

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the auditorium of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, on the 12th day of March, 2011, at 4:00 p.m.

Present:

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

The meeting was called to order by the Chairman.

Closed Session

Motion was made by Mr. Murray, 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.

(B)

Appointments to Boards/Commissions

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

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

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

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

After Closed Session, the Chairman reconvened the meeting and said that the Board had entered the closed session for those purposes as set out in paragraphs 1, 3 5 and 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

The Chairman read the following statement:

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

Board and Agency Presentations:

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

“Enclosed in your packet is an appropriation request in the amount of \$60,900 to fund the remaining projects for the FY 11 year as outlined in the Capital Improvement Plan. The projects include:

* KES Auditorium Stage Curtains and Tracking	\$16,250
* KES Seal Parking Lots	\$16,200
* OES Auditorium Stage Curtains and Tracking	\$16,250
* OES Seal Parking Lots	\$12,200

“The March 31st average daily membership is 1672 students. This falls three students short of the projected enrollment of 1675. This is a reduction of just over \$12,000 in state funding. Other revenue adjustments are still in process and we anticipate increases to offset the decrease in state funding. A new appropriation request will be reviewed by the School Board at its next meeting and submitted to you for your May meeting.

“The High School graduation date has been set for Saturday, June 11, 2011 at 10:00 in the morning. I invite each of you to attend the ceremony and help us celebrate the successes of our graduates.

“The school district will be sending students to tour some of the tall ships coming to Cape Charles. This opportunity will allow our students to see technology used aboard ships, to experience new career opportunities, to see the value of a strong work ethic, and to apply

classroom learning to real life applications.

“The Eastern Shore Broadband Authority is working with us to finalize our contract. We expect to make a switch within the next week so we can test the connectivity to ensure we have no interruption to our services and to allow a smooth transition for the on-line Standards of Learning testing.”

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In response to a question raised by Chairman Randall at yesterday’s joint meeting, Dr. Bowmaster provided the Board with information relative to the process for special education eligibility and breakdowns of NCPS students with disabilities by disability category, by race/gender, and special education teacher count.

Consent Agenda:

(2) Minutes of the meetings of March 8, 10, 15, 28, and 30, 2011.

Motion was made by Mr. Tankard, seconded by Mr. Bennett, that minutes from the meetings of march 8, 10, 15, 28 and 30, 2011 be approved as submitted. All members were present and voted “yes.” The motion was unanimously passed.

(3) Consider an A-95 Review entitled, “Funds to sample private wells”; applicant – Eastern Shore of Virginia Housing Alliance.

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

(4) Adopt a resolution to change the location of the regular April work session from conference room #2 to the auditorium of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, in order to accommodate the redistricting public hearing.

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

BE IT RESOLVED by the Northampton County Board of Supervisors, this 12th day of April, 2011, that the recessed meeting of the Board, scheduled for Monday, April 25, 2011 at 5:00 p.m., in *conference room #2* of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, be changed to Monday, April 25, 2011 at 5:00 p.m. in the *auditorium* of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia; and

BE IT RESOLVED that, following this meeting, the date, time and place of the recessed meeting of the Northampton County Board of Supervisors shall revert to the fourth Monday of each month in conference room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, at 5:00 p.m.

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County Officials' Reports:

(5) Ms. Glenda Bradley, Director of Finance, distributed the following Budget

Amendment and Appropriation which stated in part:

“The School Board is requesting approval for the transfer of \$60,900 from their fund balance reserved for capital improvements for four projects (the sealing of parking lots at KES and OES and for new stage curtains at KES and OES). This will leave a balance of \$168,193 reserved for capital. An appropriation request for the balance is expected for projects outlined in the CIP during FY 12.

“Also included are budget amendments redirecting remaining funds from completed capital projects and investment earnings in order to fund the renovation of existing space in the old middle school and the construction of four vehicle bays for the Emergency Medical Services department. The total cost of the project is \$1,260,166 as estimated by DJG. A summarized list of funding sources is attached.

“Finally, a request to appropriate funds totaling \$5,822 in Workers Compensation reimbursements for EMS part-time salaries is also included. This reimbursement will defray a portion of the costs associated with the absence of the full-time employee.”

<u>Account Number</u>	<u>Account Description</u>	<u>Increase</u>	<u>Decrease</u>
395-9700-59907	KES Seal Parking Lots	16,200.00	
395-9700-59908	OES Seal Parking Lots	12,200.00	
395-9700-59909	KES Stage Curtains	16,250.00	
395-9700-59910	OES Stage Curtains	16,250.00	
395-0044-48100	Transfer from School Oper. Fund	60,900.00	
910-9600-57280	Transfer – Sch. Capital Project Fund	60,900.00	
910-0045-49000	Appropriated Fund Balance	60,900.00	

301-2101-57850	Construction/Improvements		4,324.00
301-2101-59900	Contingency		1,113.00
301-9600-57375	Transfer – County Capital Projects Fund	5,437.00	
301-4204-57850	Construction/Improvements		63,679.00
301-4204-57600	Engineering & Design		369.00
301-4204-57900	Property Acquisition		70,829.00
301-4204-57500	Survey/Permits/Mat. Testing & Insp.	1,962.00	
301-9600-57375	Transfer – County Capital Projects Fund	132,915.0	
301-4205-57850	Construction/Improvements		22,590.00
301-4205-59900	Contingency		58,360.00
301-4205-58300	Mis. Construction Expenses		8,003.00
301-9600-57375	Transfer – County Capital Projects Fund	88,953.00	
302-1201-58800	Costs of Debt Issuance		8,372.00
302-1201-58850	Underwriter’s Discount		78.00
302-3302-57850	Construction/Improvements	449.00	
302-3302-59900	Contingency		16,310.00
302-3302-57450	Construction Management		4,230.00
302-9600-57375	Transfer – County Capital Projects Fund	28,541.00	
303-3102-57650	Communications – Capital		20,140.00
303-3102-57850	Construction/Improvements		149,241.00
303-3102-57450	Construction Management		45,789.00
303-3102-59900	Contingency		1,403.00
303-4204-57450	Construction Management		23,238.00
303-4204-59900	Contingency		226,031.00
303-4204-57600	Engineering & Design		54,029.00
303-4204-57500	Survey/Permits/Mat. Testing & Insp.		14,967.00
303-6300-57900	Property Acquisition		2,203.00
303-0015-40925	Interest on Investments	3,360.00	
303-0043-47050	BQ Lease-Revenue Proceeds	300.00	
302-0015-40925	Interest on Investments	484,055.00	
302-0018-42000	Expend. Refund	4,248.00	
301-0018-42000	Expend. Refund	2,744.00	
301-0015-40950	Accrued Interest		21,875.00
301-0015-40925	Interest on Investments	124,583.00	
301-0018-42375	Other Miscellaneous	950.00	
303-3205-57850	Construction/Improvements	962,121.00	
303-3205-57450	Construction Management	42,333.00	
303-3205-57500	Survey/Permits/Mat. Testing & Insp.	32,500.00	
303-3205-57600	Engineering & Design	127,000.00	
303-3205-59900	Contingency	96,212.00	
301-9600-57375	Transfer – County Capital Projects Fund	106,402.00	
302-9600-57375	Transfer – County Capital Projects Fund	488,303.00	
303-0044-48075	Transfer from Capital Projects Fund	594,705.00	
303-0044-48075	Transfer from Capital Projects Fund	255,846.00	
303-9900-59900	Contingency	131,086.00	
100-0019-42400	Recovered Costs – General	5,822.00	
100-3205-50050	Salaries & Wages – Part-Time	5,822.00	

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

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

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

Ms. Bradley then informed the Board that she had tendered her resignation effective June 3, 2011. She thanked the Board and all of her staff for the wonderful relationship of the past nine years.

