VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held at the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 9th day of February, 2016, at 5:00 p.m.

Present:

H. Spencer Murray, Chairman	Granville F. Hogg, Jr.
Larry LeMond, Vice Chairman	Robert G. Duer
Oliver H. Bennett	

The meeting was called to order by the Chairman.

Adoption of the Agenda:

Mr. Murray asked that an item relative to a request from Ms. Elizabeth Dodd and a proposed activity on property contained within the Elkington AFD be added to the agenda. Motion was made by Mr. Duer, seconded by Mr. Bennett, that the agenda be adopted as modified. All members were present and voted "yes." The motion was unanimously passed.

Board and Agency Presentations:

(1) Terrence Flynn, General Registrar: demonstration of new voting machine.

Mr. Terry Flynn, General Registrar, informed the Board of the new voting machine which is on display in the outer lobby and urged the Board members and citizens present to view the machine during the dinner break.

(2) Dr. Linda Thomas-Glover, President, Eastern Shore Community College: annual update

Dr. Linda Thomas-Glover, President of the Community College, shared with the Board the following powerpoint presentation:

Northampton County Board of Supervisors
February 9, 2016

Dr. Linda Thomas-Glover, Ph.D.
President

ESCC
where tomorrow begins
Eastern Shore Community College

New Mission Statement

"Eastern Shore Community College empowers learners to enhance the quality of life for themselves and their communities".

Approved by ESCC Board April 8, 2015

VISION

To be an **innovative, learning-centered** community college recognized as a leader in education and as a **vital link** in the economic and cultural enrichment of our **communities**.

VALUES

- Lifelong Learners
- Positive Community Connections & Partnerships
- Innovative and Diverse Workforce
- Teaching and Learning Excellence
- Student and Employee Goal Attainment
- Quality Customer Service
- Positive Engagement with and Service to Employers

ESCC Strategic Plan 2016-2021

- **STUDENT SUCCESS**: Reinventing the way community colleges help students succeed.
- **ACCESS**: Providing educational access for all Virginians.
- **AFFORDABILITY**: Preserving affordable college access.
- **WORKFORCE:** Elevating Virginia's skilled workforce.
- **RESOURCES:** Connecting Virginia's diverse educational opportunities.

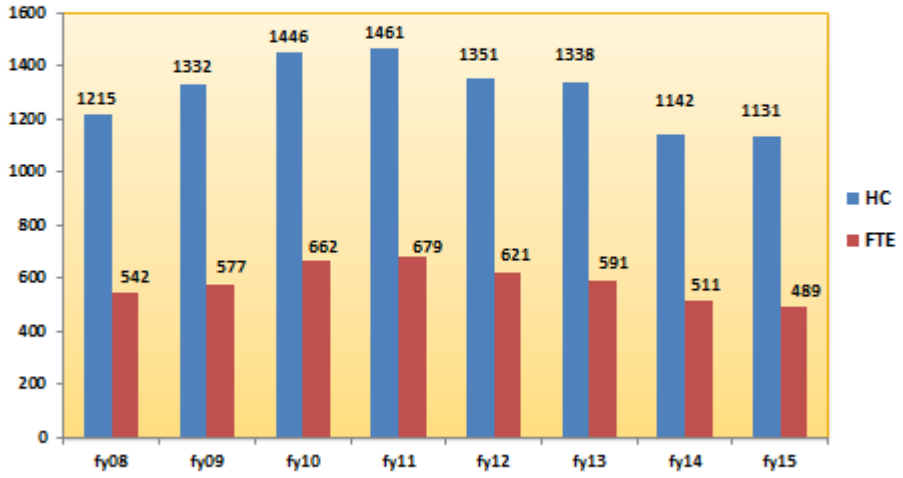
2014/2015 Highlights

- VCCS State Board Approval for Replacement Building
- 2nd Valley Protein Scholar
- Second Plugged in VA Grant (DOE)
- Wallops Higher Education Partnership (WHEP)
- Student Internships & Work Experiences

2014/2015 Highlights cont.

- PTK Awards – students, faculty, College
- Virginia Career and Technical Education Creating Excellence Award for CTE College Business and Industry Partnership w/ WFF
- MARS Intern - permanent employment for 4 of 5 from summers 2014 and 2015

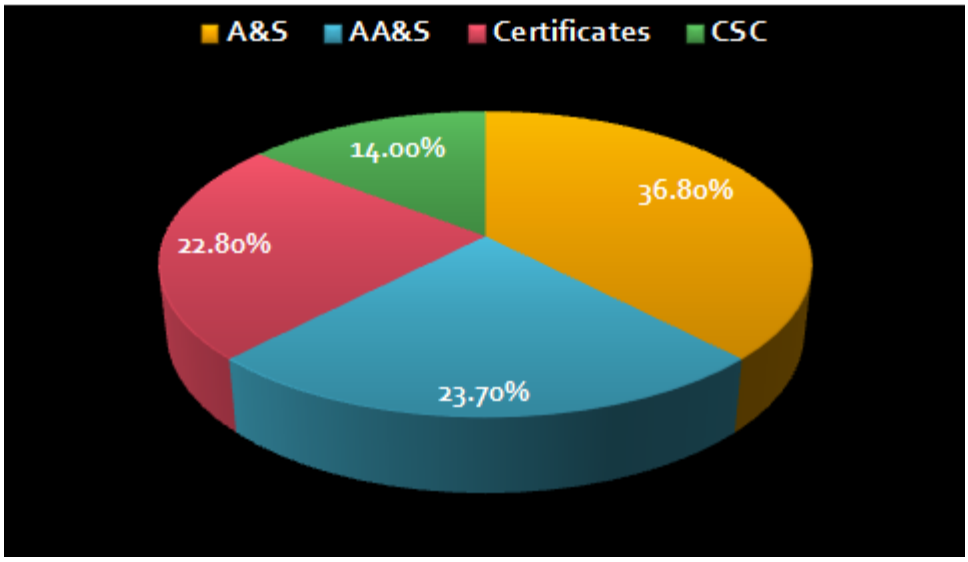
ANNUAL HC and FTE,: FY 08-15



Enrollment Profile

	Percentage
Part-time	70%
Gender: Males	36%
Age < 22 years old	60%
First time in college	17%
Minority	50%

2014/15: Awarded 114 Credentials



Highest Enrolled Majors

Spring, 2015:

- Science
- Gen Studies
- Liberal Arts
- Practical Nursing
- Medical Assisting

Spring, 2016:

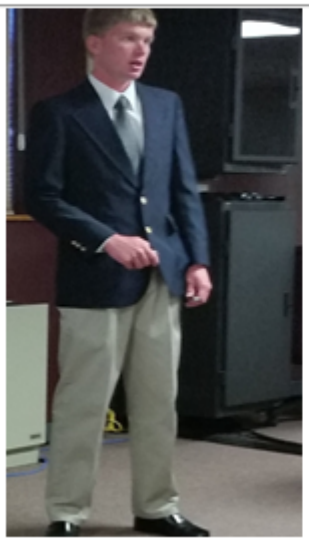
- Science
- Gen Studies
- Lib Arts
- Medical Assisting
- Practical Nursing

NCPS Enrollments @ ESCC

(prior June Graduates)

Fall Entry	Total	CTE	Transfer	Formerly Dual Enrolled
2011	29 of 104 (28 %)	31.0%	68.9%	10%
2012	34 of 99 (34%)	17.7%	82.$%	18%
2013	24 of 109 (22%)	29.2 %	70.8%	37.3%
2014	20 of 93 (22.%)	25%	75.0%	45%
2015	16 of 77 (20.8%)	37.5%	62.5%	62.5%
5-year	123 of 482 (	24.4%	74.8%	30.1%

Zach Pase's Story



- Dual-enrolled student from Northampton HS (2011).
- Faye Wilfong (ESCC employee) was his Career Coach.
- Enrolled in the welding program @ ESCC in 2012.
- Later switched to Industrial Tech earning a certificate in 2015. (HVAC, WEL and ETR)
- EPA-Universal Certification: perfect score on the national exam.

ZACH and team @ MARS: Summer 2015

A Parent's Perspective

- "A small, caring, highly skilled network of instructors, faculty and administrators at ESCC provided my son with the support system he needed to step out of his high school comfort zone and challenge himself at the next level. It was the comfort and safety of being surrounded by people who supported and encouraged him, while at the same time challenging him which allowed Zach to excel.
- Having the opportunity to complement his ESCC experiences with a subsequent internship, and resulting employment, with MARS was (and is) phenomenal. This is all a direct result of the far-sighted and beneficial partnering between ESCC and MARS".

Elizabeth Pase

NORTHAMPTON COUNTY BUSINESSES – CUSTOMIZED TRAINING 2014-15

Type of Class	Business/Firm	Location
Microsoft Excel	➢ New Ravena	ESCC
Leadership Training	➢ New Ravena ➢ ES Rural Health	ESCC ESCC
Customer Service	➢ CBBT	CBBT
Sales training	➢ New Ravena	Off-Site
Consulting	➢ New Ravena	N/A

ESCC Foundation Support of ESCC

- Scholarships
- Heritage Festival
- Internship Program @ Wallops
- Mini-Grants
- Center for Student Achievement
- PTK Convention
- Student Ambassador Program
- Star Transit

  - **$72K – $125K Annual**

Legislative Issues Impacting ESCC – 1

NEW FACILITY: FALL 2017/2018

New Academic and Administration Building

Legislative Issues Impacting ESCC - 2

- The Virginia Foundation for Community College Education has launched the Rural Virginia Horseshoe Initiative to tackle the challenge of preparing people in the state's **rural crescent** for the jobs of the future.

- One in four Virginians across parts of the Rural Horseshoe have less than a high school education - and this initiative, using programs and resources through 14 of Virginia's Community Colleges, seeks to change that.

- Fund full-time career coaches in high schools across rural Virginia.

- $1,000 credit to those who earn a GED to help pay college costs not covered by financial aid.

Legislative Issues Impacting ESCC - 3

Virginia's Workforce Needs are Changing

- There are 1.5 million jobs that need to be filled between now and 2022.
- A majority of these jobs (50% - 65%) will require a workforce credential or skill other than a traditional four-year degree.
- Employers are focusing on workers who demonstrate their skills through national standardized credentials and certifications.
- Virginia businesses struggled to fill more than 175,000 middle skill jobs last year due to a lack of skilled workers.

Structural Funding Problem for Credentials

- Virginia's current funding formula for higher education excludes short-term training. This is a structural problem that undermines our ability to sustain a vibrant middle class.

Update on EMS Proposal

- I. **Basic NREMT Training**
- II. **Advanced NREMT Training**
- III. **Long-term Proposal**

I. Basic NREMT Training

- A training mechanism currently exists (offered by the Eastern Shore EMS Council) and seems to be effective on the Eastern Shore at this time. Appears this training is being conducted in a manner at a much lower price than the Community College can offer.
- ESCC applied for NREMT Certification testing through its Pearson VUE contract. ESCC has been ***denied*** rights for this testing :"*At this time, NREMT exams are only delivered through a select few testing centers and the client is* ***not looking to expand*** *their testing network; this is the decision of the client, NREMT*".

II. NREMT Advanced Training

- ESCC contacted TCC to explore a short term Advanced Training offering. TCC would offer an AEMT class on the Shore beginning around the mid-end of February with a hopeful test date (for most students) in August. Key components:
  - TCC conducts the training.
  - TCC would set-up an alternative teaching site (Eastern Shore Regional Fire Training Center or Cape Charles Rescue) with the Office of EMS for this class. (Hollye has typically found a venue for the program).
  - The last couple of programs were conducted 1 day a week (Sunday) for about 8 hours; therefore we would offer in a like manner.
  - Between Hollye and TCC we should be able to provided practical equipment.
- **Current Status:** class started **Jan 31**; 18 weeks on Sundays; being held at Cape Charles Rescue. 12 students enrolled; for testing purposes, students can utilize the Educational Toll Fund (Bridge travel @ $5.00 RT as a reimbursement).

III. Next Steps: Long-term Proposal

- Continue to explore offering EMT classes at ESCC in the future as a career path for both dual enrollment and others. (Would require funding which is not currently in the College's budget).
- Basic EMT – accreditation at first not critical; w/o acc each class requires a certified EMT on site; need VA certified Edn coordinator; send away for testing; field requirement; location; field time; wage employees to assist with lab portion; consider VCCS certification.
- **Current Status**: POSSIBLE funding if General Assembly supports the VCCS request for $$ to support expanding Workforce Credentials and an appropriate non-credit curriculum is available.

* * * *

Supervisor Hogg asked further questions relative to the EMT training plans mentioned in the powerpoint. Additionally, following Mr. Hogg's request, it was the consensus of the Board to direct the County Administrator to send letters to its legislative delegation in support of possible funding increases in the area of expanded workforce training.

(3) Mr. Chris Isdell, Residency Administrator, Virginia Department of Transportation.

Mr. Chris Isdell, VDOT Residency Administrator, informed the Board relative to various ongoing VDOT projects and other matters of interest. He said that VDOT forces were concentrating on drainage issues, the cutting of branches alongside the roadways, and a sign replacement project involving the 900 signs within Northampton. He said that the Route 13 Corridor Safety Study is moving forward and anticipates a public information meeting around March 1st. Mr. Isdell reported to the Board that one of its HB2 submitted projects did make it

through the process but was not recommended for funding (Cemetery Road). It is hoped that we can reapply for this project in the next funding cycle.

Supervisor Bennett asked questions relative to drainage issues and Parallel Road. He will contact Mr. Isdell for further discussion on this matter.

Supervisor Hogg asked Mr. Isdell about the potential for doing a feasibility study on a new access road into the Cape Charles Food Lion shopping center, a project which was submitted for HB2 funding but was disqualified. Mr. Isdell replied that the Board needs to adopt a resolution, requesting a feasibility study to create an extended roadway to the Food Lion Shopping Center. Motion was made by Mr. Hogg, seconded by Mr. LeMond, 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

Northampton County Board of Supervisors
FEASIBILITY STUDY – FOOD LION INTERSECTION

WHEREAS, the Northampton County Board of Supervisors has identified public safety and economic development as two of its goals; and

WHEREAS, the safety of the traveling public is of vital concern to the Northampton County Board of Supervisors and has been so identified within the Route 13/Wallops Island Access Management Plan and the U. S. Route 13 Corridor Plan; and

WHEREAS, safer traffic intersections will lead to increased economic development and job opportunities in Northampton County; and

WHEREAS, the implementation of a Feasibility Study to study the U. S. Route 13 intersection at the Food Lion Shopping Plaza near Cape Charles will assist the Board in creating a safer and more efficient transportation facility for the County as well as greater economic benefits for the County and its citizens; and

WHEREAS, it is the Board's desire that the Feasibility Study will also investigate the creation of an extended roadway into the Cape Charles Food Lion Shopping Plaza which would connect with Business Route 13.

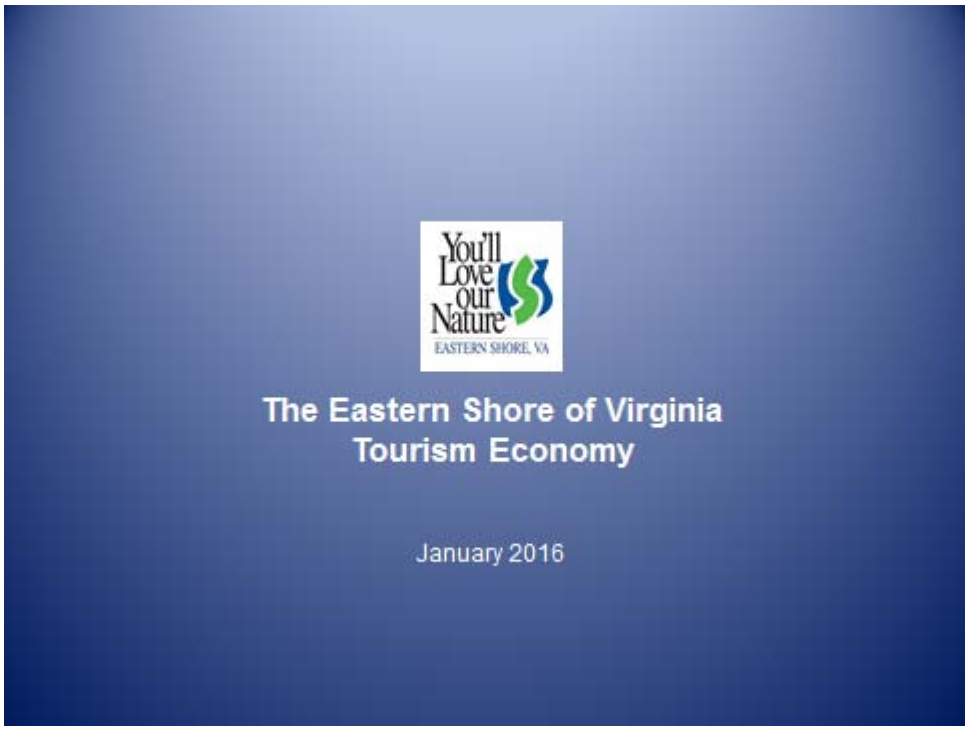
NOW, THEREFORE, BE IT RESOLVED, that the Northampton County Board of Supervisors hereby approves the submission of this resolution requesting a Feasibility Study as described above.

* * * * *

Ms. Kerrie Allison, Executive Director, Eastern Shore Tourism Commission: annual update.

Ms. Kerrie Allison, Executive Director for the Eastern Shore Tourism Commission,

shared with the Board the following powerpoint presentation:



Key Performance Indicators

2

ESVA REGION HIGHLIGHTS

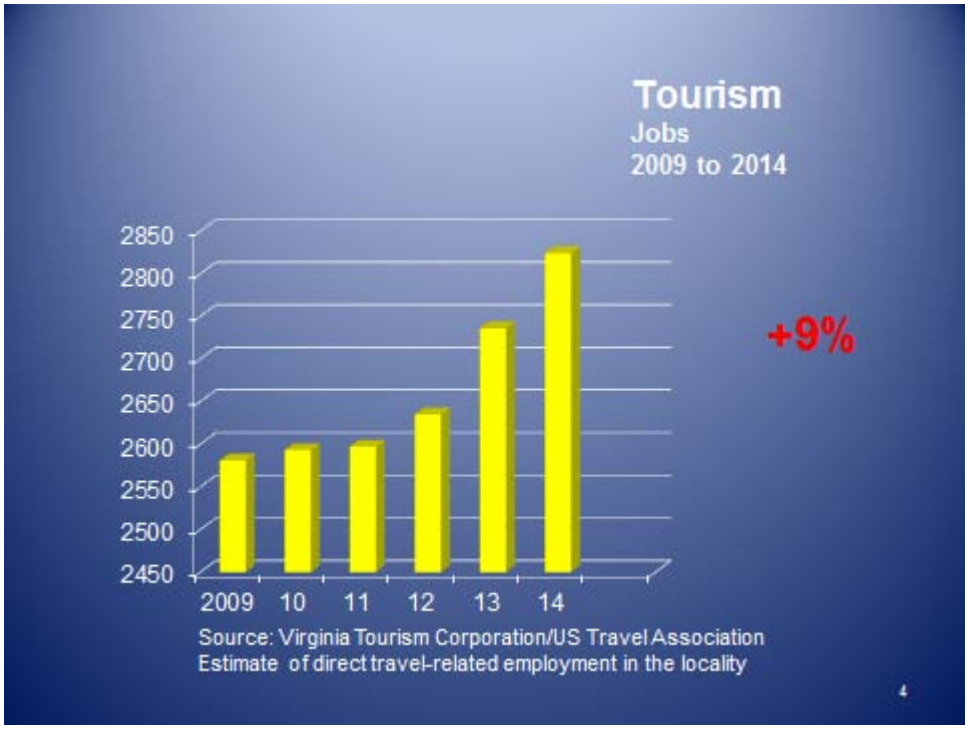
2014 By the Numbers

- **VA's FASTEST GROWING TOURISM REGION**
  Second year in a row
- **VISITOR SPENDING TOTALED $254.4 MILLION**
  $697,000 per day

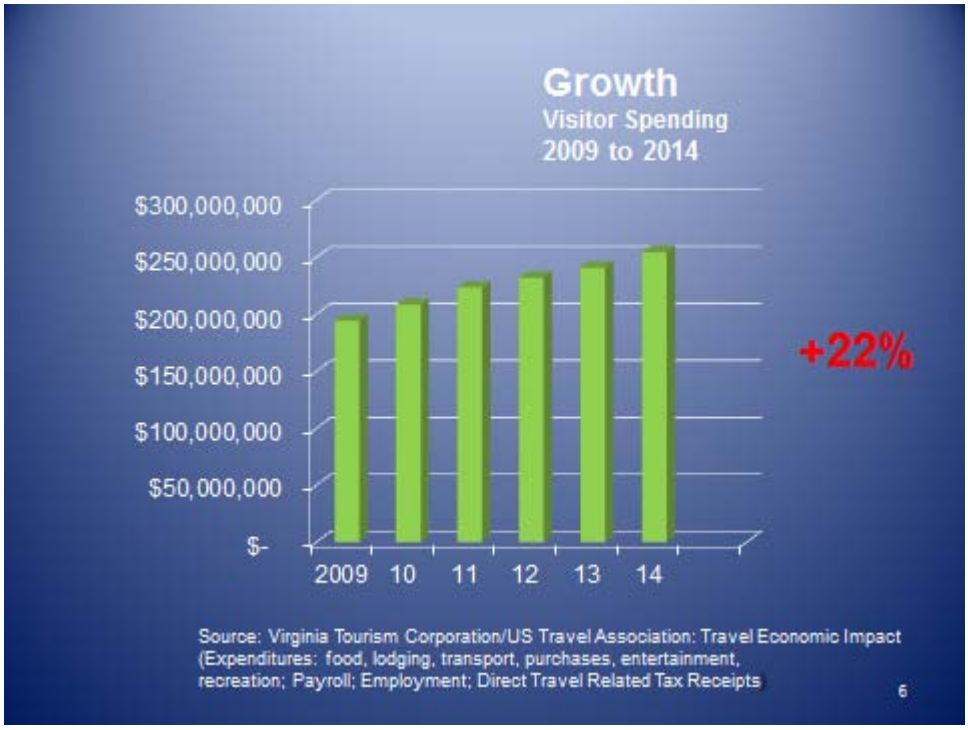
TOURISTS PAID $6.6 MILLION IN TAXES
Visitors pay lodging, meals, sales tax

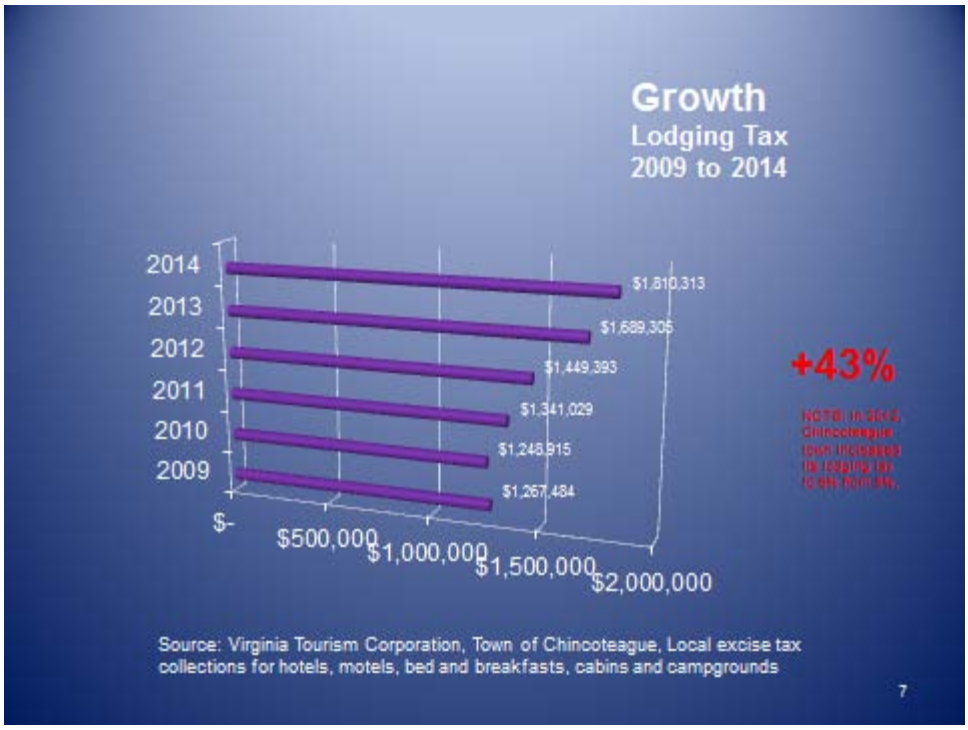
Source: Virginia Tourism Corporation

3


Tourism
Jobs
2009 to 2014
2850
2800
2750
2700
2650
2600
2550
2500
2450
2009
10
11
12
13
14
+9%
Source: Virginia Tourism Corporation/US Travel Association
Estimate of direct travel-related employment in the locality
4

Tourism
Payroll
2009 to 2014
60000000
50000000
40000000
30000000
20000000
10000000
0
2009
10
11
12
13
14
+21%
Source: Virginia Tourism Corporation/US Travel Association
Direct wages, salaries and tips corresponding to direct
travel-related employment
5

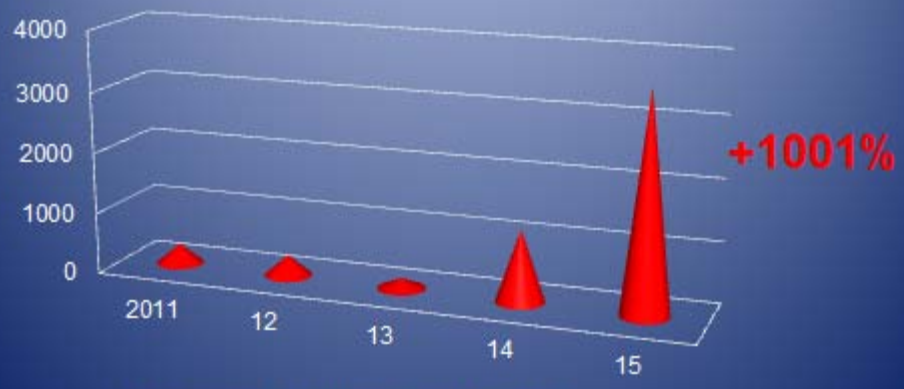

Growth
Visitor Spending
2009 to 2014
$300,000,000
$250,000,000
$200,000,000
$150,000,000
$100,000,000
$50,000,000
$-
2009
10
11
12
13
14
+22%
Source: Virginia Tourism Corporation/US Travel Association: Travel Economic Impact (Expenditures: food, lodging, transport, purchases, entertainment, recreation; Payroll; Employment; Direct Travel Related Tax Receipts
6


Growth
Lodging Tax
2009 to 2014
2014
2013
2012
2011
2010
2009
$1,810,313
$1,689,305
$1,449,393
$1,341,029
$1,248,915
$1,267,484
$-
$500,000
$1,000,000
$1,500,000
$2,000,000
+43%
Source: Virginia Tourism Corporation, Town of Chincoteague, Local excise tax collections for hotels, motels, bed and breakfasts, cabins and campgrounds
7

Signals of Intent to Travel

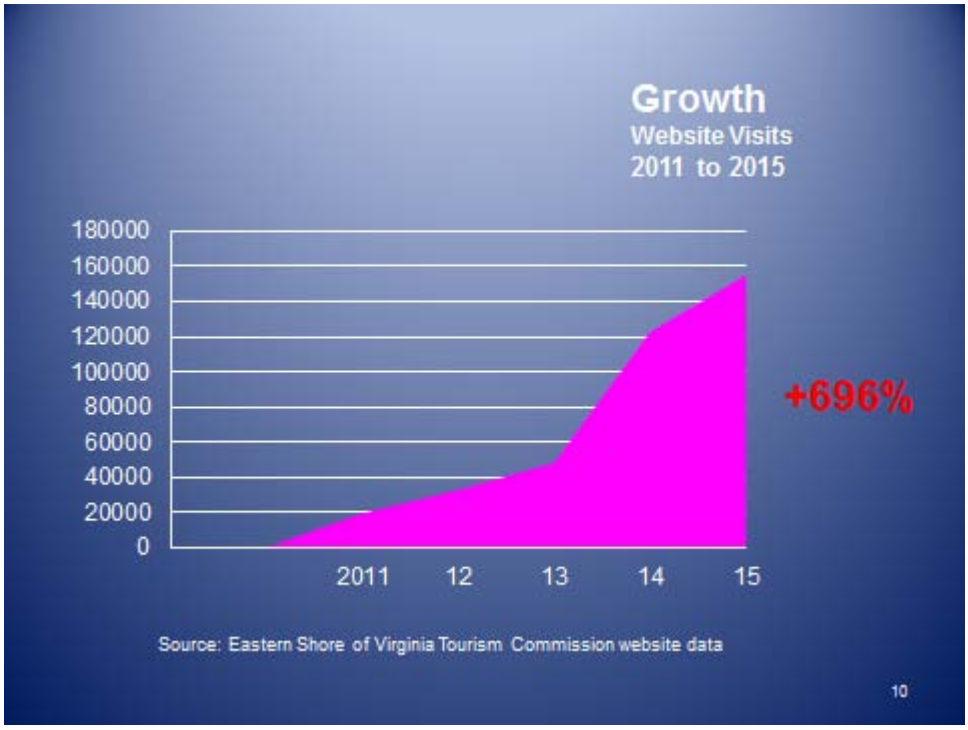
8

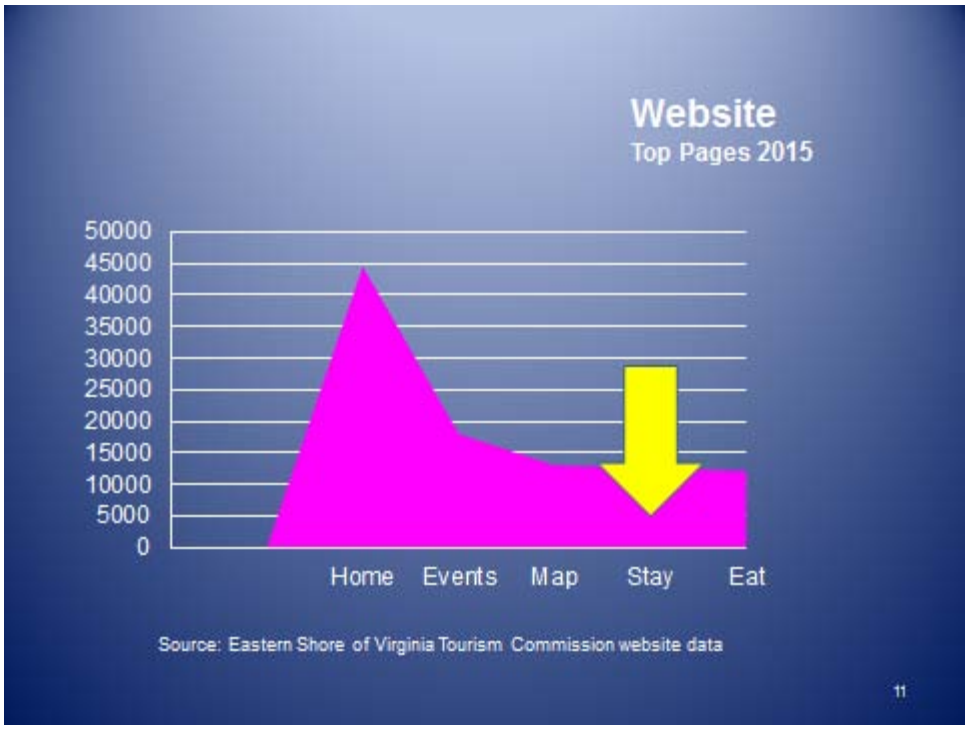
Increase
Travel Guide Requests
2011 to 2015

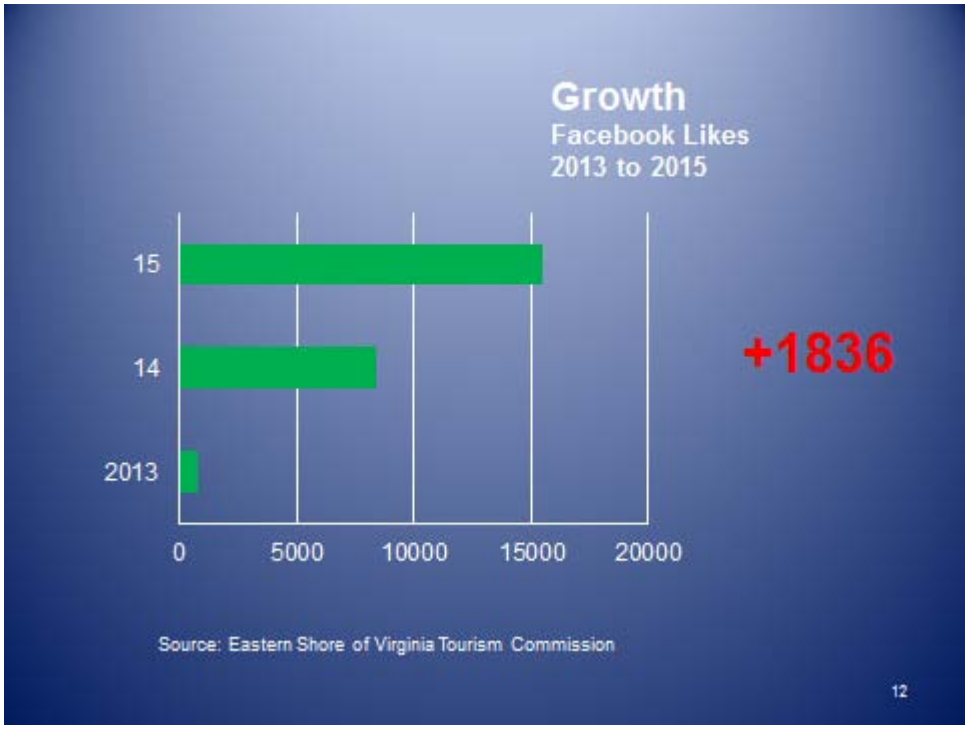


Source: Eastern Shore of Virginia Tourism Commission

9


Growth
Website Visits
2011 to 2015
180000
160000
140000
120000
100000
80000
60000
40000
20000
0
2011
12
13
14
15
+696%
Source: Eastern Shore of Virginia Tourism Commission website data
10


Website
Top Pages 2015
50000
45000
40000
35000
30000
25000
20000
15000
10000
5000
0
Home
Events
Map
Stay
Eat
Source: Eastern Shore of Virginia Tourism Commission website data
11


Growth
Facebook Likes
2013 to 2015
15
14
2013
0
5000
10000
15000
20000
+1836
Source: Eastern Shore of Virginia Tourism Commission
12

What a Destination Marketing Organization Does
Eastern Shore
WORD OF MOUTH
OYSTER ROASTS
EIGHT BIG OUTDOOR ADVENTURES
NINE CHARMING SMALL MUSEUMS
You Tube
13

Funding

Tourists Pay Transient Occupancy Tax -- TOT

Cape Charles
Budget Line Item
6.67%

Onancock
Percentage of TOT
.7%

Accomack County
Budget Line Item
38.6%

Northampton County
Percentage of TOT
54%

14

Programs

CONCIERGE
Welcome Center at CBBT

INDUSTRY SUPPORT
Welcome Center advertising, Tourism Summit, fall workshop, quarterly emails

MARKETING
Print: Produce, distribute print guide, marketing collateral
Digital: Website, consumer email, social media platforms (Pinterest, Facebook, Instagram, YouTube), blog, image library
Earned Media: Pitches/response, tours, FAMS
Paid Media: Advertisements

COLLABORATION
Oyster/Artisan Trails, Coastal VA Tourism Alliance, Stronger Economies Together, Partnership Grants, Market Development

You'll Love our Nature
EASTERN SHORE, VA

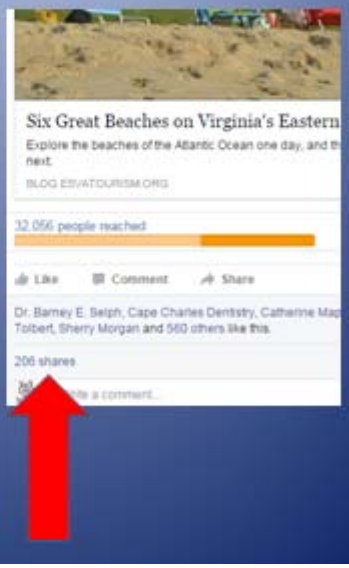
15

Targeted
Digital Marketing

Audiences
Age is no longer relevant

Geo Targeting
Near drive metro areas
Mid-Atlantic states

Affinity Targeting
Keyword marketing VIA Facebook:
"Oysters" "Coastal Living" "Chincoteague Ponies" "Food & Wine" "Artisan" "Kayaking"



15

Consumers
What They Want

Simplified Trip Planning
Itineraries, listicles
Social media
Trails
Maps
Trip Advisor/User Comments

Authenticity
Handmade
Local
Immersive

Values Alignment
Sustainable practices
Rich, local culture
Un-orchestrated

17

Tourism Partners

Must Do's

Digital Presence

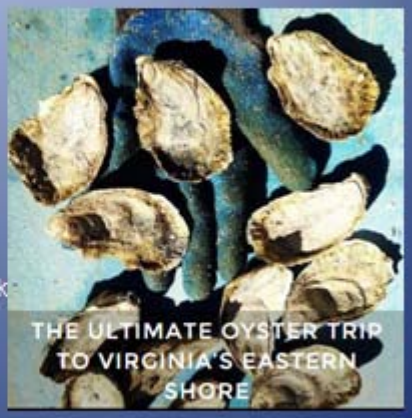
Trip Advisor/Yelp – FREE
Facebook – FREE
State/local tourism websites – FREE
Google maps – FREE

Responsive

Accurate info
Answer phones, emails
Manage user-generated feedback

New Products

Evolve tourism business to meet consumer wants



18

Challenges

TOURISM DEVELOPMENT

Deliberate, strategic

MOBILE SITE

Data-driven

RESEARCH

Evidence = best strategic & tactical decisions

RESOURCES

Budget, staff, time

REGIONALISM

Oyster Trail, Artisan Trail, Coastal VA Tourism Alliance, ESVA Integration, Virginia Tourism Corporation

19

* * * * *

Supervisor Hogg commented that the population of the southern half of the County expanse from 4400 to 10,000 in the summer due to the influx of tourists.

Supervisor Bennett said that it was his impression that tourism jobs may not be high-paying but Ms. Allison disagreed based on the statistics covered in the powerpoint.

Supervisor LeMond said that the Eastern Shore has been discovered by being ranked #1 in the State for two years (in tourism growth). He congratulated Ms. Allison on her hard work in this achievement.

Consent Agenda:

(4) Minutes of the meetings of January 7, 12, 19 and 25, 2016.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the minutes of the meetings of January 7, 12, 19 and 25, 2016 be approved as present. All members were present

and voted "yes." The motion was unanimously passed.

(5) Consider adopting a Resolution of Commendation for Mr. Leonard Spady, Jr., who is retiring from the Electoral Board after 25 years of service.

RESOLUTION OF COMMENDATION

WHEREAS, the Northampton County Board of Supervisors has identified public service and community leadership as critical components in defining excellence and in improving the vision of Northampton County; and

WHEREAS, Mr. Leonard Spady, Jr. has served as a member of the Northampton County Electoral Board since his appointment effective October 24, 1990; and

WHEREAS, Mr. Spady has faithfully and diligently fulfilled his duties of office as a member of the Northampton County Electoral Board during the entire tenure of his service.

NOW, THEREFORE, BE IT RESOLVED, that the Northampton County Board of Supervisors does hereby adopt this Resolution of Commendation for Mr. Leonard Spady, Jr. and his valuable contributions to the health, safety and well-being of the citizens of Northampton County.

* * * * * *

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the resolution be adopted as presented. All members were present and voted "yes." The motion was unanimously passed.

County Officials' Reports:

(7) Mr. John J. Andrzejewski, Finance Director, presented the following Budget Amendments and Appropriations for the Board's review:

TO: Board of Supervisors

FROM: John J. Andrzejewski, Director of Finance

DATE: February 9, 2016

RE: Budget Amendments and Appropriations – FY 2016

Your approval is respectfully requested for the following budget amendments and supplemental appropriations:

$103 – This represents a transfer from the Jail Discretionary Fund account to pay for flowers for the late Deputy Will Smith.

* * * *

Motion was made by Mr. LeMond, seconded by Mr. Duer, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

TO: Board of Supervisors

FROM: John J. Andrzejewski, Director of Finance

DATE: February 9, 2016

RE: Budget Amendments and Appropriations – FY 2016

Your approval is respectfully requested for the following budget amendments and supplemental appropriations:

$43.46 – This represents a revised Title III, Part A award allocated under the Elementary and Secondary Education Act (ESEA). The funds will be classified as Instruction.

$3,781.51 – This represents a grant award received from the Virginia Department of Education for 18 first-year teachers who qualify for the "Mentor Teacher Program." The funds will be classified as Instruction and will be used to support the mentoring program for these new teachers.

$64,722 – This represents State Compensation Supplement funding for the State's share of the step increase that was part of the FY 2016 Budget as was included in the Governor's Introduced 2014-2016 Biennial Budget. The funds will be classified as Instruction.

* * * * *

Motion was made by Mr. LeMond, seconded by Mr. Duer, that the foregoing budget

amendments and appropriations be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

Closed Session

Motion was made by Mr. Duer, seconded by Mr. Bennett, 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, committees: (Regional Housing Authority, Area Agency on Aging, RC&D Council, Recreation Board, Regional Navigable Waterways Committee)*
>
> (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 such 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 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. Hogg stipulated that he had not been present for the discussion relative to items contained under Paragraph 3.

The 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.

A Moment of Silence was observed.

The Board recited the Pledge of Allegiance.

Public Hearing:

(8) Special Use Permit 2016-2: Hecate Energy has applied to obtain a special use permit for a 20-megawatt solar energy facility on property located 15446 Seaside Rd., near Cape Charles. The property, described as Tax Map 59, double circle A, parcel 2, is zoned AG, Agriculture, and contains approximately 185 acres of land.

The Chairman called the public hearing to order and asked if there were any present desiring to speak.

Mr. Peter Stith, Long-Range Planner, indicated that the Planning Commission was recommending approval of the petition with the following conditions:

(1) all water usage will be trucked in from off-site;
(2) screening installed in accordance with Section 154.1-315(C)(7);
(3) bond and removal plan with the amount of the bond being determined with input from staff and Hecate prior to construction; and
(4) all areas are vegetated and properly maintained through vegetation maintenance.

Mr. Preston Schultz and Ms. Patti Shorr of Hecate Energy presented background information on their company, the proposed site plan and layout and the economic benefits to the County from the proposed solar energy facility. They noted that 3300 homes could be powered by the facility and that it would have a 4-6 month construction window. Very little traffic will be generated. A public information session was held on January 27th. The representatives indicated that they would like to offer a $100,000 community improvement grant to the school system or other county project.

Supervisor Hogg commented that the Board does not know how to handle the property tax situation and how would the County benefit tax-wise? He referenced a property tax study done in North Carolina on solar energy facilities that may be of assistance. He said that he hoped the Board would table this matter pending further information from the applicant.

Ms. Shorr said that as per the Code of Virginia, solar energy facilities of this size are exempt from personal property taxes. She introduced a representative from Old Dominion Energy Cooperative (of which ANEC is a member) who indicated that the project would create savings for all cooperative members.

Mr. David Kabler read the following comments:

February 9, 2016

To Mr. H. Spencer Murray, Chair of the Board of Supervisors, Northampton County, VA
For the public record of the hearing for the solar farm special use permit on February 9, 2016

I am speaking in support of the special use permit for the installation of a solar farm on Cherrydale Rd. near Eastville. It is my opinion that this facility is compatible with our Comprehensive Plan and will directly benefit the citizens of our county.

My visit to the site of the solar farm revealed a beautiful rural scene of farm fields and forest. After the solar farm is installed and the screening vegetation has matured, our rural character, I believe, will not be compromised. Also, the facility will require very little, if any, county services, negating the need for tax revenue. Unlike plasti-culture, it will not be a drain on our underground aquifer, nor will it be a source of soil erosion or chemical fertilizer or pesticide use. It will create no dust or noise and will still allow the recharge of our underground aquifer by rainwater. It will produce electricity for up to 3300 homes which will directly feed our local power grid. Our Comprehensive Plan calls for the protection of our farm lands, our natural resources, our underground aquifer, and our rural character. This project fulfills those goals admirably.

Finally, our nation's president calls for a reduction in carbon emissions and for reducing our dependence on fossil fuels. If we are opposed to off-shore drilling, then we must support renewal energy development. I ask you to please grant the special use permit for this facility.

Sincerely,

David Kahler

David Kahler
10352 Church Neck Rd.
Machipongo, VA 23405

Mr. Clifton Collins, a nearby resident, said that he believed he should have had written notification. He was concerned about the loss of his property value, the heat generated by the farm; the humming noise, and the potential health concern with electro-magnetic exposure.

Ms. Sue Mastyl read the following comments:

I live in Harborton, in Accomack County; I'm a strong supporter of solar energy, which is why I felt it was important to come down here to comment on the proposed solar farms.

My husband and I have had whole-house solar – both photovoltaic and hot water – here on the Eastern Shore for the past 7 years, and have been very happy with the experience. We net out to zero over the course of the year, and have significantly reduced our carbon footprint.

Renewable energy is an important investment – not just for us as individual homeowners, but for us as a society. The environmental and health impacts of coal, oil, gas, and nuclear are only increasing, and will leave a legacy we'll all be paying for for a long time. The greatest resources we have are the ones that are free – conservation, sun, and wind. We need to be investing in these for our future, and the future starts now.

It's exciting to have such a large installation coming in right here in our backyard, on top of the installation going in in northern Accomack County. The governor has made this a priority, and we wholeheartedly support it.

Sue Mastyl
14329 Mears Circle
P.O. Box 112
Harborton, VA 23389

Ms. Roberta Kellam said that she supported solar energy but has concerns with the project. She said that the applicant should guarantee a revenue source and that experts should be considered in the development of a bond amount.

Mr. Ken Dufty said that he supported solar energy but that with this project, the County loses 150 acres of prime farmland and perhaps jeopardizes the neighbor's lifestyle. He asked the Board to investigate a Payment In Lieu of Taxes arrangement with the applicant and to include this arrangement as a condition of approval.

Mr. Everette Watson, owner of the subject parcel, said that he was a farmer but that the County was only receiving about $2,000 in taxes on the farmland. He said that this project was a good use of the land which already had high-powered electric wires running through it.

Ms. Myra Jenkins said that she and her daughter are nearby residents and have similar concerns as expressed by Mr. Collins.

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

Supervisor LeMond said that he supported the project but would like to have a payment arrangement with the applicant to assist the County. Supervisor Bennett agreed and said that he would like to see the 3300 homes receive cheaper electric rates.

Supervisor Duer confirmed with the County Attorney that proffers are only allowed during rezonings – not special use permit applications.

Supervisor Hogg questioned whether this project was utilizing a "phased" approach and was told by Ms. Shorr that the project would be built in totality.

Chairman Murray said that he believed in an owner's right to develop his land as long as it did not harm the neighbors. He said that in the 2009 zoning ordinance, the establishment of a solar energy district through a rezoning process would allow for the receipt of proffers.

Motion was made by Mr. Hogg, seconded by Mr. LeMond, that the Board table action on this petition until such time as a meeting can be held with the applicant, possibly at the next work session. All members were present and voted "yes." The motion was unanimously passed.

The Chairman called to order the following public hearing:

(9) An amendment to the Fiscal Year 2016 County Budget as requested by the Northampton County School Board for an increase of $741,165.22 in order to appropriate the balances remaining in the Federal awards after all Fiscal Year 2015 reimbursements were processed.

Account Description	Funds Remaining From Prior Year Awards
Title I, Part A (Basic Programs)	$304,512.81
Title I, Part C (Migrant)	$262,568.11
Title VI-B, Special Education (Sect. 611)	$20,393.23
Learn Consortium Incentive Grant	$23,145.94
Title VI-B Sped Pk (Sect. 619)	$14,782.80
Title VI-B Rural and Low Income Schools	$48,021.36
Title III, Part A (Language Acquisition)	$27,510.95
Title II, Part A (Teacher Quality)	$40,230.02
	$741,165.22

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

The County Administrator indicated that due to the value of the proposed amendments, the Code of Virginia requires a public hearing.

School Director of Finance Brook Thomas and Superintendent Eddie Lawrence asked for the Board's favorable consideration, indicating that all grants would be expended within the grants' life cycles.

Following confirmation by the Superintendent, Supervisor Bennett indicated that these grant funds will not directly benefit him and that he would be voting on this matter.

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

Motion was made by Mr. Bennett, seconded by Mr. Hogg, that the budget amendments and appropriations be approved as outlined above. All members were present and voted "yes." The motion was unanimously passed.

Citizens' Information Period (only matters pertaining to County business or items that are not on the Board agenda for public hearing that evening.

Mr. Bill Payne read the following comments:

February 9, 2016

Board of Supervisors
Northampton County
Eastville, Virginia

Gentlemen,

I'm Bill Payne and I live at 103 Arnies Loop, Cape Charles.

I'm the Board Chairman of the Boys & Girls Clubs of Southeast Virginia.

I also was a member of the Comprehensive Plan Advisory Committee.

After an 18-month work effort I was convinced the Committee's recommendations would promote much needed economic development in the County. Many of those recommendations are reflected in the recently passed Zoning Ordinance.

I accept that there may be flaws in this document and ask that it revised with the same methodical manner in which it was crafted by the Planning Commission.

We owe that to the young people in our community.

Regards,

W. B. Payne

Mr. Bob Colson read the following comments:

Robert P. Colson

PO Box 403

Cheriton, VA 23316

February 9, 2016

Mr. Chairman and Members of the Board:

My, Name is Bob Colson. The motion to repeal the 2015 Zoning Ordinance made two references to the 2009 Comprehensive Plan. The current County Comprehensive Plan was written in 2008 and adopted in 2009. There is a lot of information in this 183 page document that is outdated. There are also a lot of projections that just didn't or couldn't come true. Page 101, table 3.3 indicates a projected annual population growth of .4%. The fact is that our county population has declined by 7.39% from 2000 to 2014. Page 104 indicates that in conclusion; the county will continue to get older due to net migration rather than by natural increase. What that means is that retirees will migrate to our county. According to Forbes magazine one of the top retirement selection criteria is the availability of medical services. Well, guess what folks, our medical service is moving to Accomack County, that being the hospital. We just lost one of the top reasons why retirees would want to move to Northampton County. So much for becoming a retirement community. So much for counting on those tax dollars.

The economic plan in the 2009 Comprehensive Plan states, Agriculture remains a mainstay of the county's economy. Virginia was ranked 6th in the nation in potato production per the 2009 Comprehensive Plan. In 2015 Virginia ranked 22nd in the nation in potato production. Northampton County's potato production has been on a consistent decline. In 2007 - 2,500 ac, 2012 - 2,000 and in 2015 – 1750 ac. That's a 30% decline in acreage over 8 years. Tomatoes are also mentioned in the Comprehensive Plan. There has been a declined of the Eastern Shore acreage due to the closing of Taylor and Fulton and the bankruptcy of East Coast Tomato. Del Monte did pick up some of the acreage, but there is still a void.

The Comprehensive Plan also states that Northampton County is home to the largest green bean operation in the United States. That part of it is true. But I can tell you here and now, if that business had wheels under it, my brother and I would have moved it to Accomack County. Over the past 2 years we have had 2 experiences dealing with the 2009 zoning ordinance. A new office and an expansion to our plant. It was a terrible experience that I would not wish on anyone. To have the State's storm water ordinance coupled with the 15% impervious surface in the county's 2009 zoning is double dipping at its finest. But that can be topped. The county adopts the Chesapeake Bay act, on the seaside. It has a 100' setback requirement. I am OK with that. But the county has to also have a shoreline setback and make theirs 115.' All of this makes it almost impossible develop a site plan or build a suitable facility under the 2009 zoning ordinance.

On December 8, 2015 along comes the long overdue 2015 zoning ordinance. Under the 2009 zoning our expansion project had a cost of $68 per square foot and a building that we didn't like, because of unneeded additional regulating and setbacks, but we had to accept it. Under the 2015 zoning our cost per square foot decreased by 27% and we were able to gain an additional 25% square feet. Now that is business friendly.

Someone once asked me what we do with the waste cull green beans. I told them we just spread them on the fields. They told me what a waste. Feed it to cattle. They would love them. Well, we have been thinking about that. Problem now is that under the 23 page "Attachment A" to the motion to repeal the 2015 zoning we would not be able to feed cull green beans to cattle because it would be a AFO, Animal Feeding Operation. I feel certain, that the Right to Farm Act would have something to say about that.

I love living in Northampton County. I went to school and grew up here, my brother and sisters went to school here, my children went to school here and my grandchildren go to school here. My family owns a business here that we would like to see passed down to the next generation. We have a great concern that that might not happen without some changes and future planning by our county leaders.

The 2009 Comprehensive Plan and Zoning was developed out of fear. The fear that the Bridge Tunnel was going to drop the toll and that Northampton County was going to become a Virginia Beach bedroom community. It didn't happen but we are still living under that fear. This county needs to get looking to the future with forward thinking. Things like keeping the 2015 zoning that was passed. Taking the CPAC recommendations and finish developing a new comprehensive plan. A plan with current data and that looks to the future. None of this is perfect but it is a hell of a lot better than what is currently proposed.

Thank you,

Bob Colson

Ms. Roberta Kellam read the following comments:

February 9, 2016

My name is Roberta Kellam; I live at 7514 Wellington Neck Road in Franktown. I would like to first thank the Board for making the decision to repeal the 2015 County-wide Rezoning, and re-enact the 2009 ordinance with Amendments. The Amendments that you have proposed are some of the better ideas that came out of the Rezoning discussion over the past two years, and they will help to address both housing needs and economic development opportunities, while holding true to the community's desire to protect aquaculture, agriculture, tourism and natural resources. The 2015 Rezoning was based on an unsupported economic theory that if the County opened the door to a proliferation of new residential subdivisions, the result would be new affordable housing, large increases in property tax revenue to the County, new jobs, and reduction of the poverty level. I believe that everyone in the community shares the goal of having such positive outcomes, but I do not believe that the 2015 Zoning gets the County to that destination, and in fact, is such a significant threat to our existing economic engines of aquaculture, agriculture and tourism, and to our natural resources, that it is more likely to take us backwards from those goals.

The average property sale on the Eastern Shore of Virginia in 2008 was $106,000 and the highest sales volume was reached in 2005 at $509 million. The average sale price for the past few years has been about $66,000. Last year's sales volume was $180 million. Real estate interests are desperate to recreate the bubble, and see the creation of new, smaller waterfront lots that can be marketed to federal government retirees as the answer. The bubble did no favors to Northampton County. Affordable housing became scarce, taxes went up, and the high poverty level barely budged. As farmland is converted to residential subdivision, all taxes increase to meet the needs of the community, and newer residents often have little tolerance for agriculture activities on neighboring properties, or shellfish and crabbing activities in their creeks. Residential subdivisions also threaten the water quality necessary to support the most promising industry in the County, that is, aquaculture. Even small changes to water quality could mean big problems for aquaculture. I don't understand why anyone would want to gamble on the certainty of jobs in aquaculture in favor of the false economy of high density real estate development.

The real estate bubble concept is also important when discussing affordable housing. It was very unfortunate that facetious reasoning was used to eliminate the Affordable Housing density bonus in the 2015 Rezoning, and I am glad to see it will be restored through the re-enactment of the 2009 Zoning. In the past 5 years, with a market full of bargain priced foreclosure lots, there would be little need for the affordable housing density bonus incentive. However, it is an important tool to have in the zoning tool box should the real estate market bubble up again. The real estate bubble hurts the poor and middle class the most because no developer will develop affordable housing without a government economic incentive. And that leads me to another point. A zoning code is not a book to be read cover to cover; the number of pages are

meaningless. It could be better understood as a tool kit for development, providing opportunities for creativity with different district, uses, and incentives. It is also a guide and directive to the Zoning Administrator to administer to zoning code objectively, rather than subjectively. Sometimes fewer descriptive words cause ambiguities and room for interpretation that puts too much power in one person, the administrator.

Other complaints about the 2009 zoning, such as the notion that the community is over-burdened with old zoning ordinances, or too many districts, or too many charts and uses, are complaints that elevate style over substance. First I would like to discuss the old zoning ordinances. The 2009 zoning was a mere amendment to the 2000 zoning, and so much of the text is identical. The residential subdivisions were re-defined as "Existing Subdivisions" where the uses, dimensions and areas of the code under which the land was subdivided would remain. Those uses, dimensions and areas are found in the Appendices of the 2000 zoning, and make up only about 30 pages, which could easily be condensed. The reason for keeping those designations is to make the vested rights of the lot owners crystal clear, and to maintain continuity of development throughout any given subdivision. This is normal way of doing business to the outside world. Picture if you bought a lot in a subdivision created in 2001, and it was halfway built before the zoning changed in 2015. Would you really want to suddenly find that your neighbor's empty lot can have a whole new set of uses, set-backs, and lot coverage limitations? Or that it can be re-subdivided? Any subdivision with a filed plat should adhere to the zoning at the time the plat was filed, and that is why older versions of zoning would remain on the books.

As for complaints about the number of districts and uses, again, specificity was the goal. New York City certainly does have fewer zoning districts as a built-out urban area, but it doesn't have farmland, historic settlements, aquaculture, traditional fishing villages, suburban style housing, and large towns. I have worked on dozens of development projects in New York from NYC to Buffalo; there is really no comparison with how easy it is to work through the Northampton Zoning vs. other regulations in other areas. It seems that most of the complaints come from other aspects of the Code that are required by state law, such as wetlands, erosion and sedimentation control, and the Chesapeake Bay Act.

* * * * *

Ms. Katherine Campbell indicated that she was shocked by the Board's lack of public involvement in the proposed zoning changes. She said that the proposed draft was prepared without public input and was not on the website for months prior to the public hearing as was the case in the 2015 version. She suggested that the Board prepare an assessment on property values and urged them to explain the rush to public hearing.

Mr. Arthur L. Kellam read the following comments:

Good Evening Sirs: Mr. Chairman and members of the board

My Name is Lee Kellam. I truly don't understand why the 2015 Zoning ordinance is being repealed. There was a lot of time and effort put into it. It seems to me it would be a waste of time and tax payer money to just trash it. Can't it be fixed, if there is something wrong with it? When the current, 2015 zoning ordinance was being review by the county, it is my understanding, that there were 7 public information meetings. Now, based on what I have read, there will not be any public information meetings so that residents can understand the proposed changes. When the 1983 zoning ordinance was approved I wasn't even born yet. When the 2000 Zoning ordinance was approved I was 16. Now at 31, I am at an age I can comprehend the political issues that affect me and my future. I want to know and be assured that the individuals that have been voted into office have not only my interest at heart, but all the residents of the county's interest at heart. It is apparent to me that the special interest groups has per swayed some members of the board to "fast track" this new proposed ordinance. You are wanting to skip the public information meetings. I want to know what is in the old 1983, 2000 and 2009 zoning ordinances. There are probably references to horse and buggies. I also would like to know, who is, the author of the 23 page "Attachment A" and what it means. Thank You.

Arthur L. Kellam

Mr. John W. Crumb said that he could not understand what was happening in the County – likening the current atmosphere to having cancer. He said that special interest groups and politics should not interfere with good government.

Mr. Ken Dufty said that we all want what's best for Northampton County and that everything was going fine until the 2015 zoning ordinance was adopted. He referenced the Competitive Assessment report which did not include zoning as one of the problem issues in the County.

Mr. Pat Coady read the following comments:

February 9, 2016

The Honorable Supervisors of Northampton County

It may be useful to remind everyone of key points of how this zoning disaster reached its current point. On March 11, 2014, at the joint public hearing, I spoke in general support of the proposed zoning changes but strongly stated that bypassing the planning commission and the due revisions of the Comprehensive Plan was ill advised and not going to prove more efficient. Given the delay and continuing vehement discord from then until Dec 2015 zoning adoption has only proven how ill advised is to bypass proper procedure. There are times when I hate to proven correct and this entire re-zoning process qualifies.

Indeed, adopting new zoning before completing the relevant Comprehensive Plan has been a frequent pattern. Now, the three members of this board who voted for the Jan 12th motion and resolution are set to repeat this dismal record by ignoring proper procedure again. You seek to unto and waste three years of staff and citizen work and well over $100,000 of taxpayer monies expended to not only blindly return to an internally contradictory code, but to precipitously add a large number of changes to an already indefensible code. As if total disregard and distain for the work of your own professional staff, not to mention, the Board's respect for its own precedents, isn't sufficient reason not to take this action; now you are poised to compound the prior errors with an even shorter timeline demand and again interrupting an almost complete Comp. Plan revision to pass ill-considered changes to the old three zoning codes; thereby reinforcing the entire mess.

Assuming this Board proceeds in this fashion as it is wont to due; you will face the same issues of conflicting and confusing codes as well as the need to immediately start another re-zoning process if you have any intention of having your zoning in conformance with your comprehensive plan. Remember, that one of the tenets that the 2015 zoning was based upon was to be in conformance with the 2009 Comprehensive Plan. Now you are set to be two comprehensive plans behind with your zoning.

If anyone doubts the proposed amendments are not well thought-out, I recommend that you listen to the audio of the Jan 19th special meeting where the movers of the amendment discuss and try to decide exactly what they meant and explain what staff is directed to do. Additionally, the "rescind" motion passed by the majority of the Board could not even be legally implemented as it ignored the legal timelines and notices required to replace a zoning code.

While the Jan 19th special meeting was called to discuss a legal issue as the only topic on the agenda; I had heard that some other things might be discussed, so at the conclusion of another meeting in Eastville, I attempted to see if the Supervisors were out of closed session. I found the doors to the building locked but could see that the Supervisors were still meeting. Knowing that the doors are on a timer lock and that

no-one probably thought to override them, I chose not to make and issue of lack of access, but the audio clearly demonstrates discussion that was clearly in the public interest and should have been open, a FOIA violation.

Finally, I was amused to receive at the end of January notice that the Comprehensive Plan Advisory Committee was disbanded by the Supervisors at their Jan. meeting. This was surprising to me since the committee has been inactive since 2014, when it submitted its recommendations on the Economic Development portion of the Plan. That submittal was its main charge. The only remaining task for the Ad Hoc comm.. was to provide any opinions and recommendations it saw necessary when the entire plan was complete and presented to the Supervisors. So one can only assume that a majority of this new Board no longer wishes for experienced people involved in the businesses of this community to present the Board with any pertinent information. Apparently you have it all figured out. Great! I salute you.

One does need to ask why was this committee so brusquely disbanded. It seems that among the many false and scurrilous charges flying about regarding the 2015 zoning was that "developers" wrote it. Since Bill Parr (who 'gasp' is called a developer by some) was chair of the CPAC committee, it is therefore obvious that he was responsible for a lot of the proposed zoning changes. Therefore, it is necessary to get rid of his influence on the zoning process. It makes a wonderful theory. But in fact, the recommendations of the CPAC committee to date are directed strictly at economic development and only deals with zoning to the extent it retards our economy. Further, the recommendations, adopted by the Board on XXX are for incorporation in upcoming the Comp. Plan revision and so didn't impact the 2015 zoning at all.

The 2015 zoning is not perfect, nor is any zoning. It is however far superior overall to the three overlapping previous codes. It is not better to revert and compound the errors of the past with new amendments. Take the 2015 code, finish the Comprehensive Plan so that everyone knows what the goals are and then implement appropriate changes.

Patrick Coady
11474 Seay Ct
Machipongo, VA 23405

Ms. Wendy Martin read the following letter from Ms. Debbie Campbell:

Dear Chairman Murray and Esteemed Board Members,

I have been involved in our county's zoning since the comprehensive plan was being developed. It was a truly remarkable process focused on engaging the public to come up with a long-term roadmap for our county. I frequently cite the way that it was handled as a best practice that should be replicated elsewhere. Conversely, the 2015 rezoning was the worst example I have ever seen. I doubt that its authors and supporters ever anticipated an uprising of quiet everyday people who joined together to fight the unfairness and probable illegality.

The 2009 zoning was well aligned with the comprehensive plan, as prescribed by the law. The 2015 assault on that work was shocking. You have all heard our testimony and fact-based rationale supporting the position that the 2015 zoning would not be in the best interest of the county...everything from protecting our drinking water and ecosystem to the rezoning's lack of alignment with the comprehensive plan. The comprehensive plan is a legally binding document, not a report that sits on a shelf and collects dust.

Supervisors Duer, Hogg, and Murray, you showed a level of courage and integrity rarely seen in public office these days when you voted to overturn the implementation of the ill-conceived 2015 zoning.

Tonight you will reportedly have a group of people try to pressure you to reconsider. I have seen this many times. There is much to be gained or lost when this decision is final. Northampton risks the assets and character that led the Eastern Shore to be named a Top 5 destination by National Geographic, our quality of life and perhaps, most importantly, the ability of normal people who simply want the best long term result for the county we love to address and be heard by those elected to represent. In all of my days I have never seen a turnout by everyday citizens to fight the passage of the 2015 zoning.

Because of the love that I have for this county, I have engaged in this debate. I ask you to stay the course. Keep your campaign promises. Continue to be courageous in the many ways that our county needs. It seems that there has been a stronghold on our county that has just recently become apparent thanks to the attempts to steamroll the 2015 zoning ordinance through. It is a rare quality that you have. If we can't take back our own local government to truly represent the people, how will we make positive change at the regional or national levels? You give me hope. You make me proud to be part of what a partnership between government and the citizenry should be.

I wish you well tonight and regret that I can't be with you to share my thoughts in person. Thank you for your service. *

Best regards,

Debbie Campbell

7249 Kellam Dr.

* Please enter these remarks into the public record. February 9, 2016

Ms. Martin's own remarks are set out below:

Dear Chairman Murray and fellow Board Members -

Kindly enter these brief remarks into the public record today-this evening. Thank you.

As a responsible citizen resident I have expressed my views for nearly two years concerning the 2015 Zoning and stand fully & fervently behind your recent vote commencing as I understand to repeal it.

Everyone else has had two years to do the same. The November election portended such an outcome.

Thank you for your time. We must move forward: so much energy and dollars have been brutally diverted.

Respectfully,
Winifred R. Martin
7094 Sealand Lane
Eastville VA 233470

* * * *

Mr. Dave Kabler read the following comments:

To Mr. H. Spencer Murray, Chair of the Board of Supervisors, Northampton County, VA
Via email for the public record of the monthly meeting on February 9, 2016

I'm sure I stand with hundreds of citizens of our county to express our gratitude to you and Mr. Duer and Mr. Hogg for your courageous stand to repeal the 2015 zoning ordinance. I was not alone, by any means, in my stand against the county-wide rezoning first brought to public hearing on March 11, 2014, nor was I alone when I expressed my concerns to the many objectionable points of that proposal. Do you remember the times I asked members of the public to stand in support of my statements? I was in very good company with former planning commissioners and county supervisors, local business owners, aquaculturists, scientists, groups like The Nature Conservancy, CBES, and Shorekeeper and many upstanding citizens of our county. We are an informed constituency who studied both ordinances and made our statements based on the facts. The process should have stopped after the first public hearing.

We objected that the zoning proposal was not consistent with our Comprehensive Plan nor was it supported by any studies or data. We objected to its rewriting of the many Statements of Intent for zoning districts, its opening of rt. 13 for more commercial development, its broad allowance of "by right" uses that should require special use permits, its insertion of industrial uses in our agricultural and residential zones, its granting discretionary powers to the zoning administrator for interpreting similar uses and many other reasons that

we expressed in our visits to your podium at monthly meetings. The public record will show massive public resistance for the zoning proposal in letters, petitions and public comment.

The fact that the former board of supervisors narrowly passed that ordinance only a few weeks before our new board took office demonstrated a desperation rarely found in government. At no time during this two year process were the citizens' objections answered by the board, nor did the board ever give an explanation as to why our zoning needed to be rewritten. In spite of two years of immense public resistance to their proposal, they passed this ordinance to get it in under the wire. All blame for that fiasco should lie with that board.

By now, you will surely have heard some "blow-back" from folks who may disagree with your action to repeal. There is a time and place for taking a stand and for two years there was hardly any call in support of the proposed rezoning. That was yesterday's kisses and we must move on. So please continue to show the courage it took to repeal that ordinance and stand tall among your constituents for serving the majority's interests.

Sincerely,

David Kabler
10352 Church Neck Rd.
Machipongo, VA 23405

* * * * *

Ms. Linda Nordstrom questioned the "other side of the story" in regards to the 2015 zoning process and said that the prior Board did not feel any inclination to explain their reasoning. She stressed the need for transparency in government and commended the Board for trying to set a tone of listening to people.

Ms. Sarah Trachy read the following comments:

4370 Willis Wharf Rd
Willis Wharf, VA 23486
2/9/16

Northampton County Board of Supervisors, Ms. Nunez, Mr. Jones,

I have a question. Who paid for this ad? What did it cost? It is insulting in its insinuations. I might ask the person who wrote it, "Who asked the previous Board to spend $150K to overthrow the existing zoning ordinance??" The changes were arbitrary, and no input was sought of the citizens of the county; in fact, the input from the citizens was conspicuously ignored. (Except by Mr. Hogg). It has never been disclosed who was behind the changes that would have negatively impacted the environment, the thriving aquaculture industry, and the property values of the 'working stiff', of which I am one.

Largely because of the way the 2015 zoning ordinance was rammed down our throats, and passed in the final moments of a lame-duck board, yes, the ordinance was killed by the new board. The new board reflects the workings of the democratic process. The people spoke: the old board was largely voted out BECAUSE of the flawed 2015 ordinance.

The proponents of the 2015 ordinance (whoever they are—talk about special interests!) make claims about jobs and prosperity—in the form of industrial chicken farms. They talk about economic growth, which I assume means attracting new people to the area. Well, they can't have it both ways---on the one hand attracting new people to the area, while making back-handed insults to the 'come-here's' as evidenced in this ad.

I don't live in a fancy house overlooking the bay. I've owned property in this county for over 20 years, and would have been a 'come-here' much sooner, had the schools been adequate. You will attract much more economic development and prosperity to the area by improving the school system than by bringing in chicken farms.

I applaud the new members of the board and Mr. Hogg for striking down the flawed ordinance. Mr. Bennett will be voted out in the next election. I call for the resignation of Ms. Nunez.

Meanwhile, I will do the appropriate thing with this ridiculous, insulting ad. I will use it to start a fire in my wood stove.

Sincerely,
Sarah Trachy

Dr. Federico Molera told the Board that two wrongs do not make a right and that it was very arrogant of this Board to say that it knows better than the previous Board. He said that the Board should concentrate on reality: the loss of employment opportunities and housing stock. He said that someone's best education is to find a job.

Mr. Mark Nunez said that he has lived in several communities like Northampton County and that the number one problem was the lack of employment opportunities. He said that he saw no harm in working with the 2015 zoning ordinance and making corrections to that document.

Mr. Jim Sturgis, Eastville Mayor, reiterated the Town's position that it welcomed the proposed Eastern Shore Rural Health facility but has issues with the specific location selected.

Chairman Murray read the following letters into the record:

Northampton Co. BoS
9 February 2016
To be read into the record
Janet Sturgis
Wellington Neck

I would like to voice my support, for the adoption of the Amended 2009 Zoning Ordinance, as presented.
The 2015 Zoning Ordinance, represents a threat to Northampton County citizens, that may not be apparent or the surface. The adoption of the 2015 ordinance, with its **up zoning** of properties large and small, sets a dangerous precedent, paving the way for future arbitrary, incongruous,and inconsistent up zoning, **without input** from property owners or adjacent property owners. Put simply, we should continue have the **RIGHT** to have a say in what happens on adjacent properties, we should have the **RIGHT** to challenge up zoning on our or neighboring properties,and we should have the **RIGHT** to protect the character of our neighborhoods, quality of life, and our health safety and welfare.
The 2015 Zoning Ordinance circumvents citizens' input, and removes those protections as afforded under 2009.
I therefore urge all Northampton Co. Residents to support the Amended 2009 Zoning ordinance.
Janet Sturgis

To: Northampton County Board of Supervisors

To be read into the public record at the Board of Supervisors meeting of February 9, 2016

We are writing in support of actions taken by the Board of Supervisors to repeal the 2015 Zoning Ordinance enacted immediately prior to the departure of the last Board of Supervisors. That Zoning Ordinance was voted in despite a complete lack of data showing what benefit that ordinance would provide to the citizens of Northampton County, despite its lack of conformity with the current Comprehensive Plan and despite its complete disconnect with what the citizens of this County have expressed as their vision for this County.

The previous Board was asked on numerous occasions to articulate the benefits of the 2015 Zoning Ordinance and were unable to describe the anticipated benefits.

A recent Competitive Assessment Study, completed by independent consultants, and financed by our tax dollars, found that we should continue to build on our assets which include our rural character, agriculture, aquaculture, and unique natural resources. The study suggested improving internet service, workforce training, improving schools and supporting small business. Zoning was not identified as an impediment for economic development.

The citizens of the County have consistently expressed a desire to retain the rural character of the County and support the small town nature of our communities, with development in and around towns. That feedback was the basis of the current Comprehensive Plan and was again articulated in facilitated workshops in 2012, in preparation for the review of the Comprehensive Plan. That plan focused on agriculture, aquaculture and tourism as economic development drivers for the County, as those activities build on the County's natural assets. Aquaculture and Tourism have shown tremendous growth. The Sunset Beach resort is currently being renovated into a destination resort, with 85 jobs anticipated. This is moving forward under the 2009 Zoning Ordinance. Northampton County keeps making the news with growth in tourism and in Aquaculture. Retirees are moving to the County, and homes sales are increasing. They are moving here precisely for what we offer, due to the 2009 Zoning Ordinance.

No doubt some changes can be made to the 2009 Ordinance and you have proposed some valuable amendments to move forward with the reenactment of the 2009 Zoning Ordinance. Supervisors Murray and Duer were voted in for their willingness to listen and no doubt will consider future Zoning Text Amendments, as needed. That tool is always available, and much less destructive than what was done with the enactment of the 2015 Zoning Ordinance.

We thank you for your actions in moving to repeal the 2015 Zoning Ordinance and to reenact the 2009 Zoning Ordinance, with related amendments .

John and Martina Coker
1530 Elliotts Creek Lane
Cape Charles, VA

Sent from my iPad

Willie C. Randall
2987 Butlers Bluff Drive
Cape Charles, VA 23310
February 8, 2016

Subject: Northampton County Zoning Code dated December 8, 2015

Dear Chairman Murray:

I am writing you and the members of the board of supervisors to voice my support for the New 2015 Zoning Ordinance. Many Northampton Citizens voiced their dislike for the changes, but there are far more that support the new ordinance. Unfortunately, those people did not voice their support for the new ordinance during the hearing at many planning commissions and board of supervisors meetings.

If one were to look at the old 2008 Zoning Ordinance and compare it to the new 2015 Zoning Ordinance, they would find that they are similar in many respects. Many of the land uses were consolidated and it reduced the ordinance from a one thousand page document to a 140 page document, which simplified and made it user friendly.

The old ordinance has done nothing to improve the economic viability of the county. In fact, it has had a negative impact on the economic viability of the county. We cannot continue on this economic path of destruction. The county's population has dropped from 18,568 in 1930 to 12,389 in 2011. The outlook for the 2020 census shows that we are projected to be less than twelve thousand citizens. This population loss is alarming. The reason is simply that we do not have enough job opportunities. This is the partly the impact of the 2008 Zoning Ordinance.

I have first hand experience with the old ordinance when I built my office. I spent over $100,000 extra in cite preparation because of the ordinance. Mr. Bob Colson wants to expand his operation and hire 18 more employees. Under the new ordinance his cost are much lower than it would be under the old ordinance. If you were to ask the people in New Roads, Bayview, and Cheriton Crossroads if they need these jobs, I am sure you would get strong yes.

We need to give the new ordinance a chance to work. The old ordinance has been in effect for eight years, and it has not helped Northampton County's economy. We have lost jobs and population as a result of it.

I have had the opportunity to work with many officials and agencies around the Commonwealth of Virginia, and Northampton County never gets favorable considerations for economic opportunity because of our low population and we have the reputation for not being business friendly.

I would highly recommend that members of the board of supervisors read Northampton County Comprehensive Plan Advisory Committee's Report dated February 12, 2013. An outside consultant did an economic study on Northampton County. Chairman Murray was one of the many individuals that were interviewed.

The chairman stated, "The economic analysis shows that without managed commercial growth in and around the towns and on Route 13 with proper limited access and buffering, the county may not have sufficient revenue growth to meet even inflationary needs."

The Chairman was right in his assessment and the new ordinance will help address that concern. I would strongly urge the board to give the new ordinance a chance to work. We cannot afford to go back to business as usual with the old 2008 Zoning Ordinance.

Make changes as needed in the new ordinance, but to repeal the entire ordinance before it has a chance to work would be irresponsible. Thousands of taxpayer dollars have gone into preparing this document. The planning commission reviewed the new 2015 Zoning Ordinance and recommended its approval.

The county staff worked on the plan for about two years. They followed the comprehensive plan and the laws of the Commonwealth of Virginia before making their recommendation to the board of supervisors.

If all these individuals were wrong, then you should not only repeal the new ordinance, but you should replace the entire county planning staff and replace the entire planning commission, because you are saying that all of these people are incompetent and that the new board of supervisors has more knowledge and experience than the 20 or more people that worked on the plan.

Please place my letter on file as supporting the new ordinance and read it at your next board of supervisors meeting.

Respectfully,

Willie C. Randall
Former Chairman and Member of the Northampton County Board of Supervisors

* * * * *

Mr. Mike Steelman read from a flyer that had been circulated, urging us to "preserve and enhance" our natural assets but noted that the seaside has already been taking away from us. He said that the channels are filling in and jeopardizing the aquaculture industry.

The following future meeting agenda was shared with the Board:

Work session/other meeting agendas:

(i) 2/22/16: Work Session: Topic to be determined
(ii) 3/9/16: Joint Public Hearing w/ Planning Commission
(iii) 3/28/16: Work Session: Topic to be determined
(iv) 4/25/16: Work Session: Topic to be determined

(10) The County Administrator's bi-monthly report was distributed to the Board as follows:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: February 1, 2016
RE: Bi-Monthly Report

I. Projects:

A. USDA Grant Obligation Update:
November/December 2015 & January 2016 Status Report: As an update from your October 13, 2015 meeting, we have continued to move forward with meeting the requirements of this agreement. USDA has signed off completely on all items except for the 2 generators for the School. Staff is still developing the procurement documents for the 2 generators for the elementary schools. To date, we have now committed $496,283.85 of the $599,734.80 obligation or 82.75%.

The school has finalized the Invitation for Bid for the installation of a generator at each elementary school; said bids were reviewed and approved by USDA for issuance purposes. The school has issued the bids with a due date of Friday, February 19, 2016 @ 2:00 p.m.

B. SET (Stronger Economies Together) Grant:
Work is progressing on the regional SET Grant. The first three community meetings were held on October 27, 2015, December 15, 2015, and January 12, 2016. The next forum is scheduled for Tuesday, February 16, 2016 from 8:30 a.m. – 12:30 p.m. at the Community College. There is limited seating for this forum; however, this is the fourth of six forums that will be held over six months. The purpose and intent of the SET Grant is to develop a strategic economic plan for the region, based upon community input with assistance from the ANPDC, USDA, and Virginia Tech personnel.

C. Follow-up Request from the January 2016 BOS Meeting: Request from Kaufman & Canoles regarding the County's Intended Use of its Bond Capacity for Calendar Year 2016:

I have received a request from Kevin A. White, Bond Counsel with Kaufman & Canoles, wanting to know if the County intends on incurring **<u>any debt</u>** under its Bank Qualified capacity allowed by the IRS (ability to issue $10 million tax-exempt financing thru an Industrial Development Authority) in calendar year 2016. If not, they have a client that would like to run its financing through our Joint Industrial Development Authority (JIDA). The JIDA earns bond issuance fees when they issue bonds like this and the JIDA has done this for three entities over the last few years: Norfolk Academy, Williamsburg Retirement Home, and YMCA South Hampton.

Please let me know the Board's intentions regarding financing in calendar year 2016.

The Board indicated that it would not be using its 2016 funding allocation.

D. <u>2016 Reassessment Calendar:</u>
As background, the County adopted an ordinance on September 13, 2011 setting a biennial reassessment schedule; said ordinance was subsequently amended on May 14, 2013; and then, on November 12, 2014, this ordinance was repealed and within that document it references that the County staff was envisioning the reassessment to be effective on January 1, 2016.

In working with the staff of the Commissioner of Revenue's office in developing and ensuring that they will meet the required tasks for reassessment, a review of our records indicates that while the Board of Supervisors has been working with a tacit agreement that the reassessment will be effective January 1, 2016 and is subsequently reflected in the FY2016 Budget Adoption when funding was provided for reassessment and that, in the summer 2015, the Board requested the Circuit Court Judge for a three-month work extension to March 31, 2016, it does not appear that the Board actually took a vote that our reassessment be effective for January 1, 2016 pursuant to Code of Virginia 58.1-3254.

Therefore, I am requesting the Board take a vote indicating that you are instructing the Commissioner of Revenue to undertake a general reassessment, effective January 1, 2016.

Motion was made by Mr. Duer, seconded by Mr. Hogg, that the Commissioner of the Revenue be instructed to undertake a general reassessment, effective January 1, 2016. All members were present and voted "yes." The motion was unanimously passed.

As a status report, the review of all parcels will be completed by February 20, 2016; data entry of all parcel valuation will be completed by March 5, 2016 and property owner notices will be sent to printer and proofed by March 15, 2016 with all owner notifications being mailed as of March 31, 2016.

E. Enterprise Zone – Request to Add to the Map:
The County is allowed to amend the Enterprise Zone Map annually with the caveat that there must be more than one parcel being considered for inclusion. It has been over 16 months since it was last amended. Properties for inclusion in the Enterprise Zone should be zoned commercial or industrial or have zoning that supports commercial or industrial uses. My office queried all the towns to see if they had any parcels that would benefit from being in the Enterprise Zone and Exmore responded to indicate that they had no additional parcels for inclusion in the Enterprise Zone. Cape Charles responded with a request to include three parcels (83A3-2-2-88; 83A3-2-2-87; and 83A3-2-2-84). Two of these parcels are already in the Enterprise Zone. I have continually asked the Town Manager to submit an amended request only addressing the remaining parcel (83A3-2-2-84) but have not received it to date. See attached correspondence and map.

In addition, my office has received a request from a private citizen, Katherine Campbell, requesting that her parcel (31-A-76) be included in the Enterprise Zone. I have attached three maps for Ms. Campbell's property showing the Enterprise Zone Map, the 2015 current zoning and the proposed reversion to the 2009 ordinance. As you will see, the 2 zoning maps show the parcel in a Hamlet Designation. She is looking to convert the former Birdsnest School into a bed & breakfast or inn concept.

Therefore, I am seeking direction from the Board if you wish to advertise a public hearing to amend the Enterprise Zoning map for the two requested parcels.

Motion was made by Mr. Hogg, seconded by Mr. Bennett, that a public hearing be scheduled for the purpose of considering the inclusion of the two parcels into the County's Enterprise Zone as referenced above. All members were present and voted "yes." The motion was unanimously passed.

F. Status Report on Willis Wharf Dredging Project:
Public Works Director Mike Thornes has been working with our engineer, GMB, and the Army Corps of Engineers (ACOE), in finalizing our permit and completing the bid specifications. In our initial application to the ACOE, we presumed that the County would utilize the ACOE Spoil Site which was used the last time the County dredged Willis Wharf; however, further investigation revealed that there was an alternative choice. We were faced with the evaluation of two spoil sites: the one owned by the ACOE and the one owned by the County. The ACOE Spoil Site is farther away from the harbor and would require the county to pre-clear an access road through a wooded area at the end of Hog Island Lane. The County Spoil Site is located just across Route 603 from the Harbor. While this site requires extensive earth work to make it usable, its proximity to the harbor will cost less for dredging and will allow us to maintain it as a future dredging spoil site.

The project cost is $135,000 - $160,000 for dredge cost estimate; $13,010 for engineering; and $40,000 for estimated cost to prepare the spoil site. This brings the estimated project cost to $188,010 - $203,010.

We already have one grant from the Port Authority for this project which has a remaining balance of $98,705 and we have submitted another grant request for $100,000 to cover the balance of this project. We are requesting an amendment to our ACOE permit to allow use of the County spoil site and will be issuing the Invitation for Bid shortly in order to lock down a contractor for our allowable timeframe for work (September 1 – October 31, 2016).

* * * * * *

Tabled Item:

(11) Special Use Permit 2015-16: Eastern Shore Rural Health System, Inc. has applied to obtain a special use permit for a Medical Facility. The proposed facility will be located on an approximately 14 acre parcel to be subdivided from property described as Tax Map 68, double circle A, parcel 52, and parcel 51. Parcels 68-A-52 and 51 are zoned AG. *This item was tabled at the January 12, 2016 meeting pending receipt of additional information from the Planning Commission.*

As the requested additional information has not been received as yet from the Planning Commission, this matter will remain on the table.

Action Items:

(12) Consider adoption of the Northampton County Board Member Manual

Supervisor Bennett indicated that he had several problems with various sections within the Manual and would not be voting for same. Motion was made by Mr. Duer, seconded by Mr. LeMond, that the Board Member Manual be adopted as presented. All members were present and voted "yes", with the exception of Mr. Bennett who voted "no". The motion was passed. Said Manual as adopted is on file in the office of the County Administrator.

(13) Consider tipping fee waivers for two tire piles as follows:
(A) The Nature Conservancy – approx.. 60 tires ± $120.00
(B) The Virginia Eastern Shore Land Trust – 103 tires = $206.00

Motion was made by Mr. Hogg, seconded by Mr. Duer, that the Board waive the landfill disposal fees for these two illegal tire dumping events. All members were present and voted "yes", with the exception of Mr. Bennett who voted "no." The motion was passed. Staff was asked to do an analysis on the idea of eliminating the tipping fee altogether for tire disposal.

(14) EMS Garage Discussion

Supervisor Murray reported that he and Supervisor Hogg had met with Beauchamp Construction on site at the EMS office and the proposal from Beauchamp had been e-mailed earlier today to the Board. It was the consensus of the Board to move this discussion to the February work session.

(15) Consider action on County Administration Roof Bid

Motion was made by Mr. Hogg, seconded by Mr. Duer, that the one slate bid which had been received be rejected and that staff be directed to issue bids for a conventional asphalt shingle roof for the County Administration Building with the condition that the shingle manufacturer provide an inspection of the job at its completion. All members were present and voted "yes." The motion was unanimously passed.

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Duer, seconded by Mr. Bennett, that Mr. Ernest Washington be appointed to the Eastern Shore of Virginia Regional Housing Authority, succeeding Mr. William Hughes who has resigned, for a term of office expiring June 30, 2020. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Duer, seconded by Mr. LeMond, that Mr. J. T. Holland be appointed to the Regional Navigable Waterways Committee. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Hogg, seconded by Mr. Duer, that Mr. David Boyd and Mr. Carl Nordstrom be appointed to the Parks & Recreation Advisory Board. All members were present and voted "yes." The motion was unanimously passed. Mr. Boyd will serve as the District One Representative for the remainder of the term formerly held by Mr. Robert Stubbs and ending December 31, 2017. Mr. Nordstrom will serve as the At-Large Representative with a term of office expiring December 31, 2019.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Mr. Stanley Plowden be reappointed to the Eastern Shore RC&D Council for a new term of office commencing January 1, 2016. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that in accordance with the Fire & Rescue Commission Bylaws, that the Board ratify the Commission's membership as provided. All members were present and voted "yes." The motion was unanimously passed.

Citizens' Information Period #2 (in which the public can again address the Board for an additional two minutes concerning what happened at tonight's meeting)

Mrs. Kay Downing indicated that in response to comments heard earlier by Mr. Everette Watson, that Mr. Watson had decided not to apply for AFD membership in the past.

Mr. Dave Kabler referenced earlier statements about the County's loss of population and noted that his office had a record-breaking year last year and that real estate sales are increasing by at least 10% annually.

Mr. John Carlos said that he had retired to the County in 2014 due to the clean environment and supported repeal of the 2015 zoning ordinance.

Mr. Bill Prosise said that with the hospital relocation to Accomack County, there may be

more taxes and suggested that the tax bills be broken down to show a separate classification for taxes to specifically cover the increased EMS funding requirements. He also urged the Board to pay attention to comments earlier in the evening by Mr. Pat Coady.

Recess

Motion was made by Mr. Duer, seconded by Mr. Bennett, that the meeting be recessed until 5:00 p.m., Monday, February 22, 2016, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, for the regular work session. All members were present and voted "yes." The motion was unanimously passed.

The meeting was recessed.

_____CHAIRMAN

_____ COUNTY ADMINISTRATOR