

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 28<sup>th</sup> day of October, 2013, at 5:00 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.

County Administrator's Report:

(1) Finalize Zoning Ordinance Draft to send to Public Hearing:

Mr. Charles McSwain, Director of the Development Department, and staff presented to the Board several changes made to the draft proposed Zoning Ordinance as a result of comments made by the Board members, staff and others since the October 16<sup>th</sup> work session.

The first memorandum detailed additional areas that are currently zoned A/RB – Agriculture/Rural Business – to determine if they should have a different designation. Maps attached to the memorandum illustrated that the Agriculture District would decrease by 2.4% and the R-3 and R-5 Residential Districts would increase by 2.6% and 3.2%, respectively.

The second memorandum detailed possible implementation of performance standards should the Board wish to allow shipping containers, tractor trailer bodies, recreational vehicles, campers and single wide mobile homes to be used as accessory structures. These possible performance measures included provision only in certain zoning districts; on lots of 5 acres or

greater; screening from adjacent properties; meeting building code regulations; and locating on a lot such that it is not visible from any public right-of-way. Mr. Trala indicated that he was agreeable with the proposed performance standards, but Mr. Bennett said that he was concerned about existing containers in the County and whether the owners would be “grandfathered.” Motion was made by Mr. Bennett, seconded by Mr. Hubbard, that this item be postponed. All members were present and voted “yes”, with the exception of Mr. Trala who voted “no.” The motion was passed.

The third memorandum contained proposed changes to the draft zoning code (9/30/13 edition) as outlined below with accompanying Board action:

**Proposed Changes to Draft Zoning Code (9/30/13 edition)  
For Consideration by Northampton County Board of Supervisors Monday  
October 28, 2013**

**[Note: All proposed changes from Supervisor Hubbard except as otherwise noted. Also, staff will make further technical edits related to format such as section references and pagination after the text is finalized.]**

**§ 154.1-201 REGULATION GUIDELINES FOR ESTABLISHED ZONING DISTRICTS.**

(A) If a use is not listed for a specific zoning district in §§ 154.1-202 – 215 that use shall not be permitted in that specific zoning district. ~~A master list of uses permitted or permitted by special use permit considered in each zoning district is provided in Appendix A.~~

*[Staff: Appendix A deleted – this is a helpful reference document including all the uses considered for districts but does not need to be part of the adopted ordinance (NZC)]*

**It was the consensus of the Board to approve the recommended change.**

**§ 154.1-201 REGULATION GUIDELINES FOR ESTABLISHED ZONING DISTRICTS**

In both R and R-1 Districts

Remove **Nature Tourism** from permitted and add as special use permit

Remove **Airfield - agricultural, type A; Airfield - private multiple users, type M; Airfield - private personal, type P** from special use categories

It was the consensus of the Board to approve the recommended change.

#### § 154.1-305 HOME OCCUPATIONS

- A. (6) Traffic generated specifically in conjunction with the home occupation shall not exceed more than ~~four~~ two vehicles on the subject lot or parcel at any time or may not exceed restrictions placed on the traffic by the Virginia Department of Transportation, which ever restrictions are more stringent

It was the consensus of the Board to NOT approve the recommended change and to leave the text at “four” vehicles as proposed.

#### § 154.1-307 DOMESTIC HUSBANDRY, TRADITIONAL HUSBANDRY AND INTENSIVE FARMING USES, FACILITIES, STRUCTURES AND BUILDINGS.

- (A) Minimum standards for **domestic husbandry** shall be as follows:

~~(1) Domestic husbandry structures and buildings for the purpose of storage, shelter, grazing, feeding, handling and containment, but not limited to, shall be located as required by setbacks established in §§ 154.1-202—114 or 25 feet whichever is greater and a minimum of 25 feet from shorelines and nontidal wetlands.~~

*[Staff: Deletion recommended by staff as unreasonable to administer and overbearing for neighborhood animal structures.]*

- (C) Minimum standards for **intensive farming** shall be as follows:

2. (a) Lagoons and compost and manure storage structures shall be located a minimum of 150 feet from shorelines and nontidal wetlands ~~and resource protection area buffer as defined in Chapter 158: Chesapeake Bay Preservation Areas.~~

~~(4) Ammonia scrubber shall be installed in poultry facilities to eliminate odor.~~

It was the consensus of the Board to approve the recommended changes.

**§ 154.1-308 AGRICULTURAL IRRIGATION PONDS**

(C)(5) Pumps and mechanical equipment shall be placed in areas furthest away from adjacent ~~non-agricultural district~~ property lines.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-404 ACCESSORY USES, STRUCTURES AND BUILDINGS.**

No accessory use, structure or building shall be permitted ~~in excess of 250 square feet~~, except for a private open pile pier, on a lot until the principal use has been established or construction has begun on the principal structure or building and is diligently pursued.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-501 ZONING ADMINISTRATOR APPOINTED.**

Unless otherwise specified, the provisions of this Chapter shall be administered by the Zoning Administrator who shall have all necessary authority on behalf of the Board of Supervisors of Northampton County to administer, interpret and enforce the provisions of the NZC, including the establishment of necessary administrative, inspection and enforcement procedures. ~~In addition, the Board of Supervisors of Northampton County shall periodically provide direction to the Zoning Administrator through the Northampton County Administrator as to the above authority granted and implementation of the NZC.~~

It was the consensus of the Board to approve the recommended change.

**§ 154.1-508 SITE PLAN.**

(L) Prior to issuance of a certificate of compliance for an engineered site plan:

(1) The developer shall submit to the Site Plan Agent as-built plans prepared by a licensed professional engineer or a licensed Virginia land surveyor, landscape architect or architect within the limits of their license; ~~and~~

~~(2) The developer shall certify to the Site Plan Agent that all of the construction costs for the improvements, including those for materials and labor, have been paid to the person or entity constructing the improvements; and~~

*[Staff: Puts County in position of overseeing payable accounts by contractors; Suggest County should not be involved in contract administration for contracts in which County has no part.]*

It was the consensus of the Board to approve the recommended changes.

**§ 154.1-604 OFF-STREET PARKING.**

- A. (2) Off-street parking spaces appurtenant to any use permitted in a zoning district shall be provided on the same lot with the use to which it is appurtenant, except the Site Plan Agent may allow off-street parking spaces as follows:

~~(a) Maximum distances to off-street parking must not be more than 150 feet from multi-family attached dwelling units and not more than 500 feet from all other uses. Distances shall be measured by the shortest pedestrian routes to the use from the off-street parking spaces.~~

[Proposed change eliminates over regulation of design to allow each project to determine best layout]

- (D) Standards to determine the number of required spaces shall be as follows:

(15) Any Inn, historic inn, ~~motels~~, Bed and Breakfast or hotel with more than 4 rooms. One space for each accommodation unit, plus 1 space for each employee working on the night work shift.

*[Staff: Definition of hotel includes motels; required parking would only apply to larger hospitality projects; B&B added since VA Code definition used in the NZC changed to allow up to 15 units in a B&B]*

It was the consensus of the Board to approve the recommended changes.

**§ 154.1-606 PERIMETER SCREENING.**

- (A) Any plant material installed to comply with this section must be maintained in good condition for a period of three years and replaced when damaged or diseased. If removed and not replaced it shall be considered a violation of this Chapter.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-702 TEMPORARY SIGNS(allowed)**

- (5) Special event signs including flags indicating an event to be located on property where the special event such as a grand opening, fair, carnival, festival, seasonal sale of local products or similar event is to take place may be erected no more than 30 days prior to the special event and shall be removed no later than 48 hours after the special event has concluded.

*[Staff: this provision referenced in Oct. 16 presentation and shown here to allow for flags used in local sale of produce seasonally]*

It was the consensus of the Board to approve the recommended changes.

#### § 154.1-704 PERMITTED SIGNS

(A) Façade identification signs.

