

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 8th day of October, 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 and voted "yes." The motion was unanimously passed.

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

The Chairman read the following statement:

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

Board and Agency Presentations:

- (1) Mr. John Joeckel – Aids to Navigation & Dredging Presentation



Path Forward In 4 Steps

- First Step: Maintain Aids to Navigation (ANTONs) on the Virginia Inside Passage (VIP)/Waterway of the Coast of Virginia (WCV)
- Second Step: Organize an official chartered & funded Accomack & Northampton County Eastern Shore of Virginia Waterways Board (ESVWB) whose primary objective is the maintenance of the Seaside & Bayside Eastern Shore waterways for both counties.

Path Forward In 4 Steps

- Third Step: Fund & develop a *“Shallow Draft Navigation & Waterway Project Strategic Plan for the Waterways of the Eastern Shore of Virginia.”*
- Fourth Step: Fund the implementation of advocacy activities. Elected & appointed county & State officials supporting the ESVWB advocacy activities at the Federal level which will take place annually throughout the Congressional Appropriations process.



Step 1: Maintain ANTONs



- It is premature for USCG to consider removal of the Aids to Navigation from the Virginia Inside Passage (VIP).
- Once the Aids are removed there will never be any future dredging of the VIP.
- There are no assurances that once the North South route of the VIP are “disestablished”, that future disestablishment of the West East routes to the inlets will not occur due to eventual reduced overall waterway use.
- Negative direct economic impacts will result to our ES commercial watermen, lodging, restaurants, marinas and tackle shops as well as indirect negative economic impacts, the ripple effects and changes to our ES lifestyles.
- The VIP ANTONs need to remain. Accomack & Northampton Counties need to utilize the time provided to organize ourselves to obtain funding for dredging the VIP as well as other ES waterways.

Step 2: Eastern Shore Virginia Waterways Board (ESVWB)

- **Why create a new entity for waterway issues?**
- There is no single Accomack & Northampton County entity that is responsible for waterway issues, yet according to the Army Corps of Engineers, the Counties are the Sponsors for these waterways.
 - Northampton Dept. of Public Works: Harbor & Boat Ramps;
 - The Harbors & Boat Ramps Department is responsible for maintenance at the County-owned harbors and marinas in Northampton.
 - Accomack County Department of Public Works responsible for;
 - Public Boating Facility Operations and Maintenance (Docks, Launching Ramps); The County maintains twenty-seven water access sites for public use. The sites vary widely in size and improvements. Some sites consist only of unimproved shoreline near public roads, while others offer deep water slips and large parking areas.

Note: Are County expenditures on launching ramps and docks a good investment if the waterway is navigable for only flat bottom skiffs or become unsafe to navigate for all?

Step 2: Eastern Shore Virginia Waterways Board (ESVWB)

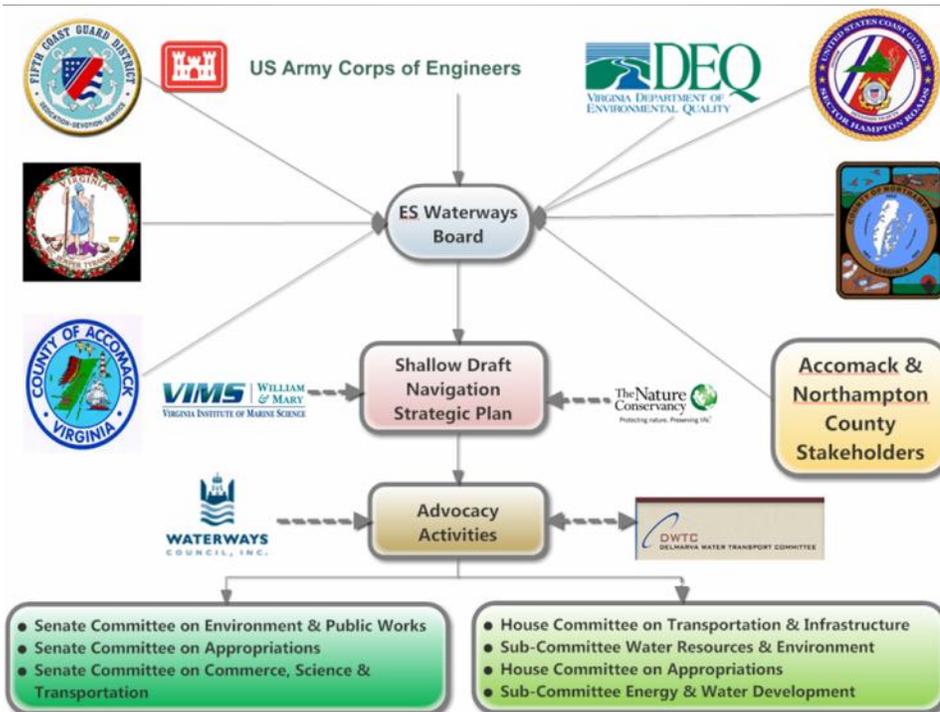
- Other Entities
 - Eastern Shore Navigation Partnership
 - The Eastern Shore Navigation Partnership consists of representatives from the Norfolk District, other federal, state and local agencies and other ES stakeholders, e.g., commercial watermen.
 - The partnership serves as a "unified voice for navigation, project prioritization and the future success of waterborne commerce on Virginia's Eastern Shore."
 - The partnership meetings provide customers and stakeholders with the latest information on individual projects and on the status of funding for future projects on the Eastern shore.
<http://www.nao.usace.army.mil/About/Projects/EasternShoreNavigationPartnership.aspx>
 - Delmarva Water Transport Committee (DWTC)
 - HQ Salisbury, MD
 - *"Our mission is to encourage the continuation and further development of waterborne commerce on the rivers, bays and harbors of the Delmarva Peninsula through the promotion of adequate dredging, safe navigation and maintenance and development of harbor and river terminals in such a manner as to protect and conserve the environment."*
 - <http://www.dwtconline.com/>

