public notices have been filed and posted, public hearings have been advertised, and public hearings have been held on such application; and

WHEREAS, the Agricultural and Forestal District Advisory Committee presented a report recommending approval of the application at the meeting held on November 4, 2009, and,

WHEREAS, the Planning Commission on November 4, 2009, considered the application at a duly conducted public hearing.

NOW, THEREFORE, BE IT ORDAINED:

1. This ordinance is adopted pursuant to the provision of Title 15.2 Chapter 43 of the Code of Virginia, as amended, the "Agricultural and Forestal Districts Act" (the Act).
2. There is hereby created the "Bayview Agricultural and Forestal District," hereinafter "the District".
3. The District shall include the following parcels.

<u>Property Owner</u>	<u>Tax Map & Parcel</u>	<u>Parcel Record No.</u>	<u>Acreage</u>
Bayview Corporation	98-A-26	1603	339.63
	98-A-15A	1602	14.10
	98-A-16	9001	8.00
	Subtotal Added:		361.73

Provided, however:

- A. That all lands lying within fifteen (15) feet of the rights-of-way from any state road shall be excluded from the District.
- B. No portion of a parcel within the District shall be authorized for withdrawal except as provided for under Section # I. herein.
- C. Land use values of property within the District shall be established by the County Commissioner of Revenue. Such land use values shall remain in effect until the next general reassessment of real estate.
- D. It shall be the obligation of each owner of land within the District to notify a prospective purchaser that such land is a part of the District prior to entering into any contract or other agreement or sale.

E. The District shall be created for a period of ten (10) years. Prior to the termination of the 10 year period the Board shall review the District to consider an additional 10 year period.

F. Upon termination of a district or withdrawal or removal of any land from a district created pursuant to this chapter, land that is no longer part of a district shall be subject to and liable for roll-back taxes as are provided in §58.1-3237 Rollback Taxes of the Code of Virginia. Sale or gift of a portion of land in a district to a member of the immediate family as defined in §15.2-2244 shall not in and of itself constitute a withdrawal or removal of any of the land from a district.

G. No parcel of land with the District shall be rezoned to any Hamlet, Waterfront Hamlet, residential, commercial or industrial classification during the period which said parcel remains within the District.

H. No parcel of land within the District shall, without the prior approval of the Board, be developed to any more intensive use, including the placement of buildings and dwellings thereon, other than uses resulting in more intensive agricultural or forestal production, during the period which said parcel remains with the District. The underlying zoning for each parcel shall apply for parcels zoned Agriculture/Rural Business, Village-1, and Waterfront Village-1; for parcels within the District that are subject to other zoning classifications, any use of land, other than agricultural or forestal activities, shall require a minor special use permit except as provided for in Section 3. F. above. No special use permit shall be approved for any use within the District that is in conflict with the policies and purposes of the Act.

I. At any time after the creation of the District, any owner of land lying in this District may file with the Board a written request to withdraw all or part of such land from this District for good and reasonable cause, defined as the death of the owner or demonstration of a substantial hardship other than the loss of potential income. The Board shall process the written request in keeping with §15.2-4314 of the Code of Virginia and §58.1-3237 Rollback Taxes of the Virginia State Code as amended.

Motion was made by Mr. Long that AN ORDINANCE ESTABLISHING BAYVIEW AGRICULTURAL AND FORESTAL DISTRICT AFD 09-07 AND IMPOSING CERTAIN CONDITIONS THEREON be adopted as proposed. All members were present and voted “yes,” with the exceptions of Mr. Tankard and Mr. Murray who voted “no.” The motion was passed.

Action Items

(16) Consider accepting all bids as received from the September 29, 2009 delinquent tax auction.

Following staff recommendation, motion was made by Mr. Tankard that the Board accept all bids as received at the delinquent real estate tax auction held on September 29, 2009. All members were present and voted “yes,” with the exception of Mr. Long who abstained. The motion was passed.

(17) Consider extension of Lease Agreement between the Board of Supervisors and the Northampton Public Golf Association, Inc.

Chairman Trala indicated that as a member of the Golf Association’s Board of Directors, that he would be abstaining from discussion and action on this matter.

The Vice Chairman recognized Mr. John L. Humphrey, President of the Golf Association, who requested a three-year extension to the provision of the lease agreement which requires an operational course within four years of the execution of the lease (deadline: Feb. 20, 2010).

