

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 13th day of September, 2011, at 4:00 p.m.

Present:

Samuel J. Long, Jr., Vice Chairman	H. Spencer Murray
Oliver H. Bennett	Laurence J. Trala

Absent:

Willie C. Randall, Chairman	Richard Tankard
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The meeting was called to order by the Vice 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/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.

*Bayview Water & Wastewater Systems*

All members were present with the exception of Mr. Tankard and Chairman Randall and voted “yes.” The motion was unanimously passed.

After Closed Session, the Vice 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 Vice 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.*

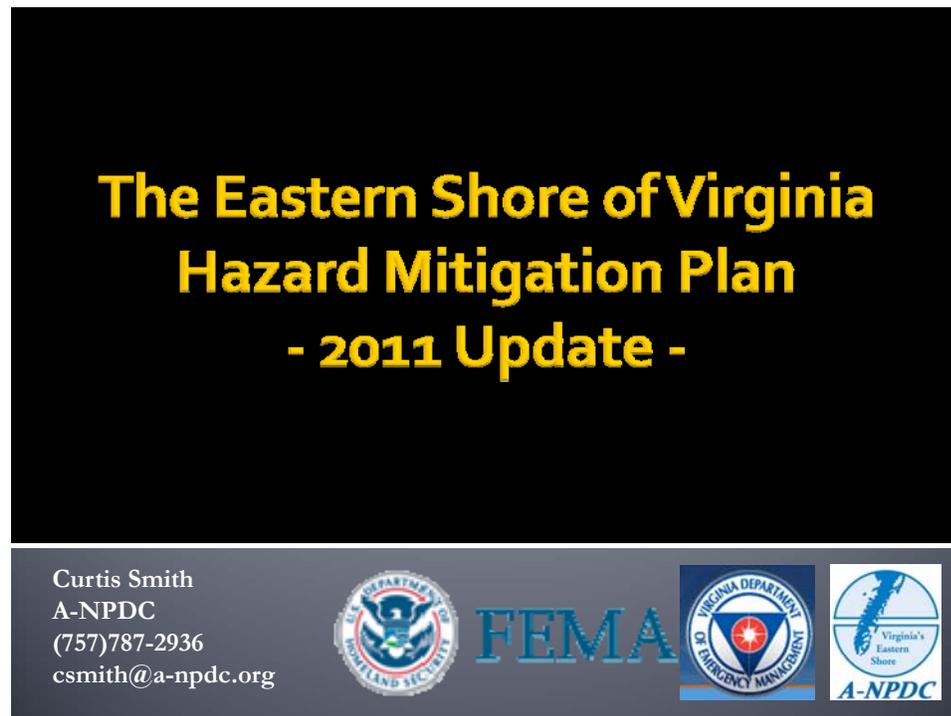
Board and Agency Presentations:

(1) Dr. Walter Clemons, Division Superintendent of the Public School System, indicated that the first week of school went well, with 1,750 enrolled as of last week. Last year’s enrollment was 1,671 and this year’s budget is based on 1,630 students. He also noted that Northampton High School and Occohannock Elementary School are both fully accredited but that Kiptopeke Elementary School met only 6 of 7 benchmarks.

(2) Ms. Donna Bozza of the Eastern Shore Tourism Commission distributed promotional materials and thanked the Board for its contributions to the tourism industry, noting that there is a five-to-one return on investment. While she praised the establishment of the Welcome Center at the Bridge-Tunnel, she noted that the Tourism Commission was not equipped to run the Center with this year’s reduced budget. She asked that the Board consider returning the \$10,000

cut from their FY 2012 budget.

(3) Mr. Curt Smith of the Accomack-Northampton Planning District Commission, made the following powerpoint presentation on the Eastern Shore Hazard Mitigation Plan.



## Hazard Mitigation Plan Chronology

- **2000**: The Disaster Mitigation Act (DMA2000) enacted by Congress to
  - 1) reduce loss of life and property
  - 2) reduce human suffering
  - 3) reduce economic disruption
  - 4) reduce disaster assistance costs
- **November 1, 2004**: DMA2000 makes any community without an adopted and FEMA approved mitigation plan ineligible for some FEMA disaster funding
- **2005-2006**: ESVA Hazard Mitigation Planning Committee formed to complete original plan
- **October 2006**: Northampton County adopts original HMP

## Hazard Mitigation Plan Chronology

- **2010 - 2011**: ESVA Hazard Mitigation Planning Committee reforms to update 2006 plan
  - Utilizing FEMA Flood Mitigation Assistance Grant funds
  - 2011 Update focused on updating and improving flood-related components of plan
- **December 31, 2011**: Deadline for adoption of 2011 Hazard Mitigation Plan
  - Plan must be updated and re-adopted every 5 years to maintain FEMA-approved status

## Planning Process – Northampton County

- *Appointed Director of Planning and Northampton residents to serve on ESVA HMP Committee*
  - *Input also from Administrator and Emergency Services Coordinator*
- *Participating Northampton Towns: Exmore\*, Eastville\*, and Cape Charles*
  - *\*Denotes first time participating towns*
  - *Northampton is representing Nassawadox and Cheriton*
- *Planning Sequence:*
  - 1) *Review historical hazards*
  - 2) *Identify and prioritize natural hazards*
  - 3) *Conduct risk and vulnerability assessment for high priority hazards*
  - 4) *Define mitigation strategies and develop mitigation projects to mitigate future hazard impacts*

## Hazard Identification

- *Coastal Flooding*
- *Storm Water Flooding*
- *High Wind*
- *Coastal Erosion*
- *Ice-Snow*
- *Sewage Spills*
- *Drought*
- *Wildfire*
- *Hazmat Incidences*
- *Heat Wave*
- *Biohazards*
- *Well Contamination*

# Risk Assessment

- Assessed 5 Criteria to Prioritize Natural Hazards:
  - Probability
  - # of Affected Structures
  - # of Cost Effective Mitigation Options
  - Primary Impacts
  - Secondary Impacts

Hazard Type	Probability	Impacts			Mitigation Options	Total Score	Hazard Priority
		Affected Structures	Primary Impact	Secondary Impact			
Coastal Flooding	3	3	3	3	3	15	High
High Wind	3	3	3	3	3	15	High
Storm Water Flooding	3	3	3	2	3	14	High
Coastal Erosion	3	3	3	1	2	12	High
Ice-Snow	3	1	2	3	2	11	Medium
Sewage Spills	3	1	2	2	3	11	Medium
Drought	3	1	3	2	2	11	Medium
Wildfire	3	1	1	1	3	9	Medium
Hazmat Incidents	3	1	1	2	1	8	Low
Heat Wave	3	1	1	1	1	7	Low
Biohazards	2	1	1	2	1	7	Low
Well	3	1	-	-	-	-	-

## Coastal Flooding

		2006	2011
Structures in 100-year floodplain		820	981
Estimated Damages from 100-year flood		\$16.8 Million	\$28.2 Million
Flood Insurance Policies	Located in SFHA	170 (80%)	252 (60%)
	Non-SFHA	43 (20%)	169 (40%)



- Seven communities & areas in the County were identified as being at significant risk of coastal flooding
- T.S. Isabel caused ≈\$10M in agricultural damage & ≈\$3M in aquaculture damage

## High Winds

- Wind Borne Debris Hazard Area extends one mile inland from the shore
- 1,296 structures are within this area
- 72% are on the **bayside** and have a higher average value than the seaside structures
- Estimated Private Damages of a 100-year wind event on all the properties: **\$8.4 million**



## Storm Water Flooding

- 7 areas in the county were identified with critical storm water flooding issues
- Most storm water flooding causes septic systems to fail or roads to flood.
- An increase in the number of flood insurance policies in the County not located within a SFHA could indicate that more residents are purchasing flood insurance to protect against storm water flooding hazards

## Coastal Erosion

- 72 structures are located within 50 feet of the shoreline
- These structures are worth **\$2.8 million**
- 344 structures lie within 100 feet of the shoreline
- These structures are worth **\$43 million**
- Four areas have critical erosion problems:
  - Tankards Beach (lost 40 feet in Hurricane Isabel)
  - Smith Beach
  - Silver Beach
  - Butlers Bluff (eroding at lesser rates)



## Other Local Hazards

- Closure of the Chesapeake Bay Bridge Tunnel for any length of time would be a significant disruption to traffic, communications, medical, and emergency response operations in the County.
- Winter storms can be extremely damaging to County infrastructure and have lasting impacts on local economy
- Agriculture industry very susceptible to drought and storm events. Secondary impacts of drought include increased ground water demand and heightened risk of wildfire.
- Aquaculture & seafood industries valued at \$33M in 2005 are at risk to wave action and drought-induced water quality degradation

## **Findings – Northampton County**

- Many more homes lie in the wind-borne debris hazard area than Special Flood Hazard Area or erosion hazard area and a strong wind event would be the most far-reaching event that Northampton could experience.
- 344 homes within 100 feet of the shoreline and 72 homes within 50 feet of the shoreline are vulnerable to coastal erosion
- County's vulnerability is increasing due to loss of land from coastal erosion and new construction near shorelines.
- The indirect effects of T.S. Isabel caused approximately \$10 million and \$3 million to the County's agricultural and aquaculture industries; widespread damage to trees; extensive coastal flooding; and destroyed the Ocean Cove Seafood building in Magotha that had withstood the great hurricane of 1933. Storms of similar or greater magnitude are likely to occur in the future and Isabel should serve as a great lesson for the County.
- It is expected that a bayside-focused disaster would be worse than a similar seaside disaster considering current pattern of development in the County and the greater exposure to storm-related hazards on the bayside.
- Private flood insurance policies for homes within Special Flood Hazard Areas are becoming increasingly difficult to attain within the County.

## **Mitigation Strategies & Projects**

- **Goal 1 - Local Governments Guide a Comprehensive Mitigation Program Including Public Education and On-going Hazard Assessments**
  - *Strategy 1.1 - Increase the capacity of Northampton mitigation program through training and coordination with federal, state and local governments*
- **Goal 2 - Residents, Businesses and Local Governments Will Work to Minimize Community Disruption Through Residential and Commercial Mitigation Activities**
  - *Strategy 2.1 - Retrofit housing to reduce risk of coastal flooding*
  - *Strategy 2.2 - Protect new housing by reducing the risk of damage from natural hazards*
  - *Strategy 2.3 - Retrofit commercial and residential structures to reduce risk of the most critical natural hazard damage*
- **Goal 3 - Local Governments Encourage Self-sufficiency among Residents and Personal Responsibility for Managing Their Own Risk**
  - *Strategy 3.1 - Increase resident preparedness in the County*
  - *Strategy 3.2 - Educate residents about flood insurance available and encourage participation in the National Flood Insurance Program*

## Mitigation Strategies & Projects

- **Goal 4 - Local Governments Will Work to Ensure That Infrastructure Will Continuously Function During and After a Natural Hazard Event**
  - *Strategy 4.1 - Maintain traffic flow after a natural hazard event*
  - *Strategy 4.2 - Ensure continuity of public water and wastewater systems*
  - *Strategy 4.3 - Provide for adequate sheltering during an emergency*
- **Goal 5 - Local Governments Will Make Efforts to Reach Special Needs Populations**
  - *Strategy 5.1 - Improve communications with special needs residents before and after hazard events*

## Next Steps

- Committee will approve a draft to be sent to the Virginia Department of Emergency Management for review
- County adoption by end of calendar year 2011 needed to maintain FEMA-approved status

Consent Agenda:

- (4) Minutes of the meetings of August 9, 18 and 22, 2011.
- (5) Consider approval of an A-95 Review entitled, "Culls Community Housing Preservation Grant". Applicant: Northampton County.
- (6) Consider ratification of a Declaration of Local Emergency as a result of Hurricane Irene and waiver of tipping fees, through Saturday, September 10, 2011, associated therewith.

**RESOLUTION**

**DECLARATION OF A LOCAL EMERGENCY**

WHEREAS, the Board of Supervisors of the County of Northampton does hereby find that:

Due to the projected landfall of Hurricane Irene, the County of Northampton is facing a condition of extreme peril which necessitates the proclamation of the existence of an emergency in order to provide mitigation, preparedness, and activities to protect life and property;

NOW, THEREFORE, IT IS HEREBY PROCLAIMED that an emergency now exists throughout said County; and

BE IT FURTHER PROCLAIMED that, pursuant to § 44-146.21 of the Code of Virginia, the Board of Supervisors may determine that evacuation is deemed necessary for the preservation of life or other emergency mitigation, response, or recovery, pursuant to § 44-146.17(1) of the Code of Virginia; violations of any order to citizens to evacuate shall constitute a violation of this Declaration and are punishable as a Class 1 misdemeanor; and

IT IS FURTHER PROCLAIMED AND ORDERED that during the existence of said emergency the powers, functions, and duties of the Director of Emergency Services and the Peacetime Emergency organization of the County of Northampton shall be those prescribed by state law and the ordinances, resolutions, and approved plans of the County of Northampton in order to mitigate the effects of said emergency.

Date: 8/26/2011

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Chairman, Board of Supervisors

Time: 8:00 a.m.

Motion was made by Mr. Murray, seconded by Mr. Bennett, that the consent agenda be approved as presented. All members were present with the exception of Mr. Tankard and voted “yes.” The motion was unanimously passed.

County Officials’ Reports:

(7) Mr. Mack Cook, Interim Finance Director, presented the following Budget

Amendments and Appropriations which stated in part:

The following budget in the total amount of \$1,025,270.00 pertaining to the CDBG Rehabilitation and Storm Drainage Project (CIG #10-36) is tendered for your approval. Of the total amount of the project, \$737,920.00 is funded via a Community Development Block Grant. The balance, \$287,350.00 is funded by a transfer from the General Fund to the Culls Community CDBG Project Fund.

\* Budget appropriation to recognize \$737,920.00 in funding due from the CDBG grant and to transfer \$287,350.00 from the General Fund to the community Project Fund:

	Account #	Debit	Credit
Transfer to CDBG Project Fund	100-9600-57090	\$287,350.00	
Transfer from General Fund	230-0035-45400		\$287,350.00
CDBG Grant Proceeds	230-0035-45400		\$787,920.00
Appropriated Fund Balance		\$787,920.00	

\* \* \* \* \*

The Northampton County Public Schools have tendered for your approval four (4) budget appropriations requests which are attached hereto. Three (3) of the four requests impact the 2011-2012 School Operating Budget and one (1) pertains to the 2010-2011 fiscal year.

Summarized the appropriations requests impact the School’s fund balances as follows:

**FY 2011-2012 Fiscal Year:**

	Description	Revenue Account	Expenditure Account	Impact on Fund Balance Increase (Decrease)
Request 2012-2	Award of Grant	Categorical Aid + \$60,727.00	Instruction + \$60,727.00	\$0.00
Request 2012-3	Reduction in Gr.	Federal Aid - \$1,242.56	Instruction - \$1,242.56	\$0.00

Request 2012-4	Incr. in Awards	Categorical Aid + \$1,325.79	Instruction + \$1,325.79	\$0.00
Accumulated Amounts		+ \$60,810.23	- \$60,810.23	\$0.00

**FY 2010-2011 Fiscal Year:**

	Description	Revenue Account	Expenditure Account	Impact on Fund Balance Increase (Decrease)
Request 2011-22	Revenue Inc.	Food Services + \$7,600.00		+ \$7,600.00
	Expense Inc.		Food Services + \$15,500.00	- \$15,500.00
Accumulated Amounts		+ \$7,600.00	+ \$15,500.00	- \$7,900.00

\* \* \* \* \*

Your approval is respectfully requested for the following budget amendments and supplemental appropriations pertaining to the Office of the Sheriff.

1. The County has received \$1,449.00 in refunds from Chrysler LLC for automotive parts purchased pursuant to a recall. Permission is sought to amend the 2012 budget to recognize the receipt of these funds as General Fund Recovered Costs (Acct. 100-0019-42400) and increase the appropriation for Vehicle Supplies and Repairs (Acct. 100-3102.55600). Sheriff's request attached.
2. The County has received \$24,994 from the State Compensation Board for personnel expenses in the Sheriff's Office. These funds were included in the FY 2012 budget as part of the funds expected to be received (\$845.668) from the Compensation Board for the Sheriff's Office. Permission is sought to transfer \$18,818.00 of these funds from the amount previously appropriated for Regular Salaries and Wages in the Sheriff's Office (Acct: 100-3102-5000 to Part Time Salaries and Wages (Acct. 100-3102-50050). Sheriff's request attached.

\* \* \* \* \*

Motion was made by Mr. Murray, seconded by Mr. Bennett, that the budget amendments and appropriations be approved as presented. All members were present with the exception of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

(8) Ms. Sandra Benson, Director of Planning, presented that departmental update which included activity reports for the following projects: Board of Zoning Appeals, Staff Activities,

Kings Creek Water Sampling and Analysis, Mill Creek TMDL Implementation Plan Stakeholders Meeting, Comprehensive Plan Advisory Committee and Board inquiry concerning economic impact of birding-related activities. In connection with the last item mentioned, Ms. Benson distributed information received from the U. S. Fish & Wildlife Service, detailing data on the economic impact of the Eastern Shore of Virginia Wildlife Refuge to Northampton County.

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

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

The invocation was offered by Ms. Sandra Benson.

The Pledge of Allegiance was given.

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

- (i) 9/26/11: Work session – Fire & EMS Study Presentation by State; Public hearing on ordinance amendments to move Voter Registration office & polling place for District #4
- (ii) 10/24/11: Work session – Topic to be announced
- (iii) 11/28/11: 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:** September 9, 2011  
**RE:** Bi-Monthly Update

**I. PROJECTS:**

A. Construction Projects – Status Reports:

1.) County Administration Renovations:

Work is progressing on schedule and we are still planning on moving County Administration from our temporary headquarters on October 7 – 10, 2011. Eastville has installed a new water line to the building as part of this project (since our building is located in the corporate limits of Eastville, we are required to be serviced by their water system). A new

sidewalk has been installed at the back end (or what will be the new front entrance) of the property and paving of the parking lot is almost complete. The new sidewalks are being installed at the front of the building; wood floors have been finished, carpeting is installed and all floor tile work is completed. This project is under budget.

2.) Court Services/Probation Services Construction:

Court Services has moved from their temporary location at the Social Services building into their new facility the week of September 6, 2011. As a state agency, they are reliant upon the state to supply the internet connection which has been delayed as a result of the Verizon strike. This will not be installed until the end of the month but Court Services will work around this issue until that time. There are a few issues still being addressed on the punchlist but they do not impede the opening of the building.

B. ESVPA Public Services Authority Update:

The ESVPA PSA met on August 16, 2011. The PSA has authorized the Executive Director to work with the Northern Node sub-committee in completing an application to USDA for the Northern Node. Surveys were issued to adjacent property owners of the proposed Southern Node project to determine levels of interest to participate in a regional wastewater system as well as a community meeting was held in August. The survey results will be tabulated and presented at the September 20, 2011 meeting of the ESVPA PSA.

C. Tall Ships Initiative/OpSail:

ESVAF Inc. has agreed to provide services to the County relative to overseeing the OpSail2012/Tall Ships Initiative, contingent upon the terms of the contract. I have been working on that contract with ESVAF and am requesting the Board take the following vote: ***To authorize the Chairman of the Board to execute a contract with ESVAF Inc. to oversee the OpSail 2012/Tall Ships Initiative.***

*Motion was made by Mr. Murray, seconded by Mr. Trala, that the Chairman be authorized to execute the contract in accordance with the County Administrator's recommendation. All members were present with the exceptions of Mr. Tankard and Chairman Randall and voted "yes." The motion was unanimously passed.*

D. Ambulance Billing:

The County received six proposals which were reviewed by the Ambulance Billing Committee and narrowed down to the top three proposals. These three firms were interviewed by the committee and ranked in order to provide the following recommendation of award to the Board of Supervisors: ***To award the Ambulance Billing Contract to Cornerstone Adminisystems, Inc of New Cumberland, PA contingent upon negotiation of a contract for a term of***

***one year with the option of 4 one year renewal terms. Said contract is based upon a %age fee price proposal based upon net collection efforts of the firm as contained in their proposal dated July 1, 2011. Said contract will contain language providing for billing services effective retroactively to July 10, 2011 (date of service for County ambulance).***

*Motion was made by Mr. Murray, seconded by Mr. Bennett, that the contract be awarded to Cornerstone Adminisystems, Inc. in accordance with the recommendation of the County Administrator. All members were present with the exceptions of Mr. Tankard and Chairman Randall and voted "yes." The motion as unanimously passed.*

The committee will work with our selected vendor to develop certain policies concerning billing procedures and collection efforts and will bring these before the Board for consideration and eventual adoption as soon as possible.

**E. Solid Waste – Ground Water Requirements:**

The state has amended the regulations governing the requirements of ground water monitoring for solid waste activities that will impact our Fiscal Year 2012 budget. Previously, we had been required to submit an annual report; however, we are now required to submit quarterly reports in correlation with the quarterly sampling of groundwater with the fourth quarter report serving as the annual report. Each quarterly sampling event, we are required to provide statistical analysis and any significant increase of constituents must be reported to DEQ within 30 days. If we feel the results are not valid and that a re-sampling is required, we must complete that process within the 30 day timeline allowed for submission of the quarterly report. We are obtaining a price proposal from our engineering consultant, Schnabel Engineering, to provide the quarterly reporting for groundwater monitoring.

DEQ has determined as a result of our last report that there is a gap in our monitoring well network surrounding the capped landfill and is requiring the installation of a new well to assist in determining if there is movement of certain constituents through the groundwater. We do not believe the well is required and are petitioning that only a temporary well be installed and monitored for one year to substantiate our claim that a new well in the location identified by DEQ is not required and that if the testing results support our contention then the well will be taken off-line and not become a permanent testing well. If our position is not accepted by DEQ and we are required to install this well as part of our permanent network, this will have an impact on our budget long-term (since we are required to monitor the groundwater impacts of our closed landfill for 30 years from capping of the landfill).

**F. Fire and EMS Study:**

The state has completed our Fire & EMS Study which is enclosed for your review. I have scheduled the formal presentation of this report for September 26, 2011 at the Board's work session by representatives of the Virginia Fire Services Board, the Virginia Department of Fire Programs, the Office of Emergency Medical Services and the Department of Forestry. The state has supplied the report directly to each volunteer agency as well as invited them to attend the September 26, 2011 meeting. The report is enclosed for Board review only at this time and request to hold discussion until after the state presentation of the report later in the month.

G. Delinquent Tax Sales:

I have authorized the scheduling of the next delinquent tax auction which will be held on September 13, 2011. This is work that was under progress prior to the concerns expressed with the language of our contract with James Elliott regarding fees imposed. While we are working on resolving this contractual issue, the County has not referred any additional accounts to Mr. Elliott.

H. Chesapeake Bay TMDL – Submission of County Response:

On December 29, 2010, the EPA established the Chesapeake Bay Total Maximum Daily Load (TMDL) to initiate actions to restore water quality in the Chesapeake Bay and its streams, creeks, rivers and other tributaries. On August 1, 2011, the EPA released the Phase II Watershed Implementation Plan (WIP) planning targets for reducing nitrogen, phosphorus and sediment pollution by 2025. EPA is expecting Virginia to use these planning targets in the development of the state's "Phase 2" WIP which is required to be submitted to EPA by March 30, 2012

Each Virginia locality is expected to develop strategies for meeting specific limits in the amounts of nitrogen, phosphorus and sediments within their respective jurisdictions. We are required to submit our notice of intent to provide a localized response to Department of Conservation and Recreation (DCR) by October 1, 2011 and to finalize that localized response by November 1, 2011. The state will submit the draft Phase II WIP including the localized responses to EPA by December 1, 2011. By February 1, 2012, final conservation strategies are to be submitted by local governments to DCR. The state is required to submit the final Phase II WIP to EPA by March 30, 2012.

ANPCD is providing assistance in determining strategies that could assist in the reduction of the nitrogen, phosphorus and other sediments as well as providing information regarding our allocations. There is great concern over the methodology employed in determining allocations (both of being the generator and responsible party for reduction amounts). Planning staff is working on developing a recommendation for the Board's consideration at an upcoming meeting.

I. Former Middle School Building:

- 1.) EMS Building Project - A Request for Proposals for Architectural and Engineering Services has been issued for renovations of portions of the former Northampton Middle School to house the Department of Emergency Medical Services.
- 2.) Renewal of Permit for Wastewater System Servicing this Property – The permit for the wastewater system servicing the former middle school building and School Administration expires on August 24, 2012. As part of the transfer agreement from the School Board to the Board of Supervisors related to the former middle school building, the County is responsible for the ownership, management and operations of this system. We are proposing to amend our application for renewal to reflect the changed usage of the property and to request reduced monitoring to reflect the decreased usage since this building is no longer used as a school. A deviation or waiver from established regulations requires a submittal 240 days in advance of expiration of the permit so we are commencing that process now (and was included in our FY12 budget).
- 3.) Fees for Rental of Facility (Short and Long-Term) – While the County Administration has been housed in this building, we have allowed usage of the facility for a variety of purposes without imposing any fees for its use by outside agencies or entities. However, as we prepare to move back to Eastville which will remove our direct presence on the property, I am recommending the Board to consider the adoption of a rental fee schedule to cover costs associated with the operations of the building, particularly the areas of the building that experience short term use (hourly or ½ day rentals for the auditorium, cafeteria and some of the rooms designated as conference rooms). This recommendation is included in your packet under action items.

*The County Administrator indicated that this material has not been fully developed at this time and indicated that it will be a topic on the September 26<sup>th</sup> work session agenda.*

I have been contacted by several federal or state agencies who are interested in leasing office space on a more long term basis, especially since a portion of the building has been successfully converted and utilized as office spaced (the space currently occupied by County Administration). I will be proposing a considered base lease for the Board's consideration to assist in these discussions at a subsequent meeting. Please note that any long-term lease of space in this building will require a public hearing.

*It was the consensus of the Board to request that the County Administrator notify the School Board to see if there is any future*

*interest of that body in reacquiring the former middle school property.*

J. 2012 Legislative Agenda:

VACo is requesting each county submit its legislative agenda as soon as possible for inclusion in the development of the VACo legislative agenda on behalf of all counties for the upcoming 2012 General Assembly.

One of the items that I would recommend the Board consider for its legislative agenda is the elimination of the program known as the “Local Contribution to the State”. This program was instituted in Fiscal Year 2009 and effective for both FY 2009 and 2010. It implemented a 5% reduction in state aid that was applied either directly to aid to constitutional offices and other state supported local programs (registrar, library) or required the locality to make a direct payment to the state. This cost almost \$200,000 annually for our county. The program was continued for FY11 and FY12 but the percentage reduction was increased, thus costing the county \$230,415 and \$224,927 respectively. In the meantime, the state has posted surpluses for both Fiscal Years 2010 and 2011 but has not repealed this program. It is imperative that state aid for localities be restored as the state experiences recovery in its revenues.

K. Hurricane Irene Report:

Enclosed is a post-briefing report on the County’s emergency operations before, during and after Hurricane Irene impacted the Eastern Shore. In light of the fact that the County had not utilized its new Emergency Operations Center since it was constructed as part of the Sheriff’s building in 2006 and most of the staff had not been activated under the Emergency Operations Plan and were new to this component of their job (all of County Admin plays a role in Emergency Management either through Emergency Operations Center staffing or Damage Assessment staffing), I am pleased of the efforts of staff in responding effectively and efficiently to this weather event. Social Services staff man any county activated shelters and they did a superb job with the shelter that was opened at the high school for this weather event. The level of support and interaction between the Sheriff’s staff, 911 Commission, the volunteer fire and EMS agencies as well as our EOC staff was tremendous, along with support from Jail staff in supplying food and resources. We will be making certain adjustments to our response plan based upon this event that will improve our service to the community overall for future events.

In terms of financial assistance related to Hurricane Irene, the state did not meet the threshold to qualify for Individual Assistance for homeowners or property owners; however, the threshold has been met for the state and localities to receive public works assistance that will provide financial coverage for costs incurred providing emergency operations and any damage to public structures. Staff is working with FEMA and VDEM on providing the appropriate paperwork for our application for assistance.

**II. MEETINGS**

**III. GRANT OPPORTUNITIES**

**IV. OTHER**

Rescheduling of October and November Board of Supervisors Meetings:

In light of the upcoming move of County Administration back to Eastville from October 7 – 10, I am requesting the Board of Supervisors consider moving their regular monthly meeting from Tuesday, October 11 to Tuesday, October 19 and to cancel the October work session, which is scheduled for Monday, October 24, 2011. If there is a need for an October work session, then I would propose consideration of scheduling that on Monday, October 31, 2011.

The regular November meeting is scheduled for Tuesday, November 8, 2011 which is Election Day. I am requesting the Board of Supervisors to consider moving the November meeting to Tuesday, November 15, 2011.

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Citizen Information Period:

Mr. Robert C. Richardson of Seaview asked the Board to more fully study the proposal to relocate the EMS department to the former middle school, suggesting that one of the old buildings in Eastville recently vacated by the Sheriff could be used. He also asked the Board to stop tax relief to the local hospital and suggested that a veterans hospital could be located here after Riverside relocates to Accomack County. Lastly, he asked the Board to pursue having BRAC agencies locate in the County.

Mr. G. F. Hogg, Jr., asked for a status report on the Board's action from two months ago wherein it directed that a letter be sent to Delegate Lynwood Lewis and others with regard to the Food Lion intersection near Cape Charles. He also referenced item H of the County Administrator's Report, noting that the County should consider run-off to the aquaculture areas could be reduced by retaining storm water into ponds for longer periods of time.

Mr. Dave Burden of the Virginia Eastern Shorekeepers, urged the Board not to join a

special-interest lawsuit being planned against the EPA as a result of TMDL legislation, noting that he expects the County to be a leader and push for tough regulations to insure a cleaner bay.

(10) A PRIDE award was awarded to Mr. Robert Lee Burland, Sr., as set out below:

**NORTHAMPTON P.R.I.D.E**  
**Praising Residents in Defining Excellence**

WHEREAS, the Northampton County Board of Supervisors has identified community service and public involvement as critically important components in defining excellence and in improving the vision of Northampton County; and

WHEREAS, for many years, Mr. Robert Lee Burland, Sr., a resident of Crumb Hill Road near Oyster Harbor, has helped with landscaping, lawn maintenance and trash removal at the Oyster Harbor Boat Ramp; and

WHEREAS, Mr. Burland's tireless efforts to preserve, maintain and promote the County's public facilities, serve as an inspiration to all of us, epitomizing not only the best of public service, but the best of human nature; and

NOW, THEREFORE, BE IT RESOLVED by the Northampton County Board of Supervisors that it does commend and convey its heartfelt congratulations to Mr. Robert Lee Burland, Sr. for his selfless service and devotion to the citizens and taxpayers of the County.

BE IT FURTHER RESOLVED, that Mr. Robert Lee Burland, Sr., be afforded this small token of our appreciation and that this resolution be recorded in the minutes of the Northampton County Board of Supervisors so that future generations will recognize his outstanding abilities, leadership, love, and devotion he gave to his family, citizens and the Northampton County community.

\* \* \* \* \*

Public Hearings:

Vice Chairman Long called to order the following public hearing:\

(11) AN ORDINANCE PROVIDING FOR THE BIENNIAL ASSESSMENT OF REAL ESTATE IN NORTHAMPTON COUNTY.

AN ORDINANCE PROVIDING FOR THE BIENNIAL  
ASSESSMENT OF REAL ESTATE IN NORTHAMPTON COUNTY

WHEREAS, pursuant to the provisions of Section 58.1-3253 of the Code of Virginia, 1950 as amended, the governing body, with at least one full-time real estate appraiser or assessor qualified by the Tax Commissioner, may elect to provide for biennial reassessments.

WHEREAS, the Northampton County Board of Supervisors, desirous of conducting biennial reassessments hereby establishes an ordinance providing for the “Biennial Assessment of Real Property.”

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY, that commencing July 1, 2011, there shall be established, under the Office of the Commissioner of the Revenue, a division of real estate assessment.

BE IT FURTHER ORDAINED BY THE BOARD OF SUPERVISORS OF NORTHAMPTON COUNTY, that the first biennial reassessment shall take effect January 1, 2013.

EFFECTIVE DATE OF ORDINANCE. This Ordinance shall be effective July 1, 2011.

\*\*\*\*\*

Vice Chairman Long asked if there were any present desiring to speak.

The staff report indicated that this ordinance was required by the Code of Virginia if the Board chose to do in-house assessments of real estate. This also establishes the assessment calendar from now forward.

Mr. Robert C. Richardson said that from his understanding of the Code, this ordinance is unnecessary with the Commissioner already having the requisite authority.

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

Motion was made by Mr. Murray, seconded by Mr. Bennett, that AN ORDINANCE PROVIDING FOR THE BIENNIEL ASSESSMENT OF REAL ESTATE IN NORTHAMPTON COUNTY be adopted. All members were present with the exception of Mr. Tankard and Mr. Randall and voted “yes.” The motion was unanimously passed.

(12) **Special Use Permit 2011-07:** Sugar Run, LLC has filed an application to operate an “Other Retail Establishment, less than 2500 sq. ft.” in an existing building, consisting of a retail waterfront business including a marine fueling facility. The property, located at 6513 Sunnyside Road in Oyster, is described as Tax Map 85A, double circle 3, parcel 5. The property contains 0.418 acres of land and is zoned Waterfront Village-Waterfront Commercial WV-WC District.

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

Ms. Benson indicated that the Planning Commission was recommending approval of the special use permit with the condition that anchoring of the fuel-dispensing installation in accordance with the Virginia Marine Resources Commission's requirements as well as submission of a spillage plan be required.

Mr. James McGowan, agent for the applicant, presented the proposal to the Board, noting that the petition is in keeping with numerous sections of the County's Comprehensive Plan.

Ms. Sarah Morgan of Oyster, Mr. John Crumb of Seaview (formerly of Oyster) and Mr. Robert C. Richardson of Seaview all spoke in support of the petition. Mr. Richardson did urge caution with the fuel-dispensing installation due to its proximity to the seaside aquaculture areas.

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

Motion was made by Mr. Murray, seconded by Mr. Trala, that Special Use Permit 2011-07 as petitioned by Sugar Run, LLC, be approved in keeping with the Planning Commission's recommendation and conditions as noted. All members were present with the exception of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

Vice Chairman Long called to order the next public hearing as follows:

(13) **Zoning Text Amendment 2011-10:** The Northampton County Planning Commission intends to amend the Northampton County Code, Chapter 154 Zoning Code, by deleting "Swimming Pools, private" in **Appendix A – Use Regulations**, Category 7 – Recreational Uses. The amendment would allow private swimming pools to be considered accessory uses to primary structures on the same parcel of land.

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

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

Mr. Robert C. Richardson said that he supported this petition.

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

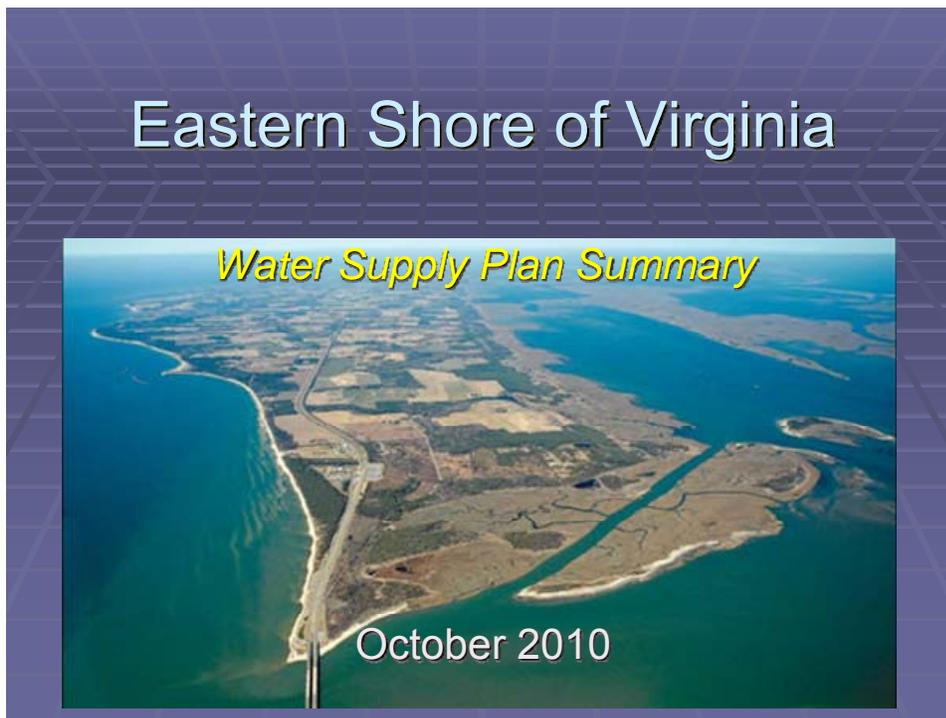
Motion was made by Mr. Murray, seconded by Mr. Bennett, that Zoning Text Amendment 2011-10, be approved in keeping with the Planning Commission's recommendation. All members were present with the exception of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

The Vice Chairman called to order the next public hearing as follows:

(14) Consider adoption of the Northampton County Regional Water Supply Plan and Drought Ordinance.

He asked if there were any present desiring to speak.

Mr. Curt Smith of the ANPDC and Mr. Britt McMillan, consultant to the Eastern Shore of Virginia Groundwater Committee, made the following powerpoint presentation:



## Local and Regional Water Supply Planning

- Required by Regulation: 9 VAC 25-780
- Purpose:
  - Ensure that adequate and safe drinking water is available to all citizens of the commonwealth
  - Encourage, promote, and protect all other beneficial uses
  - Encourage, promote, and develop incentives for alternative water sources, included but not limited to desalinization

## Plan Development Chronology

- 2001 – Severe drought causes extreme water shortage in communities in the Piedmont region of VA
- 2003 – VA General Assembly amends Code of VA to require development of statewide water supply planning process
- 2003 – VA DEQ subsequently develops Local & Regional Water Supply Planning Regulations (9 VAC 25-780) to implement mandate
- 2008 – A-NPDC receives DEQ grant to commission the development of WSPs for Accomack and Northampton Counties and all incorporated towns
- 2009 – A-NPDC works with localities to collect WSP information
- Fall 2010 – A-NPDC solicits review and additional input from all ESVA localities
- Spring 2011 – ESVA Ground Water Committee reviews and approves draft WSPs
- June 2011 – DEQ approves draft WSPs
- August – October 2011 – Public Hearing & Adoption Process
- November 2, 2011 – State-mandated deadline for adoption

## Water Supply Plan Components

- **§70 - Existing Water Sources** (Description of water systems)
- **§80 - Existing Water Use** (Description of current and hist. use)
- **§90 - Existing Water Resource Conditions**  
(Groundwater Resource, Natural Resources)
- **§100 - Projected Water Demand**  
(Future water use)
- **§110 - Water Demand Management**  
(Water Conservation and Management)
- **§120 - Drought Response and Contingency Plan**  
(When a drought is declared and what actions will be taken)
- **§130 - Statement of Need and Alternatives**  
(Use / Resource Constraints; alternate sources / technologies)

## Sources of Information

- Reports from individual water supply sources
- EPA Envirofacts - Safe Drinking Water Information System
- **VDEQ Groundwater Withdrawal Permits**
- **VDEQ Groundwater Withdrawal Permit Database**
- **VDH Groundwater Permits / Engineering Data Sheets**
- USGS - Estimated Use of Water in the United States – 2005 /  
USGS – Private Domestic Well Characteristics - 2007
- U.S. Census Bureau Data
- County Comprehensive Plans

# I. Existing Water Sources

(9 VAC 25-780-70)

## SECTION PURPOSE AND CONTENTS:

- Summarizes water source information for each county,
- Provides detailed descriptions of water source information within each of the jurisdictions,
- Focuses on groundwater (no significant SW in counties),
- Compiles available information for:
  - Large Community Water Systems,
  - Large self-supplied non-agricultural users,
  - Large agricultural users, and
  - An estimate of the population served by individual wells using less than 300,000 gallons per month.

# II. Existing Water Use

(9 VAC 25-780-80)

## SECTION PURPOSE AND CONTENTS:

- Summarizes permitted withdrawals and historical usage for each:
  - Large Community Water System,
  - Large self-supplied non-agricultural user
  - Large agricultural user, and
  - An estimate of total usage by self-supplied households and businesses using less than 300,000 gallons per month.

## IV. Projected Water Use

(9 VAC 25-780-100)

### SECTION PURPOSE AND CONTENTS:

- Projections to estimate future water demands.
- Estimates of populations in the County and the water needed to serve them are made in ten year increments from 2010 to 2040.
- The projections include considerations of both public and private sources of water.
- Some of the projections are based on values and/or methodologies presented in the respective groundwater withdrawal permit applications, particularly for large industrial self-supplied users.
- Growth projections are assumed zero for agricultural users and communities with recent population declines

## IV. Projected Water Use

(9 VAC 25-780-100)

### POPULATION PROJECTIONS:

- Population projections for the Counties were estimated by the Virginia Employment Commission (VEC).
- The County Comprehensive Plans also provided estimates of population growth to 2030 based on corrected estimates of the 2000 Census population.
- Projections for 2040 were not available and the growth rates predicted by VEC were nearly linear ( $R^2 \geq 0.98$ ), therefore straight line interpolation was used to extrapolate County population projections to 2040.
- Overall, population in the Accomack and Northampton are projected to grow at average annual rates of approximately 0.65 percent and 0.4 percent, respectively.

# Existing Water System Permitted Withdrawal Amounts

**Northampton County CWS: Permitted Withdrawals**

WATER SYSTEM NAME	VDEQ Permitted Withdrawals		VDH Permitted Capacity (GPD)
	Total Annual Withdrawal (MG)	Max. Monthly Withdrawal (MG)	
ARLINGTON PLANTATION			19,600
BAYVIEW			29,000
CAPE CHARLES, TOWN OF	252.2	25.3	360,000
EASTVILLE, TOWN OF	23.7	2.9	150,000
EXMORE, TOWN OF	60.8	9.92	400,000
HOLIDAY ACRES MOBILE HOME PARK			22,500
KIPTOPEAKE CONDOMINIUMS			
NORTHAMPTON COUNTY GOVERNMENT COMPLEX	16.206	2.03	19,600
SHORE MEMORIAL HOSPITAL	37.11	3.64	173,200

**Non-Agricultural Large Self-Supplied Users: Permitted Withdrawals**

WATER SYSTEM NAME	VDEQ Permitted Withdrawals		VDH Permitted Capacity (GPD)
	Total Annual Withdrawal (MG)	Max. Monthly Withdrawal (MG)	
Bayshore Concrete Products Corp Cape Charles	27.70	2.80	124,000
Best Western Sunset Beach Resort	7.65	1.42	
Cherrystone Family Camping Resort	11.10	3.31	
YMCA Family Campground	5.50	1.10	30,000

# Existing Water System Permitted Withdrawal Amounts

**Large Self-Supplied Agricultural Users of Surface Water**

USER NAME	2001-2006 Average Annual Use (MG)
BLACK FARMS	35.20
CHERITON FARMS	2.85
CHEROKEE POINT FARMS	4.32
DAVIDS NURSERY	7.03
HERMITAGE FARMS NURSERY	16.69
KELLAM FARM	12.00
MIDWOOD FARM	4.99
NOTTINGHAM ENTERPRISES INC	16.50
WAYNE T HEATH FARMS INC	16.20
YAROS FARMS INC	289.83

**Large Self-Supplied Agricultural Users of Groundwater**

FACILITY/SYSTEM NAME	Annual Permitted Withdrawal (gallons)	Monthly Permitted Withdrawal (gallons)
	Belote Farm	16,200,000
C and H Farms Incorporated	15,300,000	4,000,000
David's Nursery	150,000,000	25,000,000
Edgehill Farm	7,300,000	1,000,000
Edgewater Farm	13,400,000	6,000,000
Grapeland Farm	31,100,000	14,600,000
Guy Produce Farms	24,800,000	5,500,000
Herbert Nottingham Farm (Cheapside)	10,650,000	3,500,000
Holly Grove Farm	12,960,000	4,320,000
Holts Neck Farm	23,000,000	8,000,000
James Wharf Farm	17,000,000	4,300,000
Lumber Hall Farm	51,400,000	8,300,000
Machipongo Farm	48,800,000	14,100,000
Marshall/Johnson Farm	36,100,000	14,700,000
Midwood Farm	22,800,000	8,000,000
Silver Beach Farm	5,500,000	1,000,000
Tankard Farm	52,000,000	9,000,000
Twin Cedar Farms	22,100,000	10,200,000
Wyatt Farm	15,200,000	4,000,000
<b>Total Permitted Withdrawals (MG)</b>	<b>575.61</b>	<b>151.52</b>

Small Self-Supplied Groundwater Users and Population Served  
(Transient, Non-Community)

# Existing Water System Permitted Withdrawal Amounts

Small Self-Supplied Groundwater Users and Population Served	Population Served	Water System ID
<b>NON-TRANSIENT, NON-COMMUNITY</b>		
BROADWATER ACADEMY	456	VA3131095
CHERITON MIGRANT HEAD START	80	VA3131137
CHESAPEAKE BAY BRIDGE TUNNEL	25	VA3131150
EASTERN SHORE PHYSICIANS & SURGEONS	40	VA3131325
FOOD LION-CAPE CHARLES	90	VA3131220
HARE VALLEY ESAAA/CAA	190	VA3131290
KIPTOPEKE ELEMENTARY SCHOOL	700	VA3131375
NORTHAMPTON COUNTY COMMUNITY FACILITIES	61	VA3131555
OCCOHANNOCK ELEMENTARY SCHOOL	549	VA3131875
STING-RAY'S RESTAURANT	96	VA3131218
<b>TRANSIENT, NON-COMMUNITY</b>		
AMERICAN LEGION POST #400	100	VA3131005
BAYVIEW COMMUNITY HEALTH CENTER	50	VA3131060
BEST VALUE INN (NASSAWADOK)	420	VA3131042
BURROUGHS & BURROUGHS (LANFORD HIWAY)	46	VA3131100
CAPE MOTEL	36	VA3131124
CURTIS H JONES & SON INC MLC	40	VA3131350
DD DROP INN	50	VA3131160
EASTERN SHORE NATIONAL WILDLIFE REFUGE	25	VA3131322
EASTVILLE AREA HEADQUARTERS	40	VA3131380
EDGEWOOD MOTEL	30	VA3131205
FRANKTOWN COMMUNITY HEALTH CENTER	99	VA3131155
GREAT MACHIPONGO CLAM SHACK	55	VA3131390

MARDEE S (CAPE CHARLES)	70	VA3131288
HEATH-KELLAM MLC	28	VA3131760
J.H. WEST SEAFOOD, INC.	32	VA3131920
KIPTOPEAKE INN	100	VA3131302
KIPTOPEKE STATE PARK	555	VA3131373
KIPTOPEKE STATE PARK - CABINS	112	VA3131374
KUZZENS (KMC)	363	VA3131855
KUZZENS (P C KELLAM MLC)	52	VA3131359
LITTLE ITALY PIZZA & DELI	76	VA3131372
MCDONALD S (CAPE CHARLES)	58	VA3131391
PACIFIC TOMATO GROWERS (CARPENTER MLC)	36	VA3131121
PACIFIC TOMATO GROWERS (EASTVILLE MLC)	74	VA3131216
PEACOCK MOTOR INN	40	VA3131610
RITTENHOUSE MOTOR LODGE	25	VA3131720
ROCK N BOBIN S	77	VA3131097
THOMAS B. LONG JR. MLC	50	VA3131371
UVA LONG TERM ECOLOGICAL RESEARCH CENTER	40	VA3131857

# Community Water System Historical Water Use

VDEQ-Reported Total Annual Use (MG): CWS

	2003	2004	2005	2006	2007	2008	2009
<b>Community Water Systems</b>							
Cape Charles, Town of	48.31	53.52	57.12	57.38	48.42	41.02	30.77
Eastville, Town of	18.69	16.54	16.33	17.09	18.31	17.40	16.80
Exmore, Town of	60.62	61.32	60.54	58.01	48.78	49.78	40.54
Shore Memorial Hospital	30.50		28.95	30.56	30.51	27.22	20.19

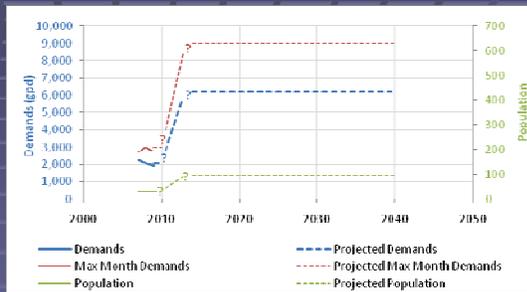
VDEQ-Reported Average Daily Use (MGD): CWS

	2003	2004	2005	2006	2007	2008	2009
<b>Community Water Systems</b>							
Cape Charles, Town of	0.132	0.147	0.156	0.157	0.133	0.112	0.084
Eastville, Town of	0.051	0.045	0.045	0.047	0.050	0.048	0.046
Exmore, Town of	0.166	0.168	0.166	0.159	0.134	0.136	0.111
Shore Memorial Hospital	0.084		0.079	0.084	0.084	0.075	0.055

VDEQ-Reported Average Monthly Use (MG): CWS

	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC
<b>Community Water Systems</b>												
Cape Charles, Town of	2.05	1.66	1.80	1.85	2.17	2.30	2.61	2.42	2.14	2.09	1.91	1.87
Eastville, Town of	1.37	0.90	1.07	0.99	1.16	1.15	1.20	1.29	1.17	1.16	1.02	0.87
Exmore, Town of	2.30	2.02	2.16	2.15	2.34	2.61	2.77	2.63	2.43	2.33	2.09	2.24
Shore Memorial Hospital	1.11	0.99	1.10	1.10	1.25	1.35	1.42	1.52	1.27	1.26	1.13	1.09

# Arlington Plantation Projected Water Use

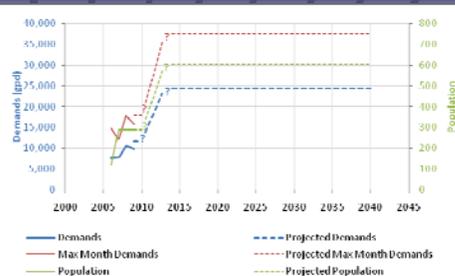
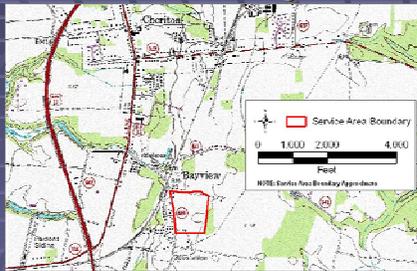


Arlington Plantation Population and Demand Projections

YEAR	POPULATION	CONNECTIONS	AVERAGE DEMANDS (GPD)	PER CAPITA DEMANDS	MAX MONTH DEMANDS (GPD)
<b>VDH Reported Data</b>					
2007	32	16	2,231	69.71	2,738
2008	32	16	2,071	64.71	2,999
2009	32	16	1,928	60.25	2,759
Average	32	16	2,077	64.89	2,999
<b>Projected Data</b>					
2010	32	16	2,077	64.89	2,999
2020	96	48	6,230	64.89	8,996
2030	96	48	6,230	64.89	8,996
2040	96	48	6,230	64.89	8,996

Demand projections based continued growth to development build-out

# Bayview Projected Water Use

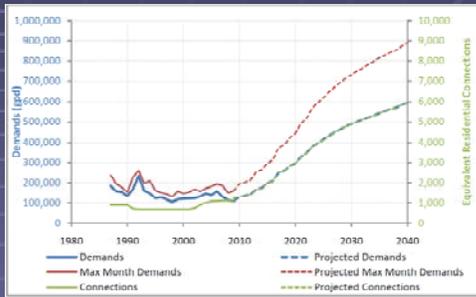
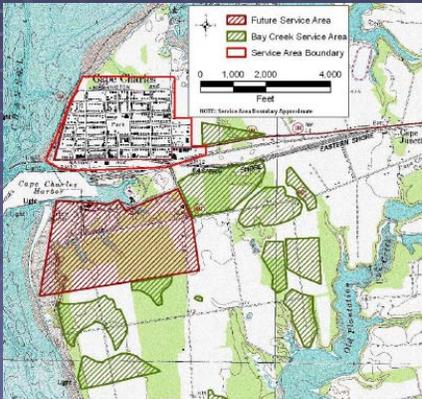


Bayview Population and Demand Projections

YEAR	POPULATION	CONNECTIONS	AVERAGE DEMANDS (GPD)	PER CAPITA DEMANDS	MAX MONTH DEMANDS (GPD)
<b>VDH Reported Data</b>					
2006	--	65	7,630	63.58	14,792
2007	288	65	7,862	27.30	12,213
2008	288	65	10,668	37.04	17,914
2009	288	65	9,884	34.32	15,670
Average	288	65	11,682	40.56	17,914
<b>Projected Data</b>					
2010	288	65	11,682	40.56	17,914
2020	603	136	24,442	40.56	37,481
2030	603	136	24,442	40.56	37,481
2040	603	136	24,442	40.56	37,481

Demand projections based continued growth to development build-out

# Town of Cape Charles Projected Water Use

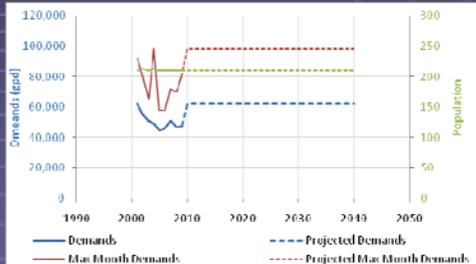
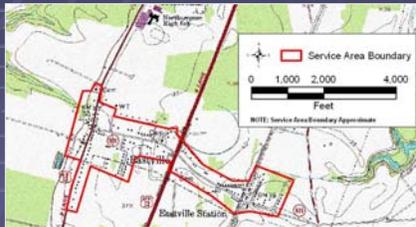


Demand projections based on info in groundwater withdrawal permits  
x 100 gpd avg day use rate or  
x 150 gpd max day use rate

Town of Cape Charles Population and Demand Projections

YEAR	ERC	AVERAGE DEMANDS (GPD)	MAX MONTH DEMANDS (GPD)
<b>Projected Data</b>			
2010	1,293	129,300	193,950
2020	2,954	295,400	443,100
2030	4,884	488,400	732,600
2040	5,939	593,913	890,870

# Town of Eastville Projected Water Use

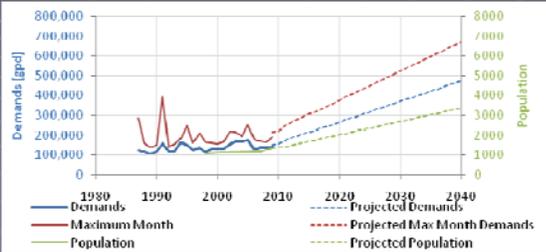
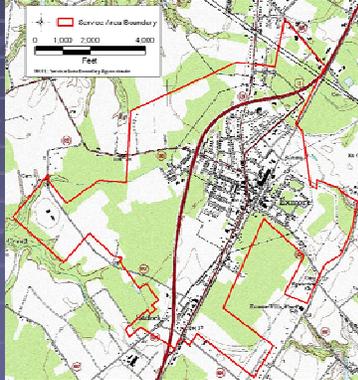


Town of Eastville Population and Demand Projections

YEAR	POPULATION	AVERAGE DEMANDS (GPD)	MAX MONTH DEMANDS (GPD)
<b>Projected Data</b>			
2010	210	62,367	97,853
2020	210	62,367	97,853
2030	210	62,367	97,853
2040	210	62,367	97,853

Demand assumed to remain constant over planning period. Recent demand records indicate possible slight decreasing trend.

# Town of Exmore Projected Water Use

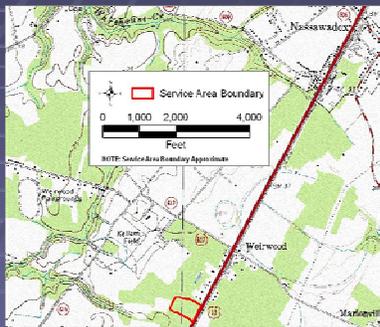


Demand projections based on info in groundwater withdrawal permits

**Town of Exmore Population and Demand Projections**

YEAR	POPULATION	AVERAGE DEMANDS (GPD)	MAX MONTH DEMANDS (GPD)
<b>Projected Data</b>			
2010	1,382	156,167	220,994
2020	2,019	266,498	377,124
2030	2,696	370,402	524,159
2040	3,374	474,306	671,195

# Holiday Acres Mobile Home Park Projected Water Use



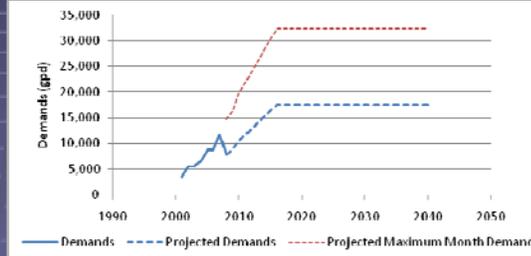
Demand projections based on info in groundwater withdrawal permit

**Holiday Acres Mobile Home Park Population and Demand Projections**

YEAR	POPULATION	AVERAGE DEMANDS (GPD)	MAX MONTH DEMANDS (GPD)
<b>Projected Data</b>			
2010	94	9,854	15,999
2020	94	9,854	15,999
2030	94	9,854	15,999
2040	94	9,854	15,999

# YMCA Silver Beach Projected Water Use

YEAR	AVERAGE DEMANDS (GPD)	MAX MONTH DEMANDS (GPD)
Projected Data		
2010	10,482	19,469
2020	17,434	32,382
2030	17,434	32,382
2040	17,434	32,382



Demand projections based continued growth to development build-out

## V. Water Demand Management

(9 VAC 25-780-110)

### SECTION PURPOSE AND CONTENTS:

- Water demand management involves both an increase in efficiency of water use and a reduction of water losses.
- Implemented through WCMP, which must include:
  - Use of water-saving plumbing and processes including, where appropriate, the use of water-saving fixtures in new and renovated plumbing as provided under the Uniform Statewide Building Code (USBC).
  - A water use education program.
  - An evaluation of potential water reuse options.
  - Requirements for mandatory use reductions during water shortage emergencies, including, where appropriate, ordinances prohibiting the waste of water generally.
- This section summarizes typical components/elements of a WCMP

# VI. Drought Contingency Plan

(9 VAC 25-780-120)

- Drought Assessment and Response Plan
  - Approach under the **Drought Assessment and Response Plan** form the primary basis for the **Drought Response and Contingency Plan**.
  - Developed by the Drought Response Technical Advisory Committee (chaired by DEQ)
  - Developed in response to the significant drought that occurred in the summer of 2002, resulting in some communities losing much of their primary water supply.

# VI. Drought Contingency Plan

(9 VAC 25-780-120)

## SECTION PURPOSE AND CONTENTS:

Outline a regional approach to respond to drought, while recognizing that drought conditions will vary across region, and specific response and contingency actions will be made based on local conditions. The plan recognizes the unique characteristics of water sources within the region, as well as the beneficial uses of the water.

The DRCP includes four graduated stages of responses to the onset of drought conditions within the Planning Area:

DRCP STAGE	VDEQ DROUGHT MONITOR CONDITIONS	CONDITIONS	MAJOR RESPONSE
■ Normal Conditions	--	Normal Conditions	--
■ Drought Watch	D1	Abnormally dry (short-term)	Public awareness campaign
■ Drought Warning	D2	Moderate Drought	Voluntary restrictions
■ Drought Emergency	D3	Severe Drought	Mandatory restrictions
	D4	Extreme Drought	
		Exceptional Drought	

## VI. Drought Contingency Plan

(9 VAC 25-780-120)

- For a given drought to be based on groundwater indicators alone, it is preferable to provide flexibility to water systems (community, agricultural and other self-supplied systems) such that local groundwater water levels (**preferably production wells**) may be used as indicators of local drought conditions for each system rather than regional indicators.
- The recommended indicator of a drought emergency for a (community or individual) water supply system is a water level less than 5 ft above the intake or 80 percent of available drawdown in a **production well**. For systems where production well water level measurements are impracticable, a nearby observation well may also be used.

## VI. Drought Contingency Plan

(9 VAC 25-780-120)

### RECOMMENDED DROUGHT TRIGGERS:

#### NORMAL CONDITIONS

- Precipitation exceeds the percent of normal precipitation threshold specified for normal conditions and the relevant time period **OR**
- Groundwater levels above 25th percentile for historic levels

#### DROUGHT WATCH

- Precipitation at or below the percent of normal precipitation threshold specified for drought watch conditions and the relevant time period **OR**
- Groundwater levels between 25th and 10th percentile for historic levels

## VI. Drought Contingency Plan

(9 VAC 25-780-120)

### RECOMMENDED DROUGHT TRIGGERS: (con't)

#### DROUGHT WARNING

- Precipitation at or below the percent of normal precipitation threshold specified for drought warning conditions and the relevant time period **OR**
- Groundwater levels between 25<sup>th</sup> and 10<sup>th</sup> percentile for historic levels

#### DROUGHT EMERGENCY

- Precipitation at or below the percent of normal precipitation threshold specified for drought emergency conditions and the relevant time period,
- Groundwater levels measured in production wells levels are less than 5 ft above the pump intake, **OR**
- Groundwater level measured in production or nearby observation wells show drawdown greater than 80 percent relative to non-pumping water levels.

## VI. Drought and Contingency Plan

(9 VAC 25-780-120)

### RECOMMENDED ACTIONS:

#### NORMAL OPERATION

- Monitor groundwater, precipitation, and other indicators

#### DROUGHT WATCH

- Review existing drought water conservation and contingency plans,
- Make reasonable efforts to pursue leak detection and repair programs,
- Inform the VDH of a self-declared drought watch, and
- Issue a press release indicating the reasons for the declaration

## VI. Drought Contingency Plan

(9 VAC 25-780-120)

### RECOMMENDED ACTIONS: (con't)

#### DROUGHT WARNING

- Issue public announcements encouraging the voluntary reduction or elimination of non-essential water uses including car washing, lawn watering, garden watering, and water usage by swimming pools and other recreational facilities after consultations with the mayor and public works committee chair **and**
- Voluntarily reduce or eliminate non-essential flushing of water lines and other operational water uses. Monitor groundwater, precipitation, and other indicators
- The goal of the voluntary water use restrictions shall be to reduce total water consumption by **5 to 10** percent

## VI. Drought Contingency Plan

(9 VAC 25-780-120)

### RECOMMENDED ACTIONS: (con't)

#### DROUGHT EMERGENCY

- Issue public announcements declaring the mandatory reduction or elimination of non-essential water uses including car washing, lawn and garden watering, and water usage by swimming pools and other recreational facilities.
- The goal of the water use restrictions is to reduce total water consumption between 10 and 15 percent, or higher. All residential, business and industrial water users; who do not normally utilize water for any of the listed prohibited uses are requested to voluntarily reduce water consumption by at least 10%.

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

Motion was made by Mr. Murray, seconded by Mr. Bennett, that the following resolution be adopted. All members were present with the exceptions of Mr. Randall and Mr. Tankard and voted "yes." The motion was unanimously passed. The resolution as adopted is set forth below:

**A RESOLUTION APPROVING THE NORTHAMPTON COUNTY  
REGIONAL WATER SUPPLY PLAN.**

WHEREAS, Virginia State Water Control Board Regulation 9 VAC 25-780, Local and Regional Water Supply Planning, requires all counties, cities and towns in the Commonwealth of Virginia to prepare and submit a water supply plan to the Department of Environmental Quality (DEQ); and

WHEREAS, Northampton County is a participant in the Regional Water Supply Planning Group as reported to DEQ by letter before the November 2, 2008 deadline; and

WHEREAS, on September 13, 2011, Northampton County held a public hearing to accept public comment on the Regional Water Supply Plan; and

WHEREAS, the adopted Regional Water Supply Plan will be submitted to the DEQ on or before November 2, 2011.

NOW, THEREFORE BE IT RESOLVED that the Board of Supervisors of Northampton County hereby adopts the Regional Water Supply Plan as it pertains to Northampton County and its Towns. Approval and adoption of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities. Northampton County reserves the right to comment on specific water supply alternatives in the future even though such alternatives may be recommended in this adopted plan. Northampton County will not be limited to specific water supply alternatives in this adopted plan and reserves the right to recommend additional alternatives for consideration in the future.

BE IT FURTHER RESOLVED that the Board of Supervisors of Northampton County intends that the Regional Water Supply Plan shall be revised to reflect changes in relevant data at least once every five years and resubmitted to DEQ every ten years in accordance with the regulation and sound planning practice.

\* \* \* \* \*

Vice Chairman Long indicated that due to an advertising issue, the following matter will

be heard again under public hearing at the Board's September 26<sup>th</sup> work session. He noted that if anyone was present, they would be allowed to speak and their comments would be part of the official public hearing record.

(15) Conduct a public hearing to solicit public comment on the following matter:

**Zoning Text Amendment 2011-09:** The Northampton County Planning Commission intends to amend the Northampton County Code, Chapter 154 Zoning Code, **§154.003 DEFINITIONS** to include new definitions pertaining to wind energy facilities; to add a new section to be known as **§154.114 STANDARDS FOR WIND TURBINES, LARGE AND UTILITY-SCALE**; and to amend Appendix A – Use Regulations, by deleting in Category 4, Community Service Uses, Item 35 Wind Farm and by adding in Category 3, Commercial Uses, and Category 4, Community Service Uses, to allow by major special use permit Large and Utility-Scale Wind Turbines in the A/RB Agriculture/Rural Business and EI Existing Industrial Zoning Districts.

*This petition includes revised changes recommended by the Northampton County Planning Commission and other changes being considered by the Board of Supervisors.*

Mr. Robert C. Richardson quoted an article in the Washington-Post which stated that 100,000 birds were killed annually by wind turbines. He noted that if this was of concern to the Board, they should consider establishing a local bird hatchery.

Ms. Sally McNeilan of Fugro Atlantic thanked Ms. Benson, Ms. Nunez, the Board and the Planning Commission for the arduous job they have done. She said that she looks forward to productive generation projects.

Mr. Jeff Keever of the Virginia Port Authority, thanked the staff as well for their tenacious efforts.

Mr. Steve Booker of Delsea Energy also thanked the staff for its work, going back to January with the met tower application.

Action Items:

(19) Consider rental fee schedule for rooms at the former Northampton Middle School.

The County Administrator indicated that this material has not been fully developed and

will be presented at the Board's September 26<sup>th</sup> work session.

(20) Consider a resolution to move the regular September work session (September 26<sup>th</sup>) from the conference room #2 to the auditorium in order to accommodate the State's presentation of the fire & rescue study.

### RESOLUTION

BE IT RESOLVED by the Northampton County Board of Supervisors, this 13<sup>th</sup> day of September, 2011, that the recessed meeting of the Board, scheduled for Monday, September 26, 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, September 26<sup>th</sup>, 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.

Motion was made by Mr. Murray, seconded by Mr. Trala, that the foregoing resolution be adopted. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

(21) Consider approval of the Eastern Shore Community Services Board's Performance Contract for FY2012

Motion was made by Mr. Murray, seconded by Mr. Bennett, that the Performance Contract for FY 2012 be approved as presented. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

#### Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Trala, seconded by Mr. Murray, that Dr. Dick Drury be appointed to the Comprehensive Plan Advisory Committee, replacing Dr. Rick Bowmaster who has resigned from the School System. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed.

(22) Mr. Long – request for "Watch for Farm Vehicles" signage near C&E Farms

Motion was made by Mr. Long, seconded by Mr. Murray, that the Board request VDOT to install “Watch for Farm Vehicles” signage on either side of the C&E Farms operation on Seaside Road. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted “yes.” The motion was unanimously passed.

In another matter, Mr. Long indicated that he would like the Board to reconsider the policy on the payment of building permit fees at the time of application. He noted that this was a hardship to some contractors, with lending institutions not willing to forward fees until the permit is approved. It was the consensus of the Board to place this matter on the October agenda for further discussion.

Mr. Long then said that he thought the County’s Comprehensive Plan Advisory Committee needed specific direction as to the product desired by the Board; i.e., what specific sections of the Comprehensive Plan to review or to review the document in its entirety. Mr. Trala disagreed, noting that this guidance can be provided by Ms. Benson. Mr. Long responded that there is still confusion on the part of the Committee members as to what is expected of them.

Mr. Murray agreed, noting that while the Code of Virginia requires the Planning Commission to review the Plan every five years, some parts of it are fairly new. He further stated that he had been invited to speak to the Committee on the County’s financial health and would be happy to have this discussion with the Committee and bring back a report to the Board at its Sept. 26<sup>th</sup> work session. He suggested that the Committee could be asked to focus on the economic development section of the Plan.

Ms. Nunez offered a compromise position in that the Committee could be tasked with first focusing on the economic development portion of the Plan with subsequent directives from the Board being received afterwards. It was the consensus of the Board to add this topic to the

Sept. 26<sup>th</sup> work session for discussion.

Lastly, Mr. Long noted that while the Poultry Committee has been meeting throughout the summer, attendance has been an issue with the agricultural community. The formation resolution required a recommendations report within four months of the Committee's organization but Mr. Long suggested that this requirement be postponed until February 2012. The Board concurred.

(23) Mr. Randall:

- (A) "Children at Play" signage – east side of Townsend Drive
- (B) Speed study request – Sand Hills Drive

In Mr. Randall's absence, the County Administrator presented these two requests for the Board's consideration. Motion was made by Mr. Bennett, seconded by Mr. Trala, that the two requests be approved. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted "yes." The motion was unanimously passed. Request #A above is enacted via resolution as set out below:

### **RESOLUTION**

BE IT RESOLVED, that the Northampton County Board of Supervisors hereby requests the Commissioner of the Virginia Department of Transportation or his representatives to provide, in accordance with Section 33.1-210 of the Code of Virginia, and install "**Watch for Children**" signs at the described location shown below.

Along State Route 646, Townsend Drive, Townsend, Virginia

The Northampton County Board of Supervisors also requests these signs should be paid out of the secondary construction allocations allotted to Northampton County.

\* \* \* \* \*

In response to the request of the County Administrator contained in her report, motion was made by Mr. Murray, seconded by Mr. Bennett, that the October 2011 regular meeting of

the Board to moved from Tuesday, October 11 in the former middle school to Tuesday, October 18<sup>th</sup>, back at Eastville, 16404 Courthouse Road and that the October work session, scheduled for Monday, October 24<sup>th</sup>, be cancelled. All members were present with the exceptions of Mr. Tankard and Mr. Randall 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 13<sup>th</sup> day of September, 2011, that the regular meeting of the Board, scheduled for Tuesday, October 11, 2011 at 4:00 p.m., in the auditorium of the Northampton Middle School, 7247 Young Street, Machipongo, Virginia, be changed to Tuesday, October 18, 2011 at 4:00 p.m. in the Board Chambers, 16404 Courthouse Road, Eastville, Virginia; and

BE IT RESOLVED by the Northampton County Board of Supervisors, this 13<sup>th</sup> day of September, 2011, that the regular work session, scheduled for Monday, October 24, 2011, at 5:00 p.m. in conference room #2 of the former Northampton Middle School, 7247 Young Street, Machipongo, Virginia, be cancelled; and

BE IT RESOLVED that, following this meeting, the date, time and place of the regular meeting of the Northampton County Board of Supervisors shall revert to the second Tuesday of each month in the Board Chambers, 16404 Courthouse Road, Eastville, Virginia, at 4:00 p.m.; and

BE IT RESOLVED that, following this meeting, the date, time and place of the regular work session of the Northampton County Board of Supervisors shall revert to the fourth Monday of each month in the Board Chambers, 16404 Courthouse Road, Eastville, Virginia, at 5:00 p.m.

\* \* \* \* \*

It was noted that if the Board should desire a second meeting (work session) in October, one can be scheduled for the fifth Monday, October 31<sup>st</sup>.

Recess:

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the meeting be recessed until 5:00 p.m., Monday, September 26, 2011, in the auditorium of the former Northampton County Middle School, 7247 Young Street, Machipongo, Virginia, in order to conduct the

regular work session. All members were present with the exceptions of Mr. Tankard and Mr. Randall and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

\_\_\_\_\_CHAIRMAN

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