Step 2: Eastern Shore Virginia Waterways Board (ESVWB)

- Other Entities
 - The Atlantic Intracoastal Waterways Association
 - The mission of the AIWA is to encourage the continuation and further development of waterborne commerce and recreation on the Atlantic Intracoastal Waterway of Virginia (Norfolk South), North Carolina, South Carolina, Georgia and Florida. The Association advocates regular dredging and adequate maintenance to promote safe, cost effective navigation.
 - <http://www.atlintracoastal.org/>

Step 2: Eastern Shore Virginia Waterways Board (ESVWB)

- Members and/or Advisory Participants: 15-20
 - 3 Federal Agency Representatives: USCD 5th District & Sector Hampton Roads & Army Corps of Engineers Norfolk District (may only be in an advisory role)
 - 1 Virginia Agency Representative: VA DEQ
 - 1 Representative of the Governors Administration
 - 2: 1 Representative from each County, preferably County Administrator
 - 8-10: 4-5 Stakeholders from each County
 - 3: 1 Staff Representative each from our Congressman & Senators
- Organizationally, the ES Virginia Waterways Board (ESVWB) could be located within the Accomack-Northampton Transportation District Commission (AN-TDC) as a sub-committee.



Step 3: ES Shallow Draft Navigation & Waterway Project Strategic Plan



Table of Contents

BACKGROUND

- Navigation Project Location Map
- Shoreline Study Location Map
- Economic & Environmental Impact of ES Waterways

EXISTING CONDITIONS

- Shallow Draft Navigation
- Shoreline Protection

FEDERAL BUDGET PROCESS

- Harbor Maintenance Trust Fund
- Congressional Committees
- Appropriations/Authorizations

PROBLEMS, NEEDS, AND OPPORTUNITIES

- Shallow-Draft Navigation
- Shoreline Protection
- Permits, Engineering Studies & Surveys
- Spoils/Containment Use and Locations

TEN YEAR PROJECT SCHEDULE

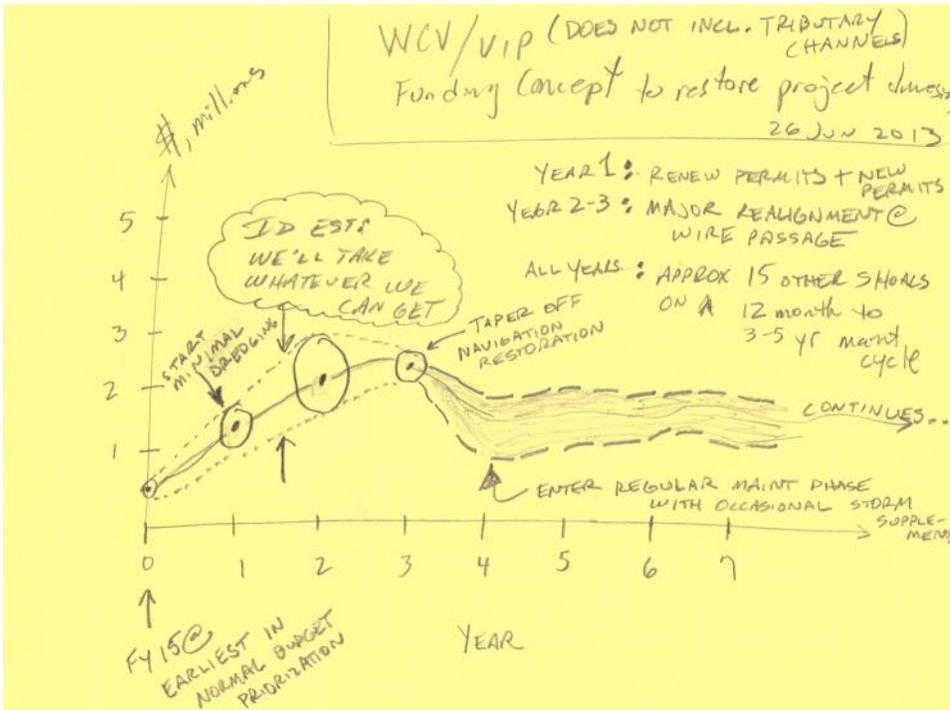
- Designated Waterway Projects
- Initial Dredging
- Maintenance Dredging
- Shoreline Protection
- Annual Project Schedule
- Annual Costs & Funding Requirements

SHALLOW DRAFT NAVIGATION AND SEDIMENT MANAGEMENT PLAN

for the Middle Peninsula Chesapeake Bay
Public Access Authority

6 Counties of Essex, Gloucester, King & Queen, King William, Mathews and Middlesex and the 3 Towns of Tappahannock, Urbanna, and West Point.





Step 3: ES Shallow Draft Navigation & Waterway Project Strategic Plan

- Why do we need a Strategic Plan?
 - We need to clearly state our long term strategic objectives over a 10 year period
 - We need to clearly state our short-term annual goals/priorities/initiatives within that 10 year plan period
 - We need to calculate and show annual and 10 year costs for Congressional Appropriations for ES dredging projects
 - We need to economically & environmentally justify the dredging expenditures in order to achieve our short & long term objectives
 - We need to have a single comprehensive strategic plan to ensure that the Army Corps, USCG, Commonwealth, VA Congressional Delegation and ES stakeholders are working in unison to achieve success
 - We need to have a Comprehensive Strategic Plan for Federal & possible State Advocacy Activities to achieve funding

Step 4: Advocacy

- Congress directs the Corps through authorizations, appropriations, and oversight of its studies, construction projects, and other activities.
- Congress generally authorizes Corps activities and provides policy direction in Water Resources Development Acts (WRDA).
- The 113th Congress began consideration of WRDA 2013 which passed the Senate in May 2013 and now resides in the House.
- **WRDA 2013 would establish new procedures for using Harbor Maintenance Trust Fund monies, in an effort to expand spending above current levels.**

Step 4: Advocacy

- Appropriations from the Harbor Maintenance Trust Fund (HMTF), which are primarily used by the Army Corps of Engineers for maintenance dredging, dredged material disposal areas, maintenance of the necessary permits, jetties, and breakwaters, have lagged behind revenues collected into the HMTF for several years.
- The resulting HMTF surplus was approximately \$7 billion at the end of FY12 and continues to grow by hundreds of millions of dollars each year. **Enough HMTF revenue is collected each year to meet all of the nation's authorized harbor maintenance needs, but less than half of it is appropriated for harbor maintenance.**
- Monies collected under the Harbor Maintenance Tax should be used for their intended purpose - maintenance dredging of our Nation's ports and harbors - and not simply to mask the federal debt and deficit.