Mr. Murray suggested a one-year extension to the lease provision with the Golf Association reporting back to the Board at that time for its progress, but Mr. Humphrey indicated that their engineer has said that a minimum of three years would still be required for construction of the course and that the group would lose the approximately \$60,000 invested so far in this endeavor. In answer to a question from the County Administrator, Mr. Humphrey stated that it was not the Association’s intent to turn the operation over to the County unless the County wanted it.

Motion was made by Mr. Long that the Board amend paragraph #1 of that certain Lease Agreement between the Golf Association and the Board dated February 20, 2006 by modifying the following section:

CONDITIONS OF USE

1. Tenant shall establish the golf course provided for in this Lease and make it available to members of the public within seven (7) years of the date this lease is executed.

Mr. Long, Mr. Bennett and Mr. Randall voted “yes”; Mr. Murray and Mr. Tankard voted “no”; Mr. Trala abstained. The motion was passed.

(18) Consider certain actions relative to Broadband Grant

As referenced earlier in the County Administrator’s Report, the following memorandum was presented for the Board’s consideration:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: January 8, 2010
RE: Department of Housing and Community Development CDBG-R Broadband Grant

In order to comply with the requirements of the CDBG-R Broadband Grant for \$1,000,000, I am requesting Board consideration and approval of the following items:

- 1.) DHCD is requiring a form of security for this grant in the amount of \$500,000 to serve as collateral if the terms of this grant are not complied and met. The Counties of Accomack and Northampton have each previously authorized a \$100,000 security or committed funds to serve as match money for ESVBA’s applications for grant funding. The County of Accomack is providing the necessary documentation to use their \$100,000 as security for this grant.

The Board needs to authorize for the use of the previously authorized \$100,000 be used as security for this grant. The Board needs to authorize staff to obtain a letter of credit in the amount of \$300,000 to serve as security for this grant. Any fees associated with the issuance or annual renewal of the letter of credit will be reimbursed by the Eastern Shore of Virginia Broadband Authority to Northampton Count and included in the agreements between the County and the Eastern Shore of Virginia Broadband Authority regarding the transfer and final ownership of this asset at the conclusion of the grant.

Motion was so made by Mr. Murray. All members were present and voted “yes.” The motion was unanimously passed.

- 2.) Since the Eastern Shore of Virginia Broadband Authority is not an eligible entity for the CDBG funds, the County of Northampton served as the applicant for these funds based upon the fact that the primary project area resides in Northampton County (Nassawadox, Exmore,

Willis Wharf and Belle Haven). However, it has been the intention of the two counties that the Eastern Shore of Virginia Broadband Authority will be the entity responsible for the ownership, management and administration of broadband services for the Eastern Shore. Therefore, one of the conditions of this grant is to enter into an agreement that will transfer this asset at the completion of the project.

The Board needs to authorize the County Administrator and the County Attorney to negotiate any and all agreements that will transfer the asset of the broadband network as designed and constructed under the Department of Housing and Community Development CDBG-R program for the project area of Nassawadox, Exmore, Willis Wharf and Belle Haven to the Eastern Shore of Virginia Broadband Authority and to further authorize the Chairman of the Northampton County Board of Supervisors to execute said agreements on behalf of the County.

Motion was so made by Mr. Murray. All members were present and voted “yes.” The motion was unanimously passed.

- 3.) The CDBG-R funds are time sensitive in order to comply with the requirements of ARRA. Even though the Northampton County grant application was the first alternate in the bid evaluation phase conducted by DHCD and we did not move up to a grant award until December 2, 2009 (while the original grant awards were released in early fall 2009), DHCD has insisted that we still comply with the original deadlines. One of those deadlines is the Award of a Construction Contract and Issuance of a Notice to Proceed by January 15, 2010. In order to meet this requirement, bids were issued in December for construction services for this grant by the ESVBA staff on our behalf; a bid opening was conducted on December 22, 2009; and analysis of the bid responses was conducted by ESVBA staff with the following recommendation for your consideration and action:

The Eastern Shore of Virginia Broadband Authority (ESVBA) staff recommends that IFB 004-2009, for CDBG Project #09-07-R, be awarded in total to the overall low bidder, MasTech North America, Inc. for the construction and installation of aerial, underground burial, splicing, labor and equipment for this project in accordance with bid submittal of per unit pricing and to authorize the Chairman of the Board of Supervisors to execute any and all contracts and associate documents.

Motion was so made by Mr. Murray. All members were present and voted “yes.” The motion was unanimously passed.

- 4.) DHCD is requiring additional documents relative to the administration, engineering, job tracking, Davis-Bacon Wage Compliance oversight, and job creation relative to this project. *We are working on developing those agreements and request the Board to authorize the Chairman of the Board of Supervisors to execute any and all agreements to fulfill the requirements of the DHCD to receive the CDBG-R grant award.*

Motion was so made by Mr. Murray. All members were present and voted “yes.” The motion was unanimously passed.

(19) Consider approval for planning grant application – Cheriton/Cape Charles area

Motion was made by Mr. Long that the Board authorize the submittal of a regional planning grant with the Towns of Cheriton and Cape Charles for the purposes outlined above and to allow the County to serve as the lead agency for said grant. All members were present and voted “yes”. The motion was unanimously passed.

(20) Matters by the Board:

Mr. Tankard read the following comments:

“First of all, I wanted to state how important I think it is that we communicate well as a Board. This place in our agenda, “Matters Presented by the Board” has been an important area for ideas and policy proposals to be aired initially. I value the time to research issues and proposals that is afforded if the “Matters” procedure is followed correctly. Correct and efficient procedure is that, with Board approval, “Matters” can be moved to “Action Agenda” at the following regular meeting. A technique often used and I think appreciated by all Board members that I have served with is to 1) send an e-mail to Katie with a particular issue in time to be included in the Board packet 2) present the proposal at the regular meeting in writing for movement to the action agenda. 3) staff is afforded opportunity to research and comment. 4) at the next regular meeting, formal Board action is taken. This procedure allows the public to know what is going on and prevents the Board from governing by the seat of its pants.

“Second item. I usually like to discuss issues and kick around ideas with my fellow Board members between meetings. I rely on feedback, positive or negative, to help shape what I think may be a good policy. Telephone calls and e-mails work well for me.

“I encourage all of you to take advantage of the internet and its ability to disseminate information rapidly. I know a couple of you are not accustomed to internet usage, but I would encourage you to give it a try or another try.

“I did make a great deal of effort to communicate with you all before tonight’s meeting. Four of you responded and I appreciate that. Only one of you refused to respond. I left messages on your 2 cell phones since Wednesday, sent you e-mails on both your personal and County addresses, even left a note on your car.

“I respect that everyone has a busy schedule, but I think it common courtesy to respond to your fellow Board members in a timely fashion. We are all working for the best interests of County citizens, whether it is here at our scheduled Board meetings or at the meetings of the many Boards and Commissions on which we serve.”

Mr. Randall read the following resolution be adopted.

A RESOLUTION TO IMPROVE COMMUNICATIONS BETWEEN THE
GOVERNMENT AND CITIZENS OF NORTHAMPTON COUNTY

WHEREAS, the Northampton County Board of Supervisors is committed to insuring that its citizens are provided with timely and accurate information; and

WHEREAS, in the most recent election, the citizens of Northampton County, by their votes, mandated that the Board of Supervisors take action to promote a more effective and cooperative attitude between the citizens of Northampton County and their government; and

WHEREAS, the Board of Supervisors of Northampton County, by this Resolution, declares its commitment to the principle that the function of government is to serve the interests of its citizens by providing accurate and complete information as to the policies and procedures of all departments, divisions, agencies and commissions; and

WHEREAS, the Board of Supervisors, by this Resolution, further declares that each department, division, agency and commission of government should not only protect the rights of its citizens, but should also act as advocates for its citizens in securing every right and benefit to which they are entitled by law.

NOW, THEREFORE, the Northampton County Board of Supervisors hereby directs that all departments, divisions, agencies and commissions of the Northampton County government review their existing policies and procedures for the purpose of identifying means for improving the availability of information about their operations and procedures in order to fully serve the citizens of Northampton County.

In order to promote this objective, the Board of Supervisors further directs that, within 45 days, all such departments, divisions, agencies and commissions submit a report of its recommendations and conclusions as to how each may better serve the citizens of the county, including proposals for becoming advocates of citizens' rights, which report is to include a schedule for implementing such recommendations.

Furthermore, all county departments, divisions, agencies and commissions are hereby directed to provide a clear explanation of its policies and procedures on the county website, using concise English and avoiding non-legal terminology, and make this information together with its most used forms available on the internet, together with printed copies of such information available in each such department, division, agency or commission's office.

The Board of Supervisors further directs that the County Administrator report monthly on the progress of all such departments, divisions, agencies and commissions, in adhering to the proposed schedule.

Mr. Murray stated that he was concerned with the amount of work involved in fulfilling the provisions of this resolution.

Mr. Tankard urged the Board to learn about each of its departments before implementing such a resolution.

Mr. Randall stated that this resolution is designed to make the County before more user-friendly. He said that the “arrogant attitude must change” and that the new Board is here to do “the will of the people”.

Motion was made by Mr. Randall that the foregoing resolution be adopted. All members were present and voted “yes,” with the exception of Mr. Murray and Mr. Tankard who voted “no.” The motion was passed.

Mr. Randall indicated that he had attended the recent Virginia Association of Counties’ First-Time Supervisors Conference and learned that the County participates in the National Association of Counties’ prescription drug program. He asked that the County Administrator obtain the cards and distribute same to the County’s citizens. Ms. Nunez noted that the cards were already available and were being distributed by the Social Services Department.

When Mr. Trala moved to implement a moratorium on any new agricultural-forestal district applications for this year, the County Attorney informed the Board that it cannot refuse to accept applications and Mr. Trala withdrew his motion.

Motion was made by Mr. Murray that the following list of board appointments/reappointments to various bodies be approved. All members were present and voted “yes.” The motion was unanimously passed. Said list is set out below:

Agricultural-Forestal District Advisory Committee: Mr. Tankard
A-N Regional Housing Authority: Mr. Trala
Eastern Shore Area Agency on Aging/Community Action Agency: Mr. Bennett

Eastern Shore Fire & Rescue Commission: Mr. Long
Eastern Shore 911 Commission: Mr. Trala
Groundwater Committee: Mr. Trala, Mr. Long
Purchase of Development Rights Committee: Mr. Long
Local Emergency Planning Comm: Mr. Murray
Riverside Shore Memorial Hospital Board: Mr. Randall
Public Service Authority: Mr. Tankard, Mr. Long, Mr. Randall
Social Services Board: Mr. Murray
Southern Rivers Grant Mgmt. Team: Mr. Long

Motion was made by Mr. Bennett that Mr. Randall be appointed to the Accomack-Northampton Planning District Commission, replacing Mr. Hughes. All members were present and voted “yes.” The motion was unanimously passed.

With multiple members interested in serving on the Accomack-Northampton Transportation District Commission, Chairman Trala called for a vote on each prospective member as set out below:

Mr. Tankard: Mr. Tankard and Mr. Murray voted “yes”; Mr. Bennett, Mr. Trala, Mr. Randall and Mr. Long voted “no.” The motion to appoint failed.

Mr. Trala: Mr. Murray, Mr. Randall, Mr. Bennett and Mr. Long voted “yes”; Mr. Tankard voted “no”; Mr. Trala abstained. The motion to appoint passed.

Mr. Randall: Mr. Bennett, Mr. Randall, Mr. Trala and Mr. Long voted “yes”; Mr. Tankard and Mr. Murray voted “no.” The motion to appoint passed.

Mr. Bennett: Mr. Randall, Mr. Trala, Mr. Long, Mr. Murray and Mr. Bennett voted “yes”; Mr. Tankard voted “no.” The motion to appoint passed.

With multiple members interested in serving on the Eastern Shore Regional Jail, Chairman Trala called for a vote on each prospective member as set out below:

Mr. Tankard: Mr. Tankard and Mr. Murray voted “yes”; Mr. Bennett, Mr. Trala, Mr. Randall and Mr. Long voted “no.” The motion to appoint failed.

Mr. Trala: Mr. Murray, Mr. Tankard, Mr. Randall, Mr. Bennett and Mr. Long voted “yes”; Mr. Trala abstained. The motion to appoint passed.

Mr. Randall: Mr. Bennett, Mr. Randall, Mr. Trala, Mr. Murray and Mr. Long voted “yes”; Mr. Tankard voted “no.” The motion to appoint passed.

Mr. Long: Mr. Randall, Mr. Trala, Mr. Tankard, Mr. Murray and Mr. Bennett voted “yes”; Mr. Long abstained. The motion to appoint passed.

Recess:

Motion was made by Mr. Murray that the meeting be recessed until 5:00 p.m., Thursday, January 14, 2010 in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia, in order to conduct a work session on the Enterprise Zone. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR