

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held at the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 14th day of July, 2015, at 4:00 p.m.

Present:

Richard L. Hubbard, Chairman

Oliver H. Bennett, Vice Chairman

Laurence J. Trala

Granville F. Hogg, Jr.

Larry LeMond

The meeting was called to order by the Chairman.

Closed Session

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

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

Appointments to boards, committees:

(Planning Commission, Social Services Board, Bay Consortium Workforce Investment Board)

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

Eastville Inn Proposal

Drummond 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 such 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 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) Barry Truitt: retired Chief Conservation Science, the Nature Conservancy: Western Hemisphere Shorebird Reserve Network.

Mr. Truitt briefed the Board on the Maryland-Virginia International Shorebird Reserve which was created in 1990 as part of the Western Hemisphere Shorebird Reserve Network and requested that the Board endorse a proposal to expand the existing Reserve to include the State-owned marshes of the Eastern Shore seaside. These State-owned marshes were not included in the original International Shorebird Reserve because the marshes had not been surveyed or mapped at the time of its designation and a management plan did not exist.

Supervisor Hogg questioned what impacts may occur to the commercial watermen if this Reserve is expanded. Mr. Truitt responded that the designation has no legal standing and does not impact watermen’s rights, adding that Mr. Jimmy Kelly and The Terry Brothers, both in the aquaculture industry, use similar designations in their own advertising.

Motion was made by Mr. LeMond, seconded by Mr. Trala, that the Board provide such endorsement as requested. All members were present and voted “yes”, with the exception of

Mr. Hogg who voted “no.” The motion was passed.

Consent Agenda:

(2) Minutes of the meetings of June 9, 22, 29 and 30, 2015.

(3) Consider approval of congratulatory letters to Mrs. Amy Austen, Mrs. Heather Marsh, Mrs. Sandra Lewis, Ms. Anne E. Barnes, Mr. Royce A. Parks, Sr., Mr. William A. Taylor, Ms. Joyce Lilliston, Mr. Jearl A. Roselle, Ms. Ramona L. Bowen, Mr. Anthony W. Morris, Mr. Al D. Willis, and Ms. Randi C. Merritt

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the consent agenda be approved as presented. All members were present and voted “yes.” The motion was unanimously passed. Mr. Hogg clarified his vote by indicating that he was not present at the June 29th meeting and so therefore could not approve those minutes.

County Officials’ Reports:

(4) The following Budget Amendments and Appropriations were presented for the Board’s review:

MEMORANDUM

TO: Board of Supervisors
FROM: Katherine H. Nunez, Interim Director of Finance
DATE: July 1, 2015
RE: Budget Amendments and Appropriations – FY 2015

Your approval is respectfully requested for the attached budget amendments and supplemental appropriations:

\$7,790.44 – This represents an insurance claim reimbursement as a result of flooding damage to the Social Services’ building. Please transfer these funds to the Facilities Management Repairs line item (100-4302-50800).

\$3,710.00 - This represents additional funding to be provided for overtime wages to Social Services’ staff for performing FAMIS and Medicaid work beyond the regular work hours.

Please transfer these funds to the Social Services' Welfare Personnel Overtime line item (210-5300-50150)

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Motion was made by Mr. Trala, seconded by Mr. LeMond, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

MEMORANDUM:

TO: Board of Supervisors
FROM: Katherine H. Nunez, Interim Director of Finance
DATE: July 13, 2015
RE: Budget Amendments and Appropriations – FY 2015

Your approval is respectfully requested for the following budget amendments and supplemental appropriations as requested by the Northampton County Public Schools:

\$46,317 – This represents a budget appropriation increase to reflect the net impact of an increase in ADM from 1520 to 1537.63 as well as final payment information received from the Department of Education. See attached specific account listing for revised budget numbers.

\$4,495.88 – This represents a budget appropriation increase to reflect Insurance Adjustments received as the result of an accident involving Bus #8.

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Motion was made by Mr. LeMond, seconded by Mr. Bennett, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

MEMORANDUM

TO: Board of Supervisors
FROM: Katherine H. Nunez, Interim Director of Finance
DATE: July 1, 2015
RE: Budget Amendments and Appropriations – FY 2016 - GRANT

Your approval is respectfully requested for the attached budget amendments and supplemental appropriations:

\$1,975.00 – This represents the FY 2016 Byrne Justice Grant award. . Please transfer these funds to the Sheriff’s Police Supplies line item (100-3102-559500) for the purchase of tasers

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Motion was made by Mr. Hogg, seconded by Mr. Bennett, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

MEMORANDUM

TO: Board of Supervisors
FROM: Katherine H. Nunez, Interim Director of Finance
DATE: July 1, 2015
RE: Budget Amendments and Appropriations – FY 2016

Your approval is respectfully requested for the attached budget amendments and supplemental appropriations:

\$20,800.00 – This represents the additional local match required as a result of the

creation of a new STAR Transit route in the southern part of the County. The Board was made aware of the potential for this new route back in the spring but chose to await final approval by the State prior to committing the additional local match. Please transfer these funds to the STAR Transit line item (100-8108-52700) from the Undesignated Fund Balance.

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Motion was made by Mr. Hogg, seconded by Mr. Bennett, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

The Board recognized Superintendent Eddie Lawrence and in response to questions from Mr. Bennett, Mr. Lawrence noted that the dress code policy is adequate but is not being enforced to the extent that he would like. He also updated the Board on the high school cafeteria wall construction project, noting that the project was on-time. A minor amount of asbestos in the roofing was discovered and remediated.

In response to a question related to funding of the project, the County Administrator said that as of June 30, 2015, Fund 310 (School Capital Reserve) is anticipated to have a balance of \$1,048,024. An additional \$777,640 is expected to be contributed at the close of Fiscal Year 2016. The County’s General Fund Balance is estimated to be approximately \$7,221,931 at the close of FY 2015 (which will not occur for another 45 days.)

At approximately 5:45 p.m., the Board recessed for the supper break.

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

Mr. Bennett provided the Invocation.

The Board recited the Pledge of Allegiance.

Public Hearings:

Chairman Hubbard called the following public hearing to order:

(5) **Special Use Permit 2015-08:** John & Jill Davis have applied to operate an **Other Retail Establishment**, less than 2500 square feet (NCC 10/21/2009, Appendix A, Category 3 Commercial Uses, #72), **Qualifying Rural Business – Country Store** selling produce and products principally grown or made on the Eastern Shore, including agricultural produce, aquaculture products, other seafood, and accessory products as defined herein, including artwork, books on Eastern Shore history and other items (NCC 10/21/2009, Appendix A, Category 3 Commercial Uses, #84 -and Section 154.127 Low Impact Commercial Uses B(1)(4)(n)) and **Qualifying Rural Business – Restaurant** (sit-down; not fast food establishments) with 50 or fewer seats (NCC 10/21/2009, Appendix A, Category 3 Commercial Uses, #84 and Section 154.127 Low Impact Commercial Uses B(1)(4)(hh)) on property located at 6026 Occohannock Neck Road in Jamesville. The property, described as Tax Map 7, double circle A, parcel 34 and is zoned H, Hamlet.

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

Mr. Peter Stith, Long Range Planner, indicated that the Planning Commission was recommending approval of the petition.

The applicants, Mr. and Mrs. Davis, were present and indicated that they were available if the Board had any questions.

Mr. Bob Meyers spoke in support of the project, indicating that the residents of the area would use the facility.

Mr. Ken Dufty also spoke in favor and said that as a representative of the Business Association, they would be sending residents to the store.

Mr. Trala questioned the applicants as to the ease with which they maneuvered through the special use permit process. Mr. Davis responded that there was a little bit of difficulty but, now at the end of the process, they had no complaints.

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

Motion was made by Mr. Trala, seconded by Mr. Bennett, that Special Use Permit 2015-08 as petitioned by John and Jill Davis be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Chairman Hubbard called to order the following public hearing:

(6) **Special Use Permit 2015-09:** Winston Custis, Jr. has applied to locate a Manufactured home, single-wide on permanent foundation (NCC 12/28/2000, Appendix A, Category 7 Residential Uses) on property described as Tax Map 9B, double circle 3, parcel 12, near Exmore is zoned ESD-RVR, Existing Subdivision-Rural Village Residential and contains 32,447 square feet in area.

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

Mr. Peter Stith, Long Range Planner, indicated that the Planning Commission was recommending approval of the petition.

Ms. Alice Nelson spoke on behalf of the applicant, noting that he was in ill health and could not attend the public hearing.

Supervisor Hogg said that he was concerned with the age of the mobile home and questioned whether it would devalue adjacent properties. He also asked about any restrictive covenants. Ms. Nelson responded that the mobile home has been completely renovated and that the subdivision covenants requires 40 ft. side setbacks with which they will comply.

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

Motion was made by Mr. Trala, seconded by Mr. Bennett, that Special Use Permit 2015-09 as petitioned by Winston Custis, Jr. be approved as presented. All members were present and voted "yes", with the exception of Mr. Hogg who abstained. The motion was passed.

Citizens' Information Period (only matters pertaining to County business or items on Board agenda for which a public hearing has not already been scheduled).

Mrs. Roberta Kellam referenced two e-mails provided to the Board of Supervisors from Mr. Mike Chandler and read from the first as follows:

"Thanks for sharing the Planned Unit Development and Mixed Use Development Zoning Districts (PUD) narrative that is shown below and is currently being reviewed by the Northampton County Board of Supervisors (BoS) as part of an ongoing effort to revise and

update the county's zoning ordinance. I believe 154.1-219, as presently drafted, will not advance the cause of good planning and good development in Northampton County as the provision fails to outline the criteria and procedures that will govern where, when and how the proposed PUD provision will be applied in Northampton County. When combined with the lack of a statement of intent or purpose, the draft provision does not, in my professional view, satisfy the intent of the Code of Virginia with respect to drawing and applying zoning standards and districts (15.2-2284) and, as such, fails to meet the substantive due process guarantee clearly articulated in the Code of the Commonwealth and mandated by the constitution of Virginia as well as the nation. It is my view Northampton County will be well served if the PUD provision, as written, is not adopted. If the BoS wishes to incorporate a PUD provision in the county's zoning ordinance it is my strong recommendation the BoS refer the issue back to the Northampton County Planning Commission (NCPC) for additional work and research. To assist in this regard, I will, by separate post, share information and criteria that ought to be featured in a well-articulated PUD provision. I do hope my brief comments will be viewed as a positive suggestion as this is the spirit in which they have been offered. I will forward my second post later this evening. Please contact me should you have any questions. Thanks."

(These e-mails are on file in the office of the County Administrator.)

Mrs. Kellam then spoke about the regional animal control shelter's recent inspection, which documentation was contained within the agenda packets. She asked that the Board speak with the Accomack Sheriff and suggested that a citizen ad-hoc committee may need to be formed.

Mr. H. Spencer Murray read the following comments referencing item #12 on the agenda and asked that the following e-mail also be included herewith:

Comments by H. Spencer Murray Regarding Item 12 of the BOS July 14 Agenda

July 14, 2015

Chairman Hubbard and Members of the Board:

I rise to speak this evening regarding item 12 on your agenda as an action item request from the Northampton County Electoral Board to set a public hearing to change the District Four polling place from the current Machipongo Middle School location to Bethel A.M.E. Church in Eastville for the November 3, 2015 election. I was surprised to learn of this request when I saw it on the agenda a few days ago. Otherwise I nor the greater public would have known of this action by the Electoral Board.

I respectfully ask that my email to the Board of Supervisors dated July 9th regarding this subject be attached to tonight's minutes. In that email I point out that the November 3, 2015 election is

now less than 115 days away and since no reasons for this last minute polling change were given in the hand delivered July 2nd letter to the County Administrator, I now ask that you conduct your own investigation as to how this requested change was generated.

I cannot find where any of the “emergency” procedures as outlined in the Code of Virginia for changing a polling place have been followed and accordingly I have forwarded my own request for an investigation to Commissioner Edgardo Cortes of the Virginia Department of Elections in Richmond.

I DO NOT rise to speak tonight to accuse any individual or group of an attempt to cause District Four confusion and voter suppression in the November 3rd election. I do want answers to the many questions this last minute change raises, but personally I believe the broader questions are these.

“is this how we want our beloved County to be governed?” “is this the best we can do to establish the needed trust between our citizens and governing officials?”

I certainly hope not.

Thank you for listening. I ask that these comments also be made a part of tonight’s minutes.

H. Spencer Murray

Citizen, District Four

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Dear Chairman Hubbard and Members of the Board:

Early this Spring before the Board had made decisions regarding the renovation of the Machipongo Middle School the Board of Elections was advised by the County Administrator that it may be wise to seek alternative sites for District Four Polling places. The Board of Elections has done so and you have before you an action item on your July 14th agenda to schedule a public hearing for possibly relocating the District Four polling place from the Machipongo Middle School to Bethel A.M.E. Church in Eastville.

Please consider the following points before sending this action for public hearing..

1. The Machipongo Middle School, according to recent decisions made by the Board, is not being considered for a major renovation at this time and with the election only 115 days away will most likely be available for polling as it has been for the last number of elections.
2. Having the Machipongo Middle School remain as the polling site avoids the expense of mailed notices to the registered voters of District Four as well as newspaper advertisements and other costs.

3. The Machipongo Middle School polling site is centrally located in District Four with adequate parking and space, whereas the proposed location with limited parking in Eastville is at the southern end of District Four and not at all centrally located. Please look carefully at the District map before making this change.

4. Even with notices and advertisements, some voters will come to the Machipongo School to vote and through frustration may decide not to vote when learning they have to drive to Eastville, thus suppressing voter turnout. Those attempting to vote after work may not have sufficient time to change locations.

Lastly the Board will ultimately come to a decision as to the future and best use of the Machipongo Middle School. For now, as pointed out in a recent Board meeting, for relatively very little cost it serves the community in a number of important ways, including as a polling place with which District Four voters are already familiar. Even more beneficial uses for the Middle School may be found and I personally see no reason to eliminate a use as important as voting.

Hopefully this is not the first the Board has heard about this potential move and you have already had the opportunity to study the intended and unintended consequences of this action. As a citizen of District Four I learned of it when I saw your agenda item and I may not be aware of all the issues so I apologize for this last minute communication.

Thank you for listening.

Sincerely,

H. Spencer Murray

Citizen, District Four

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Ms. Janet Sturgis said that the freighters which are anchored off Cape Charles may discharge sewage overboard and that there were no regulations governing discharge of “gray” waters. She said that the Board needs to petition EPA/DEQ to designate our area as a “no discharge zone”.

Mr. David Boyd said that the proposed change of the District Four polling place would be disruptive to the election process this close to the November election.

Mr. Carl Nordstrom said that it would be great if the last sixteen months’ of effort and

energy could have been spent on the general population rather than the proposed zoning ordinance amendments which would benefit only a few wealthy landowners.

The following future meeting agenda was shared with the Board:

Work session/other meeting agendas:

- (i) 7/27/15: Work Session: Additional Zoning Discussions
- (ii) 8/24/15: Work Session: Topic to be determined
- (iii) 9/28/15: Work Session: Topic to be determined

(7) The County Administrator did not have a bi-monthly report but read the following letter received yesterday from the USDA:

DRAFT



United States Department of Agriculture

Rural Development

July 8, 2015

R1 State Office

1806 Santa Rosa
Ave., Suite 236
Richmond, VA 23229

Voice: 804-287-1585
Fax: 855-835-1808

Ms. Katherine H. Nuno, County Administrator
Northampton County
P. O. Box 66
Eastville, VA 23347



Dear Ms. Nuno:

Rural Development received your letter dated July 1, 2015, with two lists of projects for our review for eligibility under the Community Facilities Program. We have reviewed and hereby approve both List A and List B for use under our Community Facilities Program for use with this financing.

In order to complete the requirements for this financing, please provide Rural Development with the following:

Procurement - You may proceed to acquire the proposed vehicles and/or equipment by competitive negotiation. You must develop a Request for Proposal (RFP) and specifications. Rural Development must review and give prior approval to the specifications and RFP before soliciting for offers.

Following the receipt of offers, Rural Development must be provided with the following:

- a. Summary of all offers
- b. Copy of the successful offer
- c. Narrative summary of all negotiations
- d. Copy of notice to all unsuccessful offerors
- e. Copy of resolution of tentative award

If procured under a State Procurement contract, please provide the state contract summary page showing the item to be purchased, price and vendor.

Community Facilities Grant Agreement - You will be required to execute Form RD 3570-3, Agreement for Administrative Requirements for Community Facility Grants, and attachments of the equipment purchased. For all vehicles purchased, please provide a copy of the DMV title. For all other equipment, please provide a description including the make or model and serial number. Copies of all "paid" invoices are required.

Insurances - The project will be reviewed for liability and property damage needs, and amounts will be established accordingly. Public liability and property damage insurance will be obtained on all vehicles driven over public highways. Real property insurance (fire and extended coverage) on all above-ground structures to include machinery and equipment housed therein, in an amount equal to the insurable value thereof, will be obtained.

HR24 is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint or discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.asc.usda.gov/complaint_filing_guid.html, or at any USDA office, or call (866) 699-6882 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Administrative Law, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@aphis.usda.gov.

Assurance Agreement - As a recipient of Federal financial assistance, you must be in compliance, and continue to comply, with Title VI of the Civil Rights Act of 1964 and the Rural Development regulations promulgated by this Act. Your signature on Form RD 400-4, Assurance Agreement, is your commitment to comply with these Federal laws and regulations, as well as your agreement to maintain records and data to verify your compliance. Your compliance is monitored through compliance reviews conducted by Agency personnel.

Code of conduct - Owners shall adopt and maintain a written code or standards of conduct which shall govern the performance of their officers, employees, or agents engaged in the award and administration of contracts supported by Rural Development funds. No employee, officer, or agent of the owner shall participate in the selection, award, or administration of a contract supported by Rural Development funds if a conflict of interest, real or apparent, would be involved.

Letter of Intent - If you agree with these conditions and can complete these conditions by June 30, 2018, please complete Form RD 1942-46, Letter of Intent to Meet Conditions as soon as possible. Please work through the Courtland Office for all processing of this request.

If you have any questions, please contact Peggy Jordan, Area Specialist at (757) 653-2532 ext. 125 or David Foster, Area Director at (757) 653-2532 ext. 133.

Sincerely,



JANICE STROUD-BICKES
Acting Community Programs Director

cc: Courtland Area Office

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Tabled Item:

- (8) Tabled motion relative to creation of a capital plan committee

Motion was made by Mr. Hogg, seconded by Mr. Trala, that this item be taken off the table. All members were present and voted “yes.” The motion was unanimously passed. Given the progress made on satisfying the USDA obligation, Mr. Hogg withdrew the original motion relative to the creation of a capital plan committee.

It was noted that as pursuant to the Code of Virginia, the County’s Planning Commission is tasked with development of a capital improvement plan. This item is contained on the Commission’s work place for this year.

- (9) Consider denial of “An Ordinance for the Creation of the ‘Southern Node Commercial Waste Water Tax District’

It was noted that this Ordinance had been heard under public hearing back in 2013 and has remained tabled since then. Given the action by the Board last month to direct the Eastern Shore of Virginia Public Service Authority to suspend any further action on the Southern Node Project, this tabled item can be removed from the table and acted upon. Motion was made by Mr. Hogg, seconded by Mr. Hubbard, that this item be taken off the table. All members were present and voted “yes.” The motion was unanimously passed. Motion was made by Mr. Hogg, seconded by Mr. Bennett, that “An Ordinance for the Creation of the ‘Southern Node Commercial Waste Water Tax District’” be denied. All members were present and voted “yes.” The motion was unanimously passed. Said ordinance as rejected is set forth below:

**AN ORDINANCE FOR THE CREATION OF THE
“SOUTHERN NODE COMMERCIAL WASTE WATER TAX DISTRICT”**

This ordinance is adopted pursuant to §15.2-2400, *et seq.*, of the Code of Virginia as amended.

Section 1. Name and Boundaries of Service District

The service district to be created hereunder shall be known as the “Southern Node Commercial Waste Water Tax District which shall encompass those parcels of real estate identified by the following Northampton County Tax Map Numbers:

<u>MAP_PIN</u>	<u>MAP_PIN</u>	<u>MAP_PIN</u>
84-10-1		
84-10-2	84-A-51	84G-1-A2
84-13-1	84-A-59A	84G-1-C2
84-13-2	84-A-62	84G-1-D2
84-24-1A	84-A-77	84G-1-D3
84-24-2	84-A-79	84G-1-D4
84-24-2A	84-A-80	84G-1-D6
84-2-A	84-A-80A	84G-1-E1
84-2-B2	84-A-80D	84G-1-F1
84-4-A	84-A-81	84G-1-F2
84-4-B	84-A-85	84G-1-G
84-4-C1	84-A-87	84G-A-3
84-4-D	84-A-88	91-7-A1
84-A-100	84-A-92B	91-7-A2
84-A-103	84-A-B	91-A-13
84-A-103A	84F-1-D	91-A-14A
84-A-144	84F-2-B1	91-A-16
84-A-144A	84F-2-B3	91-A-17
84-A-144B	84F-2-B4	91-A-18
84-A-145	84G-1-2	91-A-19
84-A-146	84G-1-4	91A-2-1B
84-A-147A	84G-1-5	91A-2-4
84-A-148	84G-1-6	91A-2-5
84-A-46		

Section 2. Purpose of and Proposed Facilities and Services within the Service District

The purpose of the Southern Node Commercial Waste Water Tax District shall be to serve as a means by which the Northampton County Board of Supervisors can assess and collect taxes from owners of commercially used and commercially zoned property within the District, such owners being expected to directly benefit from the provision of modern waste water treatment in southern Northampton County. The revenue would be used to finance capital expenditures only as opposed to operating expenses. The service planned to be provided in the Service District is the treatment and disposal of waste water generated by properties within the

Service District being used commercially and properties within the Service District zoned in such a way as to permit commercial use thereon. The facilities proposed for installation and use within the Service District are collection and distribution pipes, one or more pump stations and other items necessary and convenient for the collection and distribution of waste water.

Section 3. Proposed Plan for the Service District

The Northampton County Board of Supervisors will transfer the revenues raised pursuant to this Ordinance to the Eastern Shore Public Service Authority, an entity authorized and mandated to provide the services described in Section 3, above.

Section 4. Benefits Expected within the Service District

The facilities to be funded by the revenues raised pursuant to this ordinance will enable the establishment of new commercial entities and the expansion of existing commercial entities which would be unlikely to occur so long as the means of treating and disposing of waste water is largely limited to conventional septic tanks and drain fields. In addition, it is expected that public health will be enhanced by the modern treatment of waste water which will be made possible by the installation of the facilities identified in Section 2, above.

Section 5. Severability

Should any section, paragraph, sentence, clause or phrase of this Ordinance be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remainder of this Ordinance.

Section 6. Effective Date

This Ordinance shall be effective immediately upon adoption.

Considered under public hearing this 23rd day of September, 2013.

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Action Items:

- (10) Consider approval of certain bids received at the delinquent tax auction event of June 9, 2015.

Mr. Bennett announced that since he had participated in this event, he would be abstaining from the matter.

Supervisor Hogg commented that the Board may wish to only approve those parcels

which had received sufficient bids to cover the costs associated with their sale and to readvertise the remaining properties.

It was noted that one parcel, identified as Parcel 4 of this event, remains in conflict pending the decision of the Circuit Court Judge. Therefore, motion was made by Mr. LeMond, seconded by Mr. Trala, that the Board accept the bid prices as submitted with the exception of that certain parcel identified as Parcel #4 of the Notice – Public Auction of Real Estate for Tax Map 38A1-1-65 (James Francis Smith Boone), which is being handled separately through Circuit Court. All members were present and voted “yes”, with the exception of Mr. Hogg and Mr. Bennett who abstained. The motion was passed.

(11) Consider approval of an agreement with the Virginia Department of Transportation relative to the installation of “Watch for Children” signage.

It was noted that correspondence has been received from the Virginia Department of Transportation relative to a recent change in its procedures concerning installation of “Watch for Children” signs. The Board had approved last month a request to VDOT for installation of such signage on Smith Beach Road. The new procedures require that the County enter into an agreement with VDOT and must then submit a Land Use Permit application for the sign to VDOT. The cost associated with purchasing, installing and maintaining the sign(s) are the County’s responsibility and is averaging \$850.00 per sign.

Supervisor Hogg said that in the spirit of community cooperation, he would like to table this matter in the hopes that area citizens would agree to post “Watch for Children” signage on their properties and out of the VDOT right-of-way. Motion was so made by Mr. Hogg, seconded by Mr. Trala, and unanimously passed.

(12) Consider scheduling for public hearing an ordinance to relocate the District Four Polling Place from Northampton Middle School to Bethel A.M.E. Church at 15676 Courthouse Road in Eastville, at the request of the Electoral Board.

The Board recognized Mr. Terrence Flynn, General Registrar. Mr. Flynn explained that the Electoral Board has been planning on relocation of the District Four Polling Place for some months, given the Board's indecision relative to the future of the former middle school building. They were trying to be pro-active and have the full support of the Church Trustees. Their timeline for the required notices to all voters within District Four is September 1st and Mr. Flynn believed that this timing is ideal for voter notification prior to the November election, noting that the same time line had been used with the change in the District Two polling place last year.

Ms. Nunez, County Administrator, provided additional background, noting that there were several on-going issues with the former middle school building including HVAC difficulties, mold in the building, poor cell-phone reception and no kitchen facilities for the poll workers who must remain on site in excess of 12 hours. The Board of Supervisors has provided no commitment to spend money in order to address these deficiencies.

Following comments from several Supervisors, it was the consensus of the Board not to proceed to public hearing and therefore deny the request of the Electoral Board for a change in Polling Place for District Four.

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Trala, seconded by Mr. Bennett, that Mr. Mike Ward be reappointed to the Northampton County Planning Commission for a new term of office commencing July 1, 2015. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that Mr. L. Dixon Leatherbury be reappointed to the Northampton County Planning Commission for a new term of office commencing July 1, 2015. All members were present and voted "yes." The motion was

unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Ms. Edith Johnson be appointed to succeed Ms. Sara Bedsworth on the Northampton County Social Services Board for a term of office commencing July 1, 2015. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. Trala, that the Board provide a formal letter of denial to the one proposal received on the sale or lease of the Eastville Inn from Eastern Shore Holdings, LLC. All members were present and voted “yes.” The motion was unanimously passed.

Recess

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the meeting be recessed until 5:00 p.m., Monday, July 27, 2015, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, for the regular work session. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____CHAIRMAN

_____COUNTY ADMINISTRATOR