

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the auditorium of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, on the 8th day of February, 2011, at 4:00 p.m.

Present:

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

The meeting was called to order by the Chairman.

Closed Session

Motion was made by Mr. Trala, seconded by Mr. Murray, 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.

Report from County Administrator on prospective business

(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.

Report from County Attorney re: Board compensation

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 , 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.

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.

Board and Agency Presentations:

(1) Dr. Rick Bowmaster, Division Superintendent, Northampton County Public Schools, provided the Board with a written report as follows:

“The School Board has submitted several appropriation requests for tonight’s agenda. These include adjustments to CTE Funding for the revised award amount, a new appropriation for National Board Certified Teacher Bonus to be passed along to the one qualifying teacher, a new appropriation for Race to GED funding awarded to Eastern Shore Community College (with NCPS as fiscal agent), and a final request for appropriation of CIP funding to be used for HVAC software upgrades at Occohannock Elementary School (\$43,000) and Northampton High School (\$16,000). We continue to experience outages and other problems caused in part by limited functionality of the outdated software. In addition, any adjustments to software programming must be done at each individual site, which is time consuming and has led to additional “down time”. The upgraded software will have centralized monitoring and is necessary to ensure reliability and maximize efficiency. Mr. Truckner, our Operations Director, is currently preparing a RFP which will request pricing for upgrading the software at each facility individually as well as in total, with the hope that performing all projects at once will allow for cost savings. Prior to this request, the unappropriated balance of the CIP fund is \$288,293. This request would reduce that balance to \$229,293.

“The December ADM stands at 1673 and continues to decrease. For a comparison, the September ADM was at 1697. For informational purposes, we are using the enrollment figure of 1630 to build our 2012 fiscal budget. We will be closely monitoring our ADM over the coming

months in order to evaluate whether a budget reduction will be necessary for the current year.

“The School Board held two important public informational and input meetings on February 2 at the High School. The first hearing focused on moving the 7th grade to the High School next fall. This move would allow the students to have more electives and higher levels of math for academically motivated students. In addition, the visit by the Advance-ed Commission last October recommended allowing the 6th and 7th graders to have more of a middle school curriculum. The High School is able to house the students in the same area with the current 8th graders and to provide more of a middle level experience with curriculum offerings. Moving the 7th grade to the High School allows for the district to ensure space for the universal pre-school programs.

“The second informational meeting focused on the new superintendent search. The public had the opportunity to provide input and complete an on-line survey. I encourage you to log onto the district’s website at www.ncpsk12.com and complete the survey. The survey is located on the left side of the homepage. At the February 14th meeting, the School Board will continue to have public comments on moving the 7th graders to the High School and on the superintendent search.

“Enclosed in your packet are some updated CIP documents. We removed maintenance items and provide dollar figures where previously the costs were to be determined. We did eliminate the elementary wing additions from the plan since we continue to face a declining enrollment and it was agreed the life of the mobile units would extend beyond ten years.”

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(2) Dr. Linda Thomas-Glover, President of Eastern Shore Community College, delivered a powerpoint presentation entitled, “Community Report”, which described the College’s mission statement, strategic initiatives, financial aid distribution and workforce development services.

(3) Mr. John C. Culp, Executive Director, Lower Shore Chapter – American Red Cross, presented background information on that group as well as expectations from the local chapter. He donated a Red Cross flag and asked the Board to display it during March, which is designed “Red Cross Month”.

Consent Agenda:

Following addition of comments from Mr. Tankard made during the January 11, 2011 School Superintendent’s Report, motion was made by Mr. Murray, seconded by Mr. Long, that the Consent Agenda be approved as amended. All members were present and voted “yes.” The

motion was unanimously passed. Said Consent Agenda is set out below:

(4) Minutes of the meetings of January 11 and 24, 2011.

(5) Consider approval of A-95 Review entitled, “1-10 passenger van with wheelchair lifts”;
Applicant: Eastern Shore Community Services Board

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County Officials’ Reports:

(6) Ms. Glenda Miller, Director of Finance, distributed the following Budget Amendment and Appropriation which stated in part:

“I have attached a request from the School Board for the appropriation of \$59,000 from the School Operating Fund’s balance (which was reserved for capital expenses at the end of FY 09). Of this amount, \$43,000 is requested for the upgrade of HVAC software at Occohannock Elementary and \$16,000 would upgrade the HVAC software at the high school.

“Also attached is a second request for the appropriation of a \$2,000 donation from Walmart for school supplies for the Saturday School Program, a school improvement initiative.

“A third request from the School Board is the appropriation of a pass-through grant for the Eastern Shore Community College for the RACE to GED program. This grant is in the amount of \$68,361 and will be administered by the college; however, the school will serve as fiscal agent.

“The final request is for the additional appropriation of \$91 in order to adjust the original budget for the CTE Program to match the actual award (from \$4,472 to \$4,563).”

<u>Account Number</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
910-0045-49000	Appropriated Fund Balance (HVAC)	59,000.00	
910-9600-57280	Transfer – School Capital Project Fund	59,000.00	
395-0044-48100	Transfer from School Operating Fund	59,000.00	
395-9700-59912	HVAC System Software Upgrade –Occ.	43,000.00	
395-9700-59913	HVAC System Software Upgrade – NHS	16,000.00	
910-0018-42025	Gifts & Donations	2,000.00	

910-6000-56555	School Instruction Expenses	2,000.00
910-0025-43683	RACE to GED pass-thru grant ESCC	68,361.00
910-6000-56555	School Instruction Expenses	68,361.00
910-0025-43350	Vocational Ed – Categorical	91.00
910-6000-56555	School Instruction Expenses	91.00
910-0025-43657	National Board Certification Incentive	2,500.00
910-6000-56555	School Instruction Expenses	2,500.00

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Motion was made by Mr. Murray, seconded by Mr. Bennett, that the Board approve the budget amendments and appropriations as set out above. All members were present and voted “yes.” The motion was unanimously passed.

Ms. Glenda Miller, Director of Finance, distributed another Budget Amendment and Appropriation which stated in part:

“All three supplemental appropriation requests are funded by grants with the award letters attached. The first is a grant from the Virginia Dept. of Emergency Services in the amount of \$28,400.00 for an update to the County’s Emergency Operations Plan. The second is a grant from the Virginia Department of Agriculture for \$12,500 for the County’s Purchase of Development Rights Program. The last appropriation is for the grant received from the Virginia Department of Mines, Minerals and Energy for the installation of geothermal wells as part of the County Administration Building renovation project.”

<u>Account Number</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
100-0026-44280	VA Dept. of Emerg. Mgmt.	28,400.00	
100-3505-50920	Other Contracted Services	28,400.00	
229-0026-44283	Dept. of Agriculture Grant	12,500.00	
229-8102-56860	Purchase of Development Rights	12,500.00	
303-0026-44287	VA Dept. of Mines, Minerals & Energy	150,000.00	
303-1201-57850	Construction/Improvements	150,000.00	

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Motion was made by Mr. Murray, seconded by Mr. Tankard, that the Board approve the budget amendments and appropriations as set out above. All members were present and voted “yes.” The motion was unanimously passed.

(7) Ms. Sandra Benson, Director of Planning, presented that departmental update which included activity reports for the following projects: Board of Zoning Appeals, Staff Activities, Town Edge Planning, Northampton County Planning Commission and Grant Activities. Also provided was the Planning Commission’s 2010 Annual Report. Ms. Benson indicated that the Planning Commission would like the Board to consider scheduling a joint meeting during the month of March.

The Board recessed at 6:15 p.m. for a dinner break.

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

The invocation was offered by Rev. Elizabeth Freund, Hospital Chaplain.

The Pledge of Allegiance was given.

(8) Ms. Katie Nunez, County Administrator, presented the following work session agenda schedule for the Board’s information:

- (i) 2/28/11: Work session – Redistricting
- (ii) 3/28/11: Work session – Budget - Revenues
- (iii) 4/25/11: Work session – Budget - Expenditures

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

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: February 3, 2011
RE: Bi-Monthly Update

I. PROJECTS:

A. Regional wastewater/water projects- Subcommittee Report:

Over the past few weeks, the Town Councils for Cheriton and Nassawadox have placed consideration of a resolution on their meeting agendas to

determine if they would be supportive of mandatory connection ordinance if the monthly user rate did not exceed \$42/month and that the initial connections would be at no cost to the resident. The Town of Cheriton voted in support of a revised resolution that included a monthly user rate not to exceed \$35/month (see pages 7-8 of the January 5, 2011 PMT Minutes attached). The Town of Nassawadox has informed the Project Management Team that they did not vote in favor of the resolution based upon the decision of the hospital to relocate, the cost of the project at this time of a down economy and their unease in compelling anyone to connect to a wastewater system.

I have spoken with Department of Housing & Community Development (DHCD) and provided them an update of the actions of the two towns and to verify that we are still in compliance with our planning grant requirements, especially in light of the vote from the Town of Nassawadox. DHCD staff have assured that we have done due diligence to comply with the grant and develop a regional project for both ends of the County. They have asked if we intend to submit a grant application this spring for a Community Development Block Grant (CDBG) for a wastewater construction project. I have indicated that the Public Service Authority is taking up the issue of pursuit of funding at their February 15, 2011 meeting and that I would be back in touch with DHCD following that meeting.

The Project Management Team (PMT) met on February 2, 2011 and received the updates from the Towns of Cheriton and Nassawadox regarding their votes on the resolution. We discussed the Northern Node and Exmore officials re-affirmed their commitment and need to expand their existing sewer system for the whole town and their willingness to also provide service for the medical community in Nassawadox. Nassawadox representatives indicated that the Town Council supported the commitment expressed from Exmore to provide service to the medical community. The PMT instructed the consultants to prepare a draft PER for the Northern Node that include a service area of the Town of Exmore and the medical community with the connection line running down Bayside Road; said plan may contain a phasing schedule for the Town of Exmore based upon projected costs of the project. The draft PER will be provided to the group in 3 weeks and will be the focus of discussion at the next meeting on March 2, 2011. The PER for the Southern Node will be updated to remove the Fairview community as well as to examine a phasing plan for Cheriton and to update the cost projections. Lastly, correspondence was received from a property owner in Fairview that is supportive of the project (enclosed).

The Public Service Authority met on January 18, 2011. The members completed and submitted the annual disclosure filings and resolved the legal standing of the authority. They continue to work on their bylaws which are scheduled for adoption at their March meeting. They have engaged a

discussion with representatives from the hospital to determine their needs (now and future needs) and to lay the ground work for a cost share arrangement in terms of a capital contribution. The hospital has agreed to commission a waste characterization study so that we have a better understanding of the waste mix generated by the various medical facilities. The next meeting of the PSA is February 15, 2011 and they will be taking up the issue if they will be the recipient of the DEQ Loan award and enter into those negotiations for that agreement as well as to determine if they will be the entity to pursue funding opportunities for the wastewater projects. Please note that several of the funding opportunities will require either the Town or the County to be the applicant but it would need to be at the request of the PSA.

Lastly, I received e-mail notification that the County and the Town of Cheriton were not awarded the \$250,000 grant from the Department of Environmental Quality that we jointly applied for in late fall 2010.

B. Construction Projects – Status Reports:

1.) County Administration Renovations:

The Geothermal Well Installation Contract completed installation of all wells by January 14, 2011. We are now reviewing all documentation for compliance with our grant conditions, including the Davis-Bacon Wage provisions. The Virginia Department of Mines, Minerals and Energy will be on site on February 18, 2011 for their audit and site inspection to ensure compliance with the grant contract.

Armada Hoffler began mobilization work on January 17, 2011 for the renovation work on the buildings. It is anticipated that temporary power will be established to the premises by the end of January for work to commence in full.

DJG, Inc. has supplied the revised Landscaping Plan for the courthouse green (see attached). Plan Sheet SK-1C outlines the revised walkway – we have eliminated the duplication circular walkway that mimicked the original circular walkway and focused on a more linear walkway to the old clerk’s office building and 1914 jail. Please note that there is no walkway to the old 1731 courthouse building from the walkway system. Plan Sheets SK-1A and SK-1B provide the drainage plan for the courthouse and old jail areas. ***I am requesting Board approval of the revised plans so that we may secure pricing for this scope of work.***

Motion was made by Mr. Murray, seconded by Mr. Tankard, that the Board approve the revised landscape plans as submitted. All members were present and voted “yes.” The motion was unanimously passed.

2.) Court Services/Probation Services Construction:

Armada Hoffler is scheduled to start next week. We have been delayed on the start date for construction as we respond to the Health Department with the engineering plans as to how this building will be connecting into the wastewater treatment plant.

3.) EMS Office Space: Staff is working with assistance from DJG, Inc. on a

cost proposal that would relocate EMS to a space within the former Northampton Middle School as well as to provide some small improvements to the front of this building for improved public use. This will be provided to the Board in the next few weeks for consideration and re-allocation of a portion of our existing capital budget.

C. Fiscal Year 2012 Budget:

Finance Director Glenda Miller and I have commenced the budget process. All departments and outside agencies were required to submit budget requests by January 31, 2011. We are projecting a budget calendar based upon a May budget adoption by the Board, as follows:

February 9 – 28: Budget meetings with all departments by County Administrator & Finance Director

March 21, 2011: BOS Work Session presentation of revenue projections

April 1, 2011: School Board Budget Request deadline for submission

April 12, 2011: BOS Regular Session presentation of expenditure requests

April 12 – April 25, 2011: Additional meetings as required to finalize budget for public hearing.

April 30, 2011: Budget Public Hearing Notice is advertised in local paper.

May 10, 2011: Budget Public Hearing at BOS Meeting

May 23, 2011: Projected Date for BOS Adoption of FY12 Budget.

D. School Board Update:

At our monthly meeting with School Administration, Finance Director Glenda Miller and I discussed several items regarding the upcoming Fiscal Year 2012 budget. The School Board has reviewed the ADM numbers to date and is projecting an ADM # of 1630, for purposes of state aid and required local contribution calculations. We discussed what is defined as the “base” contribution figure and will include this when we begin our budget discussions.

The School Board has provided a detailed explanation for the Fiscal Year 2010 surplus funds which totaled \$531,573. The FY2010 Revenues resulted in a \$48,740 increase over projections with a mix of some areas that did not meet the revenue targets and other areas exceeding those targets. A significant portion of the surplus funds were generated through the expenditure categories and more specifically from legislative changes that were imposed in spring 2010 by the General Assembly. As a result of the 4th

quarter “holiday” from VRS contributions, this provided for \$222,841 unexpended in the benefit line items. Additionally, \$150,587 was generated from unused health insurance premiums, unused salary funding and other employee benefit expenses that were unused. The remaining funds of \$109,404 came from unexpended operating line items.

The Shared Services Committee has been meeting since fall 2010 to discuss approximately 11 categories/service areas for consideration of sharing services. The committee has received detailed operations costs, including staffing levels and costs, and information about the scope of responsibility each respective department is charged with. Following the data gathering phase, 4 areas were agreed upon to conduct a more in-depth meeting between the department heads and school & county administration to examine the mechanics of implementation and to report back to the full committee on those discussions. These 4 in-depth meetings have occurred and we are working on scheduling the final meeting of the Shared Services Committee for them to finalize their report and recommendations to the respective boards (School and Supervisors). While we were hoping to release that report by February 1, 2011, we should have that report issued by the end of the month.

One area that was discussed through the Shared Services Committee that we have already moved ahead on to implement is to share use of the fueling station at Willow Oak Road for all county departments. The School Board has provided me with a draft agreement that I am reviewing and we should be finalizing this arrangement within the month.

The School Board has submitted several supplemental appropriations requests and they are contained in the Finance Director’s report during the 5:00 p.m. session of this meeting. While the majority of the requests are resulting from awarded grants or increased revenues, one request is an appropriation from the existing Capital Improvement Fund in the amount of \$59,000 to upgrade the HVAC software for high school & OES. This item was discussed with the Finance Director and me at our monthly meeting with School Administration and we are recommending approval of this request.

School Superintendent Dr. Bowmaster has provided some additional information regarding the School’s Capital Improvement Plan (CIP) which is contained under his item during the 5:00 p.m. session. At our work session, there was discussion about a dedication of funding approach for the School CIP. ***I am requesting the Board to confirm a date to continue the discussions with the School about the CIP as well as to continue discussions about a funding approach.***

E. Redistricting:

I have convened a staff meeting to review the state and federal requirements that govern redistricting and discussed a timeline that we hope to achieve that

will allow us to retain the scheduled November election for the Board of Supervisors' positions. I have included the minutes from our staff meeting as well as a publication from the Virginia Municipal League that provides an overview and requirements of the process. ***I am requesting the Board to provide any further guidelines or criteria you would like considered in the staff development of the proposed redistricting plans, such as ensuring that we retain existing polling places as much as possible.***

At this time, Mr. Tankard distributed the following proposed general guidelines for the Board's consideration:

Guidelines for Redistricting:

- ✓ Do not split villages.
- ✓ Do not split necks.
- ✓ Try to place one incorporated town in each district.
- ✓ Incumbents Murray and Tankard don't care if placed in same district thereby competing with each other.
- ✓ Acknowledge that County tends to have 3 "communities of interest", that divide the County geographically into 3 horizontal bands.
- ✓ Try to prevent voters having to drive by one precinct to get to their voting precinct.

Mr. Trala indicated that during the last redistricting, there had been no choice but to split some of the villages in order to achieve the required population ratios.

Mr. Randall questioned whether it was required by the Department of Justice to have three minority-majority districts. The County Administrator replied that an equal distribution of population in the districts was required as well as not greater than a $\pm 5\%$ deviation in the average population in each district.

Mr. Murray said that he would personally pledge to exert no political influence over the County staff in the development of proposed redistricting plan(s) and hoped that the rest of the Board would do so as well. He said that the credibility of this Board and the entire electoral process was at stake and that the best way to handle this matter was to let the objective, impartial staff develop the plan(s) for the Board's consideration.

Mr. Long said that he hoped the Board would remember that this year is an election year and with all of the other tasks delegated to the County

staff, would hope that the population numbers, etc. allow for districts very similar to what is in place now so that a massive re-working of the existing districts is not necessary.

Mr. Bennett urged caution in the development of the district lines, being concerned that villages or necks may still need to be split in order to achieve the population breakdown as required.

The County Administrator confirmed that additional guidelines can be adopted by the Board but urged the members to keep in mind the extremely tight timeframe in place.

Motion was made by Mr. Tankard, seconded by Mr. Murray, that the foregoing “guidelines for redistricting” be adopted as set forth. All members were present and voted “yes.” The motion was unanimously passed.

We have been informed that locality data will be available to us by Friday, February 4, 2011.

F. Update on Tax Exempt Properties:

At your January Board meeting, you had requested further information on the list of Tax Exempt Properties. I have reviewed the list and provide the following information:

1. Class 76 – Religious: Established under the Constitution of Virginia, any qualified religious institution receives this exemption. There are 126 parcels located on 104.566 acres valued at \$27,736,200 that have been classified as religious.
2. Class 71 – Federal Government: Established under the Constitution of Virginia, all property owned by the federal government receives this exemption. There are 31 parcels valued at \$32,218,700 that are owned by the federal government.
3. Class 72 – State Government: Established under the Constitution of Virginia, all property owned by the state government receives this exemption. There are 209 parcels valued at \$43,040,500 that are owned by the state government.
4. Class 74 – Local Government: Established under the Constitution of Virginia, all property owned by the local government receives this exemption. There are 112 parcels valued at \$104,217,300 that are owned by the local government.
5. Class 78 – Educational: Excluding the Board’s recent action regarding the Christian School in Exmore, there are 4 parcels valued at \$7,134,500 that are classified as educational.
6. Class 79 – Non Governmental:

Public Utilities: A&N Electric Coop, Bell Atlantic, Canonie Atlantic Company.

Cemeteries: Allen, James C Jr; Alworth, RL Heirs; Brickhouse, Robert L; Bynum, Barbara H.; Cape Charles Cemetery Board; Fitchett Family Cemeteries; Hampton, Anna Parker; Parsons Cemetery; Richardson Family Cemetery; Saunders & Baker Cemetery; Turner, Cecile Mears; Whitehead Cemetery;

Public Parks: The Nature Conservancy

Public Library: Eastern Shore Public Library; Northampton Memorial Library

58.1-3612: American Legion Post, No. 56; Arlington Foundation

Incorporated; Brickhouse, Willie T.; Broadwater Lodge #71 AF & AM;

58.1 – 3607 Association for the Preservation of Virginia Antiquities

58.1 – 3610: Cape Charles Volunteer Fire Co. No. 1; Eastville Volunteer Fire Company, Inc.

58.1 – 3606.1: Chesapeake Bay Bridge Tunnel District; Commonwealth of Virginia; Exmore, Town of; Northampton County School Board;

58.1 – 3617: Full Gospel, Church of;

58.1 - 3606.7: Pride of Virginia Lodge No. 18; Willow Grove Temple Corp.

58.1 – 3606.5: Young Men’s Christian Association

Prior to 1971: Northampton Accomack Memorial Hospital

By State Designation per Local Request: Cape Charles Historical Society; Community Fire Company, Inc.; Eastern Shore Barrier Islands Center; Eastern Shore of Virginia Habitat for Humanity; Northampton County Rescue Squad, Inc.; Willis Wharf Village Trust Inc.;

By Local Designation: Arts Enter Cape Charles, Inc.; Eastern Shore Rural Health System, Inc.; Randy Custis Memorial Fund;

Common Areas – Subdivisions: Bay Creek at Cape Charles Community Association; Bay Ridge Property Owners Association, Inc.; Burton, James Heirs; Central Mortgage Company; Chateaux at Lake Allure Property Owners; Cowan, David N. & Jane Ellis; CPD at 245 Mason LLC; CPD II, Inc.; Dickinson, Frank Parsons & Sharon V; Downing, Bolton Barron Jr.; Dunes at Ridge Property Owners Association; Hideaway Property Owners; Kings Creek Landing Property Owners; Latimer’s Bluff Owners; Manuel Development Corporation; Mattawoman Estates Lot Owners; Meadows Unofficial Home Owners Association; Mockhorn Bay Landing Property Owners; Peaceful Acres, Peaceful Pines, Peaceful Beach Estates Property Owners; Peaceful Lakes Property Owners Association; Pleasant Meadows Property Owners; Rolling Meadows POA Inc.; Solitude Trail Property Owners Association; Vaucluse Shores Association Inc.; Vision Remodeling LLC; Walden Property Owners Association; Wilsonia Landing Owners’ Association;

G. PDR Ordinance Amendment:

The Purchase of Development Rights (PDR) Committee is requesting the Board to consider an amendment to the PDR Ordinance. Enclosed is their request. ***Board authorization is requested to move this item to a public hearing.***

H. Board of Supervisors Goals & Objectives for 2011:

Due to my absence from the January Board meeting, I am requesting clarification as to how the Board would like to proceed with establishing the Goals & Objectives for 2011 (in the format we are utilizing or through the development of a 5-Yr Strategic Plan).

It was the consensus of the Board to schedule a retreat to develop a Five-Year Strategic Plan but to continue with the one-year Goals & Objectives until that time.

II. MEETINGS

III. GRANT OPPORTUNITIES

IV. OTHER

I have received a request from a graduate student at William & Mary requesting to conduct an archeological study at Indiantown Park. I have reviewed his proposal and will be authorizing him to proceed with his proposal. The County will receive a copy of this thesis and full results of his work by the fall 2011.

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Citizen Information Period:

Mr. G. F. Hogg, Jr., brought several concerns to the Board's attention including the Food Lion intersection near Cape Charles; VDOT's plans to upgrade traffic signals and affects on rate structures if new wastewater standards are implemented.

Dr. John Ogram, psychologist, addressed the Board and indicated that there were no mental health in-patient facilities currently on the Shore; the local unit was closed prior to Riverside's merger due to lack of staff. He asked that the Board and county residents work with Riverside to be mental health advocates.

Mr. Dave Kabler, a member of the Parks & Recreation Advisory Board, updated the Board on recent activities in that department.

Mr. Charles Williams, owner of the Fairview Mobile Home Park, stated that there were numerous residents in Fairview who supported the wastewater project and provided a petition of same.

(9) Mr. Tom Murray, economist with Virginia Institute of Marine Science, provided a hand-out to the Board detailing economic activity associated with clam and oyster aquaculture on the Eastern Shore for 2009. Mr. Doug McMinn, owner of Chesapeake Bay Oyster Company of Middlesex County, said that he has been an oyster-grower for ten years and told the Board that it has a “treasurer in its back yard” when it comes to aquaculture.

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Public Hearings:

Chairman Randall called to order the following public hearing:

(10) Receive public comment on a request by citizens of Wards Road to have a portion of that road’s name changed to: CalJac Lane.

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

Ms. Nunez provided background on the request from citizens of Wards Road, who indicated that at this time, the road has two entrances. It is not accessible to emergency vehicles.

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

Motion was made by Mr. Murray, seconded by Mr. Trala, that a portion of Wards Road be renamed CalJac Lane in accordance with the citizens’ request. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Randall called to order the following public hearing:

(11) Receive public comment on “AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS”.

**AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION
FOR CERTAIN NON-PROFIT ORGANIZATIONS**

WHEREAS, effective January 1, 2003, Section 58.1-3651 of the 1950 Code of Virginia as amended, provides the governing body of the County of Northampton with the authority to exempt from local taxation real or personal property owned by a nonprofit organization that uses such property for religious, charitable, patriotic, historical, benevolent, cultural, or public park and playground purposes; and

WHEREAS, such exemption shall be effected by ordinance following public hearing and consideration by the governing body of certain information provided by the requesting entity; and

WHEREAS, since January 1, 2003, the Northampton County Board of Supervisors has granted local tax exemption to the following organizations without a formal ordinance being crafted:

(A) Eastern Shore Rural Health System, Inc. (May 14, 2007)
Tax Map 0084G-01-00-000D4
Tax Map 0021C-01-00-005
Tax Map 021A1-0A-00-113
Personal Property

(B) World Healing Institute (May 12, 2009)
Personal Property

(C) Eastern Shore Area Agency on Aging/Community Action Agency (October 12, 2010)
Tax Map15-0A-125
Personal Property

NOW, THEREFORE, BE IT ORDAINED by the Northampton County Board of Supervisors this ____ day of _____, that the foregoing organizations be designated as exempt from county taxation pursuant to Code of Virginia Section 58.1-3651 on real and/or personal property as set out above, *nunc pro tunc*, with the effective date of exemption being as follows:

(A) Eastern Shore Rural Health System, Inc.: January 1, 2008
(B) World Healing Institute: January 1, 2010
(C) Eastern Shore Area Agency on Aging/Community Action Agency: January 1, 2011

Adopted this ____ day of _____, 2011

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

Ms. Nunez provided background information on this ordinance, noting that the last three tax exemptions granted by the Board were not done in the form of “ordinances”, but rather had been done simply by resolution. The Code of Virginia requires this procedure to be accomplished via ordinance.

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

Motion was made by Mr. Murray, seconded by Mr. Bennett, that AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS be adopted as presented. All members were present and voted “yes.” The motion was unanimously passed.

The Chairman called to order the following public hearing:

(12) **Special Use Permit 2010-9:** S. Fisher Land Development Company has applied for a use permit to convert the second floor of a detached accessory building into an accessory living unit on property located on Beach Lane. The property, containing 77+ acres of land, is described as being Tax Map 12, double circle A, parcel 4 and is zoned A/RB Agriculture/Rural Business.

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

Ms. Benson indicated that the Planning Commission was recommending approval.

Mr. David Mitchell, on behalf of the applicant, requested the Board favorable consideration noting that the construction will not affect the view from the outside of the structure.

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

Motion was made by Mr. Tankard, seconded by Mr. Murray, that Special Use Permit 2010-9 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Randall called to order the next public hearing:

(13) **Zoning Text Amendment 2011-02:** The Northampton County Planning Commission proposes to amend the Northampton County Code, **§154.003 DEFINITIONS**, to include a new definition for “Met Tower or Meteorological Tower”; to add a new section to be known as **§ 154.115 METEOROLOGICAL TOWER REGULATIONS AND PERFORMANCE STANDARDS**; and to amend Appendix A – Use Regulations, Category 3, Commercial Uses, to allow Met Towers by major special use permit in the A/RB Agriculture/Rural Business District.

The Chairman asked if there were any desiring to speak.

Ms. Benson indicated that the Planning Commission was recommending approval of the petition with certain modifications as suggested by them following their February 1st public hearing. The County Attorney has indicated that there does not need to be another public hearing as a result of the modifications.

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

Motion was made by Mr. Murray, seconded by Mr. Long, that Zoning Text Amendment 2011-02 be approved as amended by the Planning Commission. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Randall called to order the final public hearing, as follows:

(14) **Zoning Text Amendment 2011-03:** The Northampton County Planning Commission proposes to amend the Northampton County Code, **§154.003 DEFINITIONS**, by adding a new definition for “Temporary Family Health Care Structure” and by amending **§154.063 TEMPORARY BUILDINGS** to add subsection (C) setting forth provisions for *Temporary Family Health Care Structures*.

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

Ms. Benson noted 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, seconded by Mr. Long, that Zoning Text Amendment 2011-03 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Action Items

- (15) Consider adoption of a Resolution of Intent to abandon a portion of State Route 621.

Following background comments as to his request, Mr. Murray indicated that he would be abstaining from this matter as the petitioner.

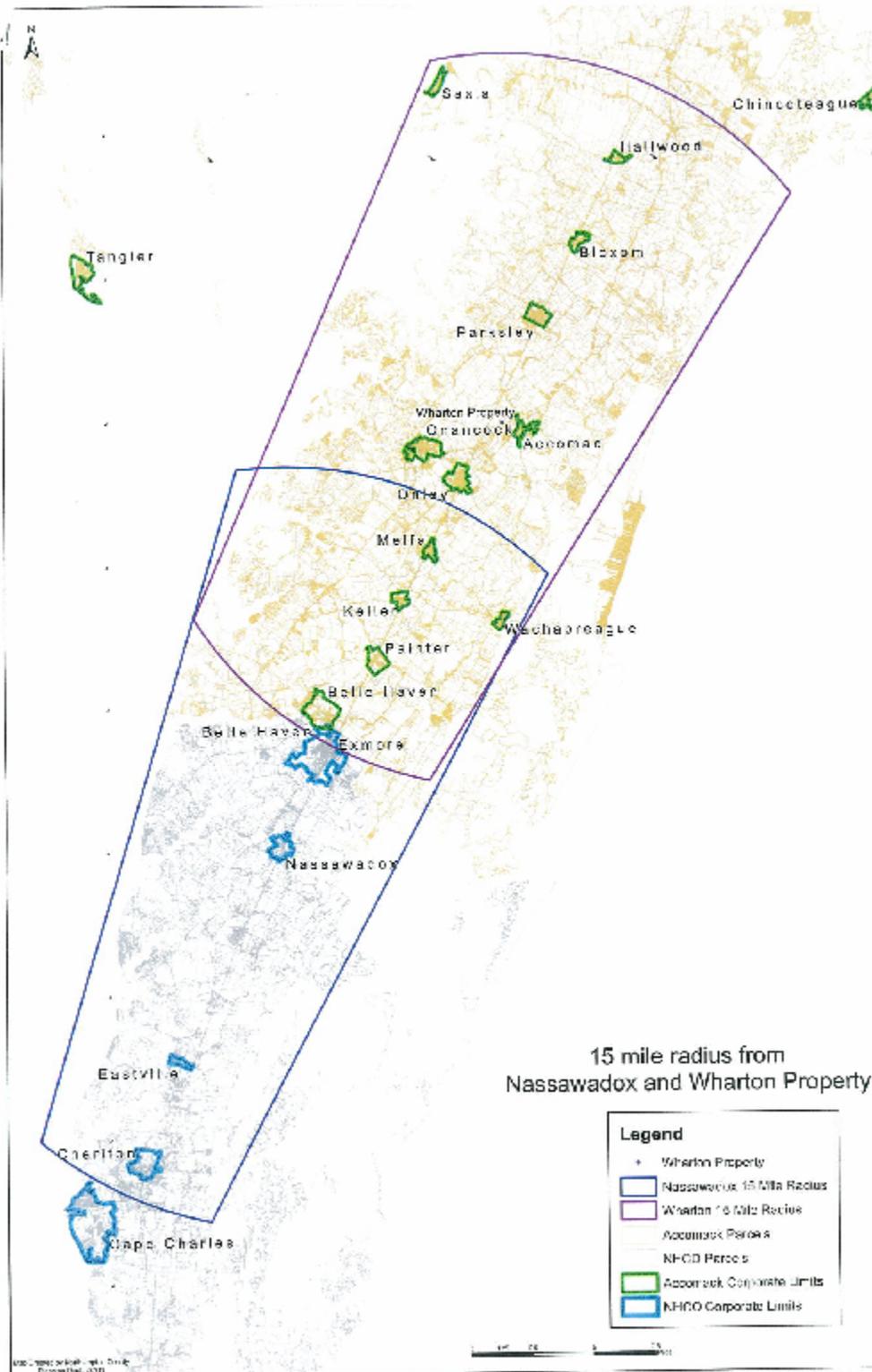
Motion was made by Mr. Long, seconded by Mr. Bennett, that the Board issue its notice of intent to abandon 1,170 feet at the terminus of State Route 621, Goshen Road. All members were present and voted “yes” with the exception of Mr. Murray who abstained. The motion was passed.

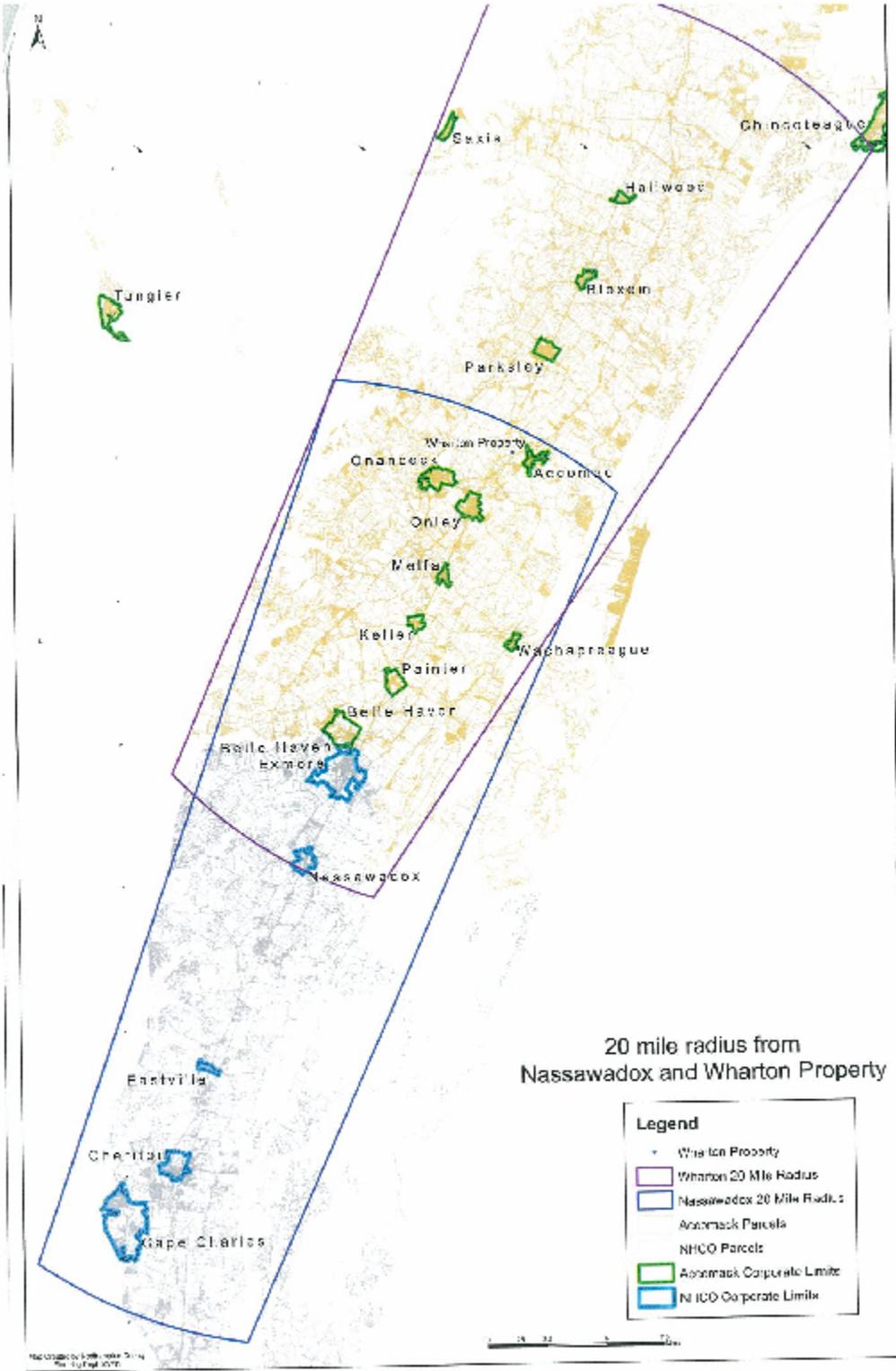
Matters Presented by the Board Including Committee Reports & Appointments

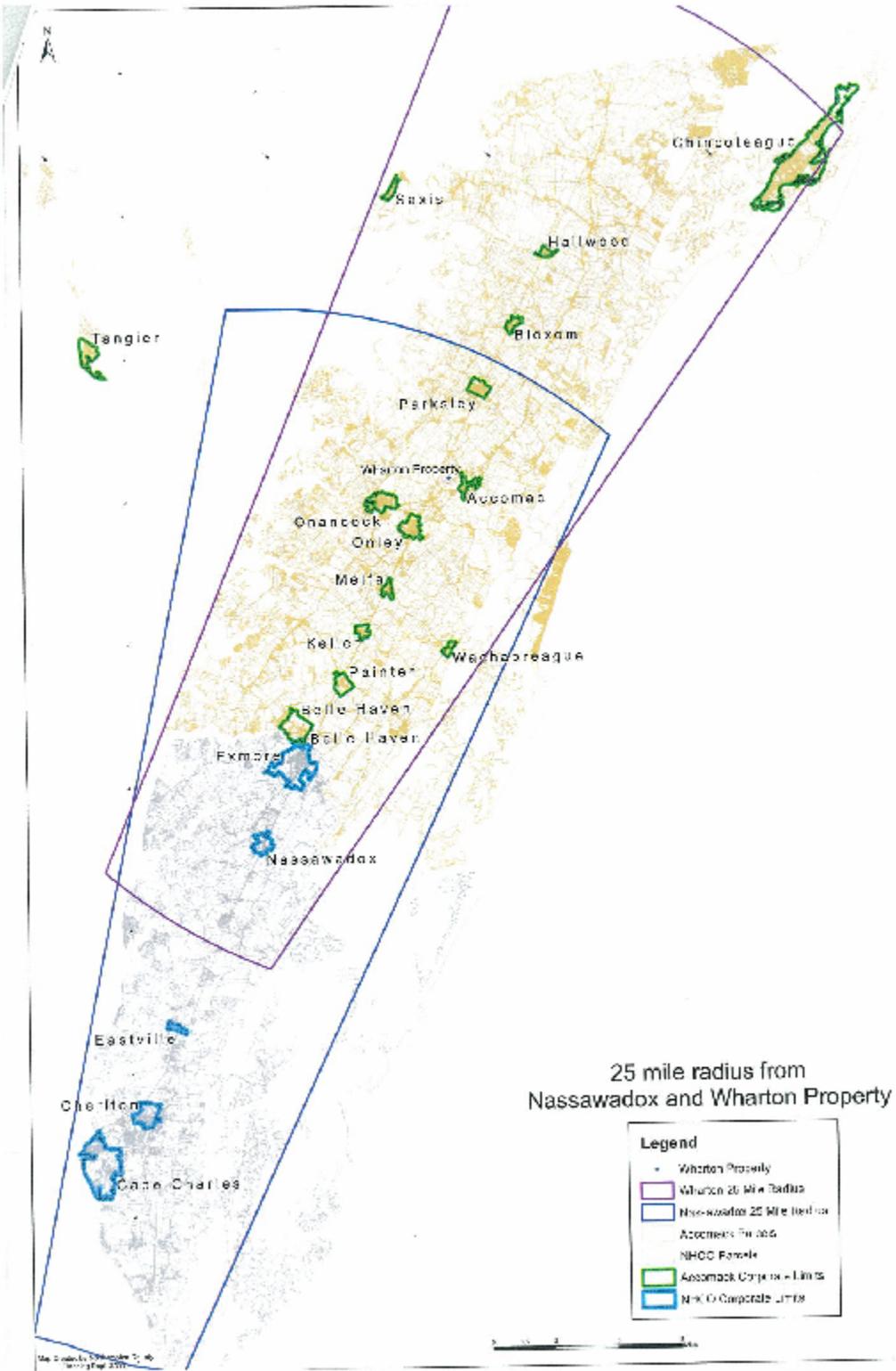
- (16) H. Spencer Murray and Richard B. Tankard – Update from Hospital Task Force

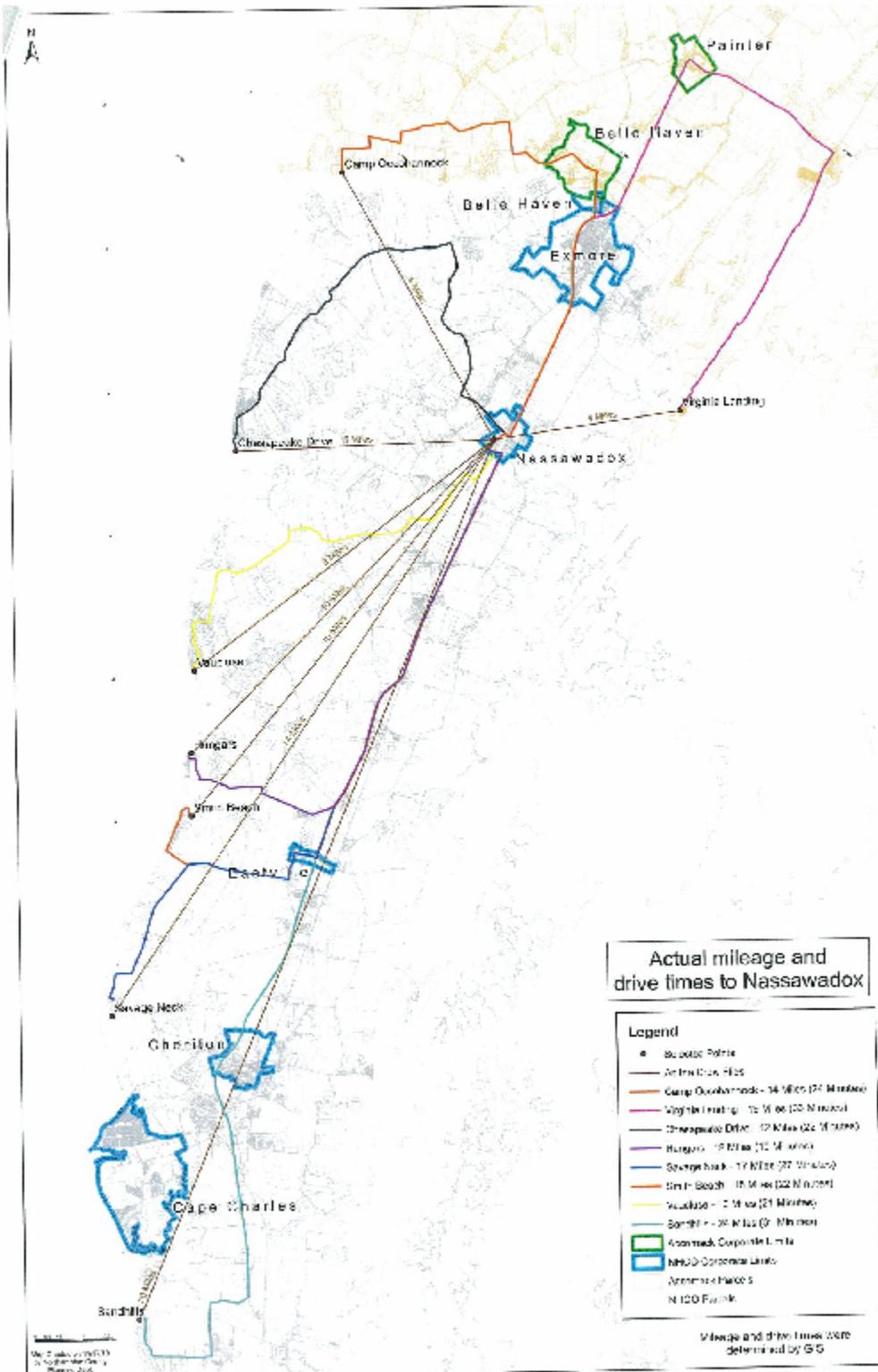
Mr. Murray noted that he has received e-mail correspondence from the Chief Operating Officer of Riverside, indicating that they will be looking into the possibility of establishing a community access hospital in Nassawadox. Mr. Murray noted that the task force plans to continue dialogue with Riverside in light of the recent public announcement that a prospective site for the new hospital would be located at the Whispering Pines intersection, west of the town of Accomac.

Mr. Tankard distributed maps showing 15, 20 and 25-mile radius from Nassawadox to the proposed new site and noted that these will be shared with Riverside and urged the Board to send correspondence to Riverside, listing our concerns and “making a pitch” for a critical access facility in Northampton County. Said maps are set out below:









Mr. Long commented that a small group of citizens around Cape Charles have been meeting for the last four months and are currently “brainstorming” the possibility of having a community access hospital in or near Cape Charles due to the medical needs of the lower County; the longer driving times from the lower County as well as to promote economic development in the area. He noted that the next meeting of this group is February 17th and that Ms. Nunez, Mr. Murray and Ms. Hollye Carpenter, EMS Director, have been invited to attend.

Mr. Murray agreed with Mr. Tankard’s suggestion (writing to Riverside) and also suggested that the current Hospital Task Force be expanded to include the Cape Charles group. Mr. Long indicated that he would carry this invitation to them.

Mr. Long also suggested that along with the aforementioned maps, that vital health information, such as ideal treatment times for strokes, etc., be provided to Riverside. He said that a hospital is a required component for business development in the County.

(17) Richard B. Tankard –

(A) Attendance Records Policy. Mr. Tankard asked that the Board Attendance Record for 2010 be made a part of the record of this meeting. The Board concurred. Said Attendance Record is set out below:

**2010 Attendance Record
BOARD APPOINTEES**

Oliver H. Bennett

Eastern Shore Area Agency on Aging/Community Action Agency	Attended 5 of 6
Ad-Hoc Economic Development Advisory Committee	Attended 3 of 5
Accomack-Northampton Transportation District Commission	Attended 11 of 12

Samuel J. Long, Jr.

Northampton County Fire & Rescue Commission	Attended 0 of 9
Eastern Shore Groundwater Committee	Attended 0 of 7
Purchase of Development Rights Committee	Attended 0 of 6
Eastern Shore Regional Jail Board	Attended 2 of 5
Wastewater Project Management Team	Attended 1 of 13
Public Service Authority Advisory Group	Attended 5 of 8

H. Spencer Murray

Accomack-Northampton Planning District Commission	Attended 8 of 10
Local Emergency Planning Committee	No meetings
Eastern Shore Community Services Board	Attended 13 of 13
Social Services Board	Attended 9 of 10

Willie C. Randall

Accomack-Northampton Planning District Commission	Attended 7 of 10
Ad-Hoc Economic Development Advisory Committee	Attended 4 of 5
Accomack-Northampton Transportation District Commission	Attended 11 of 12
Eastern Shore Regional Jail Board	Attended 4 of 5
Riverside Shore Memorial Hospital Board	Courtesy attendance
Wastewater Project Management Team	Attended 0 of 13
Public Service Authority Advisory Group	Attended 6 of 8
Shared Services Committee (w/ School)	Attended 2 of 4

Richard B. Tankard

Agricultural-Forestal District Advisory Committee	Attended 0 of 1
Accomack-Northampton Planning District Commission	Attended 9 of 10
Shared Services Committee (w/ School)	Attended 4 of 4

Laurence J. Trala

Eastern Shore Housing Alliance	Attended 6 of 6
Disability Services Board	no meetings
Eastern Shore 911 Commission	Attended 10 of 10
Eastern Shore Groundwater Committee	Attended 4 of 7
Accomack-Northampton Transportation District Commission	Attended 11 of 12
Eastern Shore Regional Jail Board	Attended 5 of 5

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Additionally, Mr. Tankard requested that the Board consider an addition to its Policy Manual that would require that attendance records for all the appointed boards, committees and commissions be made available for the first official meeting of the Board each year. These attendance records would reflect each member's attendance record in the previous year. That way, before new appointments are made, the Board could make decisions with the benefit of that knowledge. The Board concurred, agreeing to add this item to the March Action Agenda.

Mr. Tankard then read the following comments:

"I would like to make additional comments concerning Board of Supervisor attendance, as well as their duties and responsibilities. Looking ahead, I know that we may have new candidates for

the position of Supervisor. If there are potential candidates here tonight, I want to make sure they know about all aspects of the job of Supervisor.

“I am sure the Board will back me up when I say that, being a Supervisor is a great deal more than just showing up once a month for a meeting. As the 2010 roster of attendances shows, Board members may serve on many of the 13 standing Boards, Commissions and Committees. This total does not include the additional ad hoc and working committees that crop up during the course of a year. Most of those are shown on the roster.

“Gone are the days of showing up once a month. In addition to our regular monthly meeting, monthly work sessions were instituted in 2004. I don’t know how the Board could function effectively without them. The workload is almost constant-- I know that I personally devote 15-20 hours per week on the business of the County. If I committed less than that, I think I would not be fit to serve.

“What I don’t want is for any successful candidate to be surprised by the particular workload and expectations of a Supervisor. I encourage any candidate to get in touch with our County Administrator and at least a couple of Supervisors in order to gain a greater understanding of the duties and responsibilities of the office.

“And finally, I have a warning to potential candidates. If you are attracted to the position of Supervisor because you think it can be an avenue for personal or family enrichment, then you are misled. If you think that the Board should function as a platform for peddling influence, then you are not welcome here on this platform. If you think that being a Supervisor means being a broker for patronage and favors, then you are ethically deficient. Such behavior will be judged harshly by the righteous indignation of the voter.”

Richard Tankard, Supervisor—Dist. #6

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(B) Central Sewer

Mr. Tankard placed before the Board the issue of “what to do next with central sewer”.

He asked the Board to consider the next step if indeed both Cheriton and Nassawadox voted not to require residential hook-ups, believing that it is important for the Board to establish the next strategy. He recommended that the Board return to its top priority – the hospital/medical complex – and should ask the PSA to research the availability of grant funding for the renovation or replacement of the 1973 system presently employed by the hospital. He commented that it seemed logical to assume that if Cape Charles can receive funding for the replacement of its

antiquated sewer plant for the purpose of Chesapeake Bay cleanup, then the same justifications can be made for the hospital's wastewater treatment plant, which is the worst overboard-to-the-Bay-discharger in the County. It was the consensus of the Board that the Public Service Authority be requested to seek sources of funding to remediate the wastewater treatment facility at Nassawadox.

(18) Samuel J. Long, Jr. – Request to Form ad-hoc committee

Mr. Long said that the farming community believes that the existing setbacks are not practical for the County for the poultry industry. He suggested formation of an ad-hoc committee that would take up the task of getting the facts – the actual facts from unbiased sources. He said that the setbacks can be refined to create “harmony” between the agriculture and aquaculture communities.

Mr. Tankard said that he has served on the Farm Bureau Board for the last 19 years and has not heard any complaints from farmers about the difficulty of establishing poultry houses and suggested the use of the existing County Agriculture and Aquaculture Committees rather than forming another body. He said that 15 acres can support 3 poultry houses.

Mr. Long asked to move this item to the Action Agenda in March and agreed with Mr. Tankard's idea for referring this matter to the two existing groups. He also suggested the inclusion of scientists to provide “hard data”. At Mr. Murray's suggestion, Mr. Long also agreed with the suggestion to add a financial person to the group to provide revenue projections. The Board concurred.

Other

Motion was made by Mr. Murray, seconded by Mr. Tankard, that the Board establish the Social Services employees as a distinct benefit group for the purposes of health insurance for the

time period of January 23, 2011 through May 28, 2011, and to establish an employer contribution rate of \$237.10 per pay period for this benefit group. All members were present and voted “yes”. The motion was unanimously passed.

Motion was made by Mr. Randall, seconded by Mr. Trala, that staff be directed to review all of the boards, committees, and commissions to see if they can be streamlined. All members were present and voted “yes.” The motion was unanimously passed.

Recess:

Motion was made by Mr. Long, seconded by Mr. Bennett, that the meeting be recessed until February 28, 2011, commencing at 5:00 p.m. in Conference Room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, to conduct a work session. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR