

VIRGINIA:

At a recessed 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 27th day of October, 2014, at 5:00 p.m.

Present:

Larry LeMond, Chairman

Richard L. Hubbard, Vice Chairman

Laurence J. Trala

Granville F. Hogg, Jr.

Oliver H. Bennett

The meeting was called to order by the Chairman.

Discussion of EMS Garage:

Mr. John Ozmore of DJG Architects presented several layouts demonstrating that a 30' x 83' EMS garage can be placed at the existing EMS office location as well as a new office building. It is also feasible to place a new well and septic system on the property. These layouts are shown below:

Ms. Hollye Carpenter, EMS Director, was recognized and explained the existing infrastructure and proposed needs for her department which include a four-bay garage with decontamination and storage areas.

In response to a question from Supervisor Hogg, Mr. Ozmore noted that there was not one source of requirements for such a facility but rather multiple sources including the Building Code and the Health Department regulations. Mr. Hogg suggested that “Miss Utility” be contacted in order to locate the phone lines and offered to visit the site himself to locate the drainfield. The Chairman noted that staff has already been tasked with “marking” the site with possible building dimensions and it was the consensus of the Board to meet at 3:00 p.m. on November 12, 2014 (the next regular meeting date), at the current EMS office location (13294 Lankford Highway, Machipongo, Virginia) for a site visit.

Ms. Carpenter reported that she currently has three vehicles plus one mass casualty trailer which has temperature-sensitive equipment on-board.

The County Administrator stated that part of today’s agenda was to consider a specific location for the new EMS garage; specific details could be worked out later. The Chairman indicated that he was not ready to commit to the current EMS office site as the location to be pursued for the garage and wants to see the on-site layout.

(2) Discussion of EMS daytime staffing at Northampton Fire & Rescue (trial period ends November 8, 2014)

Motion was made by Mr. Bennett, seconded by Mr. Trala, that this matter be taken off the table. All members were present and voted “yes.” The motion was unanimously passed.

The Board had received staff’s recommendation in their agenda packet as follows:

* Discontinue placement of personnel at Nassawadox, effective 9/28/2014, because call volume does not support need or expense.

* Consider future report from Ad-Hoc Emergency Committee on recommendations for overall EMS system, which should address placement of personnel and funding.

*If the decision is made to continue providing NCEMS personnel to Nassawadox, the following concerns need to be addressed:

- * Create a healthier work environment (furniture in office is not clean and needs replacing)
- * Establish climate control in station work area (no air conditioning throughout the summer)
- * Maintain consistent internet connectivity and create space for NCEMS work area (computer, desk, etc.)
- * Replace ambulance stretcher with a power stretcher to enhance personnel and patient safety.

Ms. Rhonda LeCato, President of Northampton Fire & Rescue read the following letter:

Northampton Fire and Rescue
P.O. Box 833
Nassawadox, VA 23413

October 25, 2014

Re: Daytime Staffing Northampton Fire and Rescue

Northampton County Board of Supervisors
P.O. Box 66
Eastville, VA 23347

Attn: Larry Lemon, Chairman
Rick Hubbard, Vice Chairman
Oliver Bennett
Laurence Trala
Granville Hogg, Jr.

Dear Northampton County Board of Supervisors:

Northampton Fire and Rescue is requesting that you continue the career staff at our station Monday through Friday, 6a.m.-6 p.m.

We originally submitted our request in January 2014. We will continue to ask that our station be staffed with daytime career personnel. We are not asking for this coverage solely to benefit our company financially. We are asking for this so that our residents are able to receive the best response time and care to the elderly and medical community. If we were solely about the benefit to our company, we would not have made the decision we did ten years ago that brings us here today. In the end, we had lost more than just our daytime staffing, but the very program we didn't want to see go away in the first place. We do not receive any funds from the county for EMS, and what our company did receive years ago, was given back to the county, because we recognized that daytime staffing was something that the county provided.

Over the last ten years, we have seen the call volume for Northampton County continue to increase. This is not projected to decline. We know the hospital is going to move and with it comes increased turn-around time. The third staffed ambulance is needed, and it is needed now. We believe it has been shown to be needed. If there is a reason not to continue staffing, we are not certain what that is. We believe and don't think that any of the members of the Board of Supervisors would disagree, that people's lives are worth it. The 1.7 minutes difference in response time could mean the difference between life and death.

The public has spoken about their concerns. In reading the Eastern Shore News, on more than one occasion, the continued need for EMS has been expressed. Our community as well as the EMS community at large (other companies) believe that staffing has helped the community and is needed. A large percentage of Director Carpenter's staff have expressed that Northampton Fire and Rescue needs continued staffing. Are all these people wrong?

We have received 164 daytime calls since Northampton Fire and Rescue has been staffed during the

Board of Supervisors
October 25, 2014
Page 2

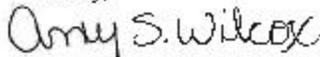
day. We not only transported the most critically ill patient on the day of the tornado, but we have since transported another critical patient to Virginia Beach. A staffed unit at Northampton Fire and Rescue is clearly needed. 90% of our calls are within the Nassawadox/Franktown/Birdnest area. The idea of not continuing to staff our unit seems to me would clearly send a message to the residents (mostly elderly) of the district, the families of the residents of Heritage Hall, and those that have family in the area, that their lives aren't as worthy as those who live in the Cape Charles or Exmore district.

There is no easy solution when it comes to funding. Funding is an issue, and has always been an issue, that is why we are in the current situation. However, funding had to have come from somewhere, because we are far more advanced than we were ten years ago. There was not a supervisor on duty 24/7 and there were not two staffed ambulances during the day on Saturday and Sunday (one in Exmore and one in Cape Charles.) Northampton Fire and Rescue has been left out of many discussions. We are here, and it wasn't because we didn't want to be part of them. We are continually willing to work with the County. Director Carpenter stated that our contributions to the County with our daytime staffing Monday-Friday 6a-6p (on most days) was 0. That is correct. However my question is how are we any different than Exmore or Cape Charles whose daytime week and weekend billing monies (while staffed with county personnel) go directly to them?

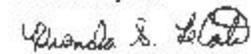
We are asking for the staff to be continued with us full-time. Again, we want the best for the residents of our district. We do not believe that they should not receive anything less than what can be provided to them, and that they are no different than the residents of Cape Charles or Exmore's district.

Thank you for your time and consideration in this matter.

Sincerely,



Amy S. Wilcox, NR-Paramedic
Rescue Captain



Rhonda S. LeCam
President

Mr. Bennett stated that he continues to see a need to continue the daytime staffing support at the Nassawadox unit. Ms. Carpenter responded that she was not sure that this is the best place to put the County's funds. Chairman LeMond stated that he would like to wait until the Ad-Hoc Emergency Care Committee's report is received (which will contain funding priorities), as the Board does not have funding contained in the current year's budget.

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board table action on this request pending receipt of the committee report. All members were present and voted "yes," with the exception of Mr. Hogg who voted "no." The motion was passed. Mr. Bennett stated that he was confused with the wording of the previous action and moved that the motion be reconsidered. This was seconded by Mr. Hogg. All members were present and voted "yes," with the exception of Mr. LeMond who voted "no." The motion was passed. Motion was then remade by Mr. Trala, seconded by Mr. Hubbard, that the Board table action on the request from Northampton Fire & Rescue for continued daytime staffing support until the Ad-Hoc Emergency Care Committee report is received. All members were present and voted "yes," with the exceptions of Mr. Hogg and Mr. Bennett who voted "no." The motion was passed.

Continued Discussions re: Zoning Ordinance Amendments:

Mr. Peter Stith, Long-Range Planner, Mrs. Melissa Kellam, Zoning Administrator, and Mr. Charles McSwain, Development Director, led the Board in discussions related to the following items:

- (3) Shoreline Width
- (4) Individual Mapping Requests
- (5) Remaining 2 districts: Working Waterfront (WW) and Village Waterfront Business (VWB)
- (6) Remaining Performance Standards
- (7) CBPA Removal from Atlantic watershed areas
- (8) Signs

With regard to item (3) *Shoreline Width*, staff had prepared several analyses of the existing shoreline widths for Bayford, Red Bank, Cherrystone and Bridgetown as well as the shoreline widths for the Village district as a result of questions from Board members at a prior work session. Shoreline widths had been established at the prior work session; however, the Board members indicated that they would like to meet with Mr. Stith individually in order to address specific areas. Mr. Hogg further asked for the physical distances related to shoreline width for each lot contained in the analyses.

At this time, the Board chose to deviate from the agenda and consider item (7) *Chesapeake Bay Preservation Area Removal from Atlantic Watershed Areas*. The following memorandum was read into the record:

To: Board of Supervisors

Copy: Katie Nunez, Administrator

From: Code Revision Team

Re: Proposed Zoning and Chesapeake Bay Preservation Areas Code

Date: October 7, 2014

The initial assignment from the Board was to review all ordinances in terms of requirements in local ordinances that are more stringent than Virginia Code requires. The CBPA areas applied to the Atlantic Seaside is a good example of such.

In addition, when the first draft of proposed zoning ordinance was created, staff was knowledgeable of the Stormwater Management section of Virginia Code being made much more strict and comprehensive. To wit, effective July 2014 engineered site plans would be required for any land disturbance of 2500 square feet or greater. This created excessive cost and burden on small projects. The retreat of the CBPA from the Seaside was proposed to create an alternative tool for protecting the waters of the Atlantic, e.g., conservation setbacks.

However, during the 2014 Session the Stormwater Management Act was revised to exempt residential projects under 1 acre of land disturbance. The vast majority of projects in

Northampton County are residential. Thus, the need to eliminate the CBPA from the Seaside is greatly reduced.

Therefore, staff recommends that the Chesapeake Bay Preservation Areas be left as they are today under current zoning code. Procedurally, if the Proposed Zoning Code is adopted, this change can be made in the proposed Chapter 158, a stand-alone ordinance on the Chesapeake Bay Preservation.

* * * * *

It was the consensus of the Board that it intends to maintain the Chesapeake Bay Preservation Area on the seaside of the County as it currently exists. Further, it was the consensus of the Board that the Planning Commission be asked to provide a timeframe wherein a study of this matter could be accomplished by that group.

With regard to item (4) *Individual Mapping Requests*, the following memorandum was reviewed by the Board with the resulting consensus decisions enumerated:

MEMORANDUM

TO: Northampton County Board of Supervisors
FROM: Development Department Staff
SUBJECT: Specific Mapping requests
DATE: September 12, 2014

In an effort to simplify and clarify this process, this memo will replace the memo that was handed out at your September 9th meeting. The comment letter reference number is the column below on the left and is referenced on the map as “Attachment #”. Staff has provided more information on each request below. The subject parcel(s) on each map is outlined in blue.

Comment #:

- 20** Request to be RM – Tax Map 112-A-68. This parcel contains 8.25 acres, is currently zoned Agriculture and proposed to be Agriculture. The current use is agriculture. The surrounding zoning consists of Hamlet and Residential Mixed as well as Agriculture. Staff comment: Not appropriate as part of this process.

The Board agreed with the staff recommendation.

- 29** Request to be R-3 – Tax Map 104-A-3A. This parcel contains 51 acres, is currently zoned Agriculture and proposed to be Agriculture. Current use of the parcel is agriculture. Surrounding zoning consists of Village, R-5 and Agriculture. Staff comment: Not suitable as part of this process.

The Board agreed with the staff recommendation.

- 29** Request to be R-3 – Tax Map 14-A-23. Parcel contains 44.44 acres, is currently zoned Agriculture and proposed to be Agriculture. Surrounding zoning consists of R-5 and Agriculture. This parcel has preliminary plat approval for a 7 lot subdivision which includes parcels 14-A-23D and 23A. Staff comment: The current use of this parcel is agriculture. Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 66** Request to be AG and/or only 5 acres be R-5 – Tax Map 92-5-A. Parcel currently zoned Agriculture with the coastal edge zoned Conservation. Proposed zoning is split with the coastal edge Conservation, 15 acres R-5 and 6 acres AG. The property contains a dwelling and a portion is used for agriculture. Staff comment: Retain the Conservation zoning on the edge.

The Board agreed that the coastal edge zoning would be Conservation with Agricultural zoning for the remainder of the parcel.

- 48** Request to be R-1 – Tax Map 84-A-55B, 84-A-55D and 84-A-55. Parcels contain 18, 13 and 33.75 acres, respectively, are currently zoned Agriculture and proposed to be Agriculture. Current use of the parcels is agriculture. Surrounding zoning consists of R-3 and Agriculture. Staff comment: Not suitable as part of this process. May be suitable as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 49** Request to be C – Tax Map 30-A-86, 30-A-85 and 30-A-84. Parcels are currently zoned Agriculture and are proposed to be Hamlet. Parcel 86 contains 2.29 acres and has an active commercial operation located on it. Parcel 85 contains 3.62 acres and is wooded. Parcel 84 contains 0.17 acres and is vacant. Surrounding zoning consists of Hamlet and Commercial. Staff comment: Request may be suitable for the Board to consider.

The Board agreed with the applicant's request for Commercial zoning.

- 30** Request to be AG – Tax Map 30-8-1B and 30-A-76. Parcels are currently zoned Agriculture and are proposed to be split zoned Hamlet and Agriculture. Both parcels are in an AFD and contain 5.4 acres and 23.8 acres, respectively. Current use of both parcels is agriculture. Surrounding zoning consists of Hamlet and Agriculture. Staff comment: No objection to request. Parcels are in an AFD.

The Board agreed with the applicant's request for Agricultural zoning.

- 38** Request to be AG – Tax Map 30-A-77 and 30-13-A. Parcels are currently zoned Agriculture and are proposed to be Hamlet. Parcel 77 consists of 0.66 acres and contains a dwelling. Parcel A contains 7.73 acres and is in an AFD with its current use in agriculture. Surrounding zoning consists of Hamlet and Agriculture. Staff comment: No objection to request. May consider leaving smaller parcel within Hamlet.

The Board agreed with the applicant's request for Agricultural zoning for Tax Map 30-13-A and Hamlet zoning for the smaller parcel, 30-A-77.

- 68** Request to be R-1 – Tax Map 21-A-27. Parcel contains 58 acres, is currently zoned Agriculture and proposed to be Agriculture. Current use of the property is agriculture. Surrounding zoning consists of R-1, the Town of Nassawadox and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 68** Request to be R-3. Tax Map 19-5-A. Parcel contains 31.6 acres, is currently zoned Agriculture and proposed to be Agriculture. Current use of the parcel is agriculture. Surrounding zoning consists of R-3 and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 68** Request to be R-3. Tax Map 18-A-4A. Parcel contains 29.34 acres, is currently zoned Agriculture and proposed to be Agriculture. Current use of the property is agriculture. Surrounding zoning consists of R-3 and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 68** Request to be R-1 – Tax Map 18-A-4E and 12-A-14. Parcels contain 37.5 and 10 acres respectively, are currently zoned Agriculture and proposed to be Agriculture. Surrounding zoning consists of R-3, CTCM and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 19** Request to be R – Tax Map 21A1-12-C. Parcel contains 7.19 acres, is currently zoned TE1 and proposed to be zoned R-1. Current use of the property is agriculture. Surrounding zoning consists of the Town of Nassawadox and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 62** Request to be AG – Tax Map 16-A-18. Parcel contains 5.7 acres, is currently zoned Agriculture and proposed to be R-5. Surrounding proposed zoning consists of R-5 and Agriculture. Staff comment: Board may consider zoning the front R-5 and back half Agriculture.

The Board agreed with the applicant’s request for Agricultural zoning.

- 36** Request to be AG - Tax Map 14-9-1A. Parcel contains 11.13 acres, is currently zoned Agriculture and proposed to be R-3. Surrounding zoning consists of R-3 and Agriculture. Staff comment: Would create gap in R-3 zone in this area.

The Board agreed that zoning for Tax Map 14-9-1A and Tax Map 14-9-4 be Agricultural.

- 71** Concern for C zoning - Tax Map 13-A-38A. Parcel contains 5 acres, is currently zoned Existing Business and proposed to be Commercial. Surrounding zoning consists of Agriculture. Staff comment: Historically, this parcel has been zoned commercial. Comment letter submitted by a neighboring property owner.

The Board tabled this request pending discussion on the Working Waterfront zoning district.

- 54** Request to be AG - Tax Map 13-23-1, 13-23-2 and 13-23-3. Parcels are all approximately 1.2 acres in size, are currently zoned Existing Subdivision Agriculture and are proposed to be R-5. Surrounding zoning consists of Hamlet, Agriculture and R-5. Staff comment: None.

The Board agreed that R-5 zoning be imposed on the subject parcels.

- 11** Request to be RM or CTCM - Tax Map 12-A-16. Parcel contains 12.62 acres, is currently zoned Agriculture and proposed to be Agriculture. Surrounding zoning consists of RM, CTCM and Agriculture. Staff comment: Not suitable as a part of this process. May be suitable in the future as an individual rezoning request for a specific project or development.

The Board agreed with the staff recommendation.

- 25** Request to be C – Tax Map 21-A-77. Parcel contains 42 acres, is currently zoned TE1 and proposed to be Agriculture and Residential Mixed. Request is to zone a portion of it to Commercial. Surrounding zoning consists of Commercial, Agriculture and the Town of Nassawadox. Staff comment: Historical zoning was commercial. The part of this parcel in question has commercially zoned property to the north and south.

The Board agreed with the applicant’s request for Commercial zoning.

- 38** Request to be R-3. Tax Map 14B-1-4. Parcel contains 8.94 acres, is currently zoned Existing Subdivision Agriculture and proposed to be R-5. Surrounding zoning consists of R-5 and Agriculture. Staff comment: Request would create one parcel zoned R-3 among several that are R-5. Not suitable as a part of this process.

The Board agreed that R-5 zoning be imposed on the subject parcel.

- 22** Opposed to rezoning. Tax Map 112-A-14. Opposed the proposed zoning to Commercial for this parcel. Staff comment: Historically, this parcel was zoned R-VC (Rural-Village Commercial). There is an approved site plan for a Royal Farms.

It was the consensus of the Board to retain the proposed Commercial zoning.

- 57** Opposed to rezoning. Tax Map 14-A-5. Opposed to rezoning from Agriculture to Residential. Parcel is proposed to be zoned R-5 and contains approximately 65 acres. Current zoning is agriculture. There is an existing dwelling and airstrip on the property. Staff comment/concern: Would create a gap between R-5 parcels. Staff comment: None.

It was the consensus of the Board to retain the existing Agricultural zoning.

- 59** Opposed to rezoning. Tax Map 14-13-A. Opposed to rezoning from Agriculture to Residential. Parcel is currently zoned Agriculture and is proposed to be zoned Agriculture. Staff comment: Parcel is not proposed to be zoned residential.

There was nothing to be done relative to this matter.

- N/A** Request to remain AG – Tax Map 106-3-B and 106-3-A. Parcels are currently zoned Agriculture and are proposed to be R-3. Both parcels are approximately 1.5 acres each and both contain dwellings. The surrounding zoning consists of Agriculture and R-3. Staff comment: None.

It was the consensus of the Board that the parcels remain as Agricultural.

* * * * *

Mr. Hogg informed the Board that he had one or more additional rezoning requests to bring forward at a later date.

Due to the lateness of the hour, agenda items (5), (6) and (8) will be addressed at the next work session.

Supervisor Hogg asked if there had been any direction relative to the Townfield stormwater pond and was told that the Board has not reviewed this matter yet. It will be placed on the next agenda for discussion.

Motion was made by Mr. Hubbard, seconded by Mr. Trala, that the following resolution be adopted in order to allow for a site visit at the regular November meeting. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

BE IT RESOLVED by the Northampton County Board of Supervisors, this 27th day of October, 2014, that the regular meeting of the Board, scheduled for Wednesday, November 12, 2014, commencing at 4:00 p.m., in the Board Chambers of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, be changed to Wednesday, November 12, 2014 at 3:00 p.m. at the EMS Office located at 13294 Lankford Highway, Machipongo, Virginia. The Board will then return to the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, in order to conduct Closed Session at 4:00 p.m.; 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.

* * * * *

Adjourn

Motion was made by Mr. Hubbard, seconded by Mr. Trala, that the meeting be adjourned. All members were present and voted "yes." The motion was unanimously passed.

The meeting was adjourned.

_____CHAIRMAN

_____ COUNTY ADMINISTRATOR