(2) Such sign shall be limited to not more than 10% of the area of the ~~wall~~structure fronting or facing a public street or highway, or 200 square feet, whichever is less, and shall meet the following standards:

[clarification]

(d) Canopy or awning signs shall be allowed in addition to the one façade sign or one projecting sign, ~~provided that the total sign square footage for the non-residential establishment does not exceed the maximum allowed for façade signs.~~

[Allows canopies in addition to facade signs and canopy area will not count as part of facade sign measure]

(e) Mural art painted building walls, ~~in good taste and~~ reflecting the nature of the area, are exempted from the above restrictions ~~if they do not contain words. Specifically permitted, by example, are renderings of wildlife, shore scenes, historic town scene or similar which shall be done in relatively accurate detail and color schemes.~~

*[Staff: clarification]*

(F) Shopping Centers

(3) In addition to a façade identification sign, individual establishments within a ~~wall~~shopping center shall each be allowed one projecting sign which does not exceed 10% of the area of the structure frontage dedicated to that establishment.

It was the consensus of the Board to approve the recommended changes.

#### § 154.1-1201 DEFINITIONS

Bed and breakfast. "Bed and breakfast establishment" means any establishment (i) having no more than 15 bedrooms; (ii) offering to the public, for compensation, transitory lodging or sleeping accommodations; and (iii) offering at least one meal per day, which may but need not be breakfast, to each person to whom overnight lodging is provided.

[VA Code definition]

~~Lot coverage.~~

Hotel. Any place offering to the public for compensation transitory lodging or sleeping accommodations, overnight or otherwise, including but not limited to facilities known by varying nomenclatures or designations as hotels, motels, travel lodges, tourist homes or hostels.

[revised definition from VA Code which includes motel]

It was the consensus of the Board to approve the recommended changes.

#### ~~Appendix A~~

*[Staff: Appendix A deleted – this is a helpful reference document including all the uses considered for districts but does not need to be part of the adopted ordinance (NZC)]*

It was the consensus of the Board to approve the recommended change.

\* \* \* \* \*

Mr. McSwain distributed an additional recommended change as set out below:

## **Additional Recommended Changes as of 10/28/2013**

### Definitions Added

*Local Wireless Broadband Service (LWBS):* Low Power Wireless Radio transmitting in the Industrial Science and Manufacturing (ISM) bands as regulated by the FCC part 15 rules and regulations for wireless equipment, to provide access to the Eastern Shore of Virginia Broadband Authority fiber optic cable system of internet and data transmission services in all areas of the county, originating from area hubs via point-to-point and point-to-multipoint wireless connections to the end users.

*Mast:* A vertical antenna support mounted on some other structure, which itself may be a tower, building or vehicle.

### **§ 154.1-312 WIRELESS COMMUNICATIONS FACILITIES AND METEOROLOGICAL TOWERS.**

(A) This sections provides performance standards for Wireless Communication Facilities (WCF) which include, but are not limited to, monopoles, non-monopole towers, antenna arrays, masts, stayed masts and support structures, and shall provide performance standards for meteorological towers. This section shall not apply to or restrict the use of Local Wireless Broadband Service structures which are intended for the distribution of internet and data services to the public at their homes and businesses.

(E) (5) The following setback requirements shall apply to all support structures:

- (c) Local Wireless Broadband Service structures which are otherwise exempt from this section may be placed in any location with appropriate easement granted, but not within the fall zone of a home unless permission granted by such homeowner.

The County Administrator indicated that she had concerns with this proposed recommendation and it was the consensus of the Board to table action on this matter pending additional review and work by staff.

The fourth memorandum contained technical corrections to the draft zoning code (9/30/13) edition. These corrections include spelling changes, incorrect meanings, typographical errors, etc., and are outlined below with accompanying Board action:

### **Technical Corrections to Draft Zoning Code (9-30-2013 edition)**

For Draft as of 10/28/2013

The following changes are considered technical by staff to correct misspellings, incorrect meanings, typographical errors, etc. The Board should concur with these changes.

#### **§ 154.1-309 ACCESSORY DWELINGS AND ADDITIONAL SINGLE FAMILY**

##### **DWELLINGS ON ONE LOT.**

(A) An accessory dwelling may be used as a permanent or seasonal residence or for commercial lodging and housing for transient guests. An accessory dwelling shall not be counted as a unit when calculating density, but shall be counted as a part of the single family dwelling unit to which it is subordinate as 1 total unit, contingent upon it **being** designed, located, constructed and maintained in compliance with the following standards:

(5) The accessory dwelling may be attached or detached ~~and must have a separate outside entrance. If attached, it shall have a separate entrance and shall not be accessible by any entrance from the interior of the single family dwelling;~~

(B) (3) An additional single family dwelling on one lot **shall be** located and separated from other single family dwellings with their accessory structures a distance equal to the minimum required setbacks as if property lines existed between the additional single family dwelling and other single family dwellings with their accessory structures.

**It was the consensus of the Board to table this item pending additional staff review.**

#### **§ 154.1-313 WIND TURBINES AND WINDMILLS FOR ON-SITE RESIDENTIAL OR COMMERCIAL PRODUCTION AND USE.**

(A) The following standards shall apply to wind turbines and windmills:

- (4) Small wind turbines and windmills shall be ~~colored~~ painted a single, non-reflective, non-obtrusive color.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-314 WIND ENERGY FACILITIES, WIND ENERGY TEST FACILITIES, AND WIND TURBINES, LARGE AND UTILITY SCALE.**

- (A) (8) Small wind turbines and windmills shall be ~~colored~~ painted a single, non-reflective, non-obtrusive color.

**§ 154.1-403 HEIGHT AND BULK.**

(A) Public, quasi-public or public service buildings such as hospitals, institutions, schools, churches and similar uses, when permitted in a district, may be erected to any height, provided the building is set back from each ~~property setback~~ line at least 1 ~~foot~~ additional foot for each 2 feet of additional building height above the height limit otherwise provided in the district in which the building is located.

(D) Structures and buildings, excluding those listed in subsection (B) above, that are for solely agricultural uses, when permitted in a zoning district, may be erected to a maximum height of 45 feet provided the building is set back from each ~~property setback~~ line at least 1 ~~foot~~ additional line at least 1 additional foot for each two feet of additional building height above the height limit otherwise provided in the district in which the building is located.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-606 PERIMETER SCREENING.**

- (C) General perimeter screening standards are as follows:
- (3) Plant material ~~can~~ may be placed within setbacks and the resource protection area 100 foot buffers except that plant material placement shall ~~not~~ be permitted in areas that would obstruct a motorist's vision pursuant to §§ 154.1-402 (S) and (T) Setbacks.;

It was the consensus of the Board to approve the recommended change.

**§ 154.1-607 OUTDOOR LIGHTING.**

- (3) A design goal of .75 foot candle (fc) [~~a footcandle is one lumen of light density per square foot~~] at any location on any non-residential property and .25 fc at any location on any residential property, as measurable from any orientation of the measuring device, shall be sought. However, in no case shall lighting exceed 0.5 fc above background when measured at the lot line of any adjoining property.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-902 NONCONFORMING USES, LOTS OR BUILDINGS.**

- (A) Lawful nonconforming uses may be continued but not be enlarged or extended.
- (C) Where a lawful nonconforming structure exists at the time of enactment of this Chapter, that could not be built in the district in which it is located under the terms of this Chapter by reason of restrictions on area, ~~lot coverage~~, height, setback dimensions or other requirements, such structure may continue to be used so long as it remains otherwise lawful, subject to the following provisions.

It was the consensus of the Board to approve the recommended change.

**§ 154.1-1201 DEFINITIONS.**

Confined animal. Animals that have been, are, or will be stabled or confined and fed or maintained for a total of 45 days or more in any 12-month period.

Dwelling - manufactured home. [duplicate deleted]

Livestock. All domestic or domesticated bovine animals (cows), equine animals (horses), ovine animals (sheep), porcine animals (pigs), cervidae animals (deer), animals of the genus Lama, enclosed rabbits or hares raised for human food or fiber, or any other individual animal specifically raised for food or fiber, except companion animals.

~~Livestock. Any cattle, sheep, swine, goats, horses, mules, or other equines, whether live or dead.~~

[deleted one of two definitions]

Recreational playing field. A maintained field which may include restroom facilities and locker room facilities intended for scheduled sports events and other field activities.

~~Recreational playing field. Sites, often requiring equipment, designed for formal athletic competition in field sports (e.g., softball, soccer, football).~~

[Deleted one of two definitions]

School, primary or secondary. A school with grades pre-K through twelfth grade.

It was the consensus of the Board to approve the recommended change.

\* \* \* \* \*

The last two documents were the draft proposed Chapter 158 – Chesapeake Bay Preservation Areas Ordinance, and Chapter 159 – Floodplain Management Ordinance. Mr. Hubbard questioned the definition of the word “periodically” within the Floodplain Management Ordinance. Following other comments, it was noted that this ordinance is expected to be modified in the spring when the FEMA flood maps are finalized. Mr. McSwain distributed a sheet relative to the Chesapeake Bay Preservation Areas Ordinance, containing clarifications to the text describing the location of the Chesapeake Bay Preservation Areas (CBPAs) as well as a map showing the CBPAs to be only on the west side of US Route 13. It was noted that this ordinance was merely pulled from the existing ordinance at this time pending receipt of the stormwater regulations that are being released from the state in the spring. All of these documents are on file in the office of the County Administrator.

Noting the tabling of several items, the County Administrator indicated that staff would be developing alternative calendars to effect the adoption of the various ordinances. Mr. Hubbard said that he would like to see action delayed for a couple of weeks. It was the Board’s consensus to bring this matter back for action at its November 19<sup>th</sup> regular meeting as well as a revised calendar for same.

(2) Disability Plan – Discussion & Action:

The County Administrator presented the following memorandum to the Board:

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Katie H. Nunez, County Administrator  
**DATE:** October 25, 2013  
**RE:** Short-Term Disability Program

Effective January 1, 2014, the Virginia Retirement System (VRS) will have a new retirement plan go into effect for most new hires – this plan is called the Hybrid Retirement Plan. As part

of that plan, it requires the provision of a disability benefit for political and school division employees. Through the VRS, they will provide a Long-Term Disability plan and a Short-Term Disability plan; these disability plans will not cover any VRS Plan 1 or Plan 2 employees (existing employees). Pursuant to the Code of Virginia Section 51.1-169, localities **must** provide a disability program, either through VRS or through a separate policy.

If a locality decides to have VRS provide this benefit, that is a non-revocable decision for a locality and leaves us unable to control price in the future. To date, the Board has taken a vote to extend our deadline to inform VRS of our decision to opt out or remain in their program.

This extension of time allowed us to receive a proposal from VACoRP and Standard as an alternative to the VRS program. This plan meets the required of the Code of Virginia and will be extended to all employees that will be in the Hybrid Retirement Plan. I have attached a chart that lists the compliance elements that our plan must provide as well as a list of items that the Standard plan above the minimum requirements. The rate proposed is .59% of the covered payroll of Hybrid retirement plan participants (the VRS rate is .60% for political subdivisions) and will be a guaranteed rate through December 31, 2016.

*I am requesting the Board to vote to opt out of the VRS Local Disability Program and authorize the County Administrator to execute a contract with VACoRP and Standard for a Disability Program, as described above.*

Staff is still working on revisions to the County's Personnel Policy that will alter the provision of sick leave for employees that will be covered under the Hybrid Retirement Plan and thus, covered by this Disability Program so that our leave policy works with the disability leave and does not overlap and provide "double coverage" for an employee. We will advance those policy changes to the Board for consideration as soon as we have completed those revisions.

\* \* \* \* \*

Motion was made by Mr. Trala, seconded by Mr. Bennett, that the Board vote to opt out of the VRS Local Disability Program and authorize the County Administrator to execute a contract with VACoRP and Standard for a Disability Program, as described above, and that the Board adopt the following resolution. All members were present and voted "yes." The motion was unanimously passed. Said resolution as adopted is set for below:

## **RESOLUTION**

### **Irrevocable Election Not to Participate in Virginia Local Disability Program**

WHEREAS, by enacting Chapter 11.1 of Title 51.1 of the Code of Virginia, the Virginia General Assembly has established the Virginia Local Disability Program (“VLDP”) for the payment of short-term and long-term disability benefits for certain participants in the hybrid retirement program described in Virginia Code § 51.1-169; and

WHEREAS, for purposes of VLDP administration, an employer with VLDP-eligible employees may make an irrevocable election on or before November 1, 2013, requesting that its eligible employees not participate in VLDP as of the VLDP effective date of January 1, 2014, because it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees that meets or exceeds the coverage set out in Chapter 11.1 of Title 51.1 of the Code of Virginia, with the exception of long term care coverage, by January 1, 2014; and

WHEREAS, it is the intent of Northampton County 55165, to make this irrevocable election to request that its eligible employees not participate in VLDP.

NOW, THEREFORE, IT IS HEREBY RESOLVED that Northampton County irrevocably elects not to participate in VLDP because it has or will establish, and continue to maintain comparable employer-paid disability coverage for such employees; and it is further

RESOLVED that, as an integral part of making this irrevocable election, Northampton County certifies that it has or will establish, and continue to maintain, comparable employer-paid disability coverage for such employees.

\* \* \* \* \*

(3) Sheriff’s Request – Use of Excess Traffic Revenues:

The County Administrator distributed the following memorandum for the Board’s review and consideration:

**MEMORANDUM**

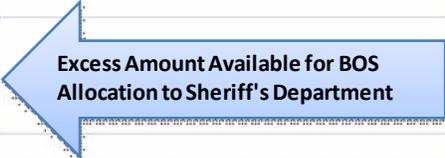
**TO:** Board of Supervisors  
**FROM:** Katie H. Nunez, County Administrator  
**DATE:** October 25, 2013  
**RE:** Request from Sheriff Doughty to Utilize Excess Traffic Fine Revenue

As part of the Fiscal Year 2013 budget adoption, the Board approved the addition of 2 officers for the purpose of increased traffic enforcement. The positions needed to be self-funding through the generation of increased traffic fines. In addition, the Board expressed a willingness to discuss with the Sheriff the application of the traffic fine revenue to address additional needs of his department, if this revenue stream should exceed our projections.

To that end, I have enclosed a tracking sheet that provides for the total revenue collected at \$351,044.63 in traffic fines as well as the listing of obligations that needed to be met by that revenue within the FY13 budget. As you will note, all of those obligations were met and there was remaining revenue available in the amount of \$143,988.64

The Sheriff has requested two specific items: 1) a pay adjustment be provided to 21 employees within the Sheriff’s Department – this is to address employees who have not received any base pay adjustments for several years; and 2) a bonus payment to all employees of the Sheriff’s, Jail and Animal Control Department, to be issued on December 1, 2013 – this would not be a recurring payment nor built into the base salaries of these employees.

The total cost for these requests is \$129,196.42. If this is approved, that would leave a remaining balance of \$14,792.22 which would remain as part of undesignated fund balance as part of the FY2013 close.

| <u>DESCRIPTION</u>   | <u>AMOUNT</u>   | <u>RUNNING BALANCE</u> |   |
|--|-----------------|------------------------|---|
| TOTAL FY2013 COUNTY FINE REVENUE RECEIVED  | \$ 351,044.63   | \$ 351,044.63          |   |
| Base Revenue for the County General Fund (based on historic trends)  | \$ (117,000.00) | \$ 234,044.63          |   |
| Increase to Base Revenue to offset the increases provided from the excess of FY12 fine funds   | \$ (11,572.00)  | \$ 222,472.63          |   |
| Cost of Traffic Enforcement Officer - salary & benefits for FY2013 for the full 12 months  | \$ (43,805.00)  | \$ 178,667.63          |   |
| Cost of Traffic Enforcement Office - salary and benefits for FY2013 for 9.5 months   | \$ (34,678.99)  | \$ 143,988.64          |   |
|  |                 |                        |   |
| Jail Personnel - Bonus of 2% on December 1, 2013 (including benefits)  | \$ 41,365.68    |                        |  |
| Sheriff Personnel - Raises for Identified Personnel (21 Employees), including benefits & Bonus of 3% on December 1, 2013)            | \$ 19,725.85    |                        |   |
| Sheriff Personnel - Bonus of 3% on December 1, 2013 (including benefits) for the remaining personnel (excluding part-time positions) | \$ 68,104.89    |                        |   |
| Remaining Excess if all of the Sheriff's Requests are Approved   |                 | \$ 14,792.22           |   |

