

VIRGINIA:

At a recessed 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 23rd day of February, 2015, at 5:00 p.m.

Present:

Oliver H. Bennett, Vice Chairman

Larry LeMond

Laurence J. Trala

Granville F. Hogg, Jr.

Absent:

Richard L. Hubbard, Chairman

The meeting was called to order by the Vice Chairman.

Conduct Joint Meeting with Northampton County School Board

The Northampton County School Board was present and in session.

The School Board's FY 2016 Proposed Budget and Capital Funding Request were discussed through the following powerpoint presentation:.



Northampton County Public Schools

Departmental Update

Strategic Plan Follow-Up from February 10 Meeting

February 23, 2015

Follow-Up from February 10

- Universal Pre-Kindergarten
- Sharing services to share responsibilities and minimize costs.

NCPS Pre-K Program Overview

- NCPS participates in the Virginia Preschool Initiative (VPI) in order to establish a quality preschool education program for at risk children who are four years of age on or before September 30 of the school year.
- NCPS also offers PreK services to **all** students in Northampton County regardless of risk criteria- (Note: We are the only county in the region to offer Universal PreK)
- There are 6 PreK classrooms county wide: 3 at KES and 3 at OES. There are a maximum of **18** children per class for an overall total of **108 students** who can be served through this program.
- 5 classes or 90 students are funded by the Virginia PreK Initiative (VPI) and 1 class is funded locally.

NCPS Pre-K Enrollment Information

	OES Universal	OES VPI	KES Universal	KES VPI	Total Enrollment
2012-2013 Enrollment	11	41	8	54	95 (20% U 80 % VPI)
2013-2014 Enrollment	4	45	7	48	93 (12% U 88% VPI)
2014-2015 Enrollment	7	44	8	50	94 (16% U 84% VPI)

Importance of PreK Experiences for all Children

- In a recent study by researchers at University of Virginia, approximately 1/3 of Virginia's students were not ready for Kindergarten in at least one learning category regardless of demographic background (e.g. literacy & math).

<http://hamptonroads.com/2015/01/study-13-va-students-arent-ready-kindergarten>

- Data collected from last school year indicated that **22%** of all NCPS PreK students were found to be at risk for school failure in the Fall of 2013 in one or more areas. However, by Spring 2014 only **2%** were found to be at risk for school failure (i.e. not ready for Kindergarten) when they entered Kindergarten for the 14-15 SY.

Shared Services

- Committee meetings held on:
 - November 3, 2010
 - November 10, 2010
 - December 17, 2010
 - January 13, 2011
- Purpose of these meetings was for fact finding related to several identified areas of potential shared services

Shared Services, cont...

- Areas Discussed - Not Advantageous
 - Custodial/Facilities/Grounds Maintenance
 - Due to structure of duties among existing staff & scheduling needs – staffing reductions would not be feasible to compensate for the costs of obtaining a contractor
 - Procurement/Purchasing
 - NCPS uses State Contract or other cooperative purchasing agreements to reduce costs
 - Purchase items in bulk when used in all facilities (janitorial, paper, etc.)
 - Information Technology
 - Scope of services is too different for sharing to be effective (NCPS primary focus is on instructional technology)
 - Human Resources
 - Health Insurance – considered, but not to the benefit of NCPS Employees (this has been re-confirmed in the past 2 renewals based on claims history of the two groups)
 - Payroll/Finance/Accounts Payable (software)
 - School-specific accounting requirements were not met by capabilities in New World System (payroll & Annual School Report)

Shared Services, cont...

- Areas of Shared Services:
 - Procurement/Purchasing
 - Joint lease-purchase Requests for Financing Proposals to get more favorable rate on a larger borrowing.
 - Dental Insurance
 - County & Schools have the same policy
 - Vehicle Maintenance
 - NCPS staff – oil & tire changes for Sheriff's Department vehicles
 - Fuel Acquisition
 - Implemented agreement in August 2012
 - County staff can get fuel in County vehicles at NCPS Bus Garage complex
 - NCPS maintains tracking system & invoices County quarterly
 - Payroll/Finance/Accounts Payable (software)
 - NCPS Staff (Brook) uses New World for appropriations, Journal Entries & reports
 - Working on a project to integrate RDA & New World through data imports to streamline the process

Shared Services, cont...

- Areas where NCPS and County staff collaborate to save time and/or money:
 - Sharing Equipment
 - NCPS Box Truck – used by County
 - NCPS Bobcat (Forklift) – used by County
 - Social Services – offers NCPS first refusal on trade-in vehicles
 - Offer to use Trustees for snow removal & other grounds projects, as appropriate
 - NCPS assistance during emergencies
 - Such as during the tornado in July
 - Provided Buses
 - Staff volunteered to work at the canteen site at Cherrystone & the shelter site at NHS

Questions?



Northampton County Public Schools

Public Informational Hearing

Proposed 2015-2016 Operating Budget
and Capital Funding Request

February 23, 2015

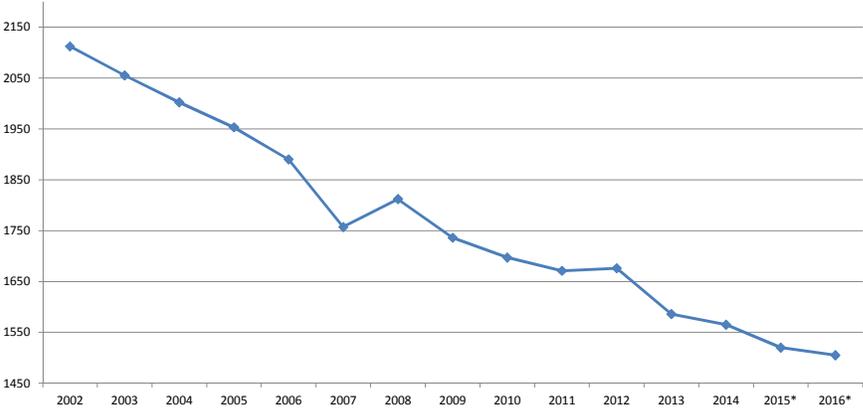
Our Mission and Vision



- Northampton County Public Schools, in partnership with the entire community, will create a safe and nurturing environment for all students, regardless of gender, ethnicity, socio-economic status, language or disability. NCPS will encourage and empower all students to meet high academic standards, demonstrate responsible citizenship, and graduate with the knowledge, skills and abilities necessary to compete in a global economy.

Our Average Daily Membership

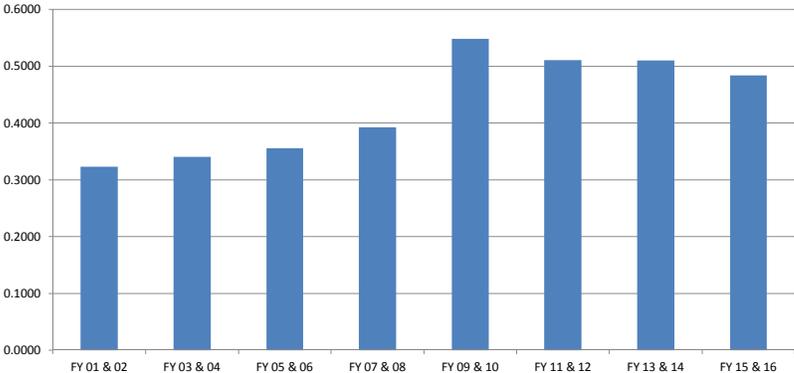
•The budget was developed using an estimated ADM of 1505.



*Projected/Budgeted

Our Local Composite Index

- This is the most significant factor in determining NCPS’ share of State funding.
- For the 2015 & 2016 biennium, the LCI decreased by 2.65% from the previous biennium, representing a shift of funding responsibility from the Locality back to the State.



Our Fiscal 2016 Budget

- State Funds (43.7%) \$ 8,675,860.00
- Local Contribution (43.3%) \$ 8,576,883.00
- Other Funds (.8%) \$ 159,840.00
- Food Service (4.6%) \$ 909,916.00
- Federal Grants (7.6%) \$ 1,513,655.00

- TOTAL OPERATING BUDGET \$ 19,818,154.00

(excludes Lease Issuance and Capital spending)

Request for Additional County Funding

Contributions for Operations & Bus Replacement

<u>2008-09 Actual</u>	<u>2014-15 Current</u>	<u>2015-16 Request</u>
\$8,470,611	\$8,016,766	\$8,576,883

The 2015-16 request represents an increase of:

- \$560,117 over the current 2014-15 contribution
- \$106,272 over the County funding received in Fiscal Year 2009

Impact of Inflation

Inflation is the increase in the price level of goods and services over a period of time. When the price level rises, each dollar buys fewer goods and services.

Adjusted for inflation, the \$8,470,611 County contribution in 2008-09 would be equivalent to \$9,313,844 today*.

This reflects a reduction in spending power of \$843,233.

*Based on the average consumer price index increase between December 2008 and December 2014.
Source: United States Department of Labor Bureau of Labor Statistics

Included in this budget...

Total Decrease in State Revenue per Calculation Template	\$	(117,069)
Increase in Regional Tuition Payments expected for EBICS	\$	11,811
Increase in fees (Use of Facility, Driver's Education, Technology)	\$	17,892
Sale of School Buses - to be offset against cost of bus	\$	(4,500)
Virginia eBackpack Initiative Funding - VPSA (year 2)	\$	3,600
Loss of one-time funding for the 1 step pay increase in FY2015	\$	(177,522)
Net Increase in Revenues	\$	(265,789)

Included in this budget, cont...

Total cost of 1 steps for Contract/Work Agreement Employees	\$	212,906
Total additional cost of Telecommunications due to e-Rate % decline	\$	43,064
Total cost of Educational Interpretation services	\$	27,000
Total additional cost of eBackpack initiative (year 2)	\$	3,600
Total cost Regional Tuition Payments for SECEP/EBICS	\$	32,677
Total Salary & Benefit Increases (attrition & other)	\$	1,241
Total increases for substitutes	\$	10,000
Total increases for homebound/home-based services	\$	6,600
Total increases in Technology Contractual Services	\$	19,524
Total of additional transportation costs for Field Trips/Extracurricular	\$	28,500
Total cost of anticipated Workers Compensation rate increase	\$	17,766
Total cost of Technology Upgrades (offset by eRate)	\$	11,072
Total of Expenditure Increases	\$	413,950

Included in this budget, cont...

Total Adjustments to Retiree Benefits	\$	(12,000)
Total Savings VRS Rate decrease	\$	(28,935)
Total Savings from Unemployment Rate Decrease	\$	(1,800)
Savings from eliminating 2 teaching stipends	\$	(9,579)
Savings from eliminating contractual services, supplies & travel	\$	(11,337)
Savings from negotiation of a new Reprographics lease	\$	(24,839)
Savings from reissuance of Promethean lease	\$	(2,320)
Savings from releasing payroll savings related to turnover	\$	(39,349)
Savings from releasing one-time project funding (NATEF, PBIS)	\$	(6,900)
Total of Expenditure Decreases	\$	(137,059)
Additional Request of County Contributions for Operations	\$	542,679
Additional Request of County Contributions for Bus Replacement	\$	17,438
Total Additional Funding Requested from County	\$	560,117

Not included in this budget...

A. Current Instructional Program

1. Expand staffing at the TECH Center to include more teacher-based learning rather than virtual instruction. This request is to restore staffing that was cut in a previous budget.	\$	108,502
2. Add a 4th Grade Science Teacher to be split between KES and OES to teach science as a core class in all elementary grades.	\$	54,241
3. Add a 6th Grade Science Teacher so that KES and OES each have a full-time teacher	\$	54,241
4. Add a Math Teacher at NHS to reduce class size and increase math course offerings.	\$	54,251
5. Add a K-3 Gifted teacher so that KES and OES each have a full-time teacher at these lower grade levels	\$	54,251
6. Add a Division Social Worker/SpEd Coordinator position to assist with meeting eligibility requirements	\$	66,864
7. Provide funding Teacher Cadet Program training , a Vocational program for students who plan to pursue a career in education	\$	1,000
8. Convert Technology Paraprofessional positions at KES and OES to full-time teaching positions	\$	15,353
9. Provide additional General Material & Supply funding to each school	\$	4,207
10. Provide additional Media Material & Supply funding to each school	\$	4,438
11. Provide additional Material & Supply funding for the Music/Choral program at each school to purchase and repair instruments	\$	9,000
	\$	<u>426,347</u>

B. Non-Instructional Program Changes

1. Implement an Administrator Training Program to assist current NCPS employees in becoming candidates for future Administrator positions.	\$	<u>15,000</u>
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Not included in this budget, cont...

C. Repair, Maintenance, and Replacement Program

1. Implement a Painting Cycle in the Elementary Schools. None of the classrooms in either Elementary school have been painted since the building was constructed in 1993.	\$	24,000
2. Perform painting at NHS in the areas of most severe need.	\$	5,000
3. Increase budgets in the following line items which are currently underfunded:		
Building Services Contractual Services	\$	8,865
Building Services Materials & Supplies	\$	7,980
Building Services Janitorial	\$	7,000
Transportation Materials & Supplies	\$	5,760
4. Add an additional Maintenance Worker to assist with routine maintenance of equipment & facilities	\$	47,711
5. Add an additional Custodian at NHS	\$	31,700
	\$	<u>138,016</u>

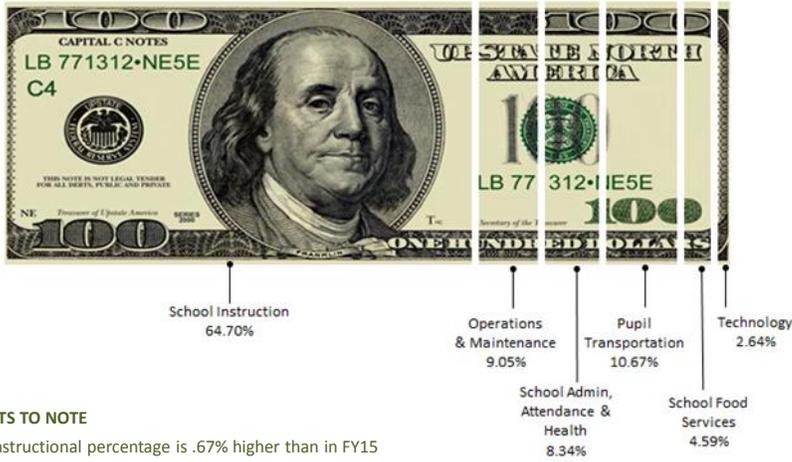
D. Personnel Support

1. Increase the School Board's contribution to the cost of employee health insurance	\$	<u>97,000</u>
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TOTAL OF ALL REQUESTS NOT INCLUDED IN THE 2015-2016 PROPOSED BUDGET

\$ 676,363

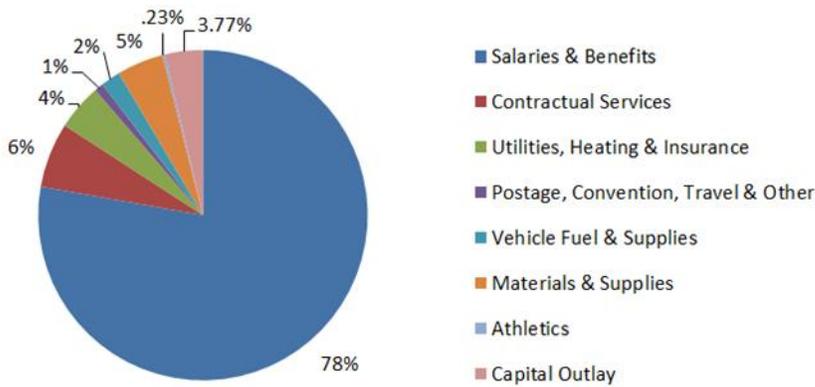
District-Wide Operating Budget by Category



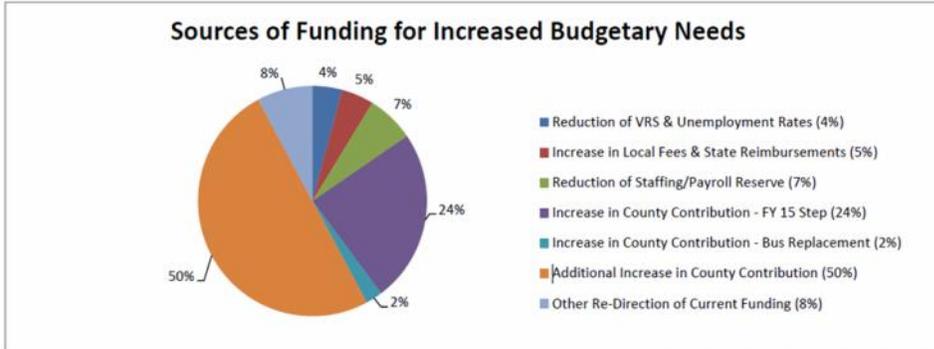
POINTS TO NOTE

- Instructional percentage is .67% higher than in FY15
- Admin, Attendance & Health percentage is .81% lower than in FY15

Graphic Display by Object



Sources of Funding for Increased Budgetary Needs



Bus Lease Funding Adjustment

DETAIL OF BUS FLEET SIZE	
35	- Regular School Bus Routes (32 Regular, 3 Handicapped-accessible)
6	- Allowance for Extracurricular, Athletics, and Field Trips that conflict with the regular school day
3	- Garage Spares (2 Regular, 1 Handicapped-accessible) in the event of breakdowns/extended repairs
3	- Spares (one at each school) for substitute drivers
47	- Buses to include in the replacement cycle

RECONCILIATION OF COUNTY BUS LEASE FUNDING REDUCTION	
Actual Cost of Leases, FY 15	\$ 313,373.42
Less Lease 4 - Final Payment is in FY 15	\$ (46,891.13)
Plus Anticipated New FY 16 Lease Payment	\$ 68,074.46
Bus Lease Funding Needed for FY 16	\$ 334,556.75
Recurring Bus Lease Funding Provided in FY 15	\$ 317,118.88
Increase to Bus Lease Funding per Budget Request	\$ 17,437.87

Fund Balance Update

Sick Leave Payout Fund Balance		
Historically, NCPs employees were paid for accumulated sick leave upon retirement. At the end of 2009, the School Board voted to discontinue this benefit, but 'grandfathered' the benefit for employees who had been with NCPs for at least 10 years and had not less than 90 days of sick leave. Payouts to this group are now capped at 110 days, to be paid at the employees' rate of pay on June 30, 2009.		
	Contributions (Payouts)	Running Balance
Fund Balance Reserved from FY09 Carryforward Funds		\$203,000
Transfer from FY11 Surplus (CIP Fund)	\$127,633	\$330,633
FY 2012 Usage for Leave Payouts	\$0	\$330,633 Note 1
FY 2013 Contributions	\$0	\$330,633 Note 2
Potential Future Payouts - FY2015 & FY2016	-\$390,554	-\$59,921 Note 3
Future Contributions Required to meet FY2016 liability	\$59,921	\$0
Future Contributions Required to meet entire remaining liability	\$237,714	\$237,715
Potential Future Payouts - FY2017 through FY2029	-\$237,714	\$0
<p>Note 1: Sufficient payroll line item balances remained within the FY12 budget to fund all sick leave payouts for FY12 retirees. After these payments, no additional payroll line item balances remained, so this fund balance did not change in FY 2012.</p> <p>Note 2: This balance, without any additional contributions, is sufficient to fund the projected payouts to fully-eligible retirees (those with 30 years of educational service) through Fiscal Year 2015. See related Note 3 below.</p> <p>Note 3: Please note that the potential sick leave liability including FY16 eligible employees exceeds the fund balance reserved for payment of the liability by \$59,921. To allow for funding to meet this liability, the School Board is requesting that the budget resolution for FY16 include language to allow any unspent appropriations in the School Operating Fund for FY15 to be recorded as reserved fund balance within that fund for the purpose of funding the projected sick leave liability for FY16 and for any remaining funds once that obligation is met to be transferred into the School Capital Fund (Fund 395) to be utilized for funding projects in the School's adopted Capital Improvement Plan.</p>		



Fiscal Year 2016 Capital Funding Request

Capital Fund Balance Update

Capital Improvement Fund			
The Capital Improvement Fund is used to track spending on capital projects, as outlined in the NCP5 Capital Improvement Plan. Contributions were received from the School Operating Fund (Reserved Fund Balance) in 2011, 2012 and 2013 and from the County's General Fund in 2012 (FY10 Carryforward funds)			
	Fiscal Year	Project Cost	Unappropriated Balance
FY 2011 Transfer In from School Operating Fund CIP Reserve		\$436,301	\$436,301
FY 2011 Appropriation for Capital Projects (9)	2011	-\$436,301	\$0
FY 2012 Transfer In from School Operating Fund CIP Reserve	2012	\$166,459	\$166,459
FY 2012 Transfer In from General Fund	2012	\$232,601	\$399,060
FY 2012 Appropriation for Capital Projects (7)	2012	-\$399,060	\$0
Transfer In - FY 2012 School Operating Fund Surplus	2012	\$119,869	\$119,869
FY 2013 Transfer In from School Operating Fund CIP Reserve	2013	\$333,730	\$453,599
FY 2013 Appropriation for Capital Projects (7)	2013	-\$184,252	\$269,347
Transfer In - FY 2013 School Operating Fund Surplus	2013	\$432,783	\$702,130
FY 14 Appropriation for Capital Projects (12)	2014	-\$245,856	\$456,274
Transfer in - FY 2014 County Capital Reserve Fund (for FY 15)	2014	\$98,879	\$555,153
Transfer In - FY 2014 School Operating Fund Surplus	2014	\$419,325	\$974,478
FY 15 Appropriation for Capital Projects (6)	2015	-\$572,924	\$401,553

Fiscal Year 2016 Capital Request

CIP FUND OES PARKING LOT ASPHALT OVERLAY	\$ 122,025.00
CIP FUND OES PLAYGROUND EQPT/MULCH	\$ 20,000.00
CIP FUND HIGH SCHOOL ROOF REPAIR	\$ 25,000.00
CIP FUND CENTRAL OFFICE REPAIRS	\$ 19,000.00
CIP FUND FORKLIFT LEASE	\$ 7,000.00
CIP FUND KES MEDIA CENTER FLOORING REPLACEMENT	\$ 13,228.00
CIP FUND INSTALL GRASS PRACTICE FIELD ON SELMA PROPERTY	\$ 10,000.00
CIP FUND OES GYMATORIUM FLOORING REPLACEMENT	\$ 20,300.00
CIP FUND NHS CHILLER REPLACEMENT	\$ 165,000.00
TOTAL CAPITAL PROJECT FUNDING REQUEST FOR FY 16	\$ 401,553.00

Postponed Capital Needs

SCHOOL ADMINISTRATION BUILDING

Roof Repairs - seal for energy efficiency and add drainage	\$	79,180.00
New Boiler - efficiency/life cycle	\$	25,000.00
Repairs/Upgrades - replace windows (loose and ineffective)	\$	34,000.00
	\$	<u>138,180.00</u>

OPERATIONS/BUS GARAGE

Replace undependable vehicles/expand fleet	\$	20,000.00
	\$	<u>20,000.00</u>

Postponed Capital Needs cont...

KIPTOPEKE

Schoolwide Surge Suppression & Electrical Improvements	\$	10,000.00
Replace flooring in the auditorium/gym	\$	20,300.00
Playground fence	\$	8,500.00
Overlay asphalt surface of parking lot	\$	165,000.00
Routine Replacement of playground equipment	\$	13,333.00
Transfer to Operating Fund for Classroom Painting	\$	24,000.00
	\$	<u>241,133.00</u>

OCCOHANNOCK

Schoolwide Surge Suppression & Electrical Improvements	\$	10,000.00
Replace carpet in media center	\$	13,228.00
Playground fence	\$	11,500.00
Transfer to Operating Fund for Classroom Painting	\$	24,000.00
	\$	<u>58,728.00</u>

Postponed Capital Needs cont...

NORTHAMPTON HIGH/MIDDLE SCHOOL

Level 1 (necessary regardless of decision about facility upgrades)

Stabilization of NE Cafeteria Wall Corner	unknown at this time
Resurface tennis courts	\$ 30,000.00
Install High Jump Pit	\$ 7,500.00
Repair stage floor	\$ 6,500.00
Painting - areas of most need only	\$ 5,000.00
	<u>\$ 49,000.00</u>

NORTHAMPTON HIGH/MIDDLE SCHOOL

Level 2 (pending decision about facility upgrade project)

Repair of NE Cafeteria Wall Corner	unknown at this time
Resurface gym floor (rubber)	\$ 100,000.00
Replace/repair outdoor bleachers/fieldhouse	\$ 895,000.00
Roof Replacement, Sections A-F and N	\$ 835,619.00
Replace worn CTE Bldg Exterior Panels	\$ 115,380.00
	<u>\$ 1,945,999.00</u>

TOTAL POSTPONED CAPITAL NEEDS	<u><u>\$ 2,453,040.00</u></u>
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NHS Facility – Two Scenarios

Scenario 1 <u>Construction to begin prior to FY 2019-20</u>	Scenario 2 <u>Construction NOT to begin prior to FY 2019-20</u>																						
<p>In this scenario, capital costs at NHS would be limited to only those projects necessary to ensure safety until a new facility is constructed. This could include:</p> <table> <tr> <td>Roof repair</td> <td>\$25,000 per year</td> </tr> <tr> <td>NE Cafeteria Wall Repairs</td> <td>Estimate Pending</td> </tr> <tr> <td>Auditorium Refurbishment</td> <td>\$0 (wait)</td> </tr> <tr> <td>Gymnasium Floor Replacement</td> <td>\$0 (wait)</td> </tr> <tr> <td>Replace Bleachers & Field House</td> <td>\$0 (wait)</td> </tr> </table>	Roof repair	\$25,000 per year	NE Cafeteria Wall Repairs	Estimate Pending	Auditorium Refurbishment	\$0 (wait)	Gymnasium Floor Replacement	\$0 (wait)	Replace Bleachers & Field House	\$0 (wait)	<p>In this scenario, due to the poor condition of the facility, additional capital costs at NHS would be required to ensure safety. This could include:</p> <table> <tr> <td>Roof replacement</td> <td>\$1,803,069</td> </tr> <tr> <td>NE Cafeteria Wall Repairs</td> <td>Estimate Pending</td> </tr> <tr> <td colspan="2"><small>(Wall repairs will likely be substantially more extensive if they are intended to last longer than 5 years)</small></td> </tr> <tr> <td>Auditorium Refurbishment</td> <td>\$503,439</td> </tr> <tr> <td>Gymnasium Floor Replacement</td> <td>\$100,000</td> </tr> <tr> <td>Replace Bleachers & Field House</td> <td>\$895,000</td> </tr> </table>	Roof replacement	\$1,803,069	NE Cafeteria Wall Repairs	Estimate Pending	<small>(Wall repairs will likely be substantially more extensive if they are intended to last longer than 5 years)</small>		Auditorium Refurbishment	\$503,439	Gymnasium Floor Replacement	\$100,000	Replace Bleachers & Field House	\$895,000
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In the End...

- It is about improving our students' academic success
"Inspiring learners for life through achievement and success"
- It is about enhancing the quality of our teachers, administrators, and staff
- It is about accomplishing the common goals of the School Board, the Board of Supervisors, the Superintendent, the Staff, and the Community

Blue Ribbon Schools



NHS – Northeast Corner



Thank you!

The budget document is posted under the budget link at www.ncpsk12.com



More information about the NHS facility can also be accessed from a link on the NCPS homepage: www.ncpsk12.com

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Superintendent Eddie Lawrence, Ms. Brook Thomas, Director of Finance, Mr. Chris Truckner, Director of Operations, and Ms. Karen Plowen, Director of Special Programs, answered questions from the Board. Mr. Lawrence noted that an ADM of 1505 was being planned. He referenced a decrease in state revenues but was seeking an additional \$560,000 in County contributions for FY 2016, which includes continuation of the pay raises provided in June 2014 as well as an additional 1.5% salary adjustment.

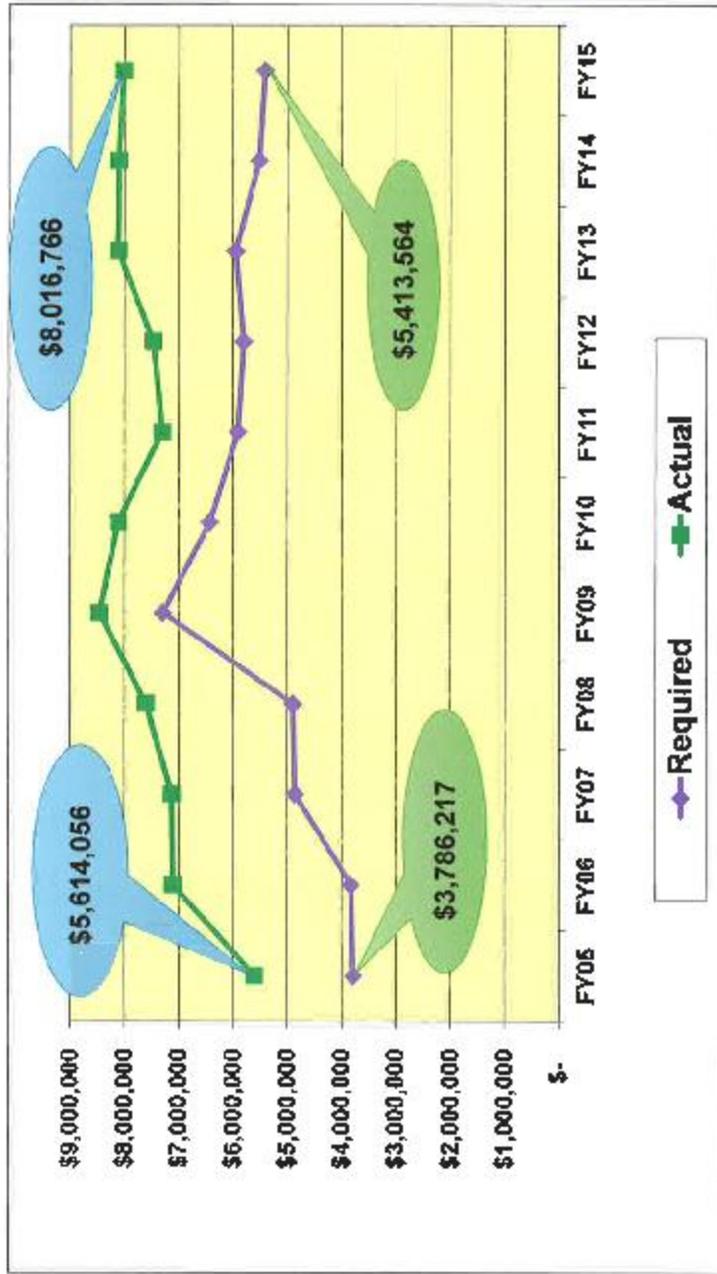
Relative to shared services, specifically financial, Supervisor Hogg urged Mrs. Lewis, the Director of Finance and Ms. Thomas to investigate whether the New World System financial software can now accommodate some of the accounting features that Ms. Thomas needs. Mr. Hogg also asked to receive from Ms. Thomas a five-year historical trend analysis for the school operating fund.

The following hand-out was provided, illustrating the status of the current capital projects as of February 20, 2015:

The Board also received the following graph from Finance Director Leslie Lewis which demonstrated local funding effort to the Schools:

SCHOOL OPERATIONS

Required Local Effort vs. Actual Local Effort



Conduct Joint Meeting with Northampton County Planning Commission

The Northampton County Planning Commission was present and in session. Its Annual Report for 2014 which includes future issues and goals for 2015 was distributed as follows:

MEMORANDUM

TO: Northampton County Board of Supervisors
FROM: Northampton County Planning Commission
SUBJECT: 2014 Annual Report DRAFT
DATE: February 3, 2015

This report is provided in accordance with VA Code §15.2-2221 to summarize the Planning Commission's activities during the past year and to advise the Board of Supervisors of matters which the Commission believes are future work priorities. The Commission requests that a joint work session be scheduled in order to discuss the upcoming work program.

2014 Activities

The Commission held eleven (11) regular monthly meetings plus sixteen (16) recessed meetings for a total of 27 meetings in 2014. During much of the first half of the year the Commission worked on reviewing the proposed zoning ordinance and developing recommendations to the Board. During this time, the Commission put their work on the Comprehensive Plan on hold and reconvened their review in June.

The Commission held a total of twenty-four (24) public hearings during 2014. The following is a summary of the types of hearings conducted:

Agricultural & Forestal Districts (AFDs) – 8 hearings
Subdivision ordinance amendments – 0 hearing
Joint public hearing with a town council – 0 hearings
Comprehensive Plan amendments – 0 hearings
Zoning Map Amendments (county only) – 2 hearings
Zoning Text Amendments (county only) – 3 hearings
Special Use Permits – 11 hearings

All Commissioners have completed training through the Certified Planning Commissioner Program, with the exception of Commissioner Freeze who has completed the first session and will complete the program in April.

Future Issues and Topics for Discussion

A table follows which includes Goals for 2015 which the Commission has deemed important for consideration. With respect to the Capital Improvements Plan (CIP), the Commission notes that the local CIP is considered one of the means of implementing the local comprehensive plan. With that in mind, the Commission would suggest that the current plan review and update be completed prior to initiating work on a CIP.

2014 Goals	Progress to Date	2015 Goals
Continue required 5-year review of Comprehensive Plan including making careful and comprehensive surveys and studies of existing conditions and trends of growth as per Virginia Code §15.2-2223.	Part II has been updated since some of the data is several years old. Part I is close to being finalized. The FLUM is currently being reviewed.	Revised schedule attached.*
Review zoning ordinance following adoption of comprehensive plan revisions.	Reviewed and prepared recommendations on the proposed zoning ordinance.	Review and prepare recommendation to the BOS on changes requiring additional public hearing.
Develop an Overlay District Ordinance for Route 184.	Request from Cape Charles to pursue this has been put on hold until a later date. No action.	Review draft of Overlay District from Cape Charles. Prepare recommendation of Historic Highway Overlay district for Route 184 to the Board.
Review of Subdivision Ordinance (BOS/PC/staff roundtable approach) to ensure compliance with adopted zoning ordinance revisions.	No action.	Review Subdivision ordinance to ensure compliance with adopted zoning revisions.
Development of a Capital Improvements Plan as per VA Code §15.2-2223. Develop CIP following adoption of comprehensive plan revisions.	No action.	Develop CIP following adoption of Comprehensive Plan revisions.
	No action.	Provide recommendation to the BOS on the Bay Act and the seaside per resolution dated 10/27/14.

A timeline for the continuing Comprehensive Plan review (as of February 2015) was presented as follows:

Revised Timeline for Comprehensive Plan Review

Part 2 – Data & Analysis

- Section 1 Plan Methodology & Citizen Participation will be done at end of process

Completed To Date:

Part II Section 2 History & Geography
Part II Section 3 Population & Demographic Analysis
Part II Section 4 Economic Analysis
Part II Section 5 Housing Analysis
Part II Section 6 Environment & Natural Resources
Part II Section 7 Community Facilities & Services
Part II Section 8 Transportation

Part II Sections were mailed to the Plan Review Stakeholder Group (PRSG) and the Comprehensive Plan Advisory Committee (CPAC) in July 2013 to begin review while the Commission continues work on Part I. **Part II was updated in December 2014 to reflect more recent data.**

Part I – Goals and Implementation

Current status of Part I Sections:

Part I Section 2 The Land Use Plan – 95% Complete
Part I Section 3 Economic Plan - COMPLETED
Part I Section 4 Housing Plan – COMPLETED
Part I Section 5 Environment & Natural Resources – 95% Complete
Part I Section 6 Community Facilities & Services - COMPLETED
Part I Section 7 Transportation – COMPLETED

FUTURE LAND USE MAP (FLUM) – 50% Complete

April 2015 - Part I draft sent to CPAC and PRSG once finalized.

May 2015 - Reconvene CPAC and PRSG to review and comment on draft

June 2015 - Planning Commission receives and reviews comments from PRSG and CPAC, makes additional edits and prepares public hearing draft.

August 2015 – Hold 3 Public Info Meetings (North, Middle, and South)

September 2015 - Public Hearing

Vision

- Draft Finalized on 10-2-12

CPAC work on Economic section

- Completion of Report and recommendation on Economic Section (February 12, 2013)

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With regard to the pending request from the Town of Cape Charles for consideration of an overlay district out to the traffic light, the County Administrator indicated that there needs to be an applicant, either the Board or the Planning Commission, in order to advance that petition. Mr. L. Dixon Leatherbury, Chairman of the Planning Commission, noted that the Commission wanted to finish work on the Future Land Use Map before tackling the overlay district request. Mr. Peter Stith, Long Range Planner, confirmed that this item is listed on the Commission's work plan for the year.

Joint Public Hearing:

Vice Chairman Bennett called to order the following public hearing. The Northampton County Planning Commission and Town Council of Nassawadox were also present and in session:

Conduct a joint public hearing with the Northampton County Planning Commission and the Town Council of Nassawadox on the following revisions to the Northampton County Code of Ordinances:

- (A) Repeal Section 154.162 – Floodplain Overlay District
- (B) Insert a new Section 159: Floodplain Management

This is in compliance with the flood insurance rate maps as established by the Federal Emergency Management Agency.

**NORTHAMPTON COUNTY CODE OF ORDINANCES
TITLE XV: LAND USAGE
CHAPTER 159: FLOODPLAIN MANAGEMENT**

§ 159.101 PURPOSE AND INTENT.

This district is established pursuant to the authority of VA Code §§ 10.1-600 et. seq., for the purpose of preventing the loss of life and property, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary

expenditure of public funds for flood protection and relief, and the impairment of the tax base by:

- (A) Regulating uses, activities, and development which, alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities, and frequencies;
- (B) Restricting or prohibiting certain uses, activities, and development from locating within districts subject to flooding;
- (C) Requiring all those uses, activities, and developments that do occur in flood-prone districts to be protected and / or flood-proofed against flooding and flood damage; and
- (D) Protecting individuals from buying land and structures which are unsuited for intended purposes because of flood hazards.

§ 159.102 INTERPRETATION AND APPLICATION OF FLOODPLAIN.

These provisions shall apply to all lands within the jurisdiction of Northampton County and identified as areas of special flood hazard according to the flood insurance rate map (FIRM) that is provided to the County by the Federal Emergency Management Agency (FEMA).

§ 159.103 COMPLIANCE AND LIABILITY.

- (A) No land shall hereafter be developed and no structure shall be located, relocated, constructed, reconstructed, enlarged, or structurally altered except in full compliance with the terms and provisions of this Chapter and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this Chapter.
- (B) The degree of flood protection sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that districts outside the floodplain district or that land uses permitted within such district will be free from flooding or flood damages.
- (C) Records of actions associated with administering this Chapter will be kept on file and maintained by the Zoning Administrator.
- (D) This Chapter shall not create liability on the part of Northampton County or any officer or employee thereof for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

§ 159.104 ABROGATION AND GREATER RESTRICTIONS.

This Chapter supplements any regulations currently in effect in flood-prone districts. However, any underlying regulations shall remain in full force and effect to the extent that such regulations are more restrictive than this Chapter.

Severability

If any section, subsection, paragraph, sentence, clause, or phrase of this ordinance shall be declared invalid for any reason whatever, such decision shall not affect the remaining portions of this ordinance. The remaining portions shall remain in full force and effect; and for this purpose, the provisions of this ordinance are hereby declared to be severable.

§ 159.105 DEFINITIONS.

The following definitions are specifically applicable to floodplain management and supplement those set forth in § 154.1-1201 Definitions of Chapter 154.1: Zoning Code.

BASE FLOOD. The flood having a 1% chance of being equaled or exceeded in any given year.

BASE FLOOD ELEVATION. The water surface elevations of the base flood, that is, the flood level that has a one percent or greater chance of occurrence in any given year. The water surface elevation of the base flood in relation to the datum specified on the community's Flood Insurance Rate Map. For the purposes of this ordinance, the base flood is the 1% annual chance flood.

BASEMENT. Any area of the building having its floor sub-grade (below ground level) on all sides.

BREAKAWAY WALL. A wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system.

COASTAL A ZONE. Flood hazard areas that have been delineated as subject to wave heights between 1.5 feet and 3 feet. The LiMWA designated the 1.5 foot wave.

COASTAL HIGH HAZARD AREA. That part of the coastal floodplain extending from offshore to the inland limit of the primary coastal dune along an open coast and any other area subject to high velocity wave action from storms and seismic sources. Wave heights during the base flood will generally be three feet or more in height above the still water elevation.

CONDITIONAL LETTER OF MAP REVISION (CLOMR). A formal review and comment as to whether a proposed *flood* protection project or other project complies with the minimum NFIP requirements for such projects with respect to delineation of *special flood hazard areas*. A CLOMR does not revise the effective *Flood Insurance Rate Map* or *Flood Insurance Study*.

DEVELOPMENT. Any man-made change to improved or unimproved real estate, including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

ELEVATED BUILDING. A non-basement building built to have the lowest floor elevated above the ground level by means of fill, solid foundation perimeter walls, pilings, or columns (posts and piers).

ENCROACHMENT. The advance or infringement of uses, plant growth, fill, excavation, buildings, permanent structures, or development into a floodplain, which may impede or alter the flow capacity of a floodplain.

EXISTING CONSTRUCTION. Structures for which the “start of construction” commenced before August 28, 2008. “Existing construction” may also be referred to as “existing structures.”

FLOOD or FLOODING.

- (1) A general or temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.
- (2) The collapse or subsistence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in (1) above of this definition.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

FLOOD INSURANCE STUDY (FIS). A report by FEMA that examines, evaluates and determines flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudflow and/or flood-related erosion hazards.

FLOODPLAIN or FLOOD-PRONE AREA. Any land area susceptible to being inundated by water from any source.

FLOOD PROOFING. Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

FLOODWAY. The channel of a river or other watercourse and the adjacent land areas that must

be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

FREEBOARD. A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization in the watershed.

HIGHEST ADJACENT GRADE. The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

HISTORIC STRUCTURE. Any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

HYDROLOGIC AND HYDRAULIC ENGINEERING ANALYSIS. Analyses performed by a *licensed* professional engineer, in accordance with standard engineering practices that are accepted by the Virginia Department of Conservation and Recreation and FEMA, used to determine the *base flood*, other frequency floods, *flood* elevations, *floodway* information and boundaries, and *flood* profiles.

LETTER OF MAP AMENDMENT (LOMA). An amendment based on technical data showing that a property was incorrectly included in a designated *special flood hazard area*. A LOMA amends the current effective *Flood Insurance Rate Map* and establishes that a land as defined by meets and bounds or *structure* is not located in a *special flood hazard area*.

LETTER OF MAP CHANGE (LOMC). A Letter of Map Change is an official FEMA determination, by letter, that amends or revises an effective *Flood Insurance Rate Map* or *Flood*

Insurance Study. Letters of Map Change include.

LETTER OF MAP REVISION (LOMR). A revision based on technical data that may show changes to *flood zones*, *flood elevations*, *floodplain* and *floodway* delineations, and planimetric features. A Letter of Map Revision Based on Fill (LOMR-F), is a determination that a *structure* or parcel of land has been elevated by fill above the *base flood elevation* and is, therefore, no longer exposed to *flooding* associated with the *base flood*. In order to qualify for this determination, the fill must have been permitted and placed in accordance with Northampton County's floodplain management regulations.

LOWEST ADJACENT GRADE. The lowest natural elevation of the ground surface next to the walls of a structure.

LOWEST FLOOR. The lowest floor of the lowest enclosed area (including basement). An unfinished or flood-resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of Federal Code 44CFR 60.3.

MANUFACTURED HOME. A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes MANUFACTURED HOME also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days.

MANUFACTURED HOME PARK OR SUBDIVISION. A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

NEW CONSTRUCTION. For the purposes of determining insurance rates, structures for which the start of construction commenced on or after August 28, 2008, and includes any subsequent improvements to such structures. For floodplain management purposes, NEW CONSTRUCTION means structures for which start of construction commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

POST FIRM STRUCTURE. A structure for which construction or substantial improvement occurred after August 28, 2008.

PRE-FIRM STRUCTURES. A structure for which construction or substantial improvement occurred on or before August 28, 2008.

PRIMARY FRONTAL DUNE. A continuous or nearly continuous mound or ridge of sand with relatively steep seaward and landward slopes immediately landward and adjacent to the beach and subject to erosion and overtopping from high tides and waves during major coastal storms. The inland limit of the primary frontal dune occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

RECREATIONAL VEHICLE. A vehicle which is : (1) built on a single chassis; (2) 400 square feet or less when measured at the largest horizontal projection; (3) designed to be self-propelled or permanently towable by a light duty truck; and, (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational camping, travel, or seasonal use.

REPETITIVE LOSS STRUCTURE. A building covered by a contract for flood insurance that has incurred flood-related damages on two occasions in a ten-year period, in which the cost of the repair, on the average, equaled or exceeded 25 percent of the market value of the structure at the time of each such flood event; and at the time of the second incidence of flood-related damage, the contract for flood insurance contains increased cost of compliance coverage.

SHALLOW FLOODING AREA. A special flood hazard area with base flood depths from one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and indeterminate, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

SPECIAL FLOOD HAZARD AREA. The land in the floodplain subject to a one (1%) percent or greater chance of being flooded in any given year as determined in Article 3, Section 3.1 of this ordinance.

START OF CONSTRUCTION. The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, substantial improvement or other improvement is within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of the construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

STRUCTURE. For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home.

SUBSTANTIAL DAMAGE. Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% of the market value of the structure before the damage occurred.

SUBSTANTIAL IMPROVEMENT. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement. This term includes structures which have incurred substantial damage regardless of the actual repair work performed. The

term does not, however, include either:

- (1) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
- (2) Any alteration of a historic structure, provided that the alteration will not preclude the structure's continued designation as a historic structure.

VIOLATION. The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance is presumed to be in violation until such time as that documentation is provided.

WATERCOURSE. A lake, river, creek, stream, wash, channel, or other topographic feature on or over which waters flow at least periodically. Watercourse includes specifically designated areas in which substantial flood damage may occur.

§ 159.106 ADMINISTRATION.

(A) Designation of the Floodplain Administrator [44 CFR 59.22(b)]. The Floodplain Administrator is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator. The Floodplain Administrator may:

- (1) Do the work themselves. In the absence of a designated Floodplain Administrator, the duties are conducted by Northampton County chief executive officer.
- (2) Delegate duties and responsibilities set forth in these regulations to qualified technical personnel, plan examiners, inspectors, and other employees.
- (3) Enter into a written agreement or written contract with another community or private sector entity to administer specific provisions of these regulations. Administration of any part of these regulations by another entity shall not relieve Northampton County of its responsibilities pursuant to the participation requirements of the National Flood Insurance Program as set forth in the Code of Federal Regulations at 44 C.F.R. Section 59.22.

(B) Duties and Responsibilities of the Floodplain Administrator [44 CFR 60.3]. The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- (1) Review applications for permits to determine whether proposed activities will be located in the Special Flood Hazard Area (SFHA).

- (2) Interpret floodplain boundaries and provide available base flood elevation and flood hazard information.
- (3) Review applications to determine whether proposed activities will be reasonably safe from flooding and require new construction and substantial improvements to meet the requirements of these regulations.
- (4) Review applications to determine whether all necessary permits have been obtained from the Federal, State or local agencies from which prior or concurrent approval is required; in particular, permits from state agencies for any construction, reconstruction, repair, or alteration of a dam, reservoir, or waterway obstruction (including bridges, culverts, structures), any alteration of a watercourse, or any change of the course, current, or cross section of a stream or body of water, including any change to the 100-year frequency floodplain of free-flowing non-tidal waters of the State.
- (5) Verify that applicants proposing an alteration of a watercourse have notified adjacent communities, the Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management), and other appropriate agencies (VADEQ, USACE) and have submitted copies of such notifications to FEMA.
- (6) Advise applicants for new construction or substantial improvement of structures that are located within an area of the Coastal Barrier Resources System established by the Coastal Barrier Resources Act that Federal flood insurance is not available on such structures; areas subject to this limitation are shown on Flood Insurance Rate Maps as Coastal Barrier Resource System Areas (CBRS) or Otherwise Protected Areas (OPA).
- (7) Approve applications and issue permits to develop in flood hazard areas if the provisions of these regulations have been met, or disapprove applications if the provisions of these regulations have not been met.
- (8) Inspect or cause to be inspected, buildings, structures, and other development for which permits have been issued to determine compliance with these regulations or to determine if non-compliance has occurred or violations have been committed.
- (9) Review Elevation Certificates and require incomplete or deficient certificates to be corrected.
- (10) Submit to FEMA, or require applicants to submit to FEMA, data and information necessary to maintain FIRMs, including hydrologic and hydraulic engineering analyses prepared by or for Northampton County, within six months after such data and information becomes available if the analyses indicate changes in base flood elevations.
- (11) Maintain and permanently keep records that are necessary for the administration

of these regulations, including:

- (a) Flood Insurance Studies, Flood Insurance Rate Maps (including historic studies and maps and current effective studies and maps) and Letters of Map Change; and
 - (b) Documentation supporting issuance and denial of permits, Elevation Certificates, documentation of the elevation (in relation to the datum on the FIRM) to which structures have been flood proofed, other required design certifications, variances, and records of enforcement actions taken to correct violations of these regulations.
- (12) Enforce the provisions of these regulations, investigate violations, issue notices of violations or stop work orders, and require permit holders to take corrective action.
- (13) Advise the Board of Zoning Appeals regarding the intent of these regulations and, for each application for a variance, prepare a staff report and recommendation.
- (14) Administer the requirements related to proposed work on existing buildings:
- (a) Make determinations as to whether buildings and structures that are located in flood hazard areas and that are damaged by any cause have been substantially damaged.
 - (b) Make reasonable efforts to notify owners of substantially damaged structures of the need to obtain a permit to repair, rehabilitate, or reconstruct, and prohibit the non-compliant repair of substantially damaged buildings except for temporary emergency protective measures necessary to secure a property or stabilize a building or structure to prevent additional damage.
- (15) Undertake, as determined appropriate by the Floodplain Administrator due to the circumstances, other actions which may include but are not limited to: issuing press releases, public service announcements, and other public information materials related to permit requests and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures information related to the proper repair of damaged structures in special flood hazard areas; and assisting property owners with documentation necessary to file claims for Increased Cost of Compliance coverage under NFIP flood insurance policies.
- (16) Notify the Federal Emergency Management Agency when the corporate boundaries of the Northampton County have been modified and:
- (a) Provide a map that clearly delineates the new corporate boundaries or the

new area for which the authority to regulate pursuant to these regulations has either been assumed or relinquished through annexation; and

- (b) If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.
- (17) Upon the request of FEMA, complete and submit a report concerning participation in the NFIP which may request information regarding the number of buildings in the SFHA, number of permits issued for development in the SFHA, and number of variances issued for development in the SFHA.
- (18) It is the duty of the Northampton County Floodplain Administrator to take into account flood, mudslide and flood-related erosion hazards, to the extent that they are known, in all official actions relating to land management and use throughout the entire jurisdictional area of Northampton County, whether or not those hazards have been specifically delineated geographically (e.g. via mapping or surveying).

(C) Use and Interpretation of FIRMs [44 CFR 60.3]. The Floodplain Administrator shall make interpretations, where needed, as to the exact location of special flood hazard areas, floodplain boundaries, and floodway boundaries. The following shall apply to the use and interpretation of FIRMs and data:

- (1) Where field surveyed topography indicates that adjacent ground elevations:
 - (a) Are below the base flood elevation, even in areas not delineated as a special flood hazard area on a FIRM, the area shall be considered as special flood hazard area and subject to the requirements of these regulations;
 - (b) Are above the base flood elevation, the area shall be regulated as special flood hazard area unless the applicant obtains a Letter of Map Change that removes the area from the SFHA.
- (2) In FEMA-identified special flood hazard areas where base flood elevation and floodway data have not been identified and in areas where FEMA has not identified SFHAs, any other flood hazard data available from a Federal, State, or other source shall be reviewed and reasonably used.

- (3) Base flood elevations and designated floodway boundaries on FIRMs and in FISs shall take precedence over base flood elevations and floodway boundaries by any other sources if such sources show reduced floodway widths and/or lower base flood elevations.
 - (4) Other sources of data shall be reasonably used if such sources show increased base flood elevations and/or larger floodway areas than are shown on FIRMs and in FISs.
 - (5) If a Preliminary Flood Insurance Rate Map and/or a Preliminary Flood Insurance Study has been provided by FEMA:
 - (a) Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data shall be used and shall replace the flood hazard data previously provided from FEMA for the purposes of administering these regulations.
 - (b) Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall be deemed the best available data pursuant to Section 3.1.A.3. and used where no base flood elevations and/or floodway areas are provided on the effective FIRM.
 - (c) Prior to issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is permitted where the preliminary base flood elevations or floodway areas exceed the base flood elevations and/or designated floodway widths in existing flood hazard data provided by FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.
- (D) Jurisdictional Boundary Changes [44 CFR 59.22, 65.3].
- (1) The County floodplain ordinance in effect on the date of annexation shall remain in effect and shall be enforced by the municipality for all annexed areas until the municipality adopts and enforces an ordinance which meets the requirements for participation in the National Flood Insurance Program. Municipalities with existing floodplain ordinances shall pass a resolution acknowledging and accepting responsibility for enforcing floodplain ordinance standards prior to annexation of any area containing identified flood hazards. If the FIRM for any annexed area includes special flood hazard areas that have flood zones that have regulatory requirements that are not set forth in these regulations, prepare amendments to these regulations to adopt the FIRM and appropriate requirements, and submit the amendments to the governing body for adoption; such adoption shall take place at the same time as or prior to the date of annexation and a copy of the amended regulations shall be provided to Department of Conservation and Recreation (Division of Dam Safety and Floodplain Management) and FEMA.

- (2) In accordance with the Code of Federal Regulations, Title 44 Subpart (B) Section 59.22 (a) (9) (v) all NFIP participating communities must notify the Federal Insurance Administration and optionally the State Coordinating Office in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed or no longer has authority to adopt and enforce floodplain management regulations for a particular area.
- (3) In order that all Flood Insurance Rate Maps accurately represent the community's boundaries, a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority must be included with the notification.

(E) District Boundary Changes.

The delineation of any of the Floodplain Districts may be revised by Northampton County where natural or man-made changes have occurred and/or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Emergency Management Agency.

(F) Interpretation of District Boundaries.

Initial interpretations of the boundaries of the Floodplain Districts shall be made by the Zoning Officer. Should a dispute arise concerning the boundaries of any of the Districts, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the District boundary shall be given a reasonable opportunity to present his case to the Board and to submit his own technical evidence if he so desires.

(G) Submitting Technical Data [44 CFR 65.3].

A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Emergency Management Agency of the changes by submitting technical or scientific data. Such a submission is necessary so that upon confirmation of those physical changes affecting flooding conditions, risk premium rates and floodplain management requirements will be based upon current data.

(H) Letters of Map Revision.

- (1) When development in the floodplain will cause or causes a change in the base flood elevation, the applicant, including state agencies, must notify FEMA by applying for a Conditional Letter of Map Revision and then a Letter of Map Revision.

Example cases: (1) Any development that causes a rise in the base flood elevations within the floodway, (2) Any development occurring in Zones A1-30 and AE without a designated floodway, which will cause a rise of more than one foot in the base flood elevation, and (3) Alteration or relocation of a stream (including but not limited to installing culverts and bridges) *44 Code of Federal Regulations §65.3 and §65.6(a) (12)*.

(I) Penalty for Violations [44 CFR 60.2(e)].

- (1) Any person who fails to comply with any of the requirements or provisions of this article or directions of the director of planning or any authorized employee of the Northampton County shall be guilty of the appropriate violation and subject to the penalties therefore.
- (2) The VA USBC addresses building code violations and the associated penalties in Chapter 150: Building Regulations. Violations and associated penalties of the Northampton County Zoning Code.
- (3) In addition to the above penalties, all other actions are hereby reserved, including an action in equity for the proper enforcement of this article. The imposition of a fine or penalty for any violation of, or noncompliance with, this article shall not excuse the violation or noncompliance or permit it to continue; and all such persons shall be required to correct or remedy such violations within a reasonable time. Any structure constructed, reconstructed, enlarged, altered or relocated in noncompliance with this article may be declared by the Northampton County to be a public nuisance and abatable as such. Flood insurance may be withheld from structures constructed in violation of this article.

§ 159.107 ESTABLISHMENT OF FLOODPLAIN OVERLAY DISTRICTS (FODs).

(A) Description of types of FODs. Basis of FODs: FODs shall include areas subject to inundation by waters of the one percent chance flood. The basis or the delineation of these districts shall be the Flood Insurance Study (FIS) for Northampton County prepared by the FEMA, Federal Insurance Administration, dated March 2, 2015, and as may be amended. The FIS and associated Flood Insurance Rate Maps (FIRMs) are on file with Northampton County.

(B) Northampton County may identify and regulate local flood hazard or ponding areas that are not delineated on the FIRM. These areas may be delineated on a “Local Flood Hazard Map” using best available topographic data and locally derived information such as flood of record, historic high water marks or approximate study methodologies.

(C) According to the FIRM, Northampton County does not contain any Floodways, A Zone, or AO/AH Zones.

- (1) The Coastal Floodplain District shall be those areas identified as AE Zones on the FIRM and the accompanying Flood Insurance Study. Flood elevations are provided in these tidal floodplains; however, floodway data is not applicable.

- (2) The **Coastal A Zone** shall be those areas, as defined by the VA USBC that are subject to wave heights between 1.5 feet and 3 feet, and identified on the FIRM by the **Limit of Moderate Wave Action (LiMWA)** line.
 - (2) The coastal high hazard district shall be those areas identified as VE Zones on the FIRM and the accompanying Flood Insurance Study.
- (D) Overlay concept.
- (1) The FODs described above shall be overlays to the existing underlying districts as shown on the official zoning ordinance map, and as such, the provisions for the FODs shall serve as a supplement to the underlying district provisions.
 - (2) If there is any conflict between the provisions or requirements of the FODs and those of any underlying district, the more restrictive provisions shall apply.
 - (3) In the event any provision concerning an FOD is declared inapplicable or invalid as a result of any legislative or administrative actions or judicial decision, the remaining provisions shall remain applicable.
- (E) Official map. The boundaries of the FODs shall be as shown on the Flood Insurance Rate Map which is declared to be a part of this Chapter and which shall be kept on file with Northampton County.
- (F) District boundary changes. The delineation of any of the FODs may be revised by the county where natural or man-made changes have occurred and / or where more detailed studies have been conducted or undertaken by the U. S. Army Corps of Engineers or other qualified agency, or an individual documents the need for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration.
- (G) Interpretation of FOD boundaries. Initial interpretations of the boundaries of the FODs shall be made by the Zoning Administrator. Should a dispute arise concerning the boundaries of any FOD, the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the FOD boundary shall be given a reasonable opportunity to present his / her case to the Board of Zoning Appeals and to submit his / her own technical evidence if he / she so desires.

§ 159.108 FOD PROVISIONS

- (A) Permit and application requirements.
- (1) Permit requirement. All uses, activities, and development occurring within any FOD shall be undertaken only after the issuance of a zoning permit. Such development shall be undertaken only in strict compliance with the provisions of

this Chapter and with all other applicable codes and ordinances, as amended, and Chapter 156: Subdivision Code. Prior to the issuance of any permit, the Zoning Administrator shall require all applications to include compliance with all applicable state and federal laws and shall review all sites to assure they are reasonably safe from flooding. Under no circumstances shall any use, activity, and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch, or any other drainage facility or system.

- (2) Site plans and permit applications. All applications for development within any FOD and all building permits issued for the floodplain shall incorporate the following information:
 - (a) The elevation of the Base Flood at the site.
 - (b) The elevation of the lowest floor (including basement) or, in V zones, the lowest horizontal structural member.
 - (c) For structures to be flood-proofed (non-residential only), the elevation to which the structure will be flood-proofed.
 - (d) Topographic information showing existing and proposed ground elevations.
 - (e) Base flood elevation data shall be provided for development proposals (including manufactured home parks and subdivisions) that exceed ten lots or five acres, whichever is the lesser, unless otherwise provided required by Chapter 156: Subdivision Code.

(B) General standards. In all FODs the following provisions shall apply:

- (1) New construction and substantial improvements shall be anchored according to the VA USBC and of Northampton County Code Chapter 159 to prevent flotation, collapse, or lateral movement of the structure.
- (2) Manufactured homes shall be anchored to prevent flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This standard shall be in addition to and consistent with applicable state requirements for resisting wind forces.
 - (a) New construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - (b) New construction and substantial improvements shall be constructed by methods and practices that minimize flood damage.
 - (c) Electrical, heating, ventilation, plumbing, air conditioning equipment, and

other service facilities, including duct work, shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

- (d) New and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.
- (e) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters.
- (f) On-site waste disposal systems shall be located and constructed to avoid impairment to them or contamination from them during flooding.
- (g) Any alteration, repair, reconstruction, or improvements to a building that is in compliance with the provisions of this Chapter shall meet the requirements of new construction as contained in this Chapter.
- (h) Any alteration, repair, reconstruction or improvements to a building that is not in compliance with the provisions of this Chapter, shall be undertaken only if said non-conformity is not furthered, extended, or replaced.
- (i) Prior to any proposed alteration or relocation of any channels or of any watercourse, stream, etc., within this jurisdiction a permit shall be obtained from the U. S. Corps of Engineers, the Virginia Department of Environmental Quality, and the Virginia Marine Resources Commission (a joint permit application is available from any of these organizations).
- (j) In riverine situations, adjacent communities and the Department of Conservation and Recreation (DCR) Department of Floodplain Management shall be notified prior to any alteration or relocation of a watercourse, and copies of such notifications shall be submitted to FEMA.

(C) Specific standards. In all FODs where base flood elevations have been provided in the Flood Insurance Study the following provisions shall apply:

- (1) Residential construction. New construction or substantial improvement of any residential structure (including manufactured homes) in an AE Zone shall have the lowest floor, including basement, elevated no lower than one foot above the base flood elevation.
- (2) Non-residential construction. New construction or substantial improvement of any commercial, industrial, or non-residential building (or manufactured home) shall have the lowest floor, including basement, elevated to no lower than one foot above the base flood elevation. Buildings located in all AE Zones may be flood-proofed in lieu of being elevated provided that all areas of the building components below the elevation corresponding to the BFE plus two feet are

watertight with walls substantially impermeable to the passage of water, and use structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy. A registered professional engineer or architect shall certify that the standards of this section are satisfied.

- (3) Elevated buildings. In AE Zones, Enclosed areas, of new construction or substantially improved structures, which are below the regulatory flood protection elevation shall:
- (a) Not be designed or used for human habitation, but shall only be used for parking of vehicles, building access, or limited storage of maintenance equipment used in connection with the premises. Access to the enclosed area shall be the minimum necessary to allow for parking of vehicles (garage door) or limited storage of maintenance equipment (standard exterior door), or entry to the living area (stairway or elevator). The interior portion of such enclosed area shall not be partitioned or finished into separate rooms, except to enclose storage areas;
 - (b) Be constructed entirely of flood resistant materials below the regulatory flood protection elevation;
 - (c) In the Coastal High Hazard FOD, follow the standards for elevation outlined in § 159.109 Standards for the Coastal High Hazard FOD below;
 - (d) Include in AE Zones measures to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters. To meet this requirement, the openings must either be certified by a professional engineer or architect or meet the following minimum design criteria:
 - 1. Provide a minimum of two openings on different sides of each enclosed area subject to flooding.
 - 2. The total net area of all openings must be at least one square inch for each square foot of enclosed area subject to flooding.
 - 3. If a building has more than one enclosed area, each area must have openings to allow floodwaters to automatically enter and exit.
 - 4. The bottom of all required openings shall be no higher than one foot above the adjacent grade.
 - 5. Openings may be equipped with screens, louvers, or other opening coverings or devices, provided they permit the automatic flow of floodwaters in both directions.
 - 6. Foundation enclosures made of flexible skirting are not considered

enclosures for regulatory purposes, and, therefore, do not require openings. Masonry or wood underpinning, regardless of structural status, is considered an enclosure and requires openings as outlined above.

(D) Standards for manufactured homes and recreational vehicles.

- (1) All manufactured homes placed, or substantially improved, on individual lots or parcels, in expansions to existing manufactured home parks or subdivisions, in a new manufactured home park or subdivision or in substantially improved manufactured home parks or subdivisions, must meet all the requirements for new construction, including elevation and anchoring.
- (2) All manufactured homes placed or substantially improved in an existing manufactured home park or subdivision where no manufactured home has sustained substantial damage from flooding must be elevated so that:
 - (a) The lowest floor of the manufactured home is elevated no lower than one foot above the base flood elevation.
 - (b) The manufactured home must be securely anchored to the adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- (3) All recreational vehicles placed on sites must either:
 - (a) Be on the site for fewer than 180 consecutive days;
 - (b) Be fully licensed and ready for highway use (a recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions); or
 - (c) Meet all the requirements for new construction, including anchoring and elevation requirements.

§ 159.109 STANDARDS FOR THE COASTAL HIGH HAZARD FOD.

The following provisions shall apply within the Coastal High Hazard FOD:

- (A) All new construction and substantial improvements in Zones VE shall be elevated on pilings or columns so that:
 - (1) The bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings or columns) is elevated to at least one foot above the base

flood elevation; and

- (2) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse, and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values shall each have a 1% chance of being equaled or exceeded in any given year (1% annual chance).

(B) A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of this Chapter.

(C) The Floodplain Administrator shall obtain the elevation (in relation to mean sea level) of the bottom of the lowest horizontal structural member of the lowest floor (excluding pilings and columns) of all new and substantially improved structures in Zones VE. The Floodplain Management Administrator shall maintain a record of all such information.

(D) All new construction shall be located landward of the reach of mean high tide.

(E) All new construction and substantial improvements shall have the space below the lowest floor either free of obstruction or constructed with non-supporting breakaway walls, open wood-lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. For the purpose of this Chapter, a breakaway wall shall have a design safe loading resistance of not less than ten and no more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local codes) may be permitted only if a registered professional engineer or architect certifies that the designs proposed meet the following conditions:

- (1) Breakaway wall collapse shall result from water load less than that which would occur during the base flood; and
- (2) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination shall each have a one percent chance of being equaled or exceeded in any given year.

(F) The enclosed space below the lowest floor shall be used solely for parking of vehicles, building access, or storage. Such space shall not be partitioned into multiple rooms, temperature-controlled, or used for human habitation.

(G) The use of fill for structural support of buildings is prohibited. When fill is proposed in a

coastal high hazard area for a purpose other than support of a structure, appropriate engineering analyses shall be conducted to evaluate the impacts of the fill prior to issuance of a development permit. If such fill is permitted and results in a change in the boundary of the floodplain, a letter of map revision must be filed in accordance with FEMA / National Flood Insurance Program procedures.

(H) The man-made alteration of sand dunes which would increase potential flood damage is prohibited.

(I) All manufactured homes to be placed or substantially improved on sites within Zones VE on the Northampton County Flood Insurance Rate Map must meet the standards of subsection § 159.109.

§ 159.110 EXISTING STRUCTURES IN FLOODPLAIN AREAS

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

(A) Any modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use located in any floodplain areas to an extent or amount of less than fifty (50) percent of its market value shall conform to the VA USBC and the appropriate provisions of this ordinance.

(B) The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use, regardless of its location in a floodplain area to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with this ordinance and shall require the entire structure to conform to the VA USBC and the appropriate provisions of this ordinance.

§ 159.111 VARIANCES.

(A) Variances shall be issued only upon (i) a showing of good and sufficient cause, (ii) after the Board of Zoning Appeals has determined that failure to grant the variance would result in exceptional hardship to the applicant, and (iii) after the Board of Zoning Appeals has determined that the granting of such variance will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

(B) While the granting of variances generally is limited to a lot size less than one-half acre, deviations from that limitation may occur. However, as the lot size increases beyond one-half acre, the technical justification required for issuing a variance increases. Variances may be issued by the Board of Zoning Appeals for new construction and substantial improvements to be

erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of this section.

(C) Variances may be issued for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use provided that the criteria of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.

(D) In passing upon applications for variances, the Board of Zoning Appeals shall satisfy all relevant factors and procedures specified in other sections of the zoning ordinance and consider the following additional factors:

- (1) The danger to life and property due to increased flood heights or velocities caused by encroachments. No variance shall be granted for any proposed use, development, or activity within any Floodway District that will cause any increase in the one percent (1%) chance flood elevation.
- (2) The danger that materials may be swept on to other lands or downstream to the injury of others.
- (3) The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination, and unsanitary conditions.
- (4) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners.
- (5) The importance of the services provided by the proposed facility to the community.
- (6) The requirements of the facility for a waterfront location.
- (7) The availability of alternative locations not subject to flooding for the proposed use.
- (8) The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
- (9) The relationship of the proposed use to the comprehensive plan and floodplain management program for the area.
- (10) The safety of access by ordinary and emergency vehicles to the property in time of flood.
- (11) The expected heights, velocity, duration, rate of rise, and sediment transport of the

flood waters expected at the site.

(12) The historic nature of a structure. Variances for repair or rehabilitation of historic structures may be granted upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.

(13) Such other factors which are relevant to the purposes of this ordinance.

(E) The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters.

(F) Variances shall be issued only after the Board of Zoning Appeals has determined that the granting of such will not result in (a) unacceptable or prohibited increases in flood heights, (b) additional threats to public safety, (c) extraordinary public expense; and will not (d) create nuisances, (e) cause fraud or victimization of the public, or (f) conflict with local laws or ordinances.

(G) Variances shall be issued only after the Board of Zoning Appeals has determined that the variance will be the minimum required to provide relief.

(H) The Board of Zoning Appeals shall notify the applicant for a variance, in writing that the issuance of a variance to construct a structure below the one percent (1%) chance flood elevation (a) increases the risks to life and property and (b) will result in increased premium rates for flood insurance.

(I) A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

(H) Variances to the provisions of the FOD may be applied for and considered in accordance with the procedures set forth in the Northampton County Zoning Code.

(J) The Board of Zoning Appeals may refer any application and accompanying documentation pertaining to any request for a variance to any engineer or other qualified person or agency for technical assistance in evaluating the proposed project in relation to flood heights and velocities, and the adequacy of the plans for flood protection and other related matters. Any costs associated with such referral shall be borne by the applicant.

(K) In addition to the criteria set forth in the Northampton County Zoning Code, the Board of Zoning Appeals must also find that any variance from the requirements of this district is the minimum necessary to afford relief and that the granting of such variance will not result in:

- (1) Unacceptable or prohibited increases in flood heights;
- (2) Additional threats to public safety;
- (3) Extraordinary public expense; and will not:
 - (a) Create nuisances;
 - (b) Cause fraud or victimization of the public; or
 - (c) Conflict with other local laws or ordinances.

(L) The Board of Zoning Appeals shall notify the applicant for a variance, in writing, that the issuance of a variance to construct a structure below the 100-year flood elevation:

- (1) Increases the risks to life and property; and
- (2) Will result in increased premium rates for flood insurance.

(M) A record shall be maintained of the above notification as well as all variance actions, including justification for the issuance of the variances. Any variances that are issued shall be noted in the annual or biennial report submitted to the Federal Insurance Administrator.

* * * * *

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

The County Administrator and Mr. Peter Stith indicated that the purpose of this amendment is to repeal the existing Floodplain Overlay District language and adopt a new ordinance in compliance with the flood insurance rate maps as established by the Federal Emergency Management Agency. These changes have been reviewed by both the Department of Conservation and Recreation and FEMA Region 3. The deadline for adoption of the ordinance is March 2, 2015.

Mrs. Roberta Kellam submitted the following comments:

Please place this comment in the public record for the February 23, 2015 public hearing regarding a new Section 159 of Northampton County Code.

- 1. My husband and I received post cards from the County notifying us that the proposed new Section 159 might impact our properties.

2. I requested from Peter Stith, via email of February 7, 2015, a copy of the proposed Section 159 via email and received no response or reply. I noted in my February 7 email that the subject proposed Section 159 is not even provided for public review on the County's website.
3. The proposed new Section 159 is a substantial change from: (1) the existing Section 154.162, and (2) the proposed new Section 159 that was voted on "for referral to public hearing" by the Northampton County Board of Supervisors on January 14, 2014 and for which a public hearing was held.
4. I would like to know the reason why my request for a public document was ignored, and I would like to know why this proposed new Section 159 was not placed on the County's website for the public's review prior to the public hearing.
5. Attached is the model Floodplain Ordinance, as well as guidance document, published by the Virginia Department of Conservation and Recreation in **February 2014** for the use of all Virginia Counties, including Northampton. Clearly, it has been obvious since at least February 2014, if not earlier, that the January 2014 proposed Section 159 would not be adequate to satisfy FEMA. I would like to know why the County delayed the review and approval process of a statutorily required Floodplain Ordinance until 2 weeks before the March 2, 2015 deadline of when the National Flood Insurance Rate Program would be suspended (March 2, 2015).
6. Although the new proposed Section 159 is substantially similar to the Virginia DCR Model Ordinance, any areas where it differs should be explained. Why are some of the definitions altered? (See, page 7, Start of Construction.) What is the statutory impact of page 15 - 159.107(C): if the FIRM changes, wouldn't that require an amendment to the Ordinance? What is the legal implication of Section 159.108 (A)(2)(e), and why does that section differ from the model ordinance? Why do Section 159.108(B) and (C) differ from the model ordinance? Where is the state requirement regarding Subdivisions and record retention?
7. What is the legal impact of removing the Floodplain Ordinance from the Zoning Code? What impact does that have on Vested Rights?

Thank you for including this comment on the record for the Public Hearing tonight. Roberta Kellam

* * * * *

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

Following conversation by members of the Planning Commission, that body recommended that the Board adopt said ordinance.

Motion was made by Mr. LeMond, seconded by Mr. Trala, that the Board repeal Section 154.162 – Floodplain Overlay District and adopt a new Section 159: Floodplain Management as

set out above. At this time, Vice Chairman Bennett asked for Board comment.

Supervisor Hogg questioned if the County had been in contact with the Department of Conservation & Recreation. In response, the County Administrator read an e-mail from Charley Banks, Virginia NFIP Coordinator with the Division of Dam Safety & Floodplain Management of the Virginia Department of Conservation & Recreation, indicating that he had made some recommended changes to the ordinance which will result in FEMA Region 3 having no hesitation in approving it.

Supervisor Hogg questioned if the Planning Commission had reviewed the document. In response, Planning Commission Chairman L. Dixon Leatherbury noted that the Commission had had the document for several years and had reviewed same.

Supervisor Hogg questioned whether certain planning considerations for floodplain management areas had been considered by staff, by the Board, and by the Planning Commission. He referenced information contained in Title 44: Emergency Management and Assistance, Part 60—Criteria for Land Management and Use as well as the Coordinator’s Manual for the National Flood Insurance Program Community Rating System and the CRS Credit for Management of Coastal Erosion Hazards documents which are included herein by reference. These documents are on file in the Office of the County Administrator.

At this point, Supervisor Trala called for the question.

All members were present with the exception of Mr. Hubbard and voted “yes,” with the exception of Supervisor Hogg who abstained. The motion was passed.

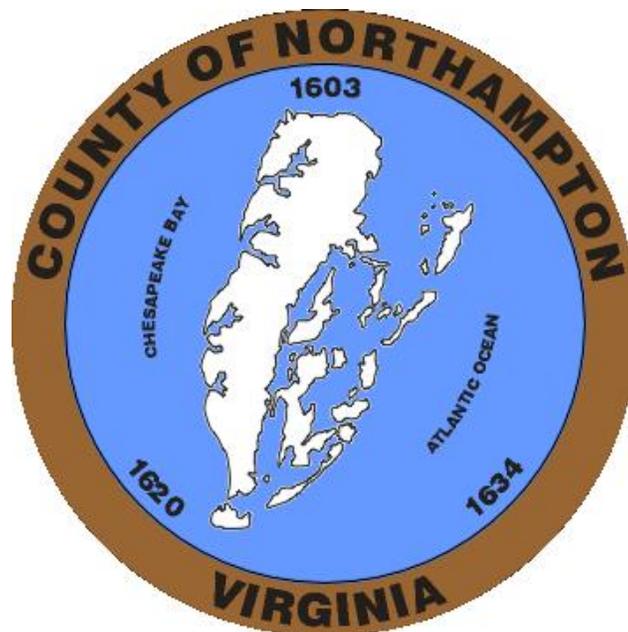
County Administrator’s Report:

4. Review of Strategic Plan.

The Northampton County Five-Year Strategic Plan for 2014-2018 was reviewed by the

Board as well as the status updates from the various departments relative to their individual goals. The 5-Year Strategic Plan (2014-2018) is set out below and shows the modifications as made by the Board:

NORTHAMPTON COUNTY



5 YEAR STRATEGIC PLAN 2014 - 2018

Adopted by the Board of Supervisors on April 8, 2014.

Updated Status Reports as of 1/23/2015 – Katie H. Nunez, County Administrator

With Modifications as made by the Board on February 23, 2015

BACKGROUND and PROCESS:

Strategic planning in local government involves a structured, analytical approach to setting goals, defining objectives and strategically pursuing actions in furtherance of a shared community vision. Strategic planning extends beyond arbitrary administrative boundaries and traditional thinking. Strategic planning is often defined as “a disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does and why it does it.” The intent of a strategic retreat composed of the elected leadership of the community and the appointed department heads was to establish long-range goals, annual objectives and detailed strategies to address issues relating to performance, productivity and general improvement of the well-being of the community and work force.

The Northampton County Board of Supervisors conducted a strategic retreat at the County’s Emergency Operations Center on Saturday, March 10, 2012, facilitated by Eddie Swain, Dean of Workforce Development at the Eastern Shore Community College. The session focused on the following:

- Review of the existing Vision and Mission Statement
- Identify the Strengths, Weaknesses, Opportunities & Threats of the County
- Development of 4 Major Strategic Goals to achieve the vision and mission statement of the County.

The department heads and constitutional officers participated with the Board in the review of the Vision and Mission Statement and the Strengths, Weaknesses, Opportunities & Threats Assessment (SWOT Review). The SWOT Review is attached to this Strategic Plan.

With the establishment of the 4 major strategic goals, the Board directed the County Administrator to develop 3 to 4 major objectives to bring the strategic goal to fruition and to develop specific strategies & tasks for each major objective that are Specific, Measurable, Attainable, Reach (just out of), and Time bound (SMART) to serve as the plan to move the goal into reality.

This work resulted in the adoption of the County’s Five-Year Strategic Plan 2012 – 2016.

Then, on February 22, 2014, the Board of Supervisors conducted a half-day retreat to review and update the 5-Year Strategic Plan, confirming the vision and mission and providing revisions to the strategies for each identified goal.

VISION and MISSION STATEMENT

The mission of the Northampton County Government is to provide the necessary services to protect the health, safety, welfare, environment and quality of life of our citizens consistent with the communities' values and priorities. This mission is accomplished by encouraging citizen involvement, by preserving the County's fiscal stability, traditional values and unity of our people through the implementation of effective and efficient government programs; consensus building; managing the County's natural, cultural, and historic resources; planning for the future; and representing citizen needs and desires to other levels of government.

STRATEGIC GOALS

- I. EDUCATION – Facilitate the development of a quality educational environment that provides for high-quality educational and job readiness skills all County residents
- II. ECONOMIC DEVELOPMENT – Create an environment where businesses are welcome and services are available to help them be prosperous.
- III. INFRASTRUCTURE – Develop an infrastructure system that improves our quality of life.
- IV. HEALTH CARE – Provide Emergency Medical Services and encourage and support adequate health care facilities, services and coverage for all citizens of the County, to the extent possible.

GOAL #1 – EDUCATION

Facilitate the development of a quality educational environment that provides for high-quality educational and job readiness skills for all County residents

OBJECTIVE #1: Develop **on-going** mutually agreeable goals with the School Board by **June 30, 2014.**

STRATEGIES	<ul style="list-style-type: none">A. Support prevention and early intervention programs for children and youth most at risk.B. Continue to implement universal pre-K program. – IMPLEMENTED IN 2013/2014 SCHOOL YEAR.C. Increase communication with the School Board on matters of importance to the community, including the following: The Superintendent provides quarterly status reports to the Board of Supervisors.<ul style="list-style-type: none">(a) Increase graduation rates across demographic categories. For 2014, the District achieved a graduation rate of 85 which meets the state benchmark.(b) Obtain accreditation for each school within the School District. For 2014, the High School is fully accredited; Occohannock Elementary School and Northampton Middle School is accredited with warning; Kiptopeke Elementary School is Accreditation Denied.(c) Develop a mutually acceptable Capital Plan for the School District. The Board of Supervisors is exploring the financing options for a high school construction project of \$35 million with a potential start in Fiscal Year 2018.(d) Develop frequent and ongoing status reports on the approved capital projects, including reports on the conditions of the school facilities. School Administration is providing updates on ongoing capital projects as part of the Superintendent’s quarterly status report and attended the December 2014 meeting to apprise the Board of an urgent capital repair need at the high school with initial funding released for engineering & some initial stabilization work.D. Secure agreements between the School Board and the County to share costs and responsibilities where practical and when county cost savings can be realized. The range of programs and services amenable to possible collaboration include the purchase of supplies and equipment, vehicle procurement & maintenance, maintenance of physical plant and building grounds, financial management, personnel systems, insurance, audit services, and information technology services.
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OBJECTIVE #2: Develop a funding strategy for mutually-agreeable school capital improvement plan by June 30, 2015.

STRATEGIES	<ul style="list-style-type: none">A. Work with School Board in developing a feasibility study regarding the high school facility, including options for middle school location.B. Develop a comprehensive cost estimate through the feasibility study for the high school and update the existing capital plan for the two elementary schools.C. Utilize services of the county’s financial advisor to provide funding options and timelines to achieve implementation of the school capital improvement plan. The Board of Supervisors is exploring the financing options for a high school construction project of \$35 million with a potential start in Fiscal Year 2018.
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OBJECTIVE #3: Continue funding at or above current per-student levels on an annual basis.

A. Maintain funding at or above current per-student levels, using the Fiscal Year 2013 budget as base.

	FISCAL YEAR 2014 (School Year 2013 – 2014) Enrollment of 1,685	FISCAL YEAR 2015 (School Year 2014 – 2015) Enrollment of 1,651
State Per Pupil Amount	\$5,127	\$5,599
Federal Per Pupil Amount	\$2,457	\$1,024
Local Per Pupil Amount	\$4,847	\$5,111
Total Per Pupil Amount	\$12,431	\$11,734

B. Examine the impact of the Composite Index re-calculation in spring 2013 for impact on Fiscal Year 2014 and Fiscal Year 2015 budgets.

	Composite Index	State Aid for Schools
FY2011	.5109	\$8,364,999
FY2012	.5109	\$8,737,437
FY2013	.4840	\$8,515,020
FY2014	.4840	\$8,494,216
FY2015	.5103	\$8,872,378
FY2016	.5103	

C. Develop a memorandum of understanding with the School Board that stipulates the county’s financial commitment to public education, on a fiscal year basis, that the School Board can rely upon when developing the school budget.

GOAL #2 – ECONOMIC DEVELOPMENT

Create an environment where businesses are welcome and services are available to help them be prosperous.

OBJECTIVE #1: Review and revise the zoning ordinance to promote business development by ~~January~~ August 1, 2015.

STRATEGIES

- A. Complete the Comprehensive Plan Update by ~~January~~ September 1, 2015. The Planning Commission is scheduled to release the draft comprehensive plan in spring 2015.**
- B. Review the zoning ordinance for consistency and compliance with the updated Comprehensive Plan.**

OBJECTIVE #2: Assist and promote the use of the existing ~~Develop an Industrial Park in~~ Cape Charles by June 30, 2017

STRATEGIES

- A. Develop list of available properties that meet the criteria developed by the Board of Supervisors for an industrial park.**
- B. Evaluate and refine the list by ranking properties that are most suitable for development into an industrial park.**
- C. Engage discussions with landowners for acquisition of property.**
- D. Seek and apply for federal and state funds to develop property for industrial park purposes.**

OBJECTIVE #3: Develop Business Incentives that can be provided by the County to stimulate business recruitment, selection, location and development by June 30, 2013
2016

STRATEGIES	<ul style="list-style-type: none">A. Develop and propose a Technology Zone for the County which would identify qualifying properties and provide incentives for the location of technology specific businesses within that zone. Potential incentives for a technology zone were provided to the Board of Supervisors. Input is being sought from the five towns in developing a zone with proposed incentives.B. Develop and propose a Tourism Zone for the County would identify qualifying properties and provide incentives for the location of tourism specific businesses within that zone. The concept was discussed with the Board of Supervisors; we are awaiting the ES Tourism Commission to complete their Blue Print and accompanying strategy to serve as a basis for creating and offering the Tourism Zone.C. Review and recommend additional incentives for the Enterprise Zone, relative to permit review and local taxation. The joint Accomack-Northampton Enterprise Zone has been re-authorized by the Governor for an additional ten year term, plus 2 five-year term renewals.D. Annually review the County’s tax structure and analyze its effectiveness and competitiveness with other similarly sized Virginia localities. The Board appointed an Ad-Hoc Committee to Study the Existing Tax Structure of the County. The Committee delivered its report at the January 13, 2015 meeting.E. Assist and promote agriculture, aquaculture and tourism.
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GOAL #3 – INFRASTRUCTURE

Develop an infrastructure system that improves our quality of life.

OBJECTIVE #1: Promote broadband availability for business and residential use by June 30, 2017.

STRATEGIES	<ul style="list-style-type: none">A. Engage the Eastern Shore of Virginia Broadband Authority in developing marketing materials that detail the location of high-speed broadband and the pricing of service.B. Partner with the Virginia Economic Development Partnership in marketing the availability of broadband in the County.C. Work with local internet service providers in removing any barriers (zoning or otherwise) that may impede the offering of broadband to our businesses and residents.
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OBJECTIVE #2: Provide water and sewer to Northern and Southern Nodes of the County in a financially responsible way by June 30, 2017.

STRATEGIES	<ul style="list-style-type: none">A. Support the Public Service Authority with staffing assistance.B. Assist the Public Service Authority in seeking grant funding opportunities for water and sewer system development and construction.C. Examine feasibility of special tax districts to assist in the development of water and sewer infrastructure.D. Participate in outreach to the County residents, businesses and incorporated towns regarding the need, impact and cost of proposed water and sewer systems.
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GOAL #4 – HEALTH CARE

Provide Emergency Medical Services and encourage and support adequate health care facilities, services and coverage for all citizens of the County, to the extent possible.

MAJOR OBJECTIVES & Key Strategies/Tasks

OBJECTIVE # 1: Ensure the County has a 24/7 Emergency care facility located in the County by June 30, 2017.

STRATEGIES

- A. Ascertain final plans from Riverside as to what remaining medical services and facilities will continue to be provided at the Nassawadox campus.
- B. Partner with Eastern Shore Health District and the Accomack-Northampton Planning District to determine what health services need to be solicited to adequately service Northampton County for emergency care.

OBJECTIVE #2: Strongly support EMS services by June 30, 2017.

STRATEGIES

- A. Review and implement the state Fire and EMS Study, commissioned in 2011, as it relates to EMS service.
- B. Complete feasibility study for renovation of former Middle School property as new location for the Northampton EMS Department. **An engineering and architectural options were considered for the renovation of the former Middle School . No option was pursued by the Board at this time. The Board has decided to retain EMS at their existing location in Machipongo and is negotiating the purchase of this property as well as beginning work on providing a garage facility.**
- C. Review and evaluate the effectiveness of the County-operated ambulance in relation to the volunteer ambulance coverage.
- D. Secure formal, written agreements with volunteer fire and rescue stations, including performance standards, to address issues of concern such as timely grant reporting, etc.

OBJECTIVE #3: Partner with Riverside Shore Memorial Hospital for a redevelopment plan for its present facilities by ~~June 30, 2014.~~

STRATEGIES	<ul style="list-style-type: none">A. Engage the Riverside Shore Memorial Hospital Board of Directors and Executive Management of Riverside in discussions to determine the scope of the medical services and facilities that will remain in Nassawadox.B. Work with the Riverside Shore Memorial Hospital Board of Directors, the Executive Management of Riverside and the Nassawadox Town Council in identifying re-use possibilities for the property and any facilities that will not have a continued purpose for delivery of medical services.
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ATTACHMENT A

As part of the Board retreat from March 10, 2012, each department was requested to develop and submit 3 to five goals for their departmental functions. These goals were distributed to the Board and are now incorporated by reference as Attachment A to this plan. Included as part of this Attachment A is the update from the departments in implementing and achieving these goals.

ATTACHMENT B **SWOT REVIEW**

As part of the initial Board of Supervisors retreat on March 10, 2012, the Board of Supervisors and the Department Heads identified the Strengths, Weaknesses, Opportunities and Threats of the County.

These are defined within the following parameters:

STRENGTHS: Items/Things that are steady/paced, focused, enduring, smart.

WEAKNESSES: Slow, Always Behind

OPPORTUNITIES: Outside perception is vulnerable; patience/time to develop these items

THREATS: Predators; perception

GROUP 1

<p><u>STRENGTHS</u></p> <p>Rural Appeal Small Size High Level of education of retirees Strong Government Presence Route 13 Pass Thru-Traffic Parks & Campgrounds/Golf Courses Entrepreneurs Hunting & Fishing Opportunities Large # of undeveloped lots Seafood industry</p>	<p><u>WEAKNESSES</u></p> <p>Limited Health Care – Impending move of hospital CBBT – barrier Lack of skilled workforce Lack of public beach access Retiree increase = no kids Lack of opportunity for local high school or college graduates Lack of retail Need destination programs/events for hotels High unemployment/need livable wage jobs Affordable housing is lacking School System Lack of infrastructure (water & sewer) High poverty rate # of town governments impediment to unified plan for growth</p>
<p><u>OPPORTUNITIES</u></p> <p>Eastern Shore is not the Outer Banks (over-developed/over-crowded) – also absence of hurricanes that tend to impact the Outer Banks. Route 13 – business opportunities Green Energy opportunities Small & Medium Size Business opportunities Richmond has discovered the Shore and is providing assistance Deep water harbor in Cape Charles Ocean Boat Access (Oyster) Proximity to large cities (Norfolk, Baltimore, DC) Improvement by and within Cape Charles Broadband Golf Courses/Bay Creek/Future Recreation Center</p>	<p><u>THREATS</u></p> <p>Loss of Hospital (largest County employer) Weather – bridge can close at any time; snow shuts down the Eastern Shore CBBT’s own marketing campaign does not align with our need for visitors to stop and explore the Eastern Shore (Bridge markets Rte. 13 as short cut and fastest route to Outer Banks). Geographic location Lack of Regional Partnerships Drawing down on Federal & State Funding Need for reasonable zoning – need to eliminate the “fear of.....” for zoning rationale.</p>

Rail Traffic increase Wallops Development Spin-Off	
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GROUP 2

<p><u>STRENGTHS</u></p> <p>Transportation is varied (Route 13; water access; railroad availability)</p> <p>Location</p> <p>Recreational opportunities – boating, fishing, golf</p> <p>Beautiful, scenic area</p> <p>Family oriented lifestyle – very laid back</p> <p>Low crime rate</p> <p>Ecotourism – strong established industry</p> <p>Aquaculture and Agricultural Industries</p> <p>Viewed as retirement area</p>	<p><u>WEAKNESSES</u></p> <p>Job Opportunities – loss of skilled workforce; low paying jobs</p> <p>Location – very isolated</p> <p>Infrastructure is lacking – water, wastewater, public transportation</p> <p>Lack of educational opportunities</p> <p>Medical services</p> <p>No Economic Growth – not business friendly (regulations)</p> <p>Affordable housing is limited – lacking standard amenities for all houses</p> <p>No indoor recreational services</p> <p>Limited to non-existent shopping</p>
<p><u>OPPORTUNITIES</u></p> <p>Board’s Strategic Retreat Meeting with input and discussion with Department Heads</p> <p>Public Service Authority</p> <p>Regional Partnerships – Accomack County Board of Supervisors</p> <p>Route 13</p> <p>Bayshore Concrete</p> <p>Riverside Hospital Emergency Care Facility</p>	<p><u>THREATS</u></p> <p>Weather – Location – Isolation</p> <p>Accomack County – more business friendly; problems in past with regional partnerships</p> <p>Route 13 is corridor – bypass</p> <p>Chesapeake Bay – clean = more regulations</p> <p>“No Growth Crowd” – perception of the county; few landowners for the majority of the land</p> <p>Medical Services – lack of facility</p> <p>State funding – budget cuts; mandates</p>

GROUP 3

<p><u>STRENGTHS</u></p> <p>Unique location – natural beauty</p>	<p><u>WEAKNESSES</u></p> <p>Location</p>
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<p>Mild climate</p> <p>Relatively low tax rate</p> <p>Relatively relaxed pace of life</p> <p>Strong seafood industry – use of natural resources</p> <p>Quality of natural resources, environment – water; open space</p> <p>Historic resources</p> <p>Abundant fertile farmland</p> <p>Broadband</p> <p>Strong artisan community, active volunteer & civic groups</p> <p>Deep water harbor, marina</p> <p>Recreational opportunities</p> <p>Relatively low crime rate</p>	<p>Lack of qualified workforce</p> <p>Lack of vision for community as a whole</p> <p>Disproportionate influence of special interest groups</p> <p>Public school system</p> <p>Lack of critical infrastructure</p> <p>Perception of “not business friendly”</p> <p>High unemployment</p> <p>Lack of diversified employment base</p>
<p><u>OPPORTUNITIES</u></p> <p>Capitalize on Route 13 Traffic</p> <p>Attract more retirees</p> <p>Destination Resort (Bay Creek, camping)</p> <p>Location in relation to larger population centers</p> <p>Recruit additional health care</p> <p>Railroad system</p> <p>Synergistic opportunity for water-related research</p>	<p><u>THREATS</u></p> <p>Retirees/groups who don’t want change</p> <p>Well-organized special interest groups</p> <p>Hospital move to Accomack County</p> <p>Shrinking state funding/ state & federal mandates</p> <p>Impacts of belief that county is not business friendly; county has excessive regulations, etc.</p> <p>Vulnerability of infrastructure/ access to major disaster</p> <p>Lack of cooperation with major players (counties, towns)</p> <p>Needs may exceed ability to pay</p>

GROUP 4

<p><u>STRENGTHS</u></p> <p>Beautiful landscape</p> <p>Infrastructure – County Complex</p> <p>Citizens/History</p>	<p><u>WEAKNESSES</u></p> <p>Public perception</p> <p>Sustainable Employment Opportunities</p> <p>Isolated location</p>
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Low Tax rate Small Government/Ready access to Officials Managed Growth Surrounded by water Weather – 4 seasons Wind	Public Transportation System Lack of Affordable Housing Lack of Medical Facilities Absentee landowners AFD Program
<u>OPPORTUNITIES</u> Route 13 Wind Water Potential businesses Professional knowledge of residents Potential destination point	<u>THREATS</u> Special Interest groups No Major medical facility Loss of younger population State & Federal Government Regulations & Funding Lack of Majority Representation Accomack County

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Mr. Hogg had submitted a lengthy listing of possible additions to the Strategic Plan. This list had been consolidated into general, broad categories to easy review by the Board as outlined below:

CONSOLIDATION OF GRANVILLE HOGG’S LIST FOR STRATEGIC PLAN DISCUSSION

Correction & Comments in RED and Consolidation of List done by Katie H. Nunez, County Administrator

A. STRATEGIC PLAN CONSIDERATION

- 1.) The intentions of Riverside and Rural Health. Obviously we heard of a possible opportunity from Rural Health. On the surface it appears there is a need for significant public support to get the best presentation before the grant officials. This might include some commitment by the county with regard to wastewater. Coupled with this event is the need to have discussions with USDA.
- 2.) Repayment of USDA \$1.2 Mil (**CORRECTION - the negotiated amount is \$599,734.80, not \$1.2 million**) Loan (**CORRECTION – Grants, not a Loan**). Seems like getting a criteria for what meets the needs of USDA is a subject no one desires to tackle

(CORRECTION - the criteria has been supplied by USDA in correspondence, dated May 20, 2009 and March 26, 2013 – the use of the funds is for other USDA Rural Community Assistance Program (RCAP) eligible projects, such as those funded through USDA’s Rural Business Enterprise Grant, the Community Facilities and the Water and Environmental programs, see attached). I suggest a meeting with USDA and all supervisors that wish to attend and a representative from the county attorney's office to obtain the required information so we can propose a project. Evaluate how to satisfy the USDA unsatisfied grant and better inform Board members of agreement content and alternatives to satisfy grant conditions.

- 3.) Once the USDA conversation has been completed, an evaluation of what USDA will approve, determine the BEST OPTION for Acquisition of EMS Site
- 4.) Determination of use for the former Northampton Middle School property.
- 5.) Construction of EMS Garage. If there is an absolute immediate need to get vehicles out of the Heat, Wind and Cold, put up a CARPORT for a Temporary solution. It can have sides to keep out the wind, leave the side to the south open, if three sides are installed, place a light inside for night visibility. Estimated cost for a single \$1500; A double \$3000.
- 6.) Determine if Better to construct towers on Northampton County Property or Finalize leases on Cell towers on Northampton County Property

(It was the consensus of the Board not to add any of the above items [Section A] to the Strategic Plan.)

B.) OPERATIONAL ITEMS

- 1.) Install the Board of Supervisor's Manual on the County Website – Request received and the manual is now available on the Board of Supervisor’s page.
 - **If the website cannot be maintained then it should be removed.**
 - Maintaining the County Website with current information i.e. Ms. Upshur no longer works for Northampton County. Corrected to remove Ms. Upshur from the County Administration page.
 - Remove "ALL" reference to "County Form of Government" from the County Website and insert the proper form of Government for Northampton County. We will check again that this is not included on any page of the County website and ensure that we include a statement that “Northampton operates under the traditional form of government contained in the Code of Virginia Section 15.2”.
 - Who is responsible for the updates of the website? Each department is responsible for submitting content to their web-pages to the IT Department, as well as to notify the IT Department when content is to be removed.
 - Is there any reason why the website is not current? Content is submitted for addition and deletion to the IT Department daily by each department. Not sure

what specific pages or information this is referring to – please provide specifics. In response to this comment, I am undertaking a complete review of each page of the website and providing my comments and corrections to both the IT Department and the Department - this was started on February 13 and will be concluded by the end of the month.

- Draft minutes and Audio of meetings Posted to the Website within 5 days. The audio tapes for the BOS Meetings are posted within 24 hours of the conclusion of the meeting. The Board has stated that the draft minutes will not be posted to the website, only approved minutes will be posted. Draft minutes may be obtained thru Ms. Janice Williams upon request.
 - Verification of Accuracy of information posted on the County Website.
- 2.) Removal from the County Website any Dated information that is no longer applicable. All information on the Website needs to be current. (Same as Item #1 above)
 - 3.) Cross training of staff to update all economic indicators needed by industry and keep the Economic Development portion of the County's Website current – The Economic Development webpage provides links to several reports that are maintained by either Virginia Economic Development Partnership or Virginia Employment Commission which contain the economic indicators for our region. These links are not refreshing to the latest reports put out by these agencies. We are working to correct this situation.
 - 4.) Stream/televise the BOS meetings. The suggestion was made in the Attachments to the Strategic Plan.
 - 5.) Timely responses to citizen requests (CORRECTION – This is a daily occurrence and requirement of the Code of Virginia Freedom of Information Act, generally not part of a Strategic Plan)
 - 6.) Compliance with Code of Virginia requirements for filing of documents, there have been several legal inquiries that imply non-compliance with Code (CORRECTION – This is a daily occurrence and requirement of the Code of Virginia Freedom of Information Act (FOIA), generally not part of a Strategic Plan. Additionally, during my tenure with the County, we have not been found to be in violation of (FOIA).
 - 7.) Verification of Compliance with Code of Virginia requirements as it relates to filing of Documents. (COMMENT – this is same item as #B-6 above – not sure what this refers to and what type of verification; each department files reports to various state and federal agencies; maintains office records).
 - 8.) Verification of Compliance with Code of Virginia requirements as it relates to filing of Documents. . (COMMENT – this is same item as #B-6 & B-7 above –

not sure what this refers to and what type of verification; each department files reports to various state and federal agencies; maintains office records).

- 9.) Finance Dept preparing monthly billing for County EMS personnel to the various Rescue Squads. Is it better for Holley to bill or Finance Department??? **Currently EMS Director Carpenter bills each station since she has the data regarding the personnel assigned to each station and their hours worked.**
- 10.) Perform a Space needs assessment for Required County services. **During the construction and/or renovation phase of the County complex, space needs assessments were conducted for all of the County departments with the exception of the Parks Department and the VA-Tech Extension Office.**
- 11.) Implement a functional check of Emergency Services equipment to see batteries are charged, tires serviceable, engines operate. **This is a routine part of operations for each department that is assigned motor vehicles of any kind.**
- 12.) Improved efforts to answer telephone calls before permitting to go to recording.
- 13.) Improve efforts to provide accurate recorded telephone messages to Customers.
- 14.) Physical Fitness assessments and policy for those persons that job positions require strenuous physical activity.
- 15.) Identify buildings along U.S. 13 that are uninhabitable.
- 16.) Items received by Administration requiring Action by the Board delivered to Board Members within 24 hours of receipt. **This item was discussed as part of the County Administrator's annual evaluation.**

(It was the consensus of the Board not to add any of the above items [Section B] to the Strategic Plan although the members did express any interest in finding out the cost to stream/televise the Board of Supervisors' meetings.)

C. OTHER ITEMS

- 1.) Develop a program in conjunction with Va. Extension Service, Chamber of Commerce, E.S. Tourism, etc. to advocate Northampton County's Aquaculture Industry.
- 2.) Sale of Surplus County real estate, property on East side of Bus. U.S. 13 **An offer has been made and accepted by the Board of Supervisors and an agreement has been traded between parties allowing for a 120 day due diligence period, including a provision relative to wastewater service to the County's system.**

- 3.) Address needed water and wastewater service for County real estate, property on East side of Bus. U.S. 13 **See Item C-2 above. Please note that water service to this property is provided by the Town of Eastville.**
- 4.) Improve on maintenance of vacant County property or sell vacant property **(Need specificity to which property and what maintenance efforts are needed or desired)**
- 5.) Reduce Utility and Maintenance cost at the former Northampton Middle School.
- 6.) Assist School and Community College in recruiting EMS volunteers, Evaluate if there is a program that will produce personnel with the proper credentials.
- 7.) Identify a Medical patient transportation plan (Transport North or South).
- 8.) Assist in resolving Medical needs Facilities for the Southern End of Northampton County – **The Emergency Care Ad-Hoc Committee is tasked with this responsibility and scheduled to deliver their recommendation by December 2016.**
- 9.) Assist in acquisition of Medical Service providers for the Southern end of Northampton County **(Repetitive of Items C-6, C-7 and C-8 above).**
- 10.) RE-draft agreements with Rescue Squads to assist with County expenses. **(CORRECTION – There are no agreement with the Rescue Squads per se; the companies have been incorporated as part of our Safety Program via Ordinance; two companies have requested additional hours for evening or weekend coverage which we have established a letter agreement regarding price and days and hours for this requested coverage).**
- 11.) Reduce deficit at the Regional Jail either through increased inmate population or better utilization of Water and Wastewater facilities at the Regional Jail. **(CORRECTION – The Regional Jail Fund (Fund 225) does not have a deficit. When expenditures exceed revenue, then the General Fund (Fund 100) makes a greater contribution to the Regional Jail Fund to balance it – said contribution is included in the Annual Budget adopted by the Board and any amendment to said contribution is approved by the Board as a budget amendment.**
- 12.) Copy of the County Attorney's Employment Contract to include the job description. Determine if it is in the interest of the public to procure legal services on an as needed basis. **(CORRECTION – ITEM has been discussed by the Board – County Attorney is an at-will employee and it is my understanding that the Board is satisfied to retain that relationship).**
- 13.) Provide a list of unfulfilled obligations on a monthly basis with a scheduled completion date for Board members to review.
- 14.) Re-Draft Residential Rental ordinance and enforcement.

- 15.) Implementation of Recommendations from Economic Development studies.
- 16.) Identify Stormwater management facilities that are not functioning as designed, notify responsible parties and advise them of the need to make improvements. **This task has been assigned to the Planning Department & Zoning Department and is in progress. A status report was provided in the Department Head's monthly status report from the month of January 2015.**

(It was the consensus of the Board not to add any of the above items (Section C) to the Strategic Plan.)

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5. Request from ANPDC for grant application partnership

Motion was made by Mr. Trala, seconded by Mr. LeMond, that the Board provide a letter of support for the ANPDC's application to Housing & Urban Development for funding under the Disaster Resiliency Program. All members were present with the exception of Mr. Hubbard and voted "yes." The motion was unanimously passed. It was noted that this opportunity appears to be a one-time offering from HUD that could provide funds to make improvements to residential and commercial properties and infrastructure to better prepare them for future storms and flood waters. The Department of Housing & Community Development is working with several cities in the Tidewater area to document need and would like to include the Eastern Shore as a potential area for receiving funds.

Closed Session

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

(A) 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.

*EMS Office/Garage Location
Eastville Inn*

(B) 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.

Kiptopeke Villas Suit

All members were present with the exception of Mr. Hubbard 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 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, with the exception of Mr. Hogg who was not present during the Closed Session discussion of Paragraph 7.

Motion was made by Mr. LeMond, seconded by Mr. Hogg, that the Board contract with DJG, Inc. for a study of the George Drummond property (site of the existing EMS office) for a sum not to exceed \$1,000. All members were present with the exception of Mr. Hubbard and voted “yes.” The motion was unanimously passed. Said study is specifically related to the site’s past history as a gas station.

Recess

Motion was made by Mr. LeMond, seconded by Mr. Trala, that the meeting be recessed to 5:00 p.m., Wednesday, March 4, 2015 to conduct a budget work session. All members were present with the exception of Mr. Hubbard and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

CHAIRMAN

_____ COUNTY ADMINISTRATOR