Step 4: Advocacy

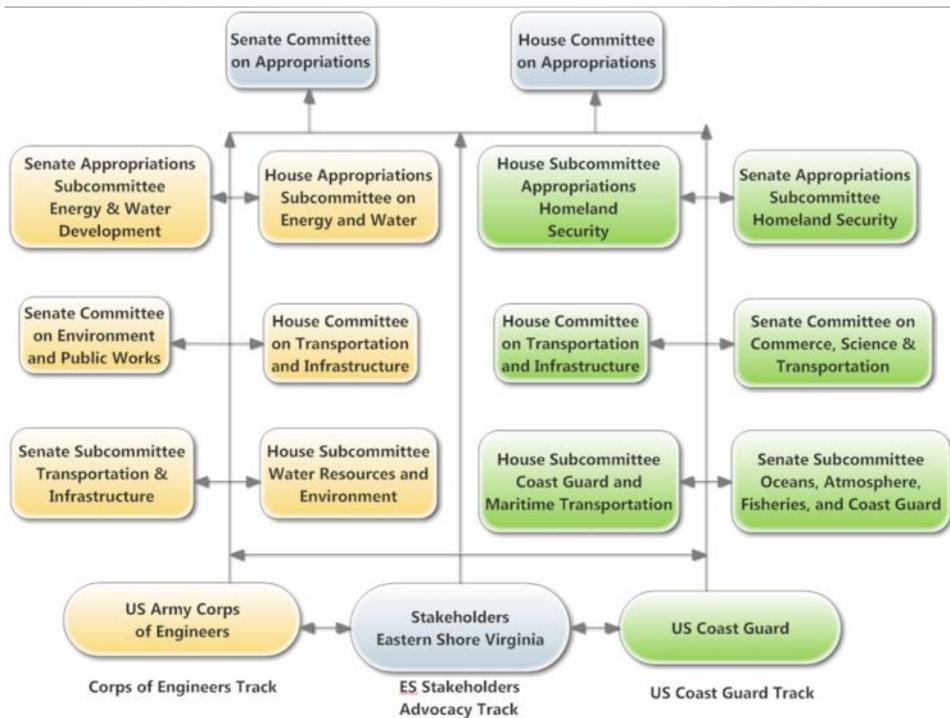
- WRDA 2013 would increase authorized appropriations for harbor maintenance, beginning with \$1 billion in fiscal year 2014 (**compared to the \$850 million spent in 2012**), and increasing every year thereafter by \$100 million through fiscal year 2019.
- In fiscal year 2020 and beyond, the bill would require that total budget resources for harbor maintenance equal the full amount of funds collected for that purpose.
- **Currently, only about half of the funds collected from shippers (based on value of imported goods) for harbor maintenance are used for harbor maintenance.** For example: In a typical year the Trust Fund can collect \$1.3 billion but will only spend between \$700 and \$800 million.

Step 4: Advocacy

- WRDA 2013 passed the Senate by a vote of 83-14 and now resides in the House Committee of Transportation and Infrastructure. Chairman Schuster (PA), has announced plans for the committee to consider his Water Resources Reform and Development Act (WRRDA), which will be heavy on reforms, when Congress returns in September.
- **Virginia has no representation on this committee.**
- WRDA would authorize federal spending on port improvements, flood protection, dam and levee projects and environmental restoration.
- It would ensure that more monies in the Harbor Maintenance Trust Fund, are directed toward harbor improvements, e.g., dredging projects.

Step 4: Advocacy

- Authorization:** Congress and the president establish programs through the authorization process. Congressional committees with jurisdiction over specific subject areas write the legislation. The term “authorization” is used because this type of legislation authorizes the expenditure of funds from the federal budget. **It may specify how much money should be spent on a program, but it does NOT actually set aside the money.**
- Appropriations:** In appropriations bills, Congress and the president state the amount of money that will be spent on federal programs during the next fiscal year. There are 12 appropriations subcommittees in each house of Congress. They are divided among broad subject areas and each writes (or is supposed to write) an annual appropriations measure. It is quite possible to have programs authorized but not funded.



Step 4: Advocacy

- Waterways Council (WC) is a DC Trade Association for the Inland Rivers and Gulf Intracoastal Waterway. Their primary focus is commercial marine transportation.
- However, the same members of Congress & their staffs, that the WC works with on commercial issues, are the same that would be involved with the shallow draft navigational waterways.
- The President of the WC has been involved in Federal Government Affairs for over 30 years.
- The ESVWB would greatly benefit having continuous representation in DC. I strongly recommend further discussions with the WC concerning their possible representation of the ESVWB. Annual membership dues would be \$1,000 (Accomack & \$500 Northampton)
- <http://waterwayscouncil.org/>



Level of Effort and Success

- From Fiscal Year 2000 thru 2013, the average funding for Eastern Shore dredging projects have averaged roughly \$1.5 MM/Year.
- Over the next decade, funding for the Eastern Shore waterways, including the VIP, will need to average \$5 MM/Year, a 230%+ increase.
- In order to achieve success at that funding level, we the stakeholders of the Eastern Shore, need to consider a different way we approach how we support the Corps of Engineers efforts so they will be able to provide the necessary efforts on our behalf.

Suggested Next Steps

1. Both Counties sign joint agreement & officially Charter the Eastern Shore Virginia Waterways Board as a subcommittee of the AN-TDC with the Charter designating jurisdictional responsibilities
2. Both Counties submit a joint letter to USCG (Sector & 5th District), Army Corps of Engineers, VA DEQ, Governor McDonnell, Congressman Rigell, Senators Warner & Kaine, requesting their participation and assignment of their appropriate representatives to the ESVWB
3. Both Counties submit a joint letter requesting assistance from VIMS & Nature Conservancy in developing the Strategic Plan
4. Both Counties agree on a budget & funding
5. Both Counties nominate and appoint members
6. Objective should be to have the initial kickoff meeting of the ESVWB no later than October 21, 2013, e.g., 2 months from now

In Conclusion

- We need to follow the 4 Step Program
 - Maintain Aids to Navigation of the VIP
 - Authorize, fund and implement the ES Virginia Waterways Board to represent the waterways of both counties on bayside & seaside
 - Develop the Shallow Draft Navigation Strategic Plan for all of the Eastern Shore of VA Waterways
 - Implement proactive advocacy actions in Congress with the objective of achieving annual funding appropriations for ES waterways: **The Squeaky Wheel Gets the Grease!!**
- I think we can all agree that achieving adequate funding for our waterways will not be an easy task. But, the Army Corps of Engineers, US Coast Guard, the Commonwealth of Virginia, ES Stakeholders and our VA Congressional Delegation need to work together in a **coordinated unified partnership** if we are to be successful over the long term to revive and then maintain safe ES navigable waterways. If we have a coordinated process in place, we will have a significantly improved opportunity for success in achieving the level of funding needed to maintain our waterways.

Following the presentation, the County Administrator indicated that as a result of a recent regional meeting, the US Army Corps of Engineers is working on a survey of current conditions.

(2) Dr. Walter Clemons, Superintendent, Northampton County Public Schools

Dr. Clemons indicated that the school year was off to a good start and that the transportation issues referenced earlier had been resolved. He then stated that reading and math remain areas of difficulty but that the graduation index at the high school has been reached. He noted that student enrollment was 1588-1590 with the budget estimate being 1560.

The Board reviewed the Facility Maintenance Plan for 2013-2014 as received from the School Board in response to the Board's request. Mr. Hubbard requested that Facility Maintenance Plans also be provided for the elementary schools as well as the high school. Mr. Bennett stated that he was pleased with the progress being made on facility maintenance issues but that coaches and staff need to "lead by example" and "step up to the plate." At this time, motion was made by Mr. Bennett, seconded by Mr. LeMond, that the remaining budget appropriation requests from last month (from the School Board) be taken off the table for consideration. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the following Budget Amendments and Supplemental Appropriations be approved. All members were present and voted "yes." The motion was unanimously passed.

\$215,855.00 – This represents funding for the School's FY 2014 Capital Improvement Program from the County's School Capital Fund Balance as outlined on the attached schedule.

Revenues	
Appropriated Fund Balance	215,855.63
Revenue Total	215,855.63

Expenditures

KES HVAC Software	(86.15)
OES HVAC Software	(86.15)
NHS HVAC Software	(1,021.07)
Seal KES Parking Lot	15,740.00
Seal OES Parking Lot	11,428.00
KES Auditorium Curtains	(1,798.00)
OES Auditorium Curtains	(1,798.00)
KES Playground Eqpt/Mulch	13,333.00
OES Playground Eqpt/Mulch	13,333.00
NHS Replace Office Flooring	(1,189.00)
Forklift Lease	7,000.00
KES Upgrade Electrical Outlet Capacity	12,500.00
OES Upgrade Electrical Outlet Capacity	12,500.00
KES Media Center Carpet Replacement	10,500.00
OES Media Center Carpet Replacement	10,500.00
OES Generator – Cafeteria/Emergency	50,000.00
NHS Track Maintenance	50,000.00
Grounds Equipment Maintenance	<u>15,000.00</u>
	215,855.63

In the School Board’s FY 2014 Budget, the first three items (*) below were listed. At the August 13, 2013 Board of Supervisors’ meeting, the School Board requested NHS Boiler Replacement to replace the first three items (*) below. The School’s FY 2014 CIP was not a part of the County’s FY 14 Operating Budget. Therefore, we are requesting funding of the School’s FY 14 CIP from the County’s School Capital Project Fund Balance (Fund 395).

* KES Media Center Carpet Replacement	-10,500.00
* OES Media Center Carpet Replacement	-10,500.00
* OES Generator – Cafeteria/Emergency	-50,000.00
NHS Boiler Repair	71,000.00

(It is noted for the record that the Board approved the NHS boiler repair item at \$71,000.00 at its meeting of September 10, 2013.)

Consent Agenda:

- (3) Minutes of the meetings of September 10 and 23, 2013.
- (4) Consider a resolution to change to regular November meeting from Tuesday, November 12, 2013 to another date in recognition of the VACo annual meeting.

RESOLUTION

BE IT RESOLVED by the Northampton County Board of Supervisors, this 8th day of October, 2013, that the regular meeting of the Board, scheduled for Tuesday, November 12, 2013 at 4:00 p.m., in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, be changed to Tuesday, November 19, 2013 at 4:00 p.m. in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia; and

BE IT FURTHER 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.

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

County Officials' Reports:

(5) Mrs. Leslie Lewis, Director of Finance, presented the following Budget Amendment and Appropriation Requests for the Board's consideration:

MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: October 2, 2013
RE: Budget Amendments and Appropriations – FY 2014

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

\$75,000.00 – This represents a grant award from the Virginia Department of Environmental Quality for Stormwater Program Development. Funds will be allocated through

the Department of Planning & Zoning’s professional services line item for consulting services (100-8101-50650).

\$138,897.99 – This represents pass-through grant funding from the Virginia Department of Transportation to the Barrier Islands Center for its renovation project. Funds will be allocated through the Community Development – Barrier Island Center Grant line item (100-8102-52460).

* * * * *

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

MEMORANDUM:

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: October 2, 2013
RE: Budget Amendments and Appropriations – FY 2014

Your approval is respectfully requested for the following budget amendments and supplemental appropriations as requested by the School Division:

\$595.01 – This represents a budget reduction reflecting the actual award amounts for the Title VI, Part B, Sections 611 and 619 as outlined below:

	Award Year	Budgeted Award	Actual Award	Increase (Decrease)
Title VI (Sec 611)	2013	\$366,695.01	\$366,645.00	(\$50.01)
Title VI (Sec 619)	2013	\$15,188.00	\$14,558.00	(\$630.00)
Title VI (Sec 611)	2012	\$394,689.00	\$394,774.00	\$85.00
				\$\$595.01

\$40,230.00 – This represents an increased budget allocation to reflect the award of a School Security Enhancement Grant from the Commonwealth of Virginia. Expenditures will be classified within the Capital Improvement fund under a new “School Security Upgrades-Grant”

project.

\$8,732.36 – This represents an increased budget allocation to reflect the final Title II, Part A, Teacher Quality Allocation under the Elementary and Secondary Education Act of 1965.

\$24,948.76 – This represents an increased budget allocation to reflect the actual amount of Federal Grant Allocations as outlined below:

Federal Grant	Description	Budgeted Award	Actual Award	Requested Increase (Decrease)
Title I, Part A	Elementary & Secondary Education Act	\$741,716.54	\$766,141.94	\$24,425.40
Title III, Part A	Limited English Proficiency	\$21,043.67	\$19,584.82	(\$1,458.85)
Title VI, Part B	Rural & Low Income	\$32,124.32	\$34,106.53	\$1,982.21
				\$24,948.76

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

Mrs. Lewis shared the following memorandum with the Board:

MEMORANDUM:

TO: Katie Nunez, County Administrator

FROM: Leslie Lewis, Director of Finance

DATE: October 2, 2013

RE: (Amended) Recommendation on Financing for Lease Purchase of FY 2014 budgeted capital acquisitions.

On September 10, 2013, the Northampton County Board of Supervisors awarded the bid for the FY 2014 Lease Purchase Contract to CFG Community Bank in accordance with its proposal.

Subsequent to that action, CFG Community Bank declined the award and based on the recommendations of legal and bond counsel, staff is respectfully requesting that the Board approve a new award to the second-lowest bidder, Bank of America, at an interest rate not to exceed 3% for the three-year term of the lease.

“Generic” authorization to the County Administrator to accept a proposal for the financing, subject to parameters set forth in paragraph 1 relating to maximum interest rate and principal amount, is included in the attached Resolution, and as recommended by bond counsel, will allow flexibility to establish the final details of the financing at the time of closing, which is anticipated to be October 10th.

(For the Board’s information, CFG Community Bank quoted an interest rate of 1.06% and Bank of America’s interest rate was 1.17%.)

Board action to approve the new award as outlined in the attached Resolution is respectfully requested.

* * * * *

Motion was made by Mr. Bennett, seconded by Mr. Hubbard, that the Board approve the FY 14 lease purchase financing proposal from Banc of America at 1.17% per annum for the 3-year term of the lease in accordance with its proposal. All members were present and voted “yes.” The motion was unanimously passed.

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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 Mr. Bennett.

The Pledge of Allegiance was recited.

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

- (i) 10/16/13: Recessed Board meeting to review zoning ordinance draft with staff
- (ii) 10/28/13: Work Session: Finalize Zoning Ordinance draft to send to Public Hearing

(iii) 11/25/13: Work Session: To be cancelled – this is the date for one of the public information sessions dedicated to the revised Zoning Ordinance

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

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: October 4, 2013
RE: Bi-Monthly Report

I. Projects:

A. Public Service Authority:

The next meeting of the PSA is Tuesday, October 15, 2013 @ 7:00 p.m. in County Administration Building. The Authority will review the comments provided from the public hearing and discuss the proposed project area.

B. Eastville Waste Collection Center:

Construction is rapidly progressing on this site and we anticipate that the contractor will meet substantial completion by the contract date of October 15, 2013.

C. Zoning Ordinance Revision:

County staff has been working on a complete revision of the zoning ordinance for the last 9 months. This work has been substantially complete and a draft zoning ordinance has been released and will be the subject of a specially called work session on Wednesday, October 16, 2013 @ 5 pm. Staff will have a powerpoint presentation, highlighting the major changes to this document for the Board's consideration and to serve as the catalyst for our discussion that evening. The scheduled calendar calls for the Board to complete their review by October 28, 2013 and to refer this ordinance to the Planning Commission to convene joint public hearing which would be held on December 10, 2013.

D. Fiscal Year 2013 Audit:

The Finance Department has been working on closing the County's Fiscal Year 2013 books in preparation for our upcoming audit. The auditors will be on-site from Tuesday, October 15, 2013 thru Friday, October 18, 2013.

E. Emergency Management Training:

On Tuesday, October 1, 2013, I attended a mandatory Emergency Management Coordinator's Briefing, hosted by Virginia Department of Emergency Management. Hollye Carpenter also attended in her capacity as Coordinator of Emergency Management for the County. We received an overview of emergency management and the changing standards and review as issued by the Federal Emergency Management Agency (FEMA) and how that will impact states and localities.

F. Fiscal Year 2015 Budget Calendar:

Enclosed is the FY2015 Budget Calendar. As you will note, the timeline is reflective of the fact that tax bills will be released in May 2014 with a due date of June 5, 2014 (with a second bill being issued in November 2014 with a due date of December 5, 2014). Therefore, the budget process needs to conclude no later than April 22, 2014 to meet the new tax billing dates.

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Citizen Information Period:

Mr. Alan Vose read the following comments:

“Northampton County Board of Supervisors

My name is William A. (Alan) Vose; I retired here after marrying a native and really enjoy it here with one primary problem. I am used to having reliable TV, internet and land line phone service.

My provider in Newport News was Cox communications, through whom I had phone and internet since 2002. This is true high speed internet, not DSL. I used DirecTV for years as my late wife and I used to travel with a 30 ft. 5th wheel RV and we could use it on the RV. I initially installed one of my receivers and a spare antenna here when I first met my wife. We both got tired of losing the signal during storms.

Here on the Eastern Shore we have 3 choices due to the distance to broadcast towers, Charter Cable, DirecTV or Dish Network. DirecTV and Dish suffer weather related outages. We changed to Charter a few months ago, the service has been less than stellar, frequent outages, fuzzy pictures even when it is up. Charter advertises HD TV, does not provide it, internet but only in Onancock, phone nowhere on the shore.

South of Virginia’s Eastern Shore the Hampton Roads area East of Suffolk is all serviced by Cox, as is the entire Peninsula. North of here in Maryland is Comcast in most areas. Charter’s office is a branch office from their Suffolk and Isle of Wight County service areas. Calling in a problem takes you to an automated system that is frustrating and annoying to deal with. Once you get to a live person they have no way of seeing if there is a local outage as the call center I got to was in Omaha.

The government funded a rural broadband initiative that was supposed to be available spring of 2010. As part of this initiative, a fiber optic spine was run from Virginia Beach to Wallops Island and later connected to Southern Maryland. The infrastructure is here, just no one has stepped forward to make it available to the general public. Shore Memorial Hospital and NASA use the system, serviced by Cox.

We need to get rid of Charter as they are either unable or unwilling to provide decent service and ask Cox to please come in and give us the service we should have had since 2010. Verizon advertises FIOS, but don’t try to get it outside of major metropolitan areas, currently I can’t even

get DSL from them. They bamboozled the state with a tale of how they couldn't compete unless they had a state wide franchise to market FIOS. I guess they don't feel any need to play by the rules."

Ms. Abby Avera-Press asked for a status report on her request that the Board consider tax exemption for veterans' personal property. The County Administrator responded that after consultation with legal counsel, it is the Board's intent to consider this request as part of its FY 2015 budget cycle as part of the tax structure.

(7) Recognize Mr. Norman Mapp, Northampton Alliance Against Trash, at his retirement from 20 years of service to the County.

Chairman Randall recognized Mr. Norman Mapp of the Northampton Alliance Against Trash, who announced his retirement after providing 20 years' of service to the County through monthly community clean-ups. The Board presented Mr. Mapp with the following resolution of commendation:

RESOLUTION OF COMMENDATION
Commending
The Northampton Alliance Against Trash

WHEREAS, the Northampton Alliance Against Trash (N.A.A.T.) was founded in 1993 with its primary focus to employ aggressive measures to alleviate and ultimately abate the trash problem in Northampton County; and

WHEREAS, during the past twenty (20) years, the N.A.A.T. has performed monthly trash cleanups in communities from Accomack County to the Chesapeake Bay Bridge & Tunnel; and

WHEREAS, during that time, the N.A.A.T. has brought over four hundred thirty-nine (439) tons of solid waste and in excess of 2,500 tires to the landfill; and

WHEREAS, after twenty (20) years of service, this remarkable grassroots organization, founded for the purpose of helping others have a better place to live, has decided to cease operations.

NOW, THEREFORE, BE IT RESOLVED, by the Northampton County Board of Supervisors this 8th day of October, 2013, that the Northampton Alliance Against Trash be

hereby commended for its exemplary efforts in beautifying Northampton County; and

BE IT FURTHER RESOLVED, that the Clerk of the Northampton County Board of Supervisors, prepare a copy of this resolution for presentation to Norman Mapp, President of the Northampton Alliance Against Trash, as an expression of the Board's admiration and gratitude for the organization's exceptional dedication to helping its neighbors.

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Public Hearings:

Chairman Randall called to order the following public hearing:

(8) Special Use Permit 2013-06: Thomas E. Rayfield has applied to convert the second floor of an existing two-story garage into an accessory living unit on property located at 11310 Seaside Road near Treherneville. The property, containing 76 acres of land, is described as Tax Map 41, double circle A, parcel 6 and is zoned A/RB Agriculture/Rural Business.

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

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

The applicant, Mr. Rayfield, was present and offered to answer any questions of the Board.

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

Motion was made by Mr. Bennett, seconded by Mr. Trala, that Special Use Permit 2013-06 as petitioned by Thomas E. Rayfield, be approved as presented. All members were present and voted "yes." The motion was unanimously passed.

Chairman Randall called to order the following public hearing:

(9) Special Use Permit 2013-07: Thomas & Kim Burt have applied to construct a garage with an accessory living unit on the second floor that will be attached to a single-family dwelling in the future. The property, containing 46.10 acres, is described as Tax Map 7, double circle 4, parcel A and is zoned A/RB Agriculture/Rural Business. The property has frontage on the Chesapeake Bay and is located just north of the Battle Point area.

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

Mr. Stith noted that the Planning Commission was recommending approval of this petition.

The applicant was present and agreed to answer any questions of the Board.

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

Motion was made by Mr. Trala, seconded by Mr. Bennett, that Special Use Permit 2013-07 as petitioned by Thomas & Kim Burt, be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

Action Items:

(10) Consider approving a letter of support for Bayshore Concrete Products’ piers permit application.

Motion was made by Mr. Randall, seconded by Mr. Trala, that the County Administrator be authorized to provide a letter of support for Bayshore Concrete Products’ piers permit application. All members were present and voted “yes.” The motion was unanimously passed.

(11) Consider adopting 2013 Holiday Schedule.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that additional holiday leave be approved for Board employees as set out below:

Close at noon – Wednesday, November 27, 2013
Closed all day, Tuesday, December 24, 2013.

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

Matters Presented by the Board Including Committee Reports & Appointments

Motion was made by Mr. Trala, seconded by Mr. LeMond, that the Board accept a certain Quitclaim Deed from Mr. and Mrs. Richard Tankard in regards to property purchased through a delinquent tax auction which could not be located on the County’s land books. All

members were present and voted “yes”, with the exception of Mr. Bennett who abstained. The motion was passed.

Motion was made by Mr. LeMond, seconded by Mr. Hubbard, that Mr. Severn Carpenter be removed from the Northampton County Planning Commission as a result of his numerous unexcused absences. All members were present and voted “yes.” The motion was unanimously passed.

The County Administrator referenced a late-arriving item received from Mr. Charles Floyd with regard to a request for boundary line adjustment within the Church Neck Agricultural-Forestal District. She indicated that staff had not completed its analysis of the request and intended to bring this matter back before the Board, hopefully at its October work session.

Mr. Hubbard asked that the County Administrator explore options for the use of the \$25,000 returned to the County from the Eastern Shore Broadband Authority, including installation of towers to entice independent service providers to offer broadband service to the County’s citizens.

Mr. Randall indicated that he was prepared to execute a letter to “Google”, requesting that they consider making Northampton a “Google community”. He also noted that he will be signing a letter to Riverside Health System in response to earlier communication from that entity.

Mr. Hubbard also mentioned the upcoming groundbreaking for the new hospital in Onley as well as an invitation from the Chesapeake Bay Bridge & Tunnel District for a tour of that facility.

Recess

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the meeting be recessed until 5:00 p.m., Wednesday, October 16, 2013 in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, in order to conduct a work session with staff relative to the draft revised zoning ordinance. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR