

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held at the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 10th day of March, 2015, at 4:00 p.m.

Present:

Richard L. Hubbard, Chairman

Oliver H. Bennett, Vice Chairman

Laurence J. Trala

Granville F. Hogg, Jr.

Larry LeMond

The meeting was called to order by the Chairman.

Closed Session

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

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

Appointments to boards, committees

(Fire & Rescue Commission, Groundwater Committee, Joint Industrial Development Authority of Northampton County and Its Towns, Public Library, Planning Commission, Public Service Authority, Tidewater Emergency Medical Services Council)

New hires/terminations report

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

Eastville Inn Lease Renewal

Old Jails Lease

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

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

*Kiptopeke Villas suit
Drummond Property*

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

Mr. Hogg excused himself from a portion of the closed meeting.

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

The Chairman read the following statement:

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

Board and Agency Presentations:

While not on the agenda, the Board recognized Superintendent Eddie Lawrence and Finance Director Brook Thomas who distributed an updated spreadsheet relative to the School Board’s FY 2016 budget request. They confirmed that the General Assembly has included a 1½% pay raise effective August 16, 2015 for SOQ positions. The locality must match these funds by January 1, 2016. The School Board’s budget request of \$212,906 would provide a salary adjustment for *all* personnel. Other changes included a reduction in Basic Aid as a result of an increase in sales tax revenue; a reduction in the VRS rate; and a decline in the At-Risk Program. The County Administrator indicated that these modified figures have yet to be

“rippled” into the budget. Additionally, the Board received a comparative listing of Central Office staff for Northampton, Accomack, Middlesex, and Westmoreland Counties.

Consent Agenda:

(1) Minutes of the meetings of February 10 and 23, 2015.

Mr. Bennett asked that the local school contribution graph which was distributed at the February 23, 2015 meeting be included in those minutes. Motion was made by Mr. LeMond, seconded by Mr. Trala, that the consent agenda be approved as modified. All members were present and voted “yes.” The motion was unanimously passed. Mr. Hogg noted that he had a question with regard to the wording of the Charitable Donations Policy. It was the consensus of the Board that this policy be brought back for the Board’s review at a later meeting.

(2) Motion was made by Mr. LeMond, seconded by Mr. Trala, that a letter of congratulations, as signed by the Chairman, be forwarded to Broadwater Academy instructor Mr. Eric Hack, for his performance on the television show *Jeopardy!* All members were present and voted “yes.” The motion was unanimously passed.

County Officials’ Reports:

(3) Mrs. Leslie Lewis, Director of Finance, presented the following Budget Amendment and Appropriation Request for the Board’s consideration:

MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: March 4, 2015
RE: Budget Amendments and Appropriations – FY 2015

Your approval is respectfully requested for the attached budget amendment and supplemental appropriation:

\$609.36 – This request represents a transfer from the Commonwealth’s Attorney’s Asset Forfeiture Fund and will be used for travel reimbursement relative to a child’s rape case.

\$30,000 - At its meeting of Feb. 10, 2015, the Board of Supervisors appropriated \$70,000 from Fund Balance to cover additional Comprehensive Services Act funding. Per memo dated March 2, 2015 from Richard Sterrett, the Department of Social Services will be releasing \$30,000 from the County’s contribution to help cover the additional CSA expenditures.

Thank you for your attention to this matter.

* * * *

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the budget amendment and supplemental appropriation be approved as presented above. All members were present and voted “yes.” The motion was unanimously passed.

At approximately 6:30 p.m., the Board recessed for the supper break.

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

Mr. Bennett provided the Invocation.

The Board recited the Pledge of Allegiance.

Public Hearings:

Chairman Hubbard called the following public hearing to order:

- (4) Special Use Permit 2015-02: Kiptopeke Villas, LLC, has applied to construct and operate a Restaurant less than 2,500 square feet, no drive-thru. The property containing 1.52 acres of land, is described as Tax Map 112, double circle A, parcel 69, is zoned H-Hamlet, and located in Kiptopeke.

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

Mr. Peter Stith, Long Range Planner, indicated that the Planning Commission was unanimously recommending approval of the petition, with the condition that there be adequate parking on-site for a vehicle with a trailer.

Included in the agenda package was a petition in support with 66 signatures, letters from Corin Baker, Sharon Wyatt-Todd, and Harold & Patricia Schmale. A letter of opposition from William R. Garren was also included in the packet. Lastly, Mr. Charles Bruckner submitted a copy of the Declaration of Restrictions dated March 1, 2005; documentation from the Small Business Environmental Assistance Program entitled, “Basic Elements of Phase I and II Environmental Site Assessments”, and a “Report an Environmental Violation – Information submitted” document under the name of David Lindsey of VMRF of Virginia Beach, Virginia.

Mr. Hogg questioned Mr. Stith relative to items contained within the staff report. He mentioned that he has an issue with the aerial photograph which was included within the staff report, noting that at least one residence has been constructed in the vicinity since the 2013 aerials were made. He also questioned the possibility of an underground storage tank given the property’s past history as a gas station.

Mr. Bill Parr, representing the applicant, said that the proposed use was in keeping with the mixed use concept of the Hamlet district. He read excerpts from the Comprehensive Plan and said that only 23% of the site would be used as a result of the previous special use permit issued in January 2015 for three apartments. He further said that this project would exceed the requirements contained in the zoning ordinance for parking on the street. He stated that there are no records of tanks being on the property and believes that this argument is a matter of harassment aimed at the applicant.

Mr. Hogg questioned Mr. Parr as to whether he would allow someone to visit the property with a metal detector in the hopes of locating any underground storage tanks. Mr. Parr replied that the real issue is contamination; if a tank is present, he is unsure how important it is to determine its precise location. He confirmed that the proposed 12-seat restaurant will utilize on-site sewage disposal and not the mass drainfield approved by the Board in January.

Mr. Bill Prorise said that in recognition of any approval which may be received from the County, the developer needs to give the County something as well. He provided a hand-out illustrating an alternative entrance location which would provide further screening from the hamlet.

Mr. Charles Bruckner questioned comments contained within the staff report relative to groundwater use and asked whether the County has specific environmental data to support those comments. He was concerned about the environmental impacts of the former gas station and also questioned when the property was acquired from the prior owner, Mr. Maddox.

Mr. Terry Ramsey addressed the Board and provided the following written comments:

3652 Hermitage Road
Richmond, VA 23227
March 10, 2015

Ms. Katherine H. Nunez
Northampton County Administrator
PO Box 66
Eastville, VA 23347
BY EMAIL

RE: March 10, 2015 Board of Supervisors Meeting, Agenda Items (4) Special Use Permit 2015-02:
Kiptopeke Villas.

Dear Ms. Nunez:

Please provide a copy of this letter to each of the Board of Supervisors (Board) members and place a copy in the record. I own a residence at 4192 Kiptopeke Drive which I use as a personal home.

I request the Special Use Permit (Permit) not be granted because the business will create a high traffic during peak periods which is inconsistent with the limited, small scale business contemplated for a Hamlet in the Comprehensive Plan and will create safety hazards due to inadequate off-street parking.

If granted, I ask that the Board impose the following Development Conditions (Condition) on the Permit as permitted under Section 154.042(B)(3) to preserve the public health, safety, and welfare of the surrounding area:

1. **Parking for Large Vehicles.** Include a Condition requiring at least six of the parking spaces to be of sufficient size for Large Vehicles of 50 feet length (e.g., motor homes, boat trailers and campers including tow vehicles) and more off-street spaces if there is a pattern of patrons parking on the street. Zoning application makes no provision for parking or turning around Large Vehicles. The only available space is on-street parking on the bike/walking path (Path) or unpaved median or side of road, all of which will be a safety hazard. The Path is used regularly by park visitors and neighbors (many of whom are elderly) for exercise and to walk their pets. Pedestrians will need to walk in the street to get around the parked vehicles creating a safety hazard. I believe it is possible to provide adequate parking for Large Vehicles, e.g., using an entrance and exit whereby such vehicles can come in one street entrance and drive straight through to exit another street entrance without needing to turn around or back up. I suggest the applicant can provide adequate off-street parking and still meet the 25% lot coverage ratio in 154.104(A), e.g., by modifying the application to reduce the porch, changes to condos such as removing the decks, or engineering such as using pervious pavement. Safety must be a priority.

Traffic is heavy from boaters and campers going to Kiptopeke with a steady stream on summer mornings (particularly weekends and holidays) or during prime rock fish season. Many boaters are

March 10, 2015

likely to stop for morning coffee or breakfast sandwich on the way to launch and must park their Large Vehicles. Kiptopeke has parking for well over 100 boats and have often seen the lot full by 9 a.m. during prime seasons.

2. **Parking required by Section 154.213(A)(27).** Since the large covered porch of 950 square feet is not included in the 13 parking spaces per each 1000 square feet computation, include a Condition that food may not be sold or served on the porch unless parking space computation includes the porch space in gross floor area. Please note applicant is only providing the minimum parking and there is no other off-street parking available in the surrounding area. The off-street parking must accommodate restaurant staff, service vehicles, and patrons.
3. **Parking space computation.** Amend the application to require 17 parking spaces as the requirement in Section 154.213(Z) of thirteen spaces per each 1,000 square feet of gross floor area or fraction thereof computes to 16.75 spaces which should be rounded up to 17 spaces. All parking spaces must meet the minimum requirement of 180 square feet as per the definition of parking space and 9 by 20 feet as required by Section 154.211(H).
4. **Alcohol.** Include a Condition that alcohol must not be served or consumed on the porch or on surrounding grounds of the restaurant. While the porch will be an inviting place to sit in the summer and enjoying such refreshment, considering the family atmosphere of the neighborhood and state park and welfare of young children, it is not appropriate for alcohol consumption to be visible to the public passing outside the establishment.
5. **Parking on Kiptopeke drive.** Include a Condition that habitual on-street parking by restaurant patrons would be considered a violation of the Permit and cause under Section 154.042(B)(5) for the County to require that the applicant to reapply for and gain approval of a new Permit. The applicant is in the best position to ensure that patrons use the designated off-street parking. The County should encourage the applicant to work with Virginia Department of Highways for no-parking signs on Kiptopeke drive on both sides of road in front of the restaurant to ensure patrons use the designated off-street parking.
6. **U-turn on Kiptopeke drive and in front of Kiptopeke Condominiums.** The parking design will encourage patrons going toward the entrance of Kiptopeke Park to make a U-turn at the corner of Kiptopeke and Butlers Bluff and at the entrance to Kiptopeke Condominiums. U-turns in both places will be unsafe particularly for Large Vehicles with a large turning radius. Provision should be made to mitigate this risk, possibly by moving the parking entrance to Butlers Bluff Drive which would not require a U-turn from Kiptopeke and including sufficient turn-in space due to the sharp angles of the triangle lot.
7. **Music.** All music must be inside the restaurant with no speakers or sound system outside.
8. **Restaurant only use.** Permit must be clear that approved only as a restaurant of less than 2,500 square feet, no drive through per application and that any different use would require a new Permit.
9. **Applicant Only.** In accordance with Section 154.042(F), condition the Permit to be for the applicant only and that it does not run with the land. The applicant has stated that he plans to maintain ownership of the restaurant and looks forward to running it so this should not be a problem for the applicant. No matter how noble the applicant's intentions and plans, the building is a permanent structure and over time ownership will likely change and new owners may have different intentions. A Condition of for the applicant only will protect the County and neighborhood by allowing

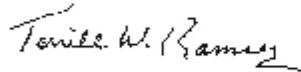
March 10, 2015

reevaluation when ownership changes. Otherwise the Board's decision tonight is permanent and there is no recourse for later review or correction.

10. **Public Record of Permit.** Condition that in addition to the Board of Supervisors minutes clearly describing all Conditions, require that the applicant record the Permit and Conditions in the Northampton County Circuit Court Clerk's office. This will ensure properly indexed with the property records and available for review by subsequent purchasers of the property.

While I do not support the Special Use Permit, if Board chooses to approve, providing adequate off-street parking and the other conditions listed above will help protect the public health, safety, and welfare. Hopefully all Board members have viewed the triangle lot and surrounding roads in person as it is difficult to visualize the risks without first hand knowledge.

Sincerely,



Terrill W. Ramsey

Cc: Granville F. Hogg, Jr.

Additionally, he provided photographs of a pickup truck hauling a trailered boat and making a U-turn in the area, illustrating the area needed to accomplish this maneuver.

Ms. Kim Butler read the following comments:

Good evening,

Thank you for this opportunity to address you regarding the special use permit for a restaurant in my neighborhood which is zoned a hamlet.

First and foremost, I would like to know if the Board has visited the location in question and if not, why not. It should be a requirement to actually see in person what words can't tell. A field team of planning board and supervisory board members should respond to the location before making a judgment. Try walking that up-hill mile from the pier and beach to the proposed restaurant.

Point 1. Is the board aware that people who reside in the area and tourist enjoy walking on Kiptopeke Drive for exercise, bike riding, and the walking of their dogs. That experience will be affected.

Point 2. Has the board examined a plan for parking for boats pulled by cars and mobile homes, turning radiuses, increased traffic?

I am all for fostering economic action and growth in communities but the appearance has to be done well. A compromise was done with three unit condos, let's make sure that if you give your approval for a restaurant, that it works and doesn't have a negative impact on the community and the park.

In closing, I trust that this issue hasn't already been pre-determined and green-lighted from the start. I detect there is obvious friction within the board regarding this issue. With that being said, each of you represent your district and make decisions as a majority. But when a matter comes up that specific elected district representative probably should be given a little more weight, time, leverage, and consideration in speaking as it's his district...and so should all of you when it's your district.

/s/ Kim Butler
29391 Arlington Road
Cape Charles, Va 23301

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Ms. Cynthia Dempster of Cape Charles said that she worked in the restaurant industry and supported this project, adding that the County's downfall was its lack of services. She said that this project would bring increased local revenue and employment opportunities.

Ms. Chris Snook presented the following written comments:

MARK AND CHRISTINE SNOOK
29369 STUARTS WAY
CAPE CHARLES, VA 23310

TO: Northampton County Board of Supervisors

SUBJECT: Special Use Permits for Kiptopeke Villas, LLC

Dear Supervisors,

Our names are Mark and Christine Snook, we own 29369 Stuarts Way and also two (2) other building lots in the same community. We were present at all the meetings, Planning Board and Board of Supervisors, about the Special Use Permits granted to Kiptopeke Villas, LLC for the building of 3 Condos, Townhomes, Apartments, whatever it is being called this week. I know the lot was approved for 3 units but now the developer wants to install/build a 2200 square foot restaurant? The restaurant is to have 1250 or so square feet of indoor area and an outside covered area of 950 square feet.

My first question is I thought the property was only big enough for 3 units? 2 units per acre, this parcel is 1-1/2 acres. Unless they are allowed to round up to 2 acres, there is no room for 4 units.

My second question is about parking for the units and the restaurant. How can there be enough room for parking at the apartment units for the normal home use? Each unit will probably have a tow vehicle, second vehicle and a boat trailer, by my calculations that is a minimum of 3 vehicles per unit. Now the restaurant catering to fisherman and campers. The trucks alone used for towing requires 28 foot turning radius now add an average 25 foot boat or travel trailer to the mix. A lot of motorhomes that come in and out of the campground don't tow extra vehicles and alone are 32 feet to 42 feet long and require a turning radius of about 40 to 45 feet. The proposed parking areas won't handle that kind of turning area needed for vehicle and trailer or motorhome. Now add if there is a couple of cars in the parking lot, the fisherman/camper won't be able to maneuver, they will be forced to park on Kiptopeke Dr, Arlington Rd or Bluff Rd. This is now a hazard, blocking the bicycle path of Kiptopeke Dr or the small two lane roads of Arlington and Bluff Dr. Also, where are deliveries going to be made? The truck will have to park on Kiptopeke Dr as the parking lot as drawn cannot handle a semi truck making food and supply deliveries.

Our third question is of the restaurant special use permit. The 1250 square foot area of the building, is this just a cooking area or is a retail store area also included? Is there seating inside or just outside under the covered area? Will alcohol be served or will it be available for carry out? How is it going to be monitored so it is not a “hang out area” to drink? Will this be 24 hours 7 days? Later on in its life, will the covered area be allowed to be enclosed and turned into more area? The building shows a possible 2nd story, If it is a 2nd story, is this in the total square footage of the shown building?

As you can tell, there is a lot of unanswered questions, letting this go thru as written seems to be giving a blank check to the possibilities of what this can become.

Thank You, Mark and Christine Snook

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Mr. Bill Parr addressed some of the concerns noted earlier, indicating that there was a 22 ft. grassy shoulder area available for parking, not located on the bike path. He said that many of the concerns noted would be handled during the site plan review process which will include input from the Health Department and the Department of Transportation.

Mr. Stith was asked to read the following e-mail communication from VDOT:

From: Pusey, Dale (VDOT) [<mailto:Dale.Pusey@vdot.virginia.gov>]
Sent: Tuesday, March 10, 2015 1:12 PM
To: 'Peter Stith'
Subject: RE: Kiptopeke Villas

Peter,

Since oversize vehicles as well as vehicles pulling trailers will likely visit the restaurant, it is recommended that the County consider requiring the developer to provide parking accommodations for those types of vehicles outside the public right of way. Parking on the travel lane or bike lane of existing roads is illegal and violators will be cited. If parking on the unpaved shoulder becomes a problem, VDOT will post NO PARKING signs as needed. Due to the relatively low traffic volumes, vehicles making u-turns at the existing crossovers on Kiptopeke Drive are not a concern to VDOT at this time. If u-turning vehicles becomes a problem, VDOT will consider taking appropriate measures as needed at that time.

Let me know if you have questions.

Dale Pusey, P. E.

Area Land Use Engineer
Hampton Roads District
Accomac Residency

Virginia Department of Transportation
23096 Courthouse Avenue
Accomac, VA 23301
Office: (757) 787-5932
Email: dale.pusey@vdot.virginia.gov

From: Peter Stith [<mailto:pstith@co.northampton.va.us>]
Sent: Tuesday, March 10, 2015 10:57 AM
To: Pusey, Dale (VDOT)
Subject: Kiptopeke Villas

Dale,

I left a message with you as well and you can either call me or reply to this email. This is in reference to the Kiptopeke Villas LLC request for a SUP for a Restaurant. A concern of many of the people in the area has to do with people parking on the north side of Kiptopeke Dr. with boat trailers and then walking across the street as well as people having to do a U-Turn to get back to the entrance. Also they are concerned with parking on Kiptopeke Dr. in general. Will VDOT require no parking signage or are there other regulations for not parking on the street along Kiptopeke Dr. or any other concerns VDOT may have regarding these issues? Thanks Dale, the Board meeting is tonight so if you can get back to me today that would be great. Thanks,

Peter Stith, AICP
Long Range Planner/GIS Coordinator
PDR Program Administrator
Northampton County
16404 Courthouse Rd.
Eastville, VA 23347
p. 757-678-0440 x545
f. 757-678-0483
pstith@co.northampton.va.us

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

Motion was made by Mr. Hogg, seconded by Mr. Hubbard, that Special Use Permit 2015-02 as petitioned by Kiptopeke Villas, LLC, be tabled in order to allow the applicant to

review and consider the comments heard during the public hearing. All members were present and voted “yes.” The motion was unanimously passed.

Citizens Information Period:

Mr. Steve Sturgis, President of Farm Bureau, submitted the following written comments:

Northampton County Farm Bureau Board of Directors
PO Box 176
Eastville, VA 23347

March 10, 2015

Northampton County Board of Supervisors
Via personal delivery

RE: Agricultural & Forestal District Program

Dear Gentlemen:

I am here tonight on behalf of myself, local farmers and the Northampton County Farm Bureau Board of Directors. We believe that AFDs are a positive and beneficial program for our county and hope that you will continue to devote resources and time to keeping it around.

According to the Code of Virginia 15.2-4301, the purpose of AFDs are to "...conserve and protect and to encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to provide a means for a mutual undertaking by landowners and localities to protect and enhance agricultural and forestal land as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance."

Enrolling land in the AFD program has been extremely beneficial for citizens and local government in Northampton, and has accomplished the following:

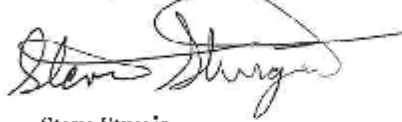
- protected productive farm, forest, and lands which contribute to Northampton's rural character;
- protected surface and ground water supplies, in addition to other natural resources such as wildlife; and,
- facilitated local government services by concentrating new development around existing communities to that services can be provided in the most effective manner.

AFDs encourage landowners to maintain the current land uses of the property. Property owners receive a tax deferral by agreeing not to convert their farm, forestland and other open space lands to more intense commercial, industrial or residential uses. In a 1999 study done in Northampton County by the American Farmland Trust, working and open land only require \$0.23 for every dollar paid in tax revenue. Residential land, including the houses in which we live, require \$1.13 in services for every dollar paid. AFDs ensure tax equity for the services required by those that pay them.

The rural character of Northampton County is central to our identity and our economy. We need to protect the policies that are in place to preserve rural and productive land. Virginia's program of land preservation and agriculture forestry districts are routinely ranked as the best in the nation. We need to protect and promote these programs, which preserves open space, protects our rural character, and provides critical tax relief for working farms. We cannot stress enough to the Board of Supervisors the importance of land use valuation and agriculture forestry districts that incentivizes farming and maintenance of timber lands to better reflect the property value of Virginia farm and timber resources.

We fully believe that these reasons- from an economic impact and maintenance of rural character standpoint are very important to Northampton County. We hope that you will consider keeping the needed resources for this valuable program.

Thank you for your time.

A handwritten signature in black ink, appearing to read "Steve Sturgis". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Steve Sturgis
President

cc: Katie Nunez, County Administrator

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Mr. Bill Prorise suggested that the Virginia Department of Transportation make Butlers Bluff Drive a one-way street. He also urged the Board not to approve any subdivisions which contained private roads, noting that new subdivisions should always have state-maintained roadways.

Mr. Bill Parr echoed the comments expressed by Mr. Steve Sturgis, noting that retaining agricultural-forestal districts is an important part of preserving the farming industry, but that the Board should provide other ways to raise revenues by encouraging more commercial growth so that that sector can help to carry the load.

Mrs. Mary Miller submitted the following written comments:

March 10, 2015

Comments during the "Citizens Information Period" to the Northampton County Board of Supervisors submitted by: Mary Miller, Eastville, VA



Gentlemen:

A few weeks ago I attended a Planning Commission meeting to research an article on the Comprehensive Plan review, and to request updated Minutes which had not been posted online the article is in the Feb. 2015 *Shoreline*.

As a result of this research I became aware of what appears to be an ongoing disregard of both public input from the nine-community meetings held at the start of the Plan review, and the Commission's own work on Part 2, Data and Analysis Section—both of which the VA Code requires the Commission to use as resource data. (§ 15.2-2223)

Per submitting a memo summarizing the 45 files of community meeting input prepared by the former Director of Planning and Zoning I submitted this memo to the Planning Commission last week, as it was unclear if they had even seen any of these files. Ms. Benson, as you know, was a certified professional planner. She thoroughly understood the Code-imposed statutory obligations of the Commissioners in the creation or revision of a Comprehensive Plan and she made sure all the Commissioners knew their responsibilities, especially consideration of community input, as well as she did.

It does not appear to me, as a former Vice Chair of a county Planning Commission, that any similar legal guidance has been given to the current Commissioners. As I listened to discussion and reviewed the Minutes, it appeared that the changes and deletions being made were the arbitrary and capricious personal opinions and conclusions of a few of the individual Commissioners.

This haphazard process of discussion and conclusion based on individual bias is bound to result in recommendations which stand on shaky ground—precarious legal ground—based as they appear to be, on the personal viewpoints of individual Commissioners, and not on the community resource material available to them.

I request that my comments and submission be inserted into the public record.



**DEPARTMENT OF PLANNING AND ZONING
NORTHAMPTON COUNTY, VIRGINIA**

Sandra G. Benson, AICP
Director
Planning Commission
Wellness Board
Board of Zoning Appeals
General Development

16401 Courthouse Road
P.O. Box 538
Eastville, VA 23347
Phone: 757-876-0443
Fax: 757-672-3453
sbenson@co.northampton.va.us

MEMORANDUM

To: Northampton County Planning Commission

From: Sandra G. Benson, AICP
Director of Planning & Zoning

Subject: Public input workshops and other comments received to date

Date: March 29, 2012

Participation

Two hundred eighty-four (284) persons, excluding Planning Commissioners, Supervisors, and staff, signed in for the seven public input workshops conducted in January-February 2012. Thirty-nine (39) individuals attended more than one meeting, of those 24 attended two meetings, 9 attended 3 meetings, 5 attended 4 meetings, and 1 attended all 7 workshops. This means that 221 different persons participated in the workshops, based on the sign-in sheets. Of the meeting participants, 184 submitted Visioning Work Sheets/Questionnaires. In addition, we received four (4) responses via mail, email, or fax from Northampton County Chamber of Commerce members, plus one comment letter. To date no comments have been received online.

Of the persons who submitted work sheets/questionnaires, roughly 21% indicated that they reside in one of the towns in the county; 5% indicated that they own property or business in Northampton but live elsewhere.

Questionnaire Responses

An overall summary of the questionnaire responses is attached. Following is a preliminary analysis of those responses.

1) **Rate of Growth for next 20 years:** The questionnaire noted that a population will double in 20 years at about a 3% growth rate. 5% indicated that a "0" rate of growth over the next 20 years is desirable; 22% indicated that 1% growth rate is reasonable; 20% expressed support for a 2% rate of growth; 12% indicated that 3% would be reasonable; and 12% indicated that 5% growth would be reasonable. The other options each garnered less than 5% support (4%, 6%, 7%, 8%, 9%, and 10%.

2) Balance between jobs and housing: The majority of survey responses indicated that the balance between jobs and housing is important to very important (66%). Approximately 14% of respondents ranked the importance of this item midway between less important and very important.

The next series of times asked respondents to indicate the relative importance of six (6) resources in relation to other concerns that they have. Please note that percentages may not total 100, as not every respondent responded to every item.

1) Historic sites: 63% of respondents indicated historic resources are important to very important, while 27% of surveys received indicated that these are relatively less important.

2) Groundwater Recharge: 81% of questionnaires indicated that this resource is important to very important.

3) Septic Suitability: 71% of surveys indicated that this is important to very important; 18% indicated that this concern is of lesser relative importance.

4) Floodplain Protection: 62% of respondents indicated that this is important to very important

5) Wetlands Protection: 68% of surveys indicated that this is important to very important.

6) Protection of Priority Conservation Areas: 65% indicated that this would be important to very important.

Slightly less than half of participants indicated support for 0 to modest/moderate growth (up to 2%) over the next 20 years, with 82% of participants responding to the question about growth rate. Based on the number of responses received to this question, the majority of respondents (57%) indicated support for a growth rate that would be something less than double the current population.

Respondents support the concept that there should be a relative balance between jobs and housing in the county. This can be interpreted to mean two different things: (1) that the county would not be a bedroom community where people live but work elsewhere, and (2) there should be sufficient housing in the county to accommodate workers employed in the county. This finding will need to be balanced with other comments received about the desirability of accommodating retired residents.

Regarding the resources included on the questionnaire, people who participated in the process generally indicated the opinion that historic and natural resources need to be protected. There seemed to be a significant recognition of the importance of preserving groundwater recharge capacity.

Workshop Discussion Themes

Following is a list of recurring themes heard during the discussion at the workshops:

- 1) Preservation of rural character and lifestyle, with protection for agricultural lands and emphasis on vibrant small towns
- 2) Protection, improvement/enhancement of water access.
- 3) Protection of ground and surface water quality, with some emphasis on groundwater recharge areas.
- 4) Support for moderate growth with recognition that infrastructure is needed to support growth in appropriate/desired areas
- 5) Desire to see blight, including derelict and abandoned buildings and trash/litter, addressed.
- 6) Necessity of improving the quality of education and workforce preparedness
- 7) Desire to see more recreational opportunities, particularly for children and youth, but families and seniors were also mentioned.
- 8) Recognition that tourism is an important feature of the local economy and desire to capitalize further on tourism assets.
- 9) Necessity of addressing medical campus in Nassawadox following the departure of Riverside-Shore Memorial Hospital and need to ensure availability of adequate emergency medical care that is reasonably close to county residents.
- 10) Preservation of historic assets.
- 11) Expansion of job opportunities, preferably with more well-paying jobs, including emphasis on entrepreneurship and small business development and ensuring that the county is "business friendly." This topic also includes expansion of the tax base in order to reduce the tax burden on residential properties.

Another topic, although not mentioned at all workshops, was heard more frequently from the African-American community. There was concern expressed about neighborhood safety, including street lighting and reduction of crime.

* * * * *

Mrs. Martina Coker submitted the following written comments:

Comments to be placed in the Public Record

Board of Supervisors meeting 3/10/2015

Martina Coker, Cape Charles

I would like to express my concern regarding the process by which the Planning Commission is completing the Comprehensive Plan review.

Per VA Code 15.2-2223 "In the preparation of the Comprehensive Plan, the commission shall make careful and comprehensive surveys and studies of the existing conditions and trends of growth, and of the probable future requirements of its territory and inhabitants. The Comprehensive plan shall be made with the purpose of guiding and accomplishing a coordinated and harmonious development of the territory which will, in accordance with present and probable future needs and resources, best promote the health, safety, morals, order, convenience, prosperity and general welfare of the inhabitants, including the elderly and persons with disabilities."

Well attended County wide input sessions were held as part of the "comprehensive surveys and studies" at which citizens of our County provided input regarding their vision of the "future requirements of their territory." The input was tabulated and showed that the citizens of the County value and desire:

- Preservation of rural character, historic assets, protection for agricultural lands, and emphasis on vibrant small towns
- Protection of ground/surface water, and the groundwater recharge area
- Improvement of the quality of education and workforce preparedness
- Protection and improvement of water access, including for aquaculture activities
- More recreational opportunities
- Capitalize further on tourism assets/natural resources
- Availability of adequate emergency medical care
- Expansion of job opportunities-emphasis on entrepreneurship and small business
- Protection of priority conservation areas
- Support and expand existing County industries: agriculture, aquaculture, tourism and research
- Promote economic development in towns
- Route 13 safety concerns
- More jobs/better wages compatible with County assets
- Expand affordable housing/rentals
- Broadband, high speed internet
- Expand public transportation

There was a common desire expressed to maintain open space, the rural environment and the unique combination of farmland, small towns and historic villages and hamlets.

Review of the Comprehensive plan was being completed in accordance with Virginia Code, with consideration for citizen input and data. There has been a shift in this review, with a dismantling of work done, shifting to changes made based on preconceived individual opinions rather than citizen input and data. There is no basis for the shift in direction. The changes appear to be arbitrary and capricious.

The desires of citizens are being ignored while the Planning Commission decides that they know best and make changes that are counter to desires expressed at the input sessions and those expressed by Town Councils and business organizations. This includes the removal of the following from the Comprehensive Plan draft

- Promote compact development and maintain the town edge
- Discourage rezoning to higher density or more intense uses in Conservation areas
- Towns are the most appropriate location for new development
- Industrial growth should be focused on areas designated on the Future Land Use Map
- Limit strip development on Route 13

The removal of these items appears to be an attempt to fit the Comprehensive Plan into the proposed Zoning Code rather than to complete the Comprehensive Plan based on "the careful and comprehensive surveys and studies", which are a legal requirement for the Planning Commission's work. The Comprehensive Plan is to provide the basis for the Zoning Ordinance, the revision of which is already in progress. Commissioner Ward has often stated that he thought that the Planning Commission should work to fit the Comprehensive Plan to the proposed Zoning. This is absolutely not the approach intended in the Virginia code and results in a document created in a vacuum.

You need to assure that the Planning Commission completes its work in the manner that they are required to do, as prescribed in the Virginia Code.

The public is not being adequately served by the actions of the Planning Commission, in relation to the revision of the Comprehensive Plan nor the Board of Supervisors in relation to the process whereby the Zoning Ordinance is being revised.

The citizens of this county deserve better than what they are receiving.

* * * * *

Ms. Donna Bozza, representing Citizens for a Better Eastern Shore, said that she echoed the findings of the County's Ad-Hoc Tax Study Committee and quoted from that committee's final report.

Mr. Ken Dufty commented on the Board's discussion at the last meeting relative to the FY 2016 budget. He said that salaries of the County Administrator, Commonwealth Attorney and Economic Development Director were greater than the average in other Virginia localities.

Mr. Bob Meyers chastised the Board for having what he called "private discussions" amongst themselves and the County Administrator during the public Board meetings.

Mr. Charles Bruckner indicated that he had distributed Freedom of Information Act requests to the Board members tonight and hoped for a speedy response.

Mrs. Katie Nunez, County Administrator (*informational items only*):

Work session/other meeting agendas:

- (i) 3/13/15: Possible Budget Meeting: this is the last day available to Vote to send the budget to public hearing
- (ii) 3/23/15: Work Session: Topic to be Determined
- (iii) 4/27/15: Work Session: Topic to be Determined

(5) The County Administrator's bi-monthly report was presented as follows:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: March 6, 2015
RE: Bi-Monthly Report

I. Projects:

A. Public Service Authority:

The next meeting of the PSA is Tuesday, March 17, 2014 @ 7:00 p.m.

B. New Cape Charles Access Road:

Enclosed is correspondence from the Virginia Department of Transportation regarding the public hearing that was held on December 11, 2014 and providing approval of the major design features of the proposed road project as presented at that public hearing.

C. Review of the Joint Resolution Creating the Groundwater Committee:

The Groundwater Committee is reviewing and updating its formation documents. ANPDC Staff has reviewed the Joint Resolution Creating an Agreement between Accomack & Northampton County of a Groundwater Committee and has recommended some changes to that document. These proposed changes were forwarded to each County Administrator for review and input. I am requesting the Board to review and provide any comments on the proposed changes, highlighted in yellow in the attached document.

D. Workforce Development Area Designation:

Enclosed is correspondence from Michael Jenkins, Executive Director of the Bay Consortium Workforce Investment Board. This organization is tasked with the implementation of the Workforce Investment Act for various Virginia jurisdictions, including Northampton County. The Act is set to expire on June 30, 2015 and will be replaced by the Workforce Innovation and Opportunity Act of 2014 (WIOA). ***As part of that process, each participating jurisdiction in the Bay Consortium need to indicate that they wish to continue their participation in this partnership – Board action is needed.***

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Northampton County continue to participate in the Bay Consortium. All members were present and voted "yes." The motion was unanimously passed.

E. FY2016 Budget Development:

I am working on the revisions to the proposed FY2016 budget as reviewed on Wednesday, March 4, 2016 by the Board. The Tracking Sheet includes the discussed changes – please note that we are still gathering information which is highlighted in yellow. I most likely will not have that information until our budget meeting on Thursday, March 12, 2015. We have enclosed for your review the appropriate pages from the most recent Virginia Local Tax Rates Book relative to personal property. For discussion purposes, I have included a 5 cent tax increase for personal property in the tracking sheet.

Additionally, we have been reviewing the current rate structure for ambulance billing with our billing provider, Cornerstone Adminisystems. Enclosed is e-mail correspondence between EMS Director Hollye Carpenter and Cornerstone Adminisystems, Inc. as well as optional rate increases of 3%, 5%, 7% or 10% for our consideration. Based on this information, Ms. Carpenter and I would recommend the Board to consider implementing a 3% increase to the ambulance

billing rates, effective April 1, 2015 and for the next two years annually. This would allow our rates to remain in line with the Medicare rates.

* * * * *

(6) Fiscal Year 2016 Budget Discussions

The following Tracking Sheet and tax rate calculation spreadsheet were distributed for the Board's consideration:

EX 2015 (01/20/2015 - 06/30/2015)
RECOMMENDATION BY COUNTY ADMINISTRATOR AND FINANCE DIRECTOR
TO BALANCE THE FY16 BUDGET
RUNNING TRACKING SHEET as of February 27, 2015 and Amended March 4, 2015

VERIFIED IN EIMS	DEPT #	DESCRIPTION	REVENUE	EXPENSES	RUNNING BALANCE
CHANGES PROPOSED PUKSLANT TO 3-4-15 BOS BUDGET MEETING					
Issue #4 - 3 EIMS new positions	100-0011-40000-2015 100-3235-(Salary Account#)	REMOVE FROM BUDGET REQUEST: (REVENUE) - Increase Real Estate Tax Rate to fund 3 new EIMS positions - this was 0.6224 cent) REMOVE FROM BUDGET REQUEST: (EXPENDITURE) - 3 NEW EIMS POSITIONS)	(5122,752.00)	3 (,22,752.00)	(5122,752.00)
Issue #2 - School Increase Request	100-2011-40000-2015 700-3600-50050; 910-0694-48000; 910-6000-56555 100-9620-50050; 910-0144-48000; 910-6000-56552	REMOVE FROM BUDGET REQUEST: (REVENUE) - Increase Rent Estate Tax Rate to fund the School's Requested increase - this was 2.8399 cents) REMOVE FROM BUDGET REQUEST: (EXPENDITURE) - School's Request for Increased Contribution)	(1360,117.00)	(8860,117.00)	(756,117.00)
Issue #3 - Increase Tipping Fee Rate	100-0011-40000-2015 100-0018-41325; 100-0010-41350; 100-0016-41375; 100-0016-41425	ADD TO BUDGET REQUEST: (EXPENDITURE) - Provide increase to school contribution to fund the FY15 Pay Raise (\$177,521) and the FY16 Step Increase (\$217,906) - need approval from Supervisor Lehmond to see this implementation)	\$390,428.00	\$390,428.00	\$0.00
Issue #4 - Add SPOJ Program	100-0012-40400	ADD TO BUDGET REQUEST: (REVENUE) - Increase Real Estate Tax Rate to fund the BOS' proposed increase to the school contribution - this equals 1.9796 cents) ADD TO BUDGET REQUEST: (REVENUE) - Increase Solid Waste Tipping Fee Rate \$65/ton to \$69.50/ton	\$ 43,562.00		\$43,562.00
		ADD TO BUDGET REQUEST: (REVENUE) - Add Full BICOL Projection			\$43,665.00

**RECOMMENDATION BY COUNTY ADMINISTRATOR AND FINANCE DIRECTOR
TO BALANCE THE FY16 BUDGET
RUNNING TRACKING SHEET as of February 27, 2015 and Amended March 4, 2015**

F Y 2015 (1/1/2015 - 12/31/2015)

VENDOR INPUTTED IN SHEET	DEPT #	DESCRIPTION	REVENUE	EXPENSES	RUNNING BALANCE
Issue #6 - Increase the Personal Property Tax Rate by 5 cents	100-9011-40050-2015	ADDED TO BUDGET REVENUES: REVENUE - Increase the Personal Property Tax Rate from 33.85 to 33.90(5%)	\$ 36,755.00		\$85,417.00
Issue #6 - Lease Finance of Capital items vs. Outright Purchase	100-0012-47000	REMOVE FROM BUDGET REQUEST: REVENUE - Lease proceeds for 1 capital outlay item (C. Sheriff Vehicle); EMS Damage ; Bldg Truck ; Solid Waste Trucks			13,110,543.00
	100-9100-58350; 100-9800-59050	REMOVE FROM BUDGET REQUEST: DEBT - Year One of Three Year Lease Purchase Protocol for 4 capital outlay items (2 Sheriff Vehicles; EMS Damage; Bldg Truck; Solid Waste Tractor)	(\$191,000.00)	(\$74,000.00)	(\$25,683.00)
	100-2205-58650	REMOVE FROM BUDGET REQUEST: EMS CAPITAL OUTLAY - Replace the Damage; Public Response Vehicle		(\$48,000.00)	\$10,257.00
	100-3401-58050	REMOVE FROM BUDGET REQUEST: BUILDING CAPITAL OUTLAY - Request for replacement truck		(\$25,500.00)	\$38,757.00
	100-4204-58700	REMOVE FROM BUDGET REQUEST: SOLID WASTE CAPITAL OUTLAY - Request for tractor		(\$15,000.00)	\$77,757.00
Issue #7 - Amend EMS Vehicle Requests	100-0025-44050	REMOVE FROM BUDGET REQUEST: REVENUE - Possible Grant Revenue from Rescue Squad Ass's fund for EMS Command Vehicle; if grant is not received, then the expense will be removed from the budget.	(\$99,300.00)		(\$23,549.00)
	100-2205-58650	REMOVE FROM BUDGET REQUEST: EXPENDITURE - EMS Command Vehicle		\$ (99,200.00)	4,347.00
	100-2205-58650	Add EMS Revised Vehicle Request (Countered Quick Response Incident Support Vehicle - as discussed by EMS Director Committee at the meeting)		\$ 76,076.00	(\$23,190.00)

FF 201010102013 - 05/06/2013
RECOMMENDATION BY COUNTY ADMINISTRATOR AND FINANCE DIRECTOR
TO BALANCE THE FY16 BUDGET
RUNNING TRACKING SHEET as of February 27, 2015 and Amended March 4, 2015

VEHICLE INPUTTED IN NWS	DEPT #	DESCRIPTION	REVENUE	EXPENSES	RUNNING BALANCE
ISSUE #9		Are there any revenue and/or expenditure changes as a result of the State Budget Agreement reached on 2/27/15?			

<u>Real Estate Tax Rate Increase as of 2/27/2015</u>	Amount of Revenue Needed	Value of Tax Increase
1. Starting Revenue Deficit	\$242,192.00	0.012280
2. Fund School's Requested Increase	\$560,117.00	0.028399
3. Fund 3 New EMS Positions	\$122,752.00	0.006224
TOTAL INCREASE AS OF 2/27/2015	\$925,061.00	0.046903

**Real Estate Tax Rate Increase
as of 3/4/2015**

1. Remove School's Full Request	(\$560,117.00)	(\$0.028399)
2. Fund Partial School Increase of the 2 Salary Increase Items	\$390,428.00	\$0.019796
3. Remove 3 New EMS Positions	(\$242,192.00)	(\$0.012280)
NEW TOTAL INCREASE AS OF 3/4/2015	\$513,180.00	\$0.026020

EXISTING REAL ESTATE TAX RATE	67.28 cents
Proposed Increase	2.6 cents
Proposed Real Estate Tax Rate	69.88 cents

* * * * *

The Board indicated that it would continue its deliberations of the FY 2016 budget during its work session of March 12, 2015.

Tabled Items:

(7) Consider action on proposed listing of median crossings as recommended by VDOT.

It was noted that VDOT is hiring another contractor to review Rt. 13 and will provide the

Board with a recommendation in approximately six months' time. It was the consensus of the Board that this item remain on the table.

Action Items:

(8) Consider a Resolution Approving the Issuance of a Revenue and Refunding Bond by the Joint Industrial Development Authority of Northampton County and Its Incorporated Towns as a Conduit Issuer for Williamsburg Landing, Inc.

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

Said resolution as adopted is set forth below:

RESOLUTION OF THE
BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY, VIRGINIA,
APPROVING THE ISSUANCE OF A REVENUE AND REFUNDING BOARD
BY THE JOINT INDUSTRIAL DEVELOPMENT AUTHORITY
OF NORTHAMPTON COUNTY AND ITS INCORPORATED TOWNS
AS A CONDUIT ISSUER FOR WILLIAMSBURG LANDING, INC.

WHEREAS, the Board of Supervisors of Northampton County, Virginia (the "Board"), has been advised that there has been described to the Joint Industrial Development Authority of Northampton County and its Incorporated Towns (the Authority), the application of Williamsburg Landing, Inc. (the "Company"), whose principal place of business is located in James City County, Virginia, at 5700 Williamsburg Landing Drive, Williamsburg, Virginia, 23185, for the Authority to issue its Revenue and Refunding Bond in a principal amount not to exceed \$10,000,000 (the "Bond") to assist the Company in the (a) current refunding of a portion of the Economic Development Authority of James City County, Virginia, Residential Care Facility First Mortgage Revenue and Refunding Bonds (Williamsburg Landing, Inc.), Series 2005, and/or a portion of the Economic Development Authority of the City of Williamsburg, Virginia, Revenue Bond (Williamsburg Landing Project), Series 2007, (b) financing certain preliminary and pre-development expenditures relating to an expansion of the Company's retirement community facilities, and (c) financing of certain costs of issuance of the Bond (collectively, the "Plan of Finance");

WHEREAS, the Board has been advised that the Company, in its appearance before the Authority, described the benefits to the County of Northampton (the "County") to be derived from the Plan of Finance and has requested that the Authority agree to issue the Bond pursuant to the Industrial Development and Revenue Bond Act, Chapter 49, Title 15.2, Code of Virginia of 1950, as amended (the "Act"), and loan the proceeds from the sale of the Bond to the Company for the purposes described above;

WHEREAS, the Board has been advised that a public hearing with respect to the Bond as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code") was held by the Authority on February 24, 2015, and that after such hearing the Authority agreed to assist the Company by issuing the Bond;

WHEREAS, Section 15.2-4906C of the Act provides that the Board shall, within sixty (60) calendar days from the public hearing with respect to the issuance of bonds of the Authority, either approve or disapprove the issuance of such bonds; and

WHEREAS, a copy of the Authority's resolution approving the issuance of the Bond, subject to terms to be agreed upon, a reasonably detailed summary of the comments expressed at the public hearing with respect to the Bond, and a fiscal impact statement in the form prescribed by Section 15.2-4907 of the Act have been filed with the Board, together with the Authority's recommendation that the Board approve the issuance of the Bond;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY:

1. The foregoing recitals are hereby incorporated in, and deemed a part of, this Resolution.
2. The Board approves the issuance of the Bond by the Authority to assist in the Plan of Finance for the benefit of the Company, to the extent required by the code and the Act.
3. The Board designates the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code for calendar year 2015.
4. The approval of the issuance of the Bond, as required by the Code and the Act does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the Company and, as required by the Act, the Bond shall provide that neither the County nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor by the Company and that neither the faith or credit nor the taxing power of the Commonwealth of Virginia or the County shall be pledged thereto.
5. This resolution shall take effect immediately upon its adoption.

* * * * *

Mr. Hogg asked whether Eastern Shore Rural Health would have need for some of the bond capacity. Mrs. Nunez responded that the \$10,000,000 bonding capacity is an annual allocation and that the proposed new medical center complex will not come to fruition in this

calendar year.

(9) Consider approval of a request for the 17th Annual Trooper Troy Ashe Memorial Pistol Tournament to be held October 10, 2015 on property contained within the Jamesville AFD.

Motion was made by Mr. Bennett, seconded by Mr. Trala, that the Board approve the request for the 17th Annual Trooper Troy Ashe Memorial Pistol Tournament, to be held on October 10, 2015, on property identified as Tax Map 7-A-3 and located within the Jamesville Agricultural-Forestal District. All members were present and voted “yes.” The motion was unanimously passed.

(10) Consider AFD Renewals for 2015

The County Administrator distributed the following memorandum for the Board’s review:

MEMORANDUM:

TO: Northampton County Board of Supervisors
FROM: Katherine H. Nunez, County Administrator
DATE: March 6, 2015
SUBJECT: AFD Renewals - 2015

Pursuant to Code of Virginia § 15.2-4311 (enclosed), the local governing body needs to make a determination if they wish to have a review of any agricultural-forestal districts (AFDs) that are coming up within their ordinance requirements.

There will be six (6) AFDs that will hit their 10-year renewal cycle at the end of 2015. They are:

- Church Neck
- Concord
- Jamesville
- Old Plantation
- Picketts Harbor
- Point Pleasant

We have enclosed for your review both the spreadsheet listing the parcels that compose each AFD and its associated valuations as well as tax maps that list the existing zoning designations for these AFDs.

Therefore, we are seeking a determination from the Board if you would like to vote to move these out for review which would include referring them to the AFD Advisory Committee and Planning Commission for the requisite public hearings, and then to report back to the Board with a recommendation at a subsequent meeting.

* * * * *

Supervisor LeMond said that he believed that the application process needed to be tightened up and that the Board needed to follow some of the Tax Study Committee's recommendations as far as scoring of AFD applications based on acreage, amount of projected tax loss and use of best management practices, as well as whether there were paper subdivisions in place on the farmland. In response to a question from Supervisor Bennett, the County Administrator indicated that the FY 2016 budget anticipated \$1,390,000 as the value of tax revenue lost as a result of all agricultural-forestal districts, preservation easements and conservation easements.

Supervisor Hogg questioned if the FY 2016 figures would be based on the new SLEAC values. The Chairman responded that he was not sure as the local community does not have any input into those values and it is the responsibility of the Commissioner of the Revenue as to what valuation method is employed.

Motion was made by Mr. Hogg, seconded by Mr. LeMond, that the six agricultural-forestal districts coming up for renewal in 2015 be processed for review using the scoring system as recommended. All members were present and voted "yes," with the exception of Mr. Bennett who voted "no." The motion was unanimously passed.

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Mr. William Hughes be reappointed to the Joint Industrial Development Authority of Northampton County and Towns, for a new term of office commencing April 1, 2015. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Trala, seconded by Mr. Bennett, that Mr. Granville F. Hogg, Jr., be reappointed to the Northampton County Fire & Rescue Commission to serve as the Board’s representative to the Fire and Rescue Commission for 2015, and that the Board further ratify the membership rosters for the Northampton fire and rescue organizations in accordance with the Bylaws of the Fire & Rescue Commission. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Hogg, that Ms. Hollye Carpenter be nominated to serve on the Tidewater Emergency Medical Services Council for a new term of office commencing February 1, 2015. All members were present and voted “yes.” The motion was unanimously passed.

Supervisor Bennett thanked Mr. Richard Sterrett for the information he provided relative to the types and amounts of assistance which could be provided to the County’s elderly citizenry. He indicated that he would be contacting our federal legislative delegation with regard to this matter.

Supervisor Hogg questioned who determines the location of zoning districts on the Future Land Use Map and said that he believed that the citizens should set the vision. He said that the Board needs to follow the path that the citizens select. Mr. Hogg then noted that he would like

to revisit the Strategic Plan again (adopted at the last meeting), noting that we have not addressed the issues of agriculture and aquaculture.

Mr. Bennett announced that the Northampton High School Indoor Track Team won six medals in Lynchburg recently and he was very proud of the participants. It was agreed that the Chairman would send letters of congratulations to the team members.

Supervisor Hubbard read from a recent edition of the CBES *Shoreline* publication, questioning data relative to a comparison of debt levels currently maintained by various localities.

Recess

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the meeting be recessed until 5:00 p.m., Thursday, March 12, 2015, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, in order to conduct a budget work session. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____CHAIRMAN

_____ COUNTY ADMINISTRATOR