\* \* \* \* \*

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the Sheriff's request for salary adjustments and bonus payments be approved as presented. All members were present and voted "yes." The motion was unanimously passed. It was also requested by Mr. Bennett that the Sheriff be contacted with regard to installation of cameras in certain areas of the County which experience illegal dumping of trash.

Action Items:

(4) Action on 10/4/2013 request from Charles Floyd for boundary adjustment within the Church Neck AFD

Following comments from the County Administrator relative to additional staff questions, motion was made by Mr. LeMond, seconded by Mr. Bennett, that the request be tabled. All members were present and voted "yes." The motion was unanimously passed.

(5) Action on the 9/24/13 delinquent tax auction event – approval of bids submitted.

Motion was made by Mr. Bennett, seconded by Mr. Hubbard, that the Board accept all bids received at the September 24, 2013 delinquent tax auction event. All members were present and voted "yes." The motion was unanimously passed.

(6) Proposal to Conduct Assessment – Opportunities for Health Care Service Delivery.

The County Administrator presented the following memorandum:

**MEMORANDUM:**

**TO:** Northampton County Board of Supervisors  
**FROM:** Katie H. Nunez, County Administrator  
**DATE:** October 25, 2013  
**SUBJ.:** Ad-Hoc Emergency Care Committee Proposal

As assigned staff working with the Ad-Hoc Emergency Care Committee, the group has met with a representative from the Virginia Rural Health Resources Center to discuss how that agency might be of assistance to the group in formulating its final recommendations relative to health care provision in Northampton County, especially relative to the move of the hospital to Accomack.

Therefore, the Committee is requesting the Board to authorize it, through my office, to engage in outside consulting services potentially through the Virginia Rural Health Resource Center at a sum not to exceed \$4,500.00, exclusive of any travel costs. There are available funds within the Board's FY 2014 budget for professional services. A copy of the proposal is attached for your review.

\* \* \* \* \*

Motion was made by Mr. Hubbard, seconded by Mr. LeMond, that the Board authorize the execution of the Proposal to Northampton County, Virginia, to Conduct an Assessment of Potential Opportunities for Health Care Services Delivery Following the Relocation of Shore Memorial Hospital. All members were present and voted "yes." The motion was unanimously passed.

Closed Session

Motion was made by Mr. Hubbard, 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:

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 that purpose as set out in paragraph 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that this was the only matter of discussion during the closed session.

Matters Presented by the Board:

Comments were heard from Chairman Randall and Mr. Hubbard relative to a change in the state valuation values (SLEAC) for land within agricultural-forestal districts, which, in some cases, caused higher tax bills for certain county citizens. It was noted that these new values had not been released at the time of the budget preparation/adoption and Mr. Hubbard asked for an analysis of the impact of these increased values on the County's budget. He also said that he would like to see some type of public notice explaining this situation.

Mr. Hubbard then commented that he was concerned with several lower-than-budgeted revenue streams including sales tax, transient occupancy tax, and meals tax. He also questioned the Board's plan for use of the \$25,000 recently returned to the County from the Broadband Authority. The County Administrator indicated that no actual check had been received to date, but that she was working with the Authority on possible ways to enhance public service.

When questioned by Supervisor LeMond, Ms. Nunez noted that the Request for Proposals for Architectural & Engineering Services relative to renovations at the former middle school has been prepared and is awaiting release from her office.

Adjourn:

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

The meeting was adjourned.

\_\_\_\_\_CHAIRMAN

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