

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 13th day of August, 2013, at 4:00 p.m.

Present:

Willie C. Randall, Chairman	Laurence J. Trala, Vice Chairman
Richard L. Hubbard	Larry LeMond
Oliver H. Bennett	

The meeting was called to order by the Chairman.

Closed Session

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

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

Appointments to boards, committees.

(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 with the exception of Mr. LeMond and voted "yes." The

motion was unanimously passed.

Mr. LeMond arrived at 4:10 p.m.

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) Mr. Nick Pascaretti of the Eastern Shore Broadband Authority provided a status report to the Board on the Authority's activities since its update last year. He noted that 200 miles of fiber have been installed as well as the addition of two local networks: Eastern Shore Communications and Bay Creek Communications. All grants have been completed and closed and operations are covered through existing revenues.

Dr. Walter Clemons, Division Superintendent, Northampton County Public Schools, briefed the Board on several items including preparations for the 2013-2014 school year and invited the Board to attend the August 26th welcoming ceremony.

Mr. LeMond questioned Dr. Clemons with regard to a recent news article concerning a principal who has been reclassified as mathematics coach, but who maintained the same salary. Dr. Clemons responded that the coaching position was grant funded – thus no impact on the budget - and that this decision will be reviewed in the next school year.

Mr. Bennett said that while his past suggestion to hold a “fashion show” to illustrate appropriate dress codes to parents was not approved, he hoped that there would be other methods used to educate parents, many of which are “visual” learners. Dr. Clemons reported that the revised dress code will be provided in writing to all parents as well as relayed through phone calls and discussed at the “open house” sessions.

Consent Agenda:

(3) Minutes of the meetings of July 9 and 22, 2013.

Motion was made by Mr. Trala, seconded by Mr. LeMond, that the Consent Agenda be approved as presented with one correction to the July 22, 2013 minutes. All members were present and voted “yes.” The motion was unanimously passed.

County Officials’ Reports:

(4) In Mrs. Lewis’ absence, the following Budget Amendment and Appropriation Requests were reviewed by the Board:

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: August 6, 2013
RE: Budget Amendments and Appropriations – FY 2013

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

\$292.62 – This represents an insurance claim reimbursement as a result of damage sustained to a Sheriff’s Office vehicle. Please transfer these funds to the Sheriff’s Vehicle Equipment & Supplies line item (100-3102-55600).

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

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: August 8, 2013
RE: Budget Amendments & Supplemental Appropriations – FY 2014

Your approval is respectfully requested for the attached budget amendments and supplemental appropriations in FY 2014 operating budget.

Reduce Sheriff Department salary and wages overtime line item 100-3102-50150 by \$2,579.00. Increase Care and Confinement salary and wages overtime line item 225-3302-50150 for the amount of \$2,579.00. This is necessary to properly reduce the liability of law enforcement compensatory time. Due to the FY 14 budget for overtime pay of \$25,673, compensatory overtime liability as of June 30, 2013 is now zero.

Increase Miscellaneous Revenue line item 100-0018-42375 and office supplies-other expense line item number 100-3302-55350 by \$1,000.00. This is for revenue received from Sheriff’s Office calendar.

Based on the actual letter of notification from the DCJS Victim Witness Program dated July 5, 2013, the following reductions are requested:

Miscellaneous revenue, line item 100-0018-42375	\$542.00
Salaries & Wages, line item 100-2107-50050	\$478.00
FICA & Medicare, line item 100-2107-50250	\$37.00
Office Supply, line item 100-2107-55350	\$27.00

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

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: August 8, 2013
RE: Budget Amendments & Supplemental Appropriations – FY 2013

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

\$2,379.00 – This represents a budget appropriation increase for the 2011-2012 School Operating Budget to reflect the balance of allocated funds in Series XI Educational Technology Notes under the VPSA Technology Grant.

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

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: August 8, 2013
RE: Budget Amendments & Supplemental Appropriations – FY 2014

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

Modification to the Capital Improvement Fund appropriation requested as part of the School Board’s proposed budget, submitted on March 29, 2013, as outlined below. This is to reflect a reprioritization of capital needs, specifically related to significant repairs needed on the boilers at Northampton High School. The current boilers are at the end of their useful life and were repaired during the last heating season in order to pass the annual boiler inspection. Even with the recent repairs, the boilers are not expected to function through the upcoming heating season. The request only reclassifies funds between projects and does not modify the total amount of capital funds requested:

CIP Fund KES Media Center Carpet Replacement	(10,500.00)
CIP Fund OES Media Center Carpet Replacement	(10,500.00)
CIP Fund OES Generator – Cafeteria/Emergency	(50,000.00)
CIP Fund NHS Boiler Repair	<u>\$71,000.00</u>
	0.00

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

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: August 8, 2013
RE: **Capital Projects Adjustment** – FY 2013

As illustrated on the attached Journal Edit Listing, your approval is respectfully requested for an adjustment that is necessary to record appropriated capital projects for FY 2013.

Board action on June 11, 2013 moved the entire School Operating Capital Project Fund Balance (Fund 910 - \$333,729.53) to the Northampton County School Capital Project Fund (Fund 395). At that time, the School Board had already appropriated \$184,252.00 of this fund balance (Fund 910) for capital purposes. Therefore, another vote is needed to reduce the transfer of Fund Balance by \$184,252.00. This is necessary so funds are available to cover the capital projects that were already approved by the Board and appropriated during FY 2013.

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

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Mr. Bennett clarified that grant funds as received from state and/or federal sources represent taxpayer dollars.

At 6:00 p.m., the Board recessed for supper.

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

The invocation was offered by Mrs. Abby Press.

The Pledge of Allegiance was recited.

(5) Ms. Katherine H. Nunez, County Administrator presented the following bi-monthly report for the Board's review.

- (i) 8/26/13: Work Session: School's CIP, Davenport Presentation, Zoning Policy Decisions
- (ii) 9/23/13: Work Session: *Tentative* public hearing on creation of Southern Node Commercial Service District
- (iii) 10/28/13: 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: August 9, 2013
RE: Bi-Monthly Report

I. Projects:

A. Eastville Waste Collection Site:

Construction work was delayed during the month of June and mobilization and preparation of the site began in mid-July. Work is now fully progressing on this project and we have received an updated construction schedule that still indicates an anticipated completion date of October 15, 2013.

B. Public Service Authority:

The next meeting of the PSA is Tuesday, August 20, 2013 @ 7:00 p.m. in the Glass Conference Room. Based upon the Board of Supervisors' action at your last meeting, the public hearing for the creation of a service district is scheduled for Monday, September 23, 2013.

C. Computer Assisted Mass Appraisal Systems (CAMA Systems):

We issued a Request for Proposals (RFP) for new Computer Assisted Mass Appraisal System software, known as CAMA software and opened responses on August 8, 2013. We received a total of 6 responses and the committee, comprised of staff from the Commissioner of Revenue's office (Anne Sayers, Bonny Lewis & Todd Simpson) as well as IT Director Mark Heneghan and myself, will be evaluating these proposals and interviewing the top ranked firms during the month of August.

D. Zoning Ordinance Review:

Staff has been working on revisions to the zoning ordinance and we are almost complete in our review. However, there are a few items that require Board discussion and direction and are covered in a separate memorandum. This is enclosed as part of this agenda packet to allow the Board sufficient time to read and review; however, I am not seeking Board action or discussion at your August 13, 2013 meeting but rather this will be placed on the work session agenda of August 26, 2013 to allow a broader discussion with staff on these policy issues. In addition, I have enclosed a tentative calendar for this Zoning Ordinance Adoption that we will need to discuss at the work session also.

To: Charles McSwain, Director
From: Melissa Kellam, Zoning Administrator
Date: August 6, 2013
Re: Policy Decisions

Attached you will find a summary of the policy decisions for the Board's consideration regarding the proposed revisions to the zoning ordinance. After reviewing the VA Code with Bruce and Bev, County Attorneys, presenting the material at the last team meeting and consulting with Bruce a second time on July 3rd, I have finalized a list of policy decisions with a short staff summary for each policy. I have also included the VA Code sections associated with these policies. Please let me know if I can be of further assistance.

Policy Issues

1. § 15.2-2289. Localities may provide by ordinance for disclosure of real parties in interest.

*Currently this regulation is not included in the zoning ordinance. This regulation is optional. Would the BOS like to include this regulation? Consensus from the staff is that the BOS **may not** want to consider this additional requirement.*

2. § 15.2-2291. Assisted living facilities and group homes of eight or fewer single-family residence.

Currently other terms are used in our zoning ordinance to reference assisted living facilities and group homes as set out in the VA Code. Staff is revising the zoning ordinance to mirror the terms as specified in the VA Code. Assisted living facilities and group homes housing eight or fewer people, by law, must be treated as a single-family use. Would the BOS like to consider assisted living facilities and group homes housing greater than eight people by SUP or not permitted in specific zoning districts? Consensus from the staff is that the BOS **may** want to consider this option for more than eight people and have proposed these measures in the draft zoning ordinance revisions.

3. § 15.2-2292. Zoning provisions for family day homes.

Currently other terms are used in our zoning ordinance to reference family day homes as set out in the VA Code. Staff is revising the zoning ordinance to mirror the terms as specified in the VA Code. The State limits family day homes (day care in a residence) to a maximum of twelve children. Family day homes providing service to one to five children, by law, must be treated as a single-family use. Providing service to six to twelve children does not need to be treated as a single-family use and can require an administrative notification process, SUP or not permitted as a use in specific zoning districts. Would the BOS like to consider family day homes serving six to twelve children through an administrative notification process, SUP or not permitted in specific zoning districts? Consensus from the staff is that the BOS **may** want to consider any family day home serving up to twelve children as a single-family use.

4. § 15.2-2296. Conditional zoning; declaration of legislative policy and findings; purpose § 15.2-2297. Same; conditions as part of a rezoning or amendment to zoning map, § 15.2-2299. Same; enforcement and guarantees, § 15.2-2300. Same; records, § 15.2-2301. Same; petition for review of decision, § 15.2-2302. Same; amendments and variations of conditions, § 15.2-2303. Conditional zoning in certain localities, § 15.2-2303.1. Development agreements in certain counties, § 15.2-2303.1:1. (Expires July 1, 2017) When certain cash proffers collected or accepted and § 15.2-2303.2. Proffered cash payments and expenditures.

The BOS **may** want to reconsider a comprehensive proffer policy within the zoning ordinance. At one time a draft policy had been developed.

5. § 15.2-2304. Affordable dwelling unit ordinances in certain localities and § 15.2-2305. Affordable dwelling unit ordinances.

Currently our zoning ordinance includes affordable housing standards which have never been utilized. These are optional regulations. The consensus of staff is that this section **should be removed**, but if the BOS decides that it should remain in the zoning ordinance, it should go through a legal review for compliance with this section of the VA Code.

6. § 15.2-2306. Preservation of historical sites and architectural areas.

*Currently our zoning ordinance includes a Historic Overlay District which has never been utilized. These are optional regulations. The consensus of staff is that this section **should be removed**, but if the BOS decides that it should remain in the zoning ordinance, it should go through a legal review for compliance with this section of the VA Code.*

7. Sign Ordinance: Options for Consideration of the Board of Supervisors

Background: The current ordinance is robust and restrictive. It is also not being fully enforced; to-wit, metallic flags at roadside stands, small repetitive signs advertising types of seafood ahead, and flag banners at restaurants.

Note that VDOT has sign restrictions in place for any area abutting a VDOT-maintained roadway.

The following options are offered as a cumulatively more restrictive listing of provisions that a sign ordinance could have:

Options:

- a. No sign ordinance relying only on VDOT rules;
- b. "a" plus: Provide for removal of signs no longer representing an active business or interest within 30 days or face a penalty and removal by County;
- c. "b" plus: prohibit pylon signs greater than 25 feet in height;
- d. "c" plus: regulate off premises signs, but allow any and all signs on premises subject to building code regulations; and
- e. "d" plus: current regulation which addresses in detail the size and placement of signs on site and does not allow off site signs including provisions for temporary signs and prohibition of banners, flags, etc.

8. Northampton Bay Act Regulations: Analysis of removing the Atlantic Ocean areas (seaside), east of US Route 13 from the areas regulated by the Bay Act.

- a. Currently the state is revising all stormwater management, erosion and sediment control and Bay act regulations. It is staff's recommendation that the Bay Act regulations could be removed now from the zoning ordinance to become a stand-alone ordinance and when the state completes their regulation revisions including the new Stormwater regulations, then the County could make the appropriate changes to a stand-alone Bay Act and new Stormwater ordinances at that time.
- b. Future stormwater regulations will apply to any land disturbance activity one acre or greater and will be more stringent than the current stormwater regulations now in the Bay Act. It was the consensus of staff that the future stormwater regulations mandated by the state to be in effect by June 2014 may negate the need for Chesapeake / Atlantic Preservation District on the seaside, but this could not be

confirmed until the state completes the revisions to stormwater management, erosion and sediment control and Bay act regulations.

(Ten pages of excerpts from the Code of Virginia are not reproduced here; they are on file in the office of the County Administrator.)

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PROPOSED CALENDAR FOR ZONING ORDINANCE ADOPTION

Draft prepared by Katie H. Nunez – August 9, 2013

ACTIVITY	CALENDAR OPTION #2
Board of Supervisors Meeting to review draft zoning ordinance and map to vote to refer this to the Planning Commission for a joint public hearing along with a prescribed time frame for the Planning Commission to develop and finalize a recommendation on the matter (by law, PC has 100 days unless a shorter time frame has been prescribed by the BOS).	During the month of September/October 2013. NEED BOS INPUT – do you want a joint hearing with PC? Do you want to prescribe a shorter timeframe for PC review?
Finalize legal ad for public hearing	November 11 – November 14, 2013
Print, sort and stuff all mailing notices to all property owners (thru a mailing service)	October 29 – November 12, 2013
Submit legal ad to newspaper for public hearing	November 15, 2013
Deadline for mailing all property owner notices	November 13, 2013
First Legal Ad appears in Eastern Shore News	November 20, 2013
Second Legal Ad appears in Eastern Shore News	November 27, 2013
2 Public Informational Meetings about the proposed ordinance & map (recommend to hold this type of meeting in advance of public hearing which allows for a more “give & take” dialogue with the public and staff)	Week of November 18 & November 25, 2013
Public Hearing for Planning Commission on Zoning Ordinance & Map	December 3, 2013
Public Hearing for Board of Supervisors on Zoning Ordinance & Map	
Mandated time for Planning Commission to formulate	

recommendation, based upon BOS Vote (by law, PC has 100 days unless a shorter time frame has been prescribed by the BOS)	
Board of Supervisors Meeting to receive recommendation from Planning Commission and to deliberate and vote on Zoning Ordinance & Map	

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E. Middle School Renovation: Based upon the Board’s work session discussion concerning the Middle School, I have included, under separate memorandum, the intended scope of work and priority list to be accomplished and to re-affirm the Board’s vote for the capital budget for this project.

MEMORANDUM:

TO: Board of Supervisors

FROM: Katie H. Nunez
County Administrator

DATE: July 24, 2013

SUBJECT: Northampton Middle School Renovation Priorities & Usages

In keeping with the recent Board action, I am pleased to provide the following listing of potential renovation priorities for the former middle school property. Please confirm that these proposed renovation priorities are agreeable to the Board:

- (1) mold remediation
- (2) update HVAC systems and create zoned usages within the building.
- (3) upgrade the plumbing and provide improved bathroom facilities in the front hallway as well as necessary bathroom and shower facilities for the EMS department
- (4) roof: any repairs/replacements as needed to fix leaks
- (5) examination of the “settling” of the building occurring near the cafeteria bathroom area
- (6) upgrade as necessary the electrical system
- (7) provision for a minimum 3-bay garage with associated heating, cooling and haz-mat protections for EMS purposes
- (8) interior renovations of space for conversion into office space, bunk-rooms and storage areas for EMS

- (9) replacement of tile, paint, carpet upgrades throughout the building
- (10) improvements to cafeteria and kitchen for conversion to commercial kitchen concept.

Additionally, please confirm the following intended uses of the building:

- (1) *continued* county archive storage space
- (2) *continued* home for the Virginia Cooperative Extension Service
- (3) *continued* use by Parks & Recreation department for its programs
- (4) *continued* use as the District Four Polling Place
- (5) *continued* community rental use of auditorium, gymnasium and other space that may be designated for community rooms
- (6) *intended future* home of the County's Emergency Medical Services Department
- (7) *intended future* use as commercial kitchen contingent upon partners and viability of business plans
- (8) *possible future* rental space of state/federal agencies
- (9) *possible* inclusion of school board administrative offices contingent upon Board discussions with School Board

I have attached the capital budget already adopted by the Board in June 2012 for your review and re-confirmation. I would suggest that we rename this project "Community Building Renovation".

If you have any further questions, please advise.

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Motion was made by Mr. Trala, seconded by Mr. LeMond, that the proposal for renovation of the former middle school be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

CAPITAL PROJECTS BUDGET

as of June 22, 2012

Description	Starting Budget	Expenses	Encumbrances	Balance	% Used	Funds Released from Completed Projects and available for Re-Assignment
Courty Admin Renovations	\$ 4,728,000.00	\$ 4,314,447.56	\$ 56,066.48	\$ 357,485.96	92%	\$ 357,485.96
J&DR Court Services Construction	\$ 650,100.00	\$ 638,054.95	\$ -	\$ 12,045.05	98%	\$ 12,045.05
Solid Waste -Waste Collection Centers	\$ 3,161,572.00	\$ 2,834,266.60	\$ (49,600.00)	\$ 376,885.20	88%	
EMS Renovation	\$ 1,260,166.00	\$ 40,565.00	\$ 28,329.00	\$ 1,191,272.00	5%	
Stumptown Road property (Facilities Management)		\$ 90,951.00	\$ 74,100.00	\$ (165,051.00)		\$ (165,051.00)
Capital Fund Contingency	\$ 74,318.00	\$ -	\$ -	\$ 74,318.00	0%	
TOTAL	\$ 9,874,156.00	\$ 7,918,305.31	\$ 108,895.48	\$ 1,846,955.21	81%	\$ 204,460.01

County Administration: Encumbered funds will be used to: (1) be reserved as "demo" money under our lease agreement with the Town of Eastville at \$34,000; (2) install county signage on property, improve front drive entrance at \$16,000; (3) remove tower and relocate public safety communications equipment to County water tower at \$4,000; and (4) close-out on remaining construction contracts at \$2,066.48. The remaining balance of \$357,485.96 can be re-assigned to other capital projects.

J&DR Court Services: Project has been closed out. The remaining balance of \$12,045.05 can be re-assigned to other capital projects.

Solid Waste Funding: We have encumbered the engineering fees and have expensed the condemnation price for the property on Business Rt. 13

EMS RELOCATION TO MIDDLE SCHOOL: The Board had previously voted the funds from other completed capital projects for the EMS Renovation project. Funds expended to date on that project have been on the feasibility study to convert a portion of the former Middle School for EMS purposes. We have conducted further examination and studies looking at the entire Middle School facility and have provided that information and budget. This item is discussed more fully in a memorandum dated June 22, 2012.

Stumptown Road property (Facilities Management new home): The Board has not adopted a budget for this project; however, we have expensed the purchase of this property against the project. Mike Thomas, Facilities Director, has developed a budget for improvements to the facility for its conversion to the Facilities Management new home at \$74,100. This is listed under encumbrances for that project. The total budget needed for this project is \$165,051

Prepared by Katie H. Nunez, County Administrator

F. 2014 Legislative Agenda: Enclosed is correspondence received from VACo seeking the 2014 legislative agenda for each county. I have enclosed the legislative agenda the Board adopted for 2013 for a starting point of discussion in developing the County's 2014 Legislative Agenda.

**NORTHAMPTON COUNTY
BOARD OF SUPERVISORS
LEGISLATIVE AGENDA - 2013
(Adopted October 9, 2012)**

1. Transportation Funding – support legislation to establish stable and consistent revenues to meet Virginia's long-term transportation infrastructure needs and to oppose any legislation or regulations that would require the transfer of responsibility to the counties for construction, maintenance or operation of new and existing secondary roads.
2. Eliminate the program of "Local Contribution/Aid to the Commonwealth" – Since Fiscal Year 2010, the State has had a program called "Local Contribution/Aid to the Commonwealth" which has required localities across the state to provide financial support to the Commonwealth in the form of either direct payments from each locality to the state or commensurate reductions in state aid to the locality. Since the inception of this program, this county has contributed to the state \$847,209 and will be making another payment in December in the amount of \$186,494 which will bring the total to \$1,033,703. This program should be eliminated in light of the state's surpluses in FY2010, 2011 and 2012.
3. Equal Taxing Authority – Eliminate the distinction in the taxing authority of Virginia's cities and towns versus counties and provide counties with all of the same provision to establish local excise taxes, including the cigarette tax and the meals tax.
4. Local Government Revenues and State Tax Reform – oppose legislation to eliminate or reduce specific local tax revenues, including local business taxes such as the Machinery & Tools Tax.
5. State Funding for Compensation Board– support full restoration of state funding for the Compensation Board and restore its required funding for the constitutionally mandated offices of Commissioner of Revenue, County Treasurer, Sheriff, Clerk of Courts and Commonwealth Attorney.
6. State Funding for Education – support full restoration of state funding for the Standards of Quality (SOQ).
7. Support legislation to extend the electronic meeting privileges provided at the state level to the county level.

8. Support legislation to revise public hearing notification provisions to include a county government run website as a legal posting method, similar to a local paper of record.
9. Support legislation to extend in the imposition and collection of the local transient occupancy tax to state owned parks and campgrounds that provide for lodging.
10. Support legislation to require mandatory certification from the local treasurer that real estate taxes are current prior to the sale and recordation of sale of real property.

Following a discussion among the Board members, it was the consensus that items #2 and #7 could be removed as they have been handled by last year's General Assembly action and that the remainder of the Legislative Agenda could remain. However, the Board agreed to bring this topic back to the August work session for final action.

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Citizen Information Period:

Mrs. Abby Press reminded the Board of her request from several months ago relative to tax exemption on motor vehicle tax for 100% disabled veterans. She indicated that she was one of eighteen citizens so affected. The County Administrator responded that this issue has been forwarded to the County Attorney for development of an ordinance.

Public Hearings:

The Chairman called to order the following two public hearings concurrently:

(6) Zoning Map Amendment 2013-02: Rosa Kelly & Pedro Montalvo have applied to rezone 0.52 acres of land from Village Neighborhood Business VNB to Village -Two V-2 to allow a single-wide mobile home by special use permit. The parcel is described as Tax Map 91B, double circle 7, lot 4 and is located at the northwest quadrant of Seaview Road and Banks Road in the Fairview neighborhood.

(7) Special Use Permit 2013-04: Rosa Kelly & Pedro Montalvo have applied to locate a single-wide mobile home as a primary residence on property zoned Village-Two V-2 containing 0.52 acres of land. The parcel is described as Tax Map 91B, double circle 7, lot 4 and is located at the northwest quadrant of Seaview Road and Banks Road in the Fairview neighborhood.

Mr. Randall asked if there were any present desiring to speak.

Mr. Peter Stith, Long-Ranger Planner, indicated that the Planning Commission was recommending approval of both petitions.

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

Motion was made by Mr. Trala, seconded by Mr. LeMond, that Zoning Map Amendment 2013-02 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. Hubbard, that Special Use Permit 2013-04 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

The Chairman called to order the following public hearing:

(8) Special Use Permit 2013-05: Habitat for Humanity has applied to construct a single family dwelling on 0.45 acres of land zoned Village-Neighborhood Business V-NB located at 8299 Treherneville Drive. The property, located on the west side of U.S. 13, is described as Tax Map 40B, double circle 1, lot 1A.

Mr. Randall asked if there were any present desiring to speak.

Mrs. Price Clarke, a member of the Habitat Board of Directors presented background information on the organization and noted that if approved, this property will be placed back on the tax rolls of the County.

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

Motion was made by Mr. Bennett, seconded by Mr. Trala, that Special Use Permit 2013-05 be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Action Items:

(9) Consider request by the Troy Ashe Memorial Pistol Tournament for a one-day tournament event within the Jamesville Agricultural-Forestal District.

Motion was made by Mr. LeMond, seconded by Mr. Hubbard that the Board approve the request to conduct the 15th annual Trooper Troy Ashe Memorial Pistol Tournament on property located at 6276 Sturgis House Road, Jamesville, Virginia; said property being a part of the Jamesville Agricultural & Forestal District. All members were present and voted “yes.” The motion was unanimously passed.

(10) Consider request by Robert Bridges III and Mary Anne Floyd Davis for expansion of an existing deck at 11284 Johnstontown Road, which said property is contained within the Jacobus Point Agricultural-Forestal District.

Motion was made by Mr. Bennett, seconded by Mr. Trala, that the Board approve the request to convert an existing wooden deck to a three-season porch at property located at 11284 Johnstontown Road; said property being a part of the Jacobus Point Agricultural & Forestal District. All members were present and voted “yes.” The motion was unanimously passed.

(11) Consider a resolution approving the issuance of a refunding revenue bond by the Joint Industrial Development Authority of Northampton County and Its Incorporated Towns as a conduit issuer for the Norfolk Academy.

Motion was made by Mr. Hubbard, seconded by Mr. LeMond, that the following resolution be adopted. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION OF THE
BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY, VIRGINIA,
APPROVING THE ISSUANCE OF A REFUNDING REVENUE BOND
BY THE JOINT INDUSTRIAL DEVELOPMENT AUTHORITY
OF NORTHAMPTON COUNTY AND ITS INCORPORATED TOWNS
AS A CONDUIT ISSUER FOR THE NORFOLK ACADEMY

WHEREAS, the Board of Supervisors of Northampton County, Virginia (the "Board"), has been advised that there has been described to the Joint Industrial Development Authority of Northampton County and its Incorporated Towns (the "Authority"), the application of The Norfolk

Academy (the "School"), whose principal place of business is located in the City of Norfolk, Virginia, for the Authority to issue its Refunding Revenue Bond in an amount not to exceed \$8,500,000 (the "Bond") and to loan the proceeds thereof to the School to be used in (a) the current refunding of the remaining outstanding amount of (i) the Norfolk Airport Authority \$6,000,000 2006 Revenue Bond (Norfolk Academy Project) (the "Series 2006 Bond"), (ii) the Industrial Development Authority of the County of Isle of Wight \$5,000,000 Series 2000 Revenue Bonds (The Norfolk Academy), and (iii) the Industrial Development Authority of the County of Isle of Wight \$5,000,000 Series 1999 Revenue Bonds (The Norfolk Academy) (collectively, the "Prior Bonds"), each of which financed capital improvements on the School's campus located at 1585 Wesleyan Drive, Norfolk, Virginia 23502 (the "Facilities"), (b) paying the termination payment coming due on an interest rate swap agreement that was identified as a qualified hedge with respect to the Series 2006 Bond, and (c) paying all or a portion of the costs of issuing the Bond (collectively, the "Plan of Refunding");

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

WHEREAS, the Board has been advised that a public hearing with respect to the Bond, as required by the Act and the Internal Revenue Code of 1986, as amended (the "Code"), was held by the Authority at its meeting on July 31, 2012, and that after such hearing the Authority agreed to assist the School by issuing the Bond;

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

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

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

1. The foregoing recitals are hereby incorporated in, and deemed a part of, this Resolution.
2. The Board approves the issuance of the Bond by the Authority to assist in the Plan of Refunding for the benefit of the School, to the extent required by the Code and the Act.

3. The Board designates the Bond as a "qualified tax-exempt obligation" within the meaning of Section 265(b)(3) of the Code for calendar year 2013.

4. The approval of the issuance of the Bond, as required by the Code and the Act, does not constitute an endorsement to a prospective purchaser of the Bond of the creditworthiness of the School and, as required by the Act, the Bond shall provide that neither the County nor the Authority shall be obligated to pay the Bond or the interest thereon or other costs incident thereto except from the revenues and moneys pledged therefor and that neither the faith or credit nor the taxing power of the Commonwealth of Virginia, the County nor the Authority shall be pledged thereto.

5. This Resolution shall take effect immediately upon its adoption.

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(12) Consider approval of the Eastern Shore Community Services Board's Performance Contract for FY 2013 and 2014.

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board approve the Eastern Shore Community Services' Board's Performance Contract for FY 2013 and FY 2014.

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

As a late-arriving item, motion was made by Mr. Bennett, seconded by Mr. LeMond, that the Board approve a request for a Fireworks Permit from Cherrystone Campground for a display on September 1, 2013 (alternate date: August 31, 2013). All members were present and voted "yes." The motion was unanimously passed.

Matters Presented by the Board Including Committee Reports & Appointments

There was some discussion by the Board relative to whether comments should be submitted to the Chesapeake Bay Bridge & Tunnel District in regards to its plan to increase the tolls. The Chairman reported that the CBBT Authority had already voted earlier today, approving such increase. It was the consensus of the Board not to issue comments.

Mr. LeMond referenced an informational item contained in the agenda packet with regard to a presentation on dredging/aids to navigation; said presentation had been made to the members

of the Accomack-Northampton Transportation District Commission. It was the consensus of the Board to request the County Administrator to arrange for a similar presentation before this body

Recess

Motion was made by Mr. Bennett, seconded by Mr. Trala, that the meeting be recessed until 5:00 p.m., Monday, August 26, 2013 in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, in order to conduct the regular work session. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR