

VIRGINIA:

At a recessed meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 24<sup>th</sup> day of March, 2014, at 5:00 p.m.

Present:

Larry LeMond, Chairman

Richard L. Hubbard, Vice Chairman

Oliver H. Bennett

Laurence J. Trala

Granville F. Hogg, Jr.

The meeting was called to order by the Chairman.

Consent Agenda:

(1) Consider approval of A-95 Review entitled, "1-20 Passenger Senior Bus"; applicant: Eastern Shore Area Agency on Aging/Community Action Agency.

Motion was made by Mr. Bennett, seconded by Mr. Hubbard, that the A-95 Review be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

(2) Conduct annual joint meeting with Northampton County Planning Commission

The Northampton County Planning Commission was present and in session. The bodies discussed the following work plan as outlined below:

**MEMORANDUM**

TO: Northampton County Board of Supervisors

FROM: Northampton County Planning Commission

SUBJECT: 2013 Annual Report DRAFT

DATE: March 4, 2013

This report is provided in accordance with VA Code §15.2-2221 to summarize the Planning Commission's (the Commission) activities during the past year and to advise the Board of Supervisors (the Board) 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.

2013 Activities

The Commission held twelve (12) regular monthly meetings plus thirteen (13) recessed meetings. During this year the Commission continued to focus primarily on the comprehensive plan review.

The Commission held a total of eleven (11) public hearings during 2013. The following is a summary of the types of hearings conducted:

- Agricultural & Forestal Districts (AFDs) – 0 hearings*
- Subdivision ordinance amendments – 0 hearing*
- Joint public hearing with a town council – 1 hearings with Eastville Town Council – Comprehensive Plan amendments*
- Comprehensive Plan amendments – 0 hearings*
- Zoning Map Amendments (county only) – 2 hearings*
- Zoning Text Amendments (county only) – 0 hearings*
- Special Use Permits – 8 hearings*

All Commissioners have completed training through the Certified Planning Commissioner Program, with Commissioners Stanley and Chatmon completing the program in December 2013.

Future Issues and Topics for Discussion

A table follows which includes Goals for 2014 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.

2013 Goals	Progress to Date	2014 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.	Planning Commission completed Part II of the Plan and is close to completing Part I.	Revised schedule attached.*

Review zoning ordinance following adoption of comprehensive plan revisions.	No Action. Will review Draft Zoning Code once a public hearing draft is developed and forwarded by the Board.	Review and develop recommendation on draft zoning code.
Develop an Overlay District Ordinance for Route 184.	Review of materials from Cape Charles has been completed. CC Planning Commission has been reviewing language. Expect a revised draft to be returned for County review.	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.

A projected timeline for completion of the Comprehensive Plan Review and Update was also shared with the Board:

(Revised March 24, 2014)

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 I – Goals and Implementation**

Current status of Part I Sections:

Part I Section 2 The Land Use Plan – Not yet reviewed

Part I Section 3 Economic Plan - **COMPLETED November 2013**

Part I Section 4 Housing Plan – 90% Complete

Part I Section 5 Environment & Natural Resources – 80% Complete

Part I Section 6 Community Facilities & Services – 90% Complete

Part I Section 7 Transportation – **COMPLETED February 2014**

August 2014 - Part I draft sent to CPAC and PRSG once finalized.

September 2014 - Reconvene CPAC to review and comment on draft

September 2014 - Reconvene PRSG to review and comment on draft

October 2014 – Planning Commission receives and reviews comments from PRSG and CPAC, makes additional edits and prepares public hearing draft.

November 2014 – Hold 3 Public Info Meetings (North, Middle, and South)

December 2014 - 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)

\* \* \* \* \*

Planning Commission Chairman Dixon Leatherbury indicated that with the 100-day review period stipulated by the Board, he wondered if there was funding available to hire an outside consultant to assist the Planning Commission with its review of the zoning ordinance. He has received a quote of \$15,000 to perform this diagnostic review with a 3-4 month timeline. The County Administrator confirmed that the Code of Virginia stipulates a 100-day review period with no apparent provision for extension; she offered to query the County Attorney to see if there was any other applicable Code provision. She also noted that she believes that additional quotes can be obtained by the end of the week and that funding could be available through the contingency fund.

Chairman LeMond questioned the Board as to a consensus on providing the requested funding to hire a consultant. Mr. Bennett and Mr. Hogg stated that they would prefer to wait

until after the legal opinion is obtained. Mr. Hubbard and Chairman LeMond were agreeable with providing the requested funding. Mr. Trala was not agreeable, indicating that “we do not need an outside consultant to tell us we’re wrong.”

At this time, Planning Commissioner Roberta Kellam indicated that since her term would be expiring June 30<sup>th</sup>, she wanted to make sure that the following affordable housing material was placed before the Board.

### MEMORANDUM

**TO:** Planning Commission  
**FROM:** Roberta Kellam  
**DATE:** February 26, 2014  
**RE:** Affordable Housing Strategies for Northampton County

---

***IN A NUTSHELL:*** *In order to improve the quality and quantity of low-income affordable housing in Northampton County, the Board of Supervisors should:*

- 1. Identify and approve an updated list of priority projects and neighborhoods; and*
- 2. Identify the substandard roads that are prohibiting development and pursue VDOT funding for roadway improvements and/or self-fund.*

#### Introduction:

At our last Planning Commission meeting, I volunteered to rework a strategy for housing choices and in that pursuit, I found new strategies for Low-Income/Affordable Housing for the Comprehensive Plan Update. To help with my research, I spoke with Ms. Elaine Meil, Executive Director of the Accomack-Northampton Planning District Commission, in her role as the Director of the Accomack-Northampton Regional Housing Authority, to learn more about the obstacles and opportunities in Northampton County when it comes to improving the quality and availability of low income affordable housing. Low income affordable housing primarily refers to subsidized housing, with some exceptions noted below. Housing at the affordability level of many of the County’s residents would be difficult to develop on a community scale without subsidization (i.e., government assistance in any form). Below are my notes from that conversation; reviewed by Ms. Meil for accuracy. In addition, I suggested wording that could be inserted into our Housing Strategy for the Comprehensive Plan Update.

#### History

Like many rural communities, Northampton County does not have an adequate supply of quality affordable housing. Cities typically provide a range of affordable housing opportunities because of the long history of upward mobility; i.e., the middle class housing of one generation becomes the affordable of the next. Northampton County does not have an existing inventory of middle-class housing that will transition to affordable housing in the future.

Northampton County used to have a Community Housing Committee that developed a list of

neighborhoods that would be priorities for revitalization using Community Development Block Grants. The Culls Road neighborhood is currently being completed and that was the last neighborhood on the list. Others on the list included Fairview West, Fairview East, and Birdsnest. The process for revitalization includes demolishing derelict structures, building replacement structures, and repairing units that could be saved. In August 2009, Sandra Benson, on behalf of the Northampton County Community Housing Committee, submitted a new list of neighborhoods to the Board of Supervisors for approval but the Board took no action on it. Projects on that list included Wierwood (a number of houses with no indoor plumbing), Birdsnest, and Jamesville. (See attached memoranda.) It would be very helpful for A-NRHA to have future projects identified by the County before funding becomes available.

SUGGESTION FOR PLAN: The County should reconvene the Community Housing Committee in order to study the status of neighborhoods and update the proposed list or develop another list of neighborhoods for revitalization. Revitalization should go beyond structures to include other improvements to enhance quality of life, health and safety.

Indoor Plumbing Replacement:

The indoor plumbing replacement fund set aside is gone and there is no guarantee that there will be further funds in the future. The requirements are that the home must be occupied by the owner and have no indoor plumbing. There is a waiting list for this program, but over the years, many of these structures have converted to rental housing and some have been abandoned. It may be over 100 homes still in the County that have no indoor plumbing but the number is not clear. In order to work on rental homes, the A-NRHA must purchase them from the landowner. There are 9 homes on Occohannock Neck Road with a willing seller landlord that are awaiting funding for rehabilitation, and several homes in Weirwood also have a willing seller landlord.

SUGGESTION FOR PLAN: The County should work with elected officials to ensure future state funding for the IPR program.

Large Developments, Rehab Units, New Units

The A-NRHA recently took over the William Hughes Apartments from the Delmarva Rural Ministries which went bankrupt. There is additional land associated with the existing development that may be used to build additional units. A-NRHA will be investing over \$1,000,000 into the existing development in order to upgrade and rehabilitate the units.

SUGGESTION FOR PLAN: Support the expansion of the William Hughes Apartments through planning and zoning.

The A-NRHA purchased the foreclosed lots in Bayview and those have been resold for development of individual units of affordable housing.

A-NRHA also completes the replacement or rehabilitation of about 4 or 5 single family units per year in Northampton County, as well as working with low-income residents on buying or renting homes. A number of obstacles stall and sometimes prevent new development. One example is that several low cost, developable lots are located on substandard roadways. Although lower income potential home owners are interested in living in those locations, banks will not provide a

mortgage on properties that are located on substandard roadways. Locations where this has the potential to open new lots for development include Birdsnest, Treherneville, and near the railroad tracks north of Eastville. Ms. Meil considers these areas to have a potential for opening new opportunities for affordable housing.

SUGGESTION FOR PLAN: The Board of Supervisors should work with the A-NRHA to identify roads that are in need of upgrade for purposes of low income housing maintenance or development. Those roads should then become part of the County's request to VDOT or even for County-funded road improvement.

Another issue is clear title. It can be difficult, timely and costly to clear title in the lower income neighborhoods due to inheritance issues. Generally, A-NRHA staff does all of the ground work to clear title and then works with local attorneys. Heir property that has been abandoned may be put through a tax sale to clear title.

SUGGESTION FOR PLAN: The County legal department should explore working with a poverty law clinic that could utilize law students to assist with clearing title. The County should work with A-NRHA to ensure that any abandoned properties are put through tax sales to clear the title.

Affordable housing in the private sector in Northampton County often means a single-wide trailer. Although that is not the top priority of A-NRHA and possibly not the highest quality housing available, it is often the only affordable housing option in the County, and can be completed on private lots with clear title. This type of development often occurs in existing neighborhoods and is often used as infill. Also, as mentioned above, there is a pent up demand for construction of lower cost housing in existing neighborhoods, and in many cases, the potential residents are paying as much in rent as they would for a mortgage.

SUGGESTION FOR PLAN: The County should inventory the vacant lots that were counted as part of the Comprehensive Plan to determine how many lots are one acre or less and not on the waterfront, which could possibly be affordable to Northampton County residents. In addition, the County should ensure that zoning and planning enables low-income housing development by private parties in neighborhoods where it is sought.

A-NRHA provides training classes for future home owners, assistance with getting mortgages for lower income residents, and collaborates with non-profit groups on housing assistance. A-NRHA could accept donations of properties, private grants and monetary donations. A-NRHA has the expertise to seek funding through various government programs and execute projects in a cost-effective manner. I am hoping that the Planning Commission will support, and that the Board of Supervisors will adopt, an aggressive pursuit of action steps to increase the amount of low-income affordable housing in the County.

\* \* \* \* \*

**MEMORANDUM**

TO: Northampton County Board of Supervisors

FROM: Northampton County Community Housing Committee  
William Hughes, Chairman  
Sandra G. Benson, AICP, Staff

SUBJECT: Designation of Housing Revitalization Areas

DATE: August 6, 2009

The Code of Virginia (§ 36-55.30:2) provides that the Board of Supervisors may by resolution designate revitalization areas for the purpose of empowering the Virginia Housing & Development Authority to provide financing for certain types of projects in such areas. Typically, eligible projects would involve Low-Income Tax Credits. Certain findings must be made concerning potential revitalization areas, and the Community Housing Committee has identified eight (8) communities determined to meet the condition that "the area is blighted, deteriorated, deteriorating or, if not rehabilitated, likely to deteriorate by reason that the buildings, improvements or other facilities in such area are subject to...dilapidation[.]" (§36-55.30:2. A.)

The communities recommended for consideration by the Board for designation as revitalization areas are listed below in alphabetical order and have not been ranked in any way by the Community Housing Committee:

- Birdsnest
- Bridgetown
- Cheapside
- Culls
- Jamesville
- Sylvan Scene
- Treherneville
- Weirwood/Fairgrounds

\* \* \* \* \*

**MEMORANDUM**

TO: Northampton County Board of Supervisors

FROM: Northampton County Community Housing Committee  
William Hughes, Chairman  
Sandra G. Benson, AICP, Staff

SUBJECT: Community Development Block Grants – potential project areas

DATE: August 6, 2009

During the past year the Northampton County Community Housing Committee (CHC) has undertaken an effort to identify potential housing improvement and development project areas. A survey form was developed and disseminated among eight (8) communities targeted by one of two means: (1) prior assessments conducted by the Accomack-Northampton Planning District Commission (ANPDC) and (2) at the request of community representatives. The returned surveys were tabulated, and at their July 29, 2009, meeting, the CHC selected eight (8) indicators of housing need and/or community support for housing development projects in their neighborhoods. The surveys were intended only to provide a rough indication of housing needs within the identified communities; additional and more detailed work will be undertaken any any communities selected as a project area. A chart entitled "Indicators of Housing Need" based on the survey results is attached for your information.

If the Board wishes to pursue another housing grant under the Community Development Block Grant (CDBG) program in March of 2010, it will be necessary to provide direction to the ANPDC so that an application may be made for the appropriate planning grant by the end of September 2009. The planning grant would be for specific tasks in a specific neighborhood. The CHC is aware that the Board has expressed interest in making application for a community facilities grant and that the West Fairview project is still open; however, it appears that there will be sufficient funds available to undertake another housing project.

The CHC respectfully requests that the Board consider this information and direct the ANPDC concerning a specific project area if it deems such action appropriate. If the CHC and/or staff may provide additional information or otherwise be of assistance in this matter, please advise.

\* \* \* \* \*

### Indicators of Housing Need Percentage of All Responses in Each Community

<u>Indicator</u>	<u>Birdsnest</u>	<u>Bridgetown</u>	<u>Cheepside</u>	<u>Culls</u>	<u>Jamesville</u>	<u>Sylvan Scene</u>	<u>Treherne- ville</u>	<u>Weirwood</u>
Lack indoor bathroom	2	4	9	38	0	4	33	
Problems with sewer system	17	2	13	14	12	0	22	11
Leaking roofs or siding	58	33	42	41	38	20	69	37
Lack of safe heating	25	50	26	18	25	0	27	41
Homeowners willing to participate in housing rehab program	92	50	62	45	38	40	91	81
Support development of affordable rental housing in community	17	0	79	68	38	0	93*	96
Support development of multi-family housing in community	17	0	74	64	50	0	98*	100

Below HUD Low-moderate  
income limits for household size 67 50 77 86 50 40 84 93

\*Note: Majority of respondents indicating support also indicated "no farm/labor"

\* \* \* \* \*

At the request of Supervisor Bennett, it was noted that more specifics relative to the numbers of homes without indoor plumbing could be provided to him.

(3) Conduct joint meeting with Eastern Shore of Virginia Public Service Authority

The Eastern Shore of Virginia Public Service Authority was present and in session.

Chairman LeMond indicated that as a result of the Board Retreat held in February, the Board was unanimous in its support of the Public Service Authority and noted two priorities for the PSA's focus: (1) the commercial corridor near the Cape Charles traffic light, and (2) the hospital's wastewater system.

Vice Chairman Holland of the Public Service Authority indicated that the PSA was recommending, as the next step towards the first priority shown above, the creation of a subcommittee, consisting of two members of the Board, two members of the PSA, and two members from the Town of Cape Charles, to work out an acceptable rate with the Town for disposal of wastewater. Supervisor Hubbard suggested that we needed to wait until after the May 2014 Town Elections. Mr. Hogg stated that he was in favor of trying to get Cape Charles to set a volume limit and that we also should consider pumping wastewater into the Bayview system as well as if Cheriton needs assistance, perhaps we should consider a package plant with some potential to address those in Cheriton who need assistance as well as the commercial interests.

Vice Chairman Holland agreed that the first meeting of the subcommittee should be held after the May Town Elections and that if suitable arrangements could not be made with Cape

Charles, the subcommittee could then focus elsewhere.

The County Administrator and Mr. Panek of the PSA indicated that quotes have been received from the consultant for an analysis of the Bayview system (Phase I – approximately \$8,000) and evaluating the Bayview drainfield capability (Phase II – approximately \$15,000). The Southern Node Preliminary Engineering Report (P.E.R.) would then need to be updated to include cost benefit analysis of this alternative vs. pumping to Cape Charles. Mr. Panek estimated the total cost for the entire scope of these services to be \$25-\$30,000. He reminded the group that the cost to provide wastewater services to the Cheriton was included in the original P.E.R. and that it was found to be cheaper to send it to Cape Charles although this analysis can be revisited.

Mr. Hogg questioned whether we should be notifying property owners that have been identified as having commercial zoning, wanting to provide them with better figures for wastewater service - needing a consensus by the land owners. Mr. Holland agreed, saying that this could be done in phases with the first step being the appointment of the requested subcommittee.

Mr. Sean Ingram and Mr. Bob Panek agreed to represent the PSA on the subcommittee. Mr. Hogg and Mr. Hubbard agreed to represent the Board.

With regard to the Northern Node, Vice Chairman Holland said that the PSA was hoping to meet with Riverside but until that happens, not much progress can be realized. He said that the Town of Nassawadox would be included once meetings have been commenced with Riverside. Mr. Bennett indicated that he wished to be included in these discussions.

Tabled Item:

(4) Consider execution of contract w/ DJG Architects for renovation of the former middle school.

Motion was made by Mr. Trala, seconded by Mr. Hubbard, that this matter be taken off the table. All members were present and voted “yes.” The motion was unanimously passed.

Mr. Hogg asked if the requested information had been received from the School Board. Mr. LeMond and Mr. Hubbard briefed the Board on the subcommittee meeting which occurred this date and included a tour of the former middle school facility. They reported that the School Board indicated that it was not interested in returning the middle school grades to Machipongo, saying that there were not enough classrooms in the former middle school building to accommodate grades 6-8. Additionally, the School Board indicated that they still needed the T.E.C.H. building at the rear of the campus.

Mr. Hogg restated his need to have a clear and concise answer on the middle school concept being utilized at the former middle school building, but Mr. LeMond indicated that it could be several months before a written response is received from the School Board.

Motion was made by Mr. Trala, seconded by Mr. Hubbard, that the Board award a contract for architectural and engineering services to DJG Architects for a sum not to exceed \$228,600.00, in keeping with their proposal and county bid specifications. All members were present and voted “yes” with the exception of Mr. Hogg who voted “no.” The motion was passed.

Action Items:

- (5) Consider amendment to Board Member Manual to change the format of the agenda.

Supervisor LeMond noted that this was his request, and stated that it was important that the public be heard immediately upon commencement of the 7:00 p.m. session rather than having to sit through the “Citizens Information Period” and the “County Administrator’s Report”. The proposed amendment to the Manual would remedy that. While Mr. Hogg stated that he would

also like to move the “Matters Presented by the Board” item before “Citizens Information Period” in order to allow the public to immediately be able to address comments they’d heard under “Matters”, the remaining members of the Board did not agree.

Motion was made by Mr. Hubbard, seconded by Mr. Trala, that the Board Member Manual be amended to allow for a modification of the agenda format (move the County Administrator’s Report until after the public hearings). All members were present and voted “yes.” The motion was unanimously passed.

(6) Consider adoption of a resolution, endorsing American Medical Response to establish an office and conduct business in Northampton County.

Following an explanation provided by Ms. Hollye Carpenter, EMS Director, motion was made by Mr. Hubbard, seconded by Mr. Bennett, that the following resolution be adopted, endorsing American Medical Response to establish an office and conduct business in Northampton County. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

## **RESOLUTION**

WHEREAS, American Medical Response desires to offer Basic and Advanced Life Support services in Northampton County; and

WHEREAS, the provision of such services will be under the medical control of an Operational Medical Director who is a licensed physician in the Commonwealth of Virginia; and

WHEREAS, the Rules and Regulations Governing Emergency Medical Services, established by the State Board of Health, require endorsement of the governing body, for an EMS agency to provide such services.

NOW, THEREFORE, BE IT RESOLVED, that the Northampton County Board of Supervisors does hereby endorse American Medical Response to establish an office and conduct business in Northampton County, but does not, however, recognize American Medical Response as an integral part of the public safety network.

\* \* \* \* \*

(7) Consider award of bid to Advantage Lawn Care & Landscaping for 2014 Grounds Maintenance Services.

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board award the contract for 2014 Grounds Maintenance Services to Advantage Lawn Care & Landscaping for a sum of \$31,290.00. All members were present and voted “yes.” The motion was unanimously passed.

Mr. Hogg asked for a status report on comments made in earlier meetings from Mr. Robert Richardson regarding new contracts for bridge-tunnel work. The County Administrator indicated that these requests have been forwarded to the Chesapeake Bay Bridge & Tunnel District as that authority resides with them.

Mr. Hogg also asked for a status report on any discussions with Bayshore Concrete with regard to its required labor force for the new contracts. Ms. Nunez responded that labor force requirements are part of the Governor’s Opportunity Fund, which provided grant funds recently to Bayshore. These provisions will be overseen by the Joint Industrial Development Authority of Northampton County and Towns, which is staffed by Mr. Charles McSwain, Development Director.

Recess

At the request of the County Administrator, the Board to meet for a budget work session next week. Motion was made by Mr. Trala, seconded by Mr. Bennett, that the meeting be recessed until 5:00 p.m., Wednesday, April 2, 2014, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_ COUNTY ADMINISTRATOR