(5) Ms. Sandra Benson, Director of Planning, presented that departmental update which included activity reports for the following projects: Board of Zoning Appeals, Staff Activities, Town Edge Planning, and Comprehensive Plan Review. Also distributed to the Board was a memorandum addressed to the County Administrator from Ms. Benson in regards to upcoming hearings for the May agenda. The memorandum stated that there are two zoning text matters and one comprehensive plan amendment to be scheduled for hearing. An application has been submitted to amend dimensional regulations in the Waterfront Village – Waterfront Commercial district. In addition, the Planning Commission has advanced a proposal to eliminate the WV-WC District and to create a Waterfront Village-Working Harbor District with uses and dimensional regulations that differ from the existing WV-WC District regulations. The Planning

Commission proposal includes Comprehensive Plan amendments to support the creation of the new district. The County Administrator indicated that she and the Board were surprised by the submission of the applications as these matters had not been discussed by the joint bodies at their annual work session just last month. The memorandum continued by stating that staff typically automatically schedules and advertises Board hearings for their first meeting following the Planning Commission hearings on such matters but that with the budget public hearing already scheduled for the May meeting, there may be a desire to deviate from the typical practice.

The Board recessed at 6:00 p.m. for a dinner break.

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

The invocation was offered by Rev. Linda Moore, Pastor of Cheriton United Methodist Church.

The Pledge of Allegiance was given.

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

- (i) 4/20/11: Joint meeting with PSA (8 a.m.)
- (ii) 4/25/11: Work session – Budget (5 – 6:30 PM)
Redistricting Public Hearing (6:30 PM)
- (iii) 5/23/11: Work session – Topic to be announced
- (iv) 6/27/11: Work session – Topic to be announced

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

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: April 7, 2011
RE: Bi-Monthly Update

I. PROJECTS:

A. Regional wastewater/water projects- Subcommittee Report:

The engineers have completed the PER for the Northern Node which has been distributed to the PSA for discussion at their meeting on April 20, 2011.

There is a joint meeting with the Board of Supervisors on Wednesday, April 20, 2011 @ 8:00 a.m. to be followed by the PSA's regular monthly meeting at 9:00 a.m.

B. Construction Projects – Status Reports:

1.) County Administration Renovations:

Elevator Foundation work is finished; block wall is up for the additions; window install is almost finished; the original wood flooring in the old courtroom was not able to be re-finished to our satisfaction, therefore we will install carpeting for the board chambers, the old law library and the upstairs landing areas; the downstairs main hallway of the old courthouse will receive a new heart pine wood flooring; received approval from Planning & Zoning on the revised landscape & drainage plans – receiving quotation from contractor on this component of work; sheetrock install is ongoing. Work is still on progress with construction calendar.

American Legion is assisting with building a frame to house the bell and we will plan on re-dedicating the bell this fall with a new location on the front lawn.

2.) Court Services/Probation Services Construction:

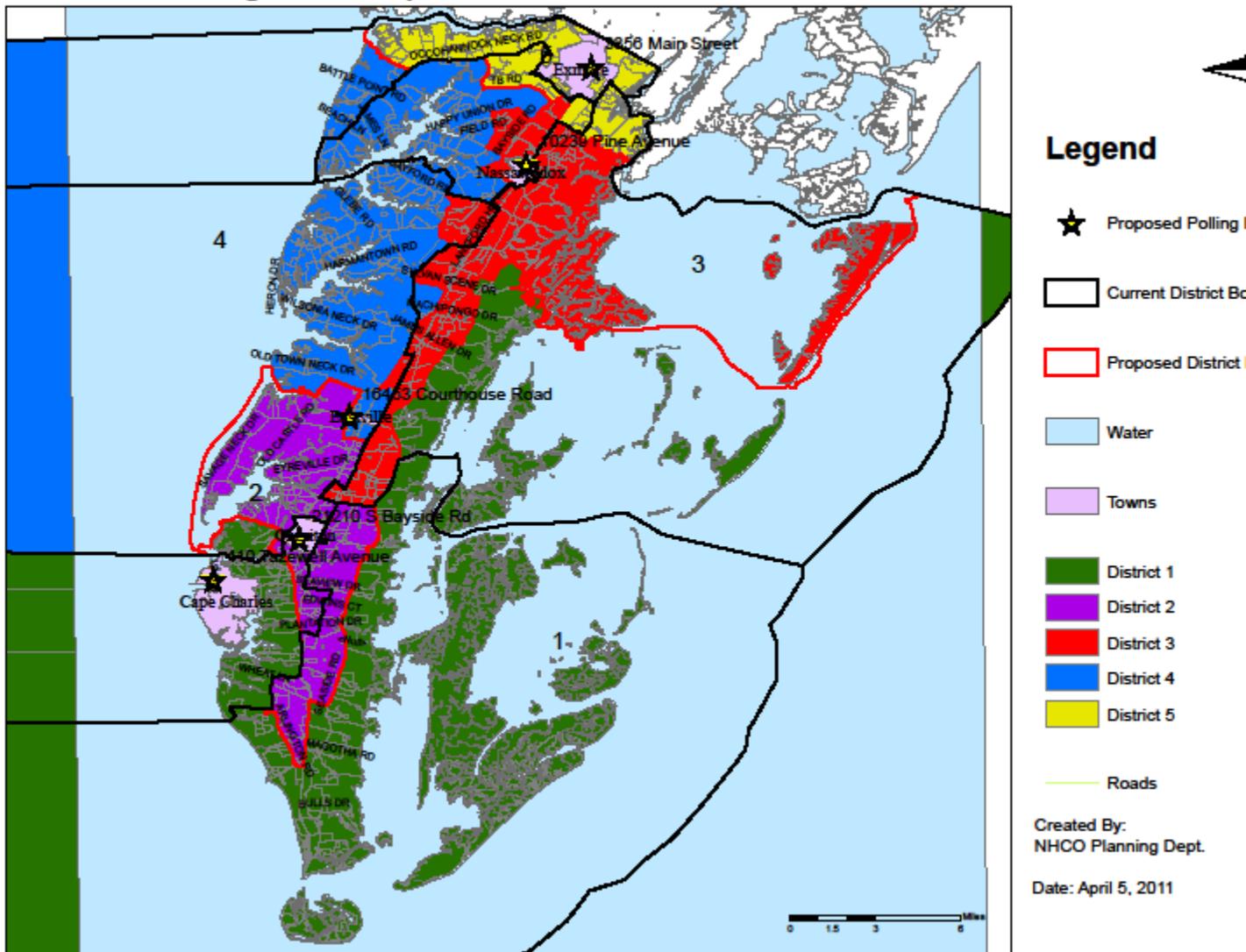
Footers have been installed; concrete slab has been poured; lumber on-site this week for framing work.

C. Redistricting

At the Board's work session on March 28, 2011, it was requested to review the Redistricting Map again which was placed for review on your March 30, 2011 work session agenda. At that meeting, we discussed Option 5 and Option 5B (the plan which had been previously voted by the Board to move to public hearing) and was asked if District 3 could be altered to include Cobb Station and the areas in between. During the course of the meeting, Long Range Planner Peter Stith created several new maps to achieve that request but this created other problems, including the loss of another minority-majority district, and it severely impacted the equal population distribution among the districts.

Since staff was attempting to develop a map during the Board meeting, it was clearly not the most conducive atmosphere to develop a real proposal. Therefore, I instructed Mr. Stith to produce a map that started District 3 at the Cobb Station Road area and work his way north to create District 3 and alter the other districts accordingly to meet the population distribution and minority representation. I have enclosed a copy of this option which we have done for information purposes but clearly feel that this is not a viable option since it only provides one solid minority majority district out of 5 districts and the layout is not supportive of compact, contiguous districts.

Districting Plan Option 5E



Public Information Roll-out: We will be holding a series of informational meetings on the proposed redistricting plan in advance of the public hearing to ensure that the public has access to the plan and the ability to ask questions in advance of the public hearing. The schedule is as follows:

Wednesday, April 13 @ 6:30 p.m. – Kiptopeke Elementary School

Thursday, April 14 @ 6:30 p.m. – Northampton High School
Monday, April 18 @ 6:30 p.m. – Exmore Town Hall
Tuesday, April 19 @ 6:30 p.m. – Nassawadox Fire Station

The public hearing is scheduled for Monday, April 25, 2011 @ 6:30 p.m. at the former Northampton Middle School auditorium.

Please note that we will be requesting the Board to include as part of your votes on the redistricting plan on April 25, 2011 a directive to the County Administrator to take the necessary steps to prepare the former Northampton Middle School as a future polling place to serve District 4 and to bring this matter back to public hearing by spring 2012.

D. Culls Community Housing Rehabilitation Program

The County has received Community Development Block Grant funds in the amount of \$737,920 which will allow for rehabbing of 12 LMI owner-occupied single family units, substantially reconstruct 3 LIM owner-occupied single family units, homeownership creation for 1 LMI household, demolition of 8 vacant dilapidated structures; installation of 5 new deep wells and 2 secondary treatment systems, install and/or reshape ditches including culverts and connection to off-site drainage on Culls Road and Raymond Lane; and clearance of all junk, debris, weeds, inoperable vehicles and dilapidated structures from the project area.

We have held our contract negotiating meeting with representatives of the Department of Housing & Community Development along with representatives from ANPDC and county staff and we are looking to fully execute a contract with DHCD by June 29, 2011 for this project.

E. Hazard Mitigation Grant:

The County received a grant in 2004 to elevate identified properties in Oyster that were prone to repetitive flooding and loss claims. As you may recall, this grant closed out in April 2010 and the state and federal agencies have been reviewing the work for compliance with the grant terms.

Earlier this year, our zoning office was notified that three of the properties had constructed/enclosed the ground space beneath the elevated structure, in violation of the grant contract terms between the homeowner, the county and the grant agency, as well as in violation of the zoning code. We have been actively working with the homeowners to bring them in compliance and as of April 1, 2011, all three properties have been fully restored to be in compliance with the grant terms. However, the federal review had been completed by that date and had issued a decision to the state agency administering this grant (VDEM) that these 3 properties were in non-compliance and their expenditures were disqualified. I have spoken with the VDEM Director for this program and he has already filed the appeal regarding this decision.

F. OpSail 2012 & Tall Ships Initiatives

At your meeting last month, you received a presentation from David Kabler regarding OpSail 2012 and the Tall Ships Initiative. While these two items go hand-in-hand, they are separate initiatives with one that has a limited timeframe of action and reaction (OpSail 2012) and one that has the ability to be an ongoing infusion of tourism activities into the County. I have enclosed again the economic proposal submitted by Mr. Kabler that details the funds he believes are necessary to bring both initiatives to fruition. Please note that he envisions a more permanent and on-going funding commitment for the Tall Ships Initiative.

I have met with Cape Charles Town Manager Heather Arcos and Tourism Commission Executive Director Donna Bozza along with Mr. Kabler to discuss the details of these initiatives and to determine a potential relationship between the County, the Town (as the owner of the harbor asset), and the Tourism Commission. At this point in time, I am recommending the Board to adopt the enclosed resolution.

Please note that this is an item we will be discussing as part of the budget as well.

Motion was made by Mr. Murray, seconded by Mr. Long, 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:

COUNTY OF NORTHAMPTON

RESOLUTION

**TO ENDORSE AND SUPPORT OPERATION SAIL 2012
AND A TALL SHIPS ECONOMIC DEVELOPMENT INITIATIVE
FOR THE EASTERN SHORE OF VIRGINIA**

WHEREAS, Operation Sail (OpSail) 2012 is a national military and maritime project sponsored by the U.S. Department of Defense to commemorate the Bicentennial of the War of 1812 and the *Star-Spangled Banner*; and,

WHEREAS, OpSail 2012 Virginia has been endorsed by the Virginia Commission on the Bicentennial of the War of 1812 as a signature event for the Commonwealth; and,

WHEREAS, the nearby Hampton Roads City of Norfolk, Virginia was selected to be one of five official ports of call to participate in the Bicentennial Commemoration; and,

WHEREAS, due to its direct connection to the Hampton Roads region through the Chesapeake Bay Bridge-Tunnel, Northampton County, her incorporated towns, and business owners have an opportunity to increase economic activity as a result of Tall Ships docking for various durations in the Cape Charles Harbor; and,

WHEREAS, the County of Northampton recognizes the importance and potential great benefit to the County, the Town of Cape Charles, Virginia's Eastern Shore and the entire Hampton Roads region through increased tourism activity and associated revenues through OpSail 2012 Virginia and through Tall Ships visits to locales;

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Board of Supervisors does hereby pledge its support of OpSail 2012 Virginia and encourages the elected officials of the county's incorporated towns and chambers of commerce and tourism organizations to make similar official declarations to join in the international camaraderie that it will foster; and

BE IT FURTHER RESOLVED that the Northampton County Board of Supervisors designates Cape Charles Town Manager Heather Arcos and David Kabler as representatives to work with the OpSail 2012 Virginia organization to plan for and develop activities in the Cape Charles Harbor to complement OpSail 2012 Virginia being held from June 6 through June 12, 2012; and

BE IT FURTHER RESOLVED that the County of Northampton will work together with the Town of Cape Charles and the Eastern Shore of Virginia Tourism Commission to develop and support a Tall Ships Initiative; and

BE IT FURTHER RESOLVED that the County of Northampton will work together with the Town of Cape Charles and the Eastern Shore of Virginia Tourism Commission to develop a funding, management, and public relations structure to support OpSail 2012 Virginia and the Tall Ships Initiative as part of the County's Fiscal Year 2012 budget.

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I MEETINGS

II. GRANT OPPORTUNITIES

III. OTHER

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Ms. Nunez distributed the following budget memorandum with regard to the Fiscal Year 2012 County Budget:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: April 7, 2011
RE: Discussion of Draft FY2012 Budget

At our work session in March, we reviewed the projected revenues for the FY12 budget which included the anticipated receipt of the remaining state funds owed on the construction of the Regional Jail. The receipt of these funds is a significant component that allows the FY12 budget to restore funding to departmental budgets as well as to include several key initiatives.

As you may recall, the absence of these funds last year required the use of \$794,768 from our general fund to meet our debt obligations, thus all county departments were reduced further to accommodate this situation. With the intended receipt of the owed \$3,116,122 from the state which will be placed in our debt service fund, we are projecting the use of \$709,000 of those funds towards the FY12 debt service payments.

I have provided you the following reports as part of my initial presentation of the draft budget:

1. Annual Budget by Organization Report: this is a summary of each department's budget. We have included the prior year budget, the current budget, the department's budget request, the County Administrator's recommendation, and the variance between the FY2011 current budget and my recommendation.
2. County Operating Budget Status Report as of April 7, 2011: this details the issues that I have identified that I need to discuss more fully with the Board. As you will note, there are two numbers at the top of this report: 1) the first shows the current position of the budget, wholly inclusive of the school budget request which is requesting \$274,201 more than the FY2011 base contribution; 2) the second shows the position of the budget without consideration of the school's requested increase.

Relative to the reference of the school base contribution, please see table below that details what is defined as base contribution:

FY11 TOTAL SCHOOL CONTRIBUTION	\$ 7,307,993
Projected Bus Lease Payment for FY11	- 329,000
FY11 BASE CONTRIBUTION	\$ 6,978,993
This means that we remove the funding provided for the bus lease payment from the total school contribution to determine what is the base contribution for school operations. Therefore, in order to determine the total school contribution for FY12, we use the base contribution from FY11 plus the new projected bus lease payment for FY12.	
FY12 BASE CONTRIBUTION	\$ 6,978,993
Projected Bus Lease Payment for FY12	+ 381,845

FY12 PROJECTED SCHOOL CONTRIBUTION – LEVEL FUNDING	\$ 7,360,838
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The current draft budget provides the increased funding for the bus lease payment (\$52,845) but does not provide for any increase in the base contribution.

3. The Budget Worksheet Report – Transfers Out Report: this details the transfers from the general fund to the various other funds (school operating, social services, regional jail, and purchase of development rights).
4. The Budget Transaction Report – Lease Purchase Proceeds: from the Departmental Capital Requests, I have recommended certain items to be funded as part of a lease/purchase financing arrangement. Those items are detailed in this report.
5. The Annual Budget by Account Classification Report: this provides the cost of providing a 1% COLA for all employees, list by fund.

This budget contains the following initiatives and/or restoration of funding which had been reduced or eliminated in prior budget years:

- Based upon projected health insurance premiums increasing by approximately 23%, we have included funds to cover this increase as part of the employer contribution. For the past 3 years, we had frozen the employer contribution and required that the employee absorb all health insurance increases. **[Please note: we are still reviewing and considering advancing a proposal for the Board’s consideration that would standardize the health insurance benefit between the school and the county, including the employer contribution component.]**
- The Line of Duty Act has been incorporated into the FY12 budget which had previously been the responsibility of the state.
- The “Flexible” Reductions in Local Aid has been included as a lump sum payment within the FY12 budget back to the state.
- Commissioner of the Revenue/Reassessment: I am recommending that the County provide staffing which will allow the reassessment to be conducted in-house and not require outside contractual services to conduct this function for us. In FY2008, the reassessment contract was \$436,954. With the physical configuration of the Commissioner of Revenue’s department within one office (whereas before they occupied 2 offices separated by a copy room and the main hallway of the our building), this has improved their service delivery, eliminated redundancy and provides the opportunity for existing staff to be utilized in multiple capacities. We believe that one of the current deputies can staff/assist the reassessment function (so reflected in the budget) and we would need to hire a full-time certified appraiser and a part-time worker to provide the full complement of necessary staff to complete this function.

It was our intention to commence the next reassessment with an effective date of January 1, 2013 through a funding request in the FY12 budget and we weighed the value and impact of an outside vendor vs. in-house. We believe the in-house approach is cost-effective, provides greater flexibility to the County to respond on a more timely basis to the housing conditions/market, and to ensure that our tax base is truly representative of fair market value.

- IT: we are projecting an upgrade in the New World Systems operating software as well as continuation of the replacement schedule for computer stations, servers and printers.
- Redistricting: we are not including funding for redistricting in FY12, assuming that we will be successful in our efforts currently be conducted under the FY11 budget.
- Magistrates: with the retirement of the last magistrate who qualified for the “additional pay”, this budget has been reduced to reflect only the costs of mileage, office supplies and minor expenses.
- J& DR Court: we were able to provide the equipment needs through our current County inventory of office equipment, thus able to reduce their request.
- Sheriff’s Office – increase of road deputies by 2 with a focus on road safety and enforcement. The projections indicate that these 2 positions can generate funding through traffic enforcement to fully cover their positions as well as generate excess funding. The Sheriff has requested consideration that the excess funding generated through these 2 positions be reserved for a replacement schedule of certain public safety equipment that had been secured through grant efforts over the last 5-8 years. At this time, I have only assumed the revenue in the value of the cost of the two positions within the FY12 budget as well as the existing revenue already generated through current traffic enforcement; therefore, if the revenue should exceed this projection, I would be supportive of the Sheriff’s request to use those additional funds to support a replacement schedule for equipment in his department.
- Electoral Board: Due to the election calendar that will require a minimum of 5 elections (this assumes we will be electing the Supervisor position as part of the November 2011 election) and the required voter notifications as a result of redistricting, this budget has received a substantial increase in funding for this upcoming budget.
- Emergency Medical Services – increase of full-time EMS personnel to staff the County ambulance (6 positions). The EMS Director requested a total of 9 new positions which included 6 full-time positions to staff the ambulance, 2 full-time positions to provide full day coverage without reliance upon part-time staffing to meet this need (current practice), and 1 full-time administrative position to handling training of department personnel as well as Emergency Management responsibilities. While I am highly supportive of providing appropriate personnel to effectively manage the operations of this department as well as the Emergency Management responsibilities that have been assigned to the

Director, it was not possible under our current budget conditions to include the full staffing request in the FY12 budget and my recommendation focused on the new service of the ambulance and its associated staffing.

- Fire Prevention: The companies have requested an increase in contribution from the current \$19,000 annually per company to \$30,000 annually per company. I have recommended that we increase our contribution from \$19,000 to \$23,000 per company annually.
- Judicial Court Services: As a result of their new building, we are including additional funds in this budget to cover the operational costs of a building (electricity, phones) which had previously been part of the old Courthouse building utilities covered through the Facilities Management Department.
- Animal Control Contribution: Budget has been reduced to reflect actual usage.
- Solid Waste Services: As a result of contracting the remaining collection services to the waste collection centers as well as the remaining green box sites for the County buildings, we are reducing the # of full-time equipment operators from 3 to 2 which will provide a total full-time staff of 4 (the director, 2 equipment operators, and 1 scale operator). Overall, the increase for this department is significantly lower than most other departments is a result of these management changes.
- Facilities Management: We have increased the utilities budget (electricity, sewer) for our return to our renovated building since our square footage is increasing as well as the building will now be tied into the county complex sewer system and will be required to pay its share of the system's operating costs which is contained in the Public Utilities Fund.
- Comprehensive Services Act: Based upon changes to the legislation done in the 2010 and 2011 General Assembly, we are projecting a decrease by 25% of our costs for CSA.
- Parks & Recreation: We are recommending that the summer camp program be extended from 8 weeks to 11 weeks.
- Harbors & Boats: This reflects grant funding as well as county match for improvements at our harbors.
- General Extension –Johnson Grass: This includes an increase in part-time hours for better enforcement/management of spraying for Johnson Grass.
- Overall, we have increased Professional Development funds for staff and Boards; projected increase in advertising costs (which is contained in the County Administrator budget) as a result of the goals of the Board, especially relating to the Comprehensive Plan and potential revisions to zoning and subdivision ordinances.

- Regional Agency Funding: We have requested from Accomack their approved funding amounts for each of the Regional Agencies that we both contribute to based upon a funding formula. We do not have that information in hand yet but will provide you the full spreadsheet as soon as possible.

- Outside Agency Requests:
 We received 4 outside agency requests from the following:
 1. Cape Charles Memorial Library requesting \$20,000. I have recommended level funding them at \$15,500
 2. Cape Charles – Other Contribution requesting \$5,000 to offset cost of 4th of July festivities. I have not included this request in the draft budget.
 3. HR Small Business Development Center requesting \$5,000. I have included recommended a contribution of \$1,000.
 4. Southeast Rural Community Assistance Project (SERCAP) requesting \$2,000. I have recommended \$2,000 which is the same amount we have provided them in FY10 and FY11. This is an organization that provides grant funding to assist low-to moderate income homes pay for hook-up expenses to centralized sewer systems.

- Capital Outlay:
 Below is the list of capital outlay requests and my recommendation for each:
 1. Reassessment – purchase of Mid-Size Pick-up Truck for property inspections - \$17,000. *Recommended for purchase – included as part of lease/purchase.*
 2. Information Technology – purchase of server for Sheriff’s office - \$15,000. *Recommended for purchase – included as part of lease/purchase.*
 3. Sheriff – purchase/replace of 3 vehicles - \$89,458. *Recommended for purchase – included as part of lease/purchase.*
 4. Emergency Medical Services – replace Tahoe Quick Response Vehicle - \$48,328. *Recommended for purchase – included as part of lease/purchase.*
 5. Animal Control – purchase/replace of truck - \$27,673. *Recommended for purchase – included as part of lease/purchase.*
 6. Solid Waste Services – Leachate pond pump replacement - \$23,000. *Will fund through capital fund as part of the landfill closure.*
 7. Facilities Management – Replace Chiller System at the former middle school - \$200,000. *Not Recommended – need to finalize use plan for property; develop full plan of needed improvements/repairs as part of that plan.*
 8. Harbors & Boats – Improvements to Oyster Harbor - \$49,512. *Recommended – funds are match funds for grant money and come from the harbor fees.*

9. Public Utilities Fund – Construct a cover over the courthouse complex wastewater treatment plant to control the temperature and protect the organic treatment process - \$189,970. *Not recommended – will start seeking grant funds to assist in this capital outlay project which may require match funds from the county.*

10. Public Utilities Fund – installation of a green sand filtration system to remove iron and manganese from the ground water at the courthouse complex - \$350,000. *Not recommended – will start seeking grant funds to assist in this capital outlay project which may require match funds from the county.*

SCHOOL CAPITAL PLAN

We have been working with our financial advisors, Davenport & Company, regarding the School’s capital plan to develop a funding plan. We do not have this material for the April 12, 2011 meeting but will have as part of the full budget discussion at the work session on April 25, 2011.

County Operating Budget Status as of April 7, 2011

Total General Fund shortage including increase in School Operating Funds request	(\$202,602.19)
General Fund surplus before including increase in School Op. Funds request	\$71,598.81
Budget Issues yet to be addressed:	
For each 1% Cost of Living Adjustment:	
General, Eastern Shore Regional Jail and Public Utilities Funds	(\$74,032.00)
Social Services Fund (may be funded through vacancy savings within this fund)	(\$14,962.00)
Board of Supervisors compensation adjustment (to restore or increase)	\$12,000 - \$24,000
IPads and agenda software for Board of Supervisors	\$26,528.00
Tall Ships-Opsail Tourism effort	\$30,000 - \$55,000
Joint Health Insurance Plan with School Board	?
SCHOOL BUDGET - REQUESTED INCREASE	(\$274,201.00)
SCHOOL CAPITAL PLAN - FUNDING PLAN	

Citizen Information Period:

Mr. Dave Kabler made the following comments:

“Please accept my gratitude for your efforts towards bringing to life a dream I have held close to my heart for many years – that is to see the masts of the tall sailing ships in the Cape Charles harbor. I have no doubt that the regional and municipal partnerships encouraged by the OpSail 2012 and Tall Ships Resolution will bear much fruit. Being less than 1/1000th of our annual gross budget, the plan’s expenditures to attract the tall ships to our harbor is a wise use of public funds that will pay dividends many times over. First, in the support of business and job growth in the County. Second, in increased tax revenue. Third, in attracting a new industry to our County. Fourth, in leveraging the assets already in place in our community. Fifth, in broader educational opportunities for our citizens. And in other ways that we have yet to learn.

“I look forward to the successful adoption of this Resolution and the Tall Ships Economic Development Initiative. I accept the appointment with Heather Arcos as OpSail 2012 community spokesperson for Northampton County and Cape Charles.

“In the unlikely event I am unable to attend the April 12 public hearing of the Board of Supervisors at 7 PM, I would appreciate these words being entered into the record as my comments on the issue at hand.

“Respectfully,

David Kabler”

* * * *

Mr. Roy Ballard, speaking as a member of the Northampton County Parks & Recreation Advisory Board, summarized the Department’s ongoing activities including volleyball, disc golf, softball, and also noted the recent improvements funded through grant proceeds including a new soccer field, playground equipment, and parking lot.

Mr. Barrett Cree, who addressed the Board last month on the subject of a former employee, Mr. Walter Thomas, who had been in danger of losing his property due to delinquent taxes, distributed additional materials and urged the Board to take more effective action than had been done last month. The materials he distributed, which are on file in the Office of the

County Administrator, and are entitled, “Special Commissioner Discrepancies”, included the county contract with Mr. James Elliott; sections of the Virginia Code outlining attorney’s fees; itemized list from Mr. Elliott trying to charge Mr. Thomas \$2500 prior to any sale; property sold by Mr. Elliott getting way over the contract amount; property sold where the County got zero and Mr. Elliott got \$1850; Mr. Elliott getting \$5000 for selling two parcels together; property that the Circuit Court Judge signed off on the Final Decree yesterday closing individual’s case on 4/11/11, now reflecting Mr. Elliott’s contract amount of \$750 and one at \$2500; and Mr. Elliott’s letter stating the attached contract is his standard contract, showing a “priority of payment” which showed the County taxes first (this language never went into the signed contract, leaving the county to sometimes get zero out of sales of properties.)

Public Hearings:

Chairman Randall called to order the following public hearing:

(8) Conduct a public hearing to solicit public input on storm water drainage infrastructure improvements in the Culls Community as part of a Community Improvement Grant. The County is interested in discussing alternatives to this project and securing public perceptions of possible adverse impacts that could result from this project.

Mr. John Aigner of the Accomack-Northampton Planning District Commission, made the following comments:

Culls Community Housing Rehabilitation Project
April 12, 2011

Funding:

Northampton County has been offered a CDBG to address the housing rehabilitation needs and the severe drainage deficiencies within the community of Culls. The amount of the CDBG award is \$737,920.00, from the Virginia Department of Housing & Community Development.

Benefits to Low- and Moderate-Income Persons:

This CDBG was awarded on the basis of meeting the national objective of benefiting low- and moderate-income households. HUD defines a low- and moderate-income household as having a total family income equal to or less than 80% of the area median income. The HUD published FY 2010 median family income for Northampton County is \$47,900. The FY 2010 low- and moderate-income limit for a one-person family in Northampton is \$29,900.

Eligible Activities:

The CDBG funds will address a variety of needs including: housing rehabilitation, water and septic deficiencies, and roadside storm water drainage deficiencies.

Project Products:

- * Rehabilitation of 15 houses to DHCD HQS Standards.
- * Substantial reconstruction of 3 of these houses
- * Installation of first time indoor plumbing in one of these houses
- * Installation of 4 new septic systems and 5 new deep wells
- * Demolition of 8 uninhabitable houses
- * Reconstructive/re-shaping of 12,300 l. ft. of existing roadside ditches within VDOT ROW
- * Reconstruction/re-shaping of 2,300 l. ft. of offsite drainage ditches
- * Installation of 240 l. ft. of cross culvert under existing roadway
- * Installation of 300 l. ft. of driveway culvert pipe.

* * * * *

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

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

Chairman Randall called to order the following public hearing:

(9) Special Use Permit 2011-01: Conchata Webb has applied for a minor special use permit to place a single-wide mobile home on property 14, 375 square feet in size and owned by Ella Mapp Webb. The property is a vacant lot located on S.R. 617, Bayford Road, in the Hamlet District and is described as Tax Map 20, double circle A, parcel 84C.

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

Ms. Benson indicated that the Planning Commission was recommending approval of this petition.

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

Motion was made by Mr. Tankard, seconded by Mr. Bennett, that SUP 2011-01 be approved as submitted, for a mobile home bearing VIN #14570 and title #28668645. All members were present and voted "yes." The motion was unanimously passed.

Chairman Randall called to order the following public hearing:

(10) Special Use Permit 2011-02: Daniel & Charlene Weeks have applied for a special use permit to operate an artisan studio as a Home Business on property containing 2.19 acres zoned ES-RVRR Existing Subdivision-Rural Village Rural Residential District located at 7348 Virginia Lane in the Silver Beach area. The property is described as being Tax Map 18D, double circle 1, parcel 2.

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

Ms. Benson said that the Planning Commission was recommending approval of this petition.

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

Motion was made by Mr. Tankard, seconded by Mr. Long, that Special Use Permit 2011-02 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Randall called to order the next public hearing:

(11) Special Use Permit 2011-03: Bryan A. Williams has applied for a special use permit to replace a single-wide mobile home on property located in the Hamlet District at 5200 Martin’s Landing Road near Townsend. The property contains approximately 22,000 square feet of land and is described as Tax Map 113-A-10.

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

Ms. Benson noted that the Planning Commission was recommending approval of this petition.

Mr. Tim Smith, agent for the applicant, said that he was available to answer any questions of the Board.

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

Motion was made by Mr. Long, seconded by Mr. Bennett, that Special Use Permit 2011-03 be approved as presented for a mobile home bearing VIN #VASLA19A64783. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Randall called to order the next public hearing as follows:

(12) Special Use Permit 2011-04: The Barbour-Orlando Revocable Trust has applied for a minor special use permit for Specialty Food Production: 2,500 square feet or less on property located at 6071 Riverside Farm Lane. The property contains 13.57 acres of land, is zoned Agriculture/Rural Business, and is described as Tax Map 92, double circle 5, parcel B.

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

Ms. Benson noted that the Planning Commission was recommending approval of the petition with the condition that no retail sales be allowed on the property.

Mr. Andrew Barbour, applicant, said that they have no plans to offer retail sales on the property.

Mr. Wilson Leggett, President of the Homeowners Association for the subdivision, indicated that a majority of the property owners feel that this proposed operation is the type of low-impact activity contemplated for this rural area.

Mr. Paul Watson IV, representing Mr. Marion Scott, said that his client was in favor of the application as long as there are no retail sales on the property.

Mr. Bill Parr, an adjoining property owner, said that he supported the applicant as long as his well area and road are not utilized, which concerns were contained in his letter as contained in the Board packet. He did suggest that the Board consider some kind of limitations to differentiate between the proposed use and an industrial bakery.

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

Motion was made by Mr. Tankard, seconded by Mr. Murray, that the Board approve Special Use Permit 2011-04, with the following conditions:

- (1) that there be no retail sales on the property; and
- (2) that this use does not convey with the property.

Mr. Long asked Mr. Tankard to consider amending his motion to reflect Mr. Parr's concerns (as stated in his letter) with regard to number of employees and the applicant's chickens. Mr.

Tankard replied that he did not see the need for any condition relative to the chickens and that his condition relative to no retail sales on the property should address Mr. Parr's concern with the number of employees.

The question was called on the matter of Mr. Tankard's original motion. All members were present and voted "yes." The motion was unanimously passed.

Mr. Barbour clarified that Mr. Parr only has an ingress-egress easement on the road in question; Mr. Parr would not have an ownership issue with any activities being conducted on the Barbour parcel. Mr. Barbour also noted that only if his business were really successful, would he envision adding possibly one more employee. In answer to the question of an industrial-sized bakery operation, he reminded the Board that his special use permit application required an area less than 2500 sq. ft.

Chairman Randall called to order the next public hearing as follows:

(13) Special Use Permit 2011-05: William C. Parr has applied for a minor special use permit for holiday and seasonal events and an event venue on property zoned Agriculture/Rural Business located at 24021 Seaside Road. The property contains 22.67 acres of land and is described as Tax Map 92, double circle 5, parcel A.

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

Ms. Benson indicated that the Planning Commission had tabled action on this matter, pending receipt of additional information. It was noted for the record that one additional letter of support from the Eastern Shore Bed and Breakfast Association has been received.

The applicant, Mr. Parr, addressed the Board, noting that his barn was over 127 years old and presently was sitting idle - contributing nothing to the economy. He said that the use of barns for weddings, etc. was an "established part of rural American life." He noted that he has met with Planning & Zoning staff and the Sheriff regarding concerns expressed by the Planning Commission and was drafting additional "general policies" which would address those concerns,

such as the presence of law enforcement for every 90 attendees.

Mr. Wilson Leggett read the following comments:

“Mr. Bill Parr has applied for a Minor Special Use Permit under Section 154.042(b)(4). Mr. Parr and I live on the same farm. His specific request is for a LOW IMPACT TOURISM use.

“What is LOW IMPACT? To me it would be an impact that I would hardly notice.

“How many people would attend an event? The barn is certified for 500. There could be many times more on the outside or under tents.

“How many events will be held each year? Will there be 1 or 2 per year or will there be events every weekend and even during the week.

“What is an event? Is it only a wedding event or could it be a tractor pull, turkey shoot, bingo hall or music concert? Mr. Parr has over 20 acres. May I remind you that the Virginia Beach Amphitheater sits on less land.

“Mr. Parr, in his application, gives an example of 10 wedding events per year attended by 200 people per event. Within the definition of low impact, I would consider this to be on the every upper end.

“If you approve Mr. Parr’s request, then I implore you to set limits that would maintain low impact including:

- The number of events per year
- The number of people per event
- The type of event
- Assure cars and people are confined to his property

* * * * *

Mrs. Linda Spence, former event coordinator, indicated that large spaces are not available on the Shore for such events and that this proposed use would be filling a current need.

Mr. Barrett Cree said that the fact that no additional infrastructure is needed would mean that the use is “low impact”, and that additional revenue being brought into the County would be a good idea.

Mr. Bill Gardner, a resident of 6119 Riverside Farm Lane, spoke in opposition noting that the proposal constituted a commercial enterprise being planned for a residential

neighborhood and that the proposal would only provide a financial gain for the applicant.

Mr. Andrew Barbour of 6071 Riverside Farm Lane, noted that it may be a good idea for the public to be able to see Mr. Parr's additional "general policies". Mr. Barbour reminded the Board that he has submitted a letter containing his concerns (contained in the agenda packet). He noted that Mr. Parr's application would allow an unlimited number of events at any time of the day or night; an unlimited number of guests; and no enforcement of the noise provision. He commented that he was concerned about his property values, noting that he has lived through a similar event held in 2008 and due to the extreme noise, his children could not sleep. He requested that the Board consider a limit of less than 200 guests; a vegetative screen; that the permit be conditioned on the property remaining Mr. Parr's primary residence; and that the property remains an active farm.

Mr. Paul Watson IV, representing Mr. Marion Scott, said that his client was very concerned about the permit because of potentially several hundred cars late at night, damaging the road. Mr. Parr would agree to use his own road, that concern would be removed.

Mr. Hank Jones, a resident of the subdivision, indicated that Mr. Parr's presentation to the homeowners association spoke of maybe 14 events in a year with an event being limited to 200 persons and would not interrupt the neighborhood. Mr. Jones' support was conditioned on those presentations and he would oppose an open-ended application. Mr. Jones said that this was a rural, residential area – not a commercial area – and that there were no written stipulations on time, security or noise levels.

Ms. Louise Orlando, the next-door neighbor, said that she was speaking as a mother, looking for a safe community to raise her family. She said that her property values, as well as quality of life, would plummet.

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

It was noted for the record that the Board would continue to receive comments pending receipt of the Planning Commission's recommendation and Mr. Parr's additional "general policies".

Chairman Randall called to order the next public hearing as follows:

(14) Special Use Permit 2011-06: Delsea Energy LLC has applied for a special use permit to erect a temporary Meteorological Tower on property owned by David and Virginia Long at 28166 Lankford Highway. The property is zoned Agriculture/Rural Business, contains 222.25 acres of land, and is described as Tax Map 105, double circle A, parcel 84.

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

Ms. Benson noted that the Planning Commission was recommending approval of the petition with the following conditions:

- (1) that the applicant contact state and federal wildlife officials to explore their interest in research pertaining to bird and bat mortality in relation to the tower; and
- (2) that the bird flight diverters and bat detectors will be installed in accordance with the manufacturers' specifications as provided by the applicant.

Noting that the subject parcel is included in the Pickett's Harbor Agricultural & Forestal District, Ms. Benson's staff report indicated that since the proposed activity is temporary and would require very little additional impervious area and is expected to pose no obstruction to continued agricultural activities, it could be argued that prior Board approval as stipulated in the AFD ordinance for new construction is not necessary. The Board concurred.

Mr. Stephen Volkert, representing the applicant, asked for the Board's support and answered questions from the membership.

Ms. Susan Rice of the Eastern Shore of Virginia National Wildlife Refuge, said that the Fish & Wildlife Service was very encouraged that Northampton County was embarking on

renewable energy research and was in agreement with the conditions as proposed by the Planning Commission. She also noted that the Fish & Wildlife Service would be glad to assist the County with wind research to help guide future sitings of wind turbines.

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

Motion was made by Mr. Tankard, seconded by Mr. Long, that Special Use Permit 2011-06 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed. It was noted that the motion included no conditions since those specified by the Planning Commission were already contained in the Zoning Ordinance.

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

(15) AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS”. The purpose of this amendment is to add Shore Christian Academy to the listing of local tax exempt organizations.

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED,
“AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION
FOR CERTAIN NON-PROFIT ORGANIZATIONS”**

BE IT ORDAINED by the Board of Supervisors of Northampton County, Virginia, that AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS be amended as follows:

1. That Shore Christian Academy be added to the listing of local tax exempt organizations as delineated in the last paragraph of said ordinance as set out below:

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

Shore Christian Academy, January 11, 2011.

* * * * *

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

The County Administrator indicated that when the Board had approved tax-exempt status for Shore Christian Academy back in January, it had not done so by ordinance, which is the method prescribed by the Code of Virginia.

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

Motion was made by Mr. Long, seconded by Mr. Trala, that AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS be adopted as presented. All members were present and voted "yes," with the exception of Mr. Murray who voted "no." The motion was passed. Mr. Murray indicated that his negative vote was based on his comments back in January 2011 when he voted against the petition at that time.

Tabled Item

(16) Consider adoption of RESOLUTION - REQUEST TO STUDY THE IMPACTS OF CURRENT ZONING ON THE DEVELOPMENT OF POULTRY HOUSES IN NORTHAMPTON COUNTY.

Motion was made by Mr. Long, seconded by Mr. Murray, that this matter be taken off the table. All members were present and voted "yes." The motion was unanimously passed.

RESOLUTION

REQUEST TO STUDY THE IMPACTS OF CURRENT ZONING ON THE DEVELOPMENT OF POULTRY HOUSES IN NORTHAMPTON COUNTY

WHEREAS, the County of Northampton has adopted certain zoning regulations containing standards for livestock operations as contained in Section 154.110 (Standards for Livestock Operations) of the Zoning Code; and

WHEREAS, the companies of Tysons and Perdue have communicated directly and indirectly the need to expand poultry production; and

WHEREAS, the Board of Supervisors has established two standing advisory committees, known as the Agriculture Advisory Committee and the Aquaculture Advisory Committee; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors assigns the Agriculture Advisory Committee and the Aquaculture Committee to work together to study the current zoning regulations as they relate to the establishment of commercial, intensive poultry production facilities to determine what impact, if any, said regulations have on the development of these facilities and the impact of said facilities on the environment; to determine if the regulations are adequate to protect the water ways and ground water of Northampton County from this type of concentrated animal husbandry; and

BE IT FURTHER RESOLVED that this study will also assess the economic impact of a poultry production facility in terms of impact on real estate and personal property taxes, sales taxes, and any other fees or taxes including personal income; and

BE IT FURTHER RESOLVED that Supervisor Sam Long will serve as the liaison to this joint study on behalf of the Board of Supervisors; and

BE IT FURTHER RESOLVED that said study will be completed and provided to the Board of Supervisors within four months of adoption of this resolution.

* * * * *

Mr. Long indicated that Dr. Schwartzchild has agreed to participate as well as members of the Aquaculture and Agriculture Committees. He also indicated that he planned to invite representatives of the poultry industry to participate and hopes to have an organizational meeting prior to the next Board meeting with a report to be provided in August 2011.

Motion was made by Mr. Long, seconded by Mr. Murray, that a **RESOLUTION REQUEST TO STUDY THE IMPACTS OF CURRENT ZONING ON THE DEVELOPMENT OF POULTRY HOUSES IN NORTHAMPTON COUNTY** be adopted as presented. All members were present and voted “yes,” with the exception of Mr. Trala who voted “no.” The motion was passed.

Action Items

(17) Consider A RESOLUTION OF THE BOARD OF SUPERVISORS OF THE COUNTY OF NORTHAMPTON, VIRGINIA, AUTHORIZING THE ISSUANCE AND SALE OF THE COUNTY’S REVENUE ANTICIPATION NOTE. (This authorizes the line-of-credit should it be required later in the year.)

Motion was made by Mr. Murray, seconded by Mr. Bennett, 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:

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF NORTHAMPTON, VIRGINIA
AUTHORIZING THE ISSUANCE AND SALE OF
THE COUNTY'S REVENUE ANTICIPATION NOTE**

WHEREAS, the Board of Supervisors of the County of Northampton, Virginia (the "County") has determined that it is necessary and advisable to borrow money and issue its revenue anticipation note in anticipation of the collection of the taxes and revenues of the County for the current year pursuant to Section 15.2-2629 of the Code of Virginia of 1950, as amended:

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

1. Authorization of Note. The Board of Supervisors hereby determines that it is advisable to borrow money and to issue and sell the County's revenue anticipation note (the "Note") in the maximum principal amount of \$2,000,000 in anticipation of the collection of the taxes and revenues of the County for the current year. The issuance and sale of the Note are hereby authorized.

2. Details and Sale of Note. The Note shall be issued upon the terms established pursuant to this Resolution and upon such other terms as may be determined in the manner set forth in this Resolution. The Note shall be issued in fully registered form, shall be dated the date of its issuance and delivery, shall be in the form of a single registered note and shall mature not more than twelve months from its date, subject to prepayment as set forth therein. The Treasurer, or such officer as the Treasurer may designate, is authorized and directed to accept a proposal for the purchase of the Note and to approve the terms of the Note, provided that the principal amount of the Note shall not exceed \$2,000,000, the Note shall mature not more than twelve months from its date and the interest rate on the Note shall not exceed 5.75%.

3. Execution of Note. The Treasurer of the County and the Clerk of the Board of Supervisors of the County are authorized and directed to execute an appropriate negotiable Note and to affix the seal of the County thereto and to deliver the Note to the purchaser thereof.

4. Non-Arbitrage Certificate and Tax Covenants. The Treasurer of the County and such officers and agents of the County as the Treasurer may designate are authorized and directed to execute a Non-Arbitrage Certificate and Tax Covenants setting forth the expected use and investment of the proceeds of the Note and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended ("Code"), including the provisions of Section 148 of the Code and applicable regulations relating to

"arbitrage bonds."

5. Designation for Purchase by Financial Institutions. The Board of Supervisors designates the Note as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code. The Board of Supervisors does not reasonably anticipate that it and any "subordinate entities" will issue more than \$10,000,000 in tax-exempt obligations during calendar year 2010 (not including certain private activity bonds) and the Board of Supervisors will not designate more than \$10,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) in calendar year 2011.

6. Further Actions. The County Administrator and the Treasurer of the County and such officers and agents of the County as either of them may designate are authorized and directed to take such further actions as they deem necessary regarding the issuance and sale of the Note and all actions taken by such officers and agents in connection with the issuance and sale of the Note are ratified and confirmed.

7. Effective Date. This Resolution shall take effect immediately.

* * * * *

(18) Consider accepting all bids received as a result of the March 1, 2011 Delinquent Tax Auction Event.

At the suggestion of the County Administrator, it was the consensus of the Board that this matter be tabled until the next meeting.

(19) Consider adoption of fee schedule as proposed by the Northampton County Parks & Recreation Department.

Motion was made by Mr. Murray, seconded by Mr. Bennett, that the Board approve programs and program fees for FY 2012 as set out in Director Jenrette's memorandum dated March 8, 2011. All members were present and voted "yes." The motion was unanimously passed.

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Murray, seconded by Mr. Tankard, that Mr. Jeff Holland be reappointed to the Eastern Shore Community College Board of Directors for a new four-year

term commencing July 1, 2011. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Tankard, seconded by Mr. Murray, that Mr. R. Pete Lalor’s appointment by the County of Accomack to the Eastern Shore Broadband Authority be affirmed. All members were present and voted “yes.” The motion was unanimously passed.

Supervisor Long indicated that due to his work commitments, he was resigning from membership on the Eastern Shore of Virginia Groundwater Committee. The Board accepted this resignation but indicated that they would not consider filling the vacancy at this time.

Motion was made by Chairman Randall, seconded by Mr. Long, that the Board request a speed study to be conducted on the east side of State Route 646. All members were present and voted “yes.” The motion was unanimously passed.

The County Administrator indicated that the public hearing regarding the Certificate of Public Need for Riverside’s proposed relocation to Accomack County will be held Thursday, April 14th and questioned which Board members would be attending. Mr. Long, Mr. Tankard and Mr. Murray indicated that they would attend.

Recess:

Motion was made by Mr. Bennett, seconded by Mr. Long, that the meeting be recessed until 8:00 a.m., Wednesday, April 20, 2011, in Conference Room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, to conduct a work session with the Eastern Shore of Virginia Public Service Authority. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR