

VIRGINIA:

At a recessed meeting of the Board of Supervisors of the County of Northampton, Virginia, held at the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, on the 23rd day of November, 2015, at 5:00 p.m.

Present:

Richard L. Hubbard, Chairman

Oliver H. Bennett, Vice Chairman

Larry LeMond

Laurence J. Trala

Granville F. Hogg, Jr.

The meeting was called to order by the Chairman.

Tabled Item from November 17, 2015 Regular Meeting:

(1) Reconsideration of marshland conservation designation previously approved by the Board at the request of the Nature Conservancy

Delegate Robert S. Bloxom, Jr. and Ms. Alex Wilke, Coastal Scientist at the Virginia Coast Reserve, addressed the Board with regard to the pros and cons of the Board reconsidering its endorsement (from July 2015) of the shorebird reserve designation for the seaside marshes.

Delegate Bloxom indicated that while this proposed designation does not affect the jurisdictional authority of any entity, he fears that in the future, control of Virginia's marshland might be ceded to somebody else. The Virginia Marine Resources Authority disagrees with this assessment, but has not yet voted on the issue. Accomack County did not provide the requested endorsement.

Ms. Alex Wilke, Coastal Scientist with the Virginia Coast Reserve, said that the aim of the designation was to expand an already-existing site within the Western Hemisphere Shorebird Reserve Network. Landowners are asked to sign very simple pledge statements. She called this

designation an “incredible tool for educating local kids.” In response to a question from Supervisor Bennett, she confirmed that the presence of this designation will not affect aquaculture activities.

Mr. Hogg stated that he “will not be a champion of this effort”, noting that the marshes in question belong to the people of the Commonwealth.

Supervisor LeMond said that even though he was chairman of the Tourism Commission and understood the increased tourism benefits from this designation, he was very suspicious.

Motion was made by Mr. LeMond, seconded by Mr. Trala, that the Board rescind its action of July 14, 2015 wherein it endorsed explanation of the Shorebird Reserve Network. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Hogg, seconded by Mr. Bennett that the Board state its position to not endorse the expansion of the Shorebird Reserve Network as requested by The Nature Conservancy. All members were present and voted “yes”, with the exception of Mr. Hubbard who voted “no.” The motion was passed.

(2) Budget Amendment & Appropriation Request from the Sheriff

Finance Director John Andrzejewski presented this tabled request for the Board’s consideration as set out below:

\$35,144.87 – This represents a budget appropriation transfer from Fines & Forfeitures Revenue to Salaries and Wages representing a 1% bonus for the Sheriff, Animal Control and Jail Departments. This request is not supported by the County Administrator or the Finance Director. Any pay increase should be considered for all Board of Supervisor positions.

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

Mr. Andrzejewski stated that he believed the approval of a bonus for one group of

employees “sent a bad signal” to the Board’s other employees, and that information can be developed for the cost implications to provide a bonus for the rest of the staff. While several Board members indicated their belief that the bonuses were deserved, they indicated their desire to receive additional financial information relative to the cost of bonuses for all staff members.

Mr. Hogg said that he believed that traffic fine revenue represented an “unstable” area of revenue and that the Board was relying very heavily on a questionable source of revenue. In order to make up this amount of revenue, however, it would equate to several cents on the real estate tax rate.

Mrs. Katherine H. Nunez, County Administrator, reminded the Board that the Undesignated Fund Balance, currently with a balance of approximately \$7,169,158, could be used as a source of funding these raises. She stressed her desire that the Board have a uniform policy in the treatment of its employees.

Sheriff David Doughty was recognized by the Board and asked for the Board’s favorable consideration, noting the risks and sacrifices assumed by members of his staff.

(3) Quarterly Financial Statements

Mr. Andrzejewski presented the 4th Quarter, FY 2015, and 1st Quarter, FY 2016, financial statements, which cover memos as set out below:

TO: Board of Supervisors, Northampton County
FROM: John J. Andrzejewski, Finance Director
DATE: November 17, 2015
SUBJECT: June 30, 2015 Financial Statement Package

Enclosed please find the quarterly financial package as of June 30, 2015. In the General Fund, 96% of budgeted revenues and 97% of expenditures have been recorded for the year compared to 98% of revenue and 98% of expenditures last year at the same time. Fiscal year-to-date revenues

equaled expenditures (balanced using undesignated fund balance) as compared to a surplus of \$3,103 at the same time last year. As of June 30th, 94.82 % of the December 5, 2014 tax levy has been collected and recorded. Last year at the same time, we had collected 94% of December 5, 2013 tax levy.

For the fiscal year, the School Operating Funds reflect revenue collections at 97.95% of the budget and expenditures at 98.57% compared to 99% and 96% respectively last year. The Social Services operating fund reflects revenue collections of 99.24% and expenditures of 90.22% of the adopted budget compared to 86% of revenue collected and 86% of expenditures expended for the same period last year. The county receives state and federal reimbursements for Social Services one month after the expenditures. The Eastern Shore Regional Jail Fund shows that 103.18% of revenues have been collected while 101.63% of expenditures have been recorded compared to 102% of revenue collected and 101% of expenditures expended for the same period last year. Information on all capital projects' budget performance for the year and life-to-date is included behind the Capital Projects Performance Report divider.

A chart depicting the County's cash flow pattern is included in the report under the Cash Balance Tab. On June 30, 2015, operating cash balances were \$13,344,154 compared to \$13,569,914 last year at the same time. We continue our aggressive efforts to collect delinquent taxes. At the end of the fourth quarter ending June 30, 2015, we have 98.82% of the current tax levies collected for Tax Year 2014 and over 99.19% for the last six years' of tax levies collected to date. For more information on delinquent tax collections, please see the Collection section of this report.

In summary, at the end of FY15, it appears County revenues and expenditures are consistent with budgeted estimates. Again, minimal growth in local revenue is expected to continue for FY16. If you have any questions about the financial reports or need more information, please give me a call at 678-0440 ext. 550 or email me at jandrzejewski@co.northampton.va.us. Thank you.

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TO: Board of Supervisors, Northampton County
FROM: John J. Andrzejewski, Finance Director
DATE: November 17, 2015
SUBJECT: September 30, 2015 Financial Statement Package

Enclosed please find the quarterly financial package as of September 30, 2015. In the General Fund, 9.79% of budgeted revenues and 10.57% of expenditures have been recorded for the year compared to 7% of revenue and 21% of expenditures last year at the same time. First quarter expenditures exceeded revenue by \$202,480 compared to \$3,407,388 at the same time last year.

For the fiscal year, the School Operating Funds reflect revenue collections at 13.14% of the budget and expenditures at 24.58% compared to 23% and 24% respectively last year. The Social Services operating fund reflects revenue collections of 13.31% and expenditures of 18.14% of the adopted budget compared to 19% of revenue collected and 19% of expenditures expended for the same period last year. The county receives state and federal reimbursements for Social Services one month after the expenditures. The Eastern Shore Regional Jail Fund shows that 6.42% of revenues have been collected while 20.25% of expenditures have been recorded compared to 21% of revenue collected and 20% of expenditures expended for the same period last year. Information on all capital projects' budget performance for the year and life-to-date is included behind the Capital Projects Performance Report divider.

A chart depicting the County's cash flow pattern is included in the report under the Cash Balance Tab. On September, 2015, operating cash balances were \$8,392,732 compared to \$7,230,047 last year at the same time. We continue our aggressive efforts to collect delinquent taxes. At the end of the first quarter ending September 30, 2015, we have 10.05% of the current tax levies collected for Tax Year 2015 and over 98% for the last six years' of tax levies collected to date. For more information on delinquent tax collections, please see the Collection section of this report.

In summary, at the end of the first quarter of FY16, it appears County revenues and expenditures are consistent with budgeted estimates. Again, minimal growth in local revenue is expected to continue for FY16. If you have any questions about the financial reports or need more information, please give me a call at 678-0440 ext. 550 or email me at jandrzejewski@co.northampton.va.us. Thank you.

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(4) Consider recommendations from AFD Committee on Application & Ranking Forms

As requested earlier in the year by the Board, the AFD Advisory Committee has reviewed the current AFD Application Form as well as the Ranking Evaluation System. The Committee's report stated in part, "We are of one mind in our opinion that this ranking system (or perhaps any ranking system), is neither helpful nor appropriate for evaluating properties for the AFD program." The Report is on file in the Office of the County Administrator.

Supervisor LeMond said that the Board should review the recommendations provided by the Ad-Hoc Tax Study Committee as it relates to AFDs. Additionally, Mr. LeMond recommended the following:

- (1) Freezing the current level of acreage within AFDs and whatever acreage pull out, results in a lowered, frozen level.
- (2) The owner/applicant must be a resident of Northampton County.
- (3) Would like to see an increase in the SLEAC rate.
- (4) Property which contains residential subdivisions should not be included in AFDs.

The County Attorney will research the legality of #2 above. It was also noted that Commissioner of the Revenue-elect Charlene Gray, will be invited to join the Board in January with regard to item #3 above. The thirty-day window for AFD application submissions is January 15th.

County Administrator's Report

- (5) Map Changes Memorandum from Planning Department

While the Board could not act on any of the following mapping requests without having received a recommendation from the Planning Commission, it briefly reviewed the mapping changes as submitted during the November 2nd public hearing process as illustrated in the following memorandum:

MEMORANDUM

TO: Planning Commission & Northampton County Board of Supervisors
FROM: Development Department Staff
SUBJECT: Specific Mapping and other requests from November 2, 2015 Public Hearing
DATE: November 16, 2015

Staff has reviewed all mapping requests and they are detailed below by reference numbers from the tracking sheet as well as the individual's name. The current zoning map is on the top, the proposed zoning is on the bottom and the subject parcel(s) is outlined in blue.

(#6) Nathan Tyler - Request to be R-1 – Tax Map 84-A-139A. This parcel contains 40.5 acres, is currently zoned ES-CDRR and proposed to be Agricultural. The current use is agriculture. The surrounding proposed zoning consists of R-1, Hamlet and AG. Preliminary plat approval has been given for Phase II of Woodland Meadows subdivision. *Staff comment: With the preliminary plat approval and location close to Cheriton, staff has no objection to this request.*



(#12) Lloyd Thatcher - Opposed to rezoning - Tax Map 38A1-1-193. This parcel contains 0.77 acres, is currently zoned ES-RVR and is proposed to be R-1. The property is located in the Vauclose subdivision. Current use of the parcel is residential. Surrounding zoning consists entirely of R-1. **Staff comment: Recommend leave as R-1.**



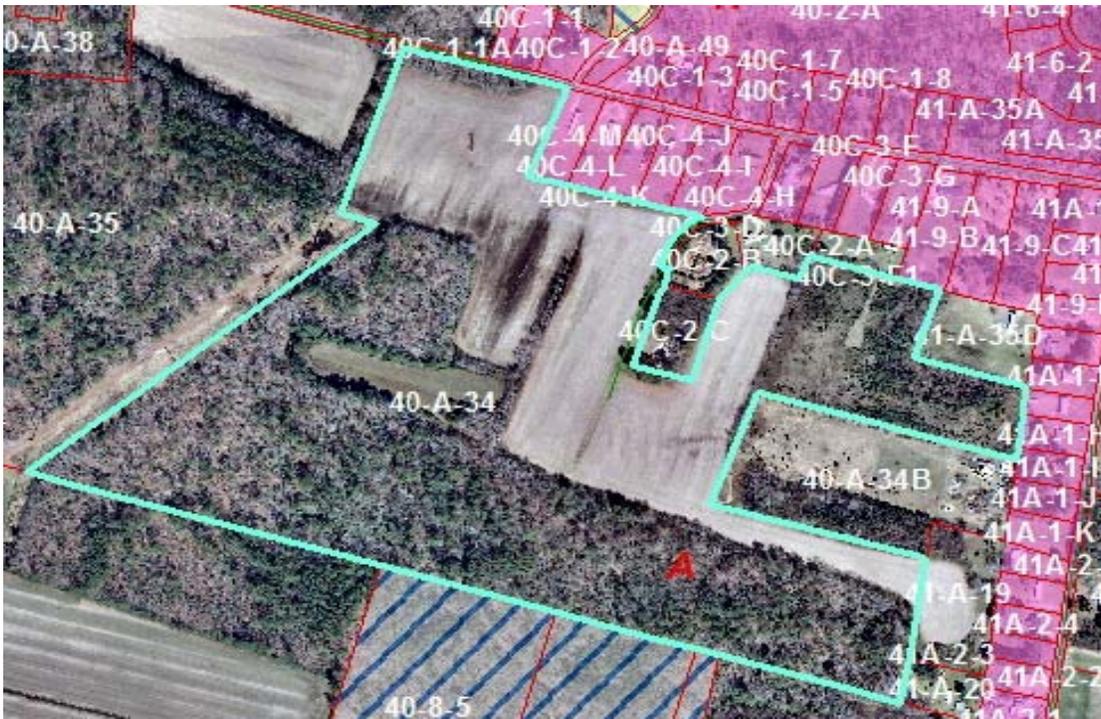
(#20) Denard Sapdy & Dora Wilkins Request to be R – Tax Map 112-A-39. Parcel contains approx. 26.96 acres, is currently zoned A/RB and is proposed to be Agriculture. Adjacent proposed zoning consists of R-3 to the north, R-1 to the east and Agriculture to the south and west. The current use of this parcel is agriculture. Not suitable as a part of this process. *Staff commnet: May be suitable in the future as an individual rezoning request for a specific project or development.*



(#23) CA Turner, Claudia Bagwell & Whitaker Turner - Request to be R-1 – Tax Map 112-A-75. Parcel contains 2 acres. Comment is specific to parcel 112-A-75 but also is requesting additional parcels on Lucille’s Lane be rezoned to R-1 instead of R-3. Parcels currently zoned ES-RVR and are proposed to be R-3. *Staff comment: With the change of Kiptopeke Hamlet from Hamlet to R-1 adjacent to the north of this area, staff would support this request.*



(#24) Robert & Shirley Scott- Request to be AG – Tax Map 40-A-34. Parcel contains 67.82 acres, 8.77 of which are proposed to be Hamlet. The current zoning is A/RB and the proposed is Agriculture less the 8.77 acres. *Staff comment: No objection to request.*



(#25) Elizabeth Long - Request to be AG – Tax Map 14-A-26C. Parcel is currently zoned A/RB and is proposed to be R-5. There are no improvements on the parcel. *Staff comment: No objection to request.*



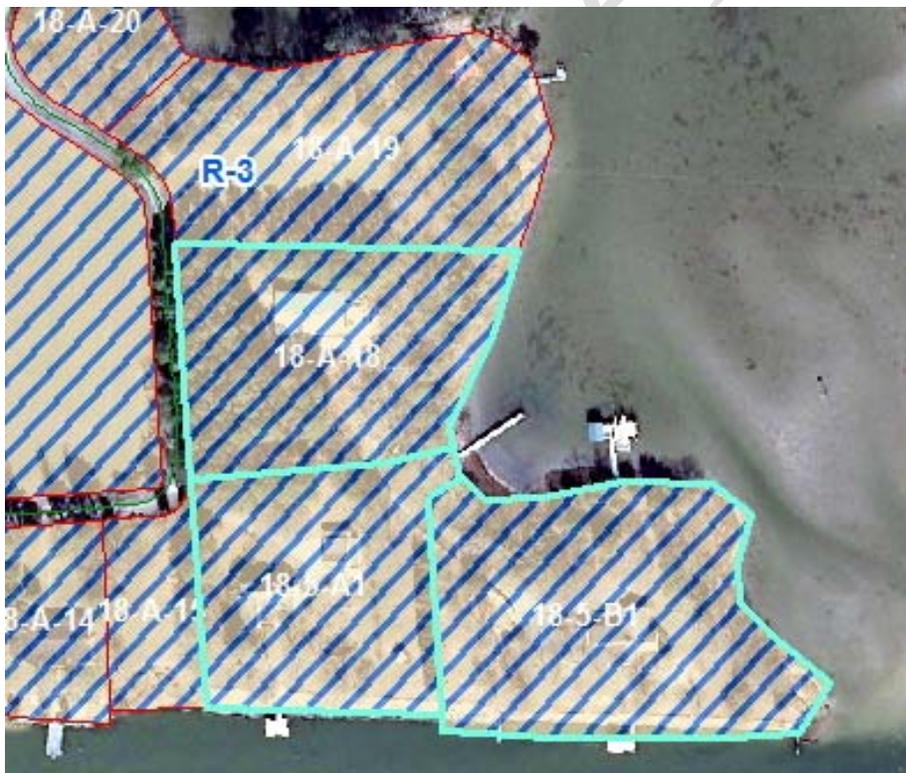
(#26) Devlin Barrett - Request to be AG and not Commercial – Tax Map 40-A-21. Parcel contains 63.92 acres and is currently zoned A/RB. It is proposed to be Ag with approximately 17 acres proposed to be Commercial. *Staff comment: No objection to request.*



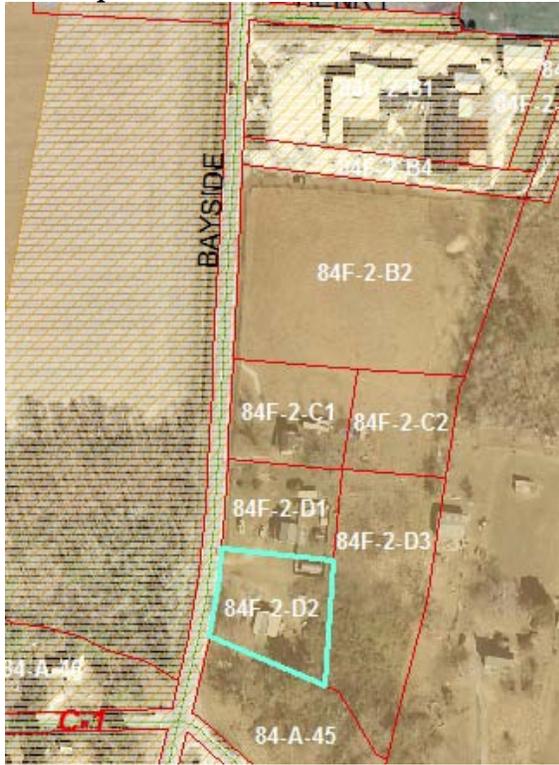
(#37) M.R. Hoagland, III - Request to be AG – Tax Map 2-A-19. Parcel contains 3.3 acres, is currently zoned Agriculture and proposed to be R-3. Surrounding proposed zoning consists of Ag and R-3. *Staff comment: No objection to the request. Adjacent parcels have also requested to remain Ag.*



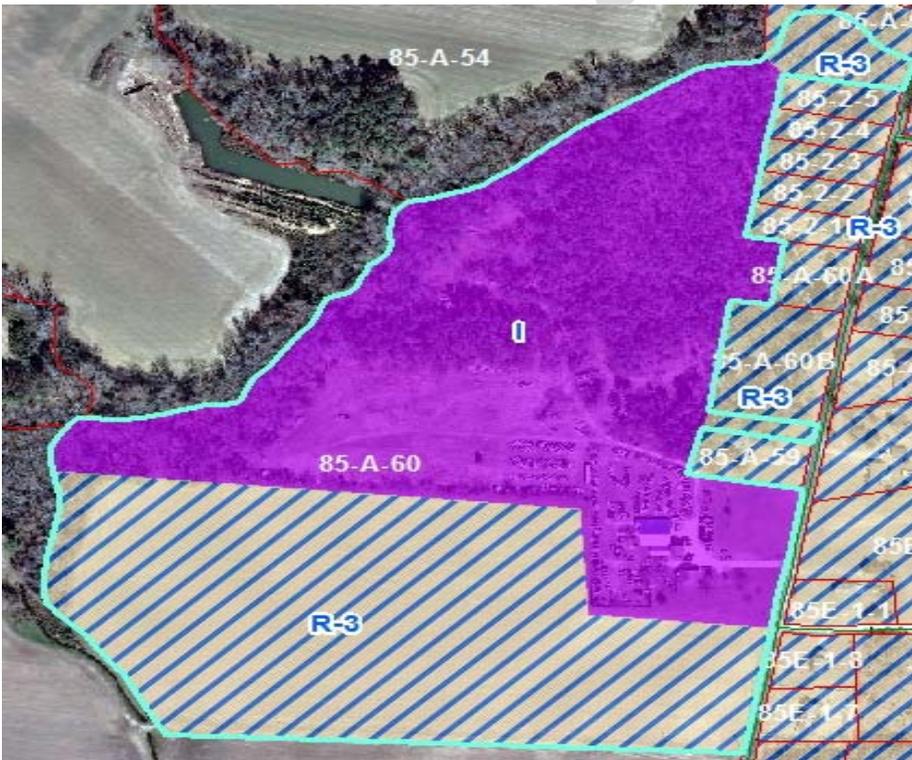
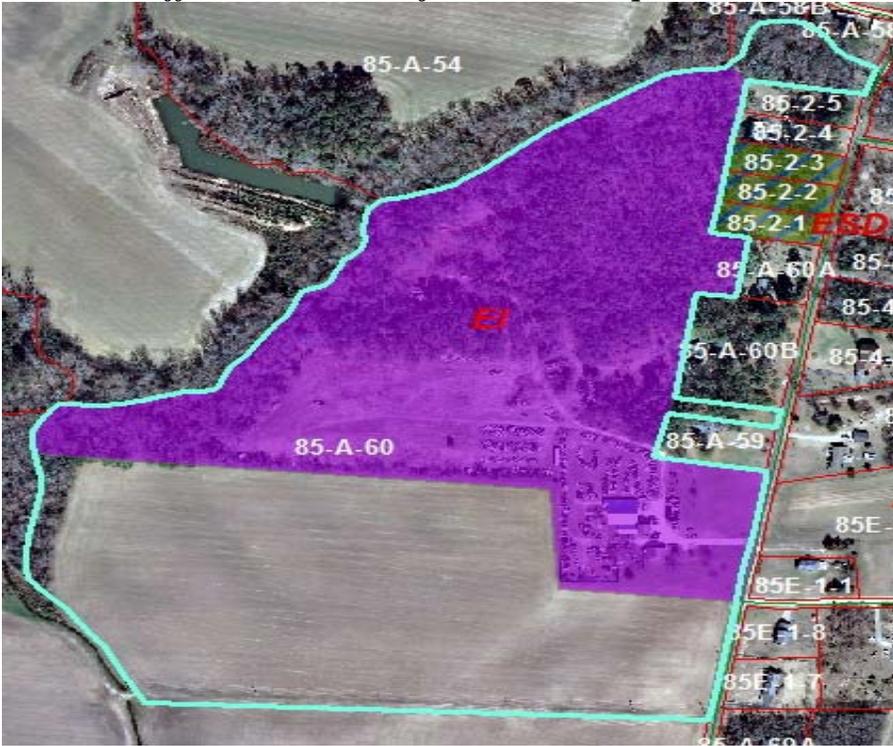
(#43) Ruth Meyers - Retain A/RB for Tax Map 18-5-A1 and B1 and 18-A-18. Parcels contain 1.7, 2.4 and 1.9 acres respectively. Current zoning is A/RB and proposed zoning is R-3. Surrounding proposed zoning consists entirely of R-3. *Staff comment: Leave as R-3.*



(#45) Bill Scalley - Request to be TE. Tax Map 84F-2-D1. Parcel contains 0.45 acres, is currently zoned TE-1 and proposed to be Commercial. Surrounding zoning consists of Commercial and Town Edge. *Staff comment: Recommend leave as proposed. If the Board wants to change it to TE, they should change the whole block up to, but not including, Northampton Growers.*



(#48) Louis Rock - Request to be AG – Tax Map 85-A-60. Parcel contains 41.57 acres and is currently split zoned with portions of it designated as A/RB and EI. The proposed zoning is also split with Industrial and R-3. Surrounding proposed zoning consists of R-3 and Agriculture. The comment is specific to the area south of the Industrial portion which is currently under cultivation. *Staff comment: No objection to the request.*



(#49) Claudia & Frank Dorsch - Object to zoning at intersection of Rt. 13 and Birdsnest Dr. – Tax Map 30-A-85 and 84. Parcels contains 3.63 and 0.17 acres respectively and are currently zoned A/RB. Both parcels were proposed to be Hamlet at the March 11, 2014 public hearing. Surrounding zoning consists of Hamlet. *Staff comment: A specific request was submitted by the property owner to rezone both parcels as well as 30-A-86 to Commercial. The Board changed all three parcels to commercial as part of their review.*



(#51) Charles & Bettve Smith - Request to be AG – Tax Map 15B-A-3. Parcel contains 17 acres, is currently zoned A/RB and proposed to be split zoned with the house and yard as R-3 and the remainder as Agriculture. Surrounding proposed zoning consists of R-3 and Agriculture. *Staff comment: No objection to request.*



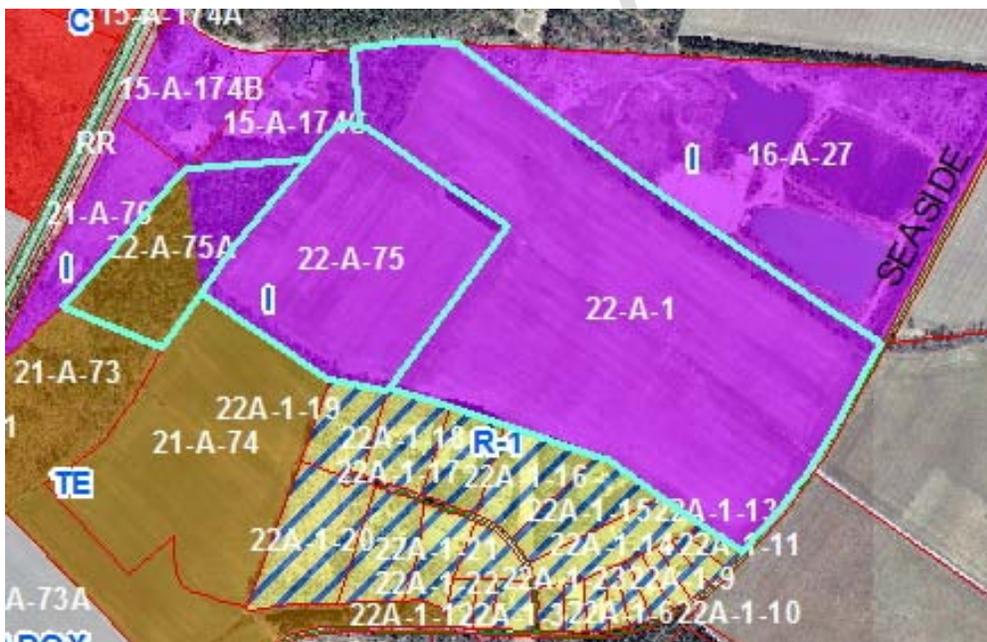
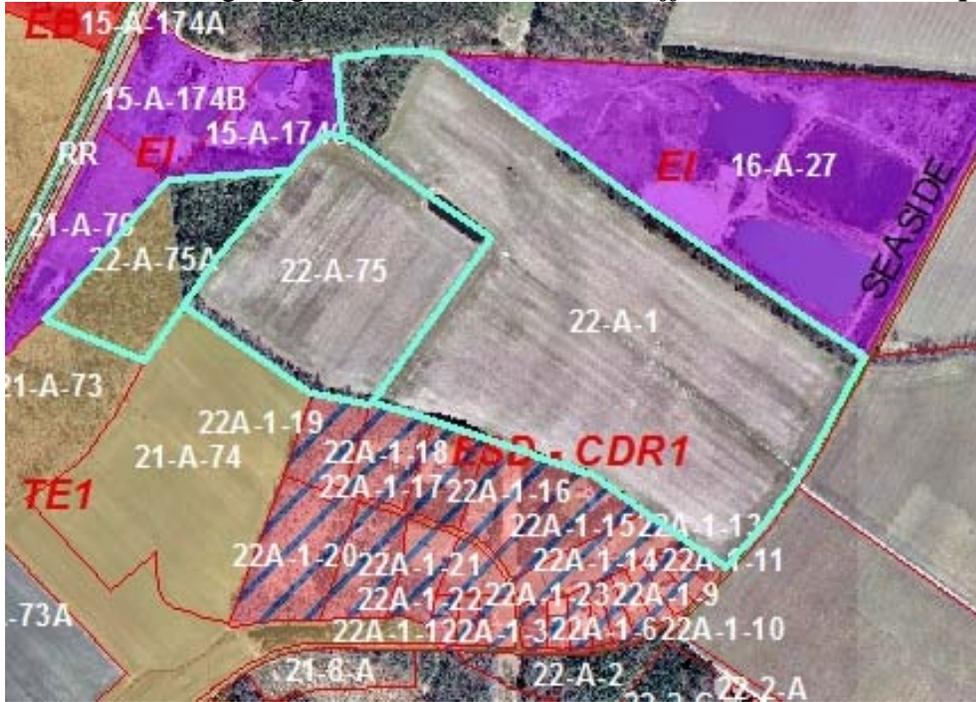
(#53) Janet Sturgis - Request to be AG - Tax Map 14-A-36, 37A and 14B-1-5. Parcels contain 2.94, 0.8 and 10.48 acres respectively. They are currently zoned A/RB and are proposed to be R-5. Surrounding zoning consists of R-5 and Agriculture. *Staff comment: No objection to request.*



(#54) Leo Kellam - Request to be AG - Tax Map 15-A-88, 15-10-6 and 15-10-5. Parcels contain 1.89, 1.36 and 2.96 acres respectively. They are currently zoned A/RB and are proposed to be R-3. Surrounding zoning consists of R-3 and Agriculture. *Staff comment: Leave as R-3.*



(#56,57) Polk & Roberta Kellam Opposed to Industrial zoning. Tax Map 22-A-75, 22-A-1 and part of 22-A-75A. Parcels contain 24.21, 66.46, and 4 acres respectively. All parcels are currently zoned A/RB with half of parcel 22-A-75A zoned TE-1. They are all proposed to be Industrial and the TE-1 portion of lot 75A proposed as Town Edge. Surrounding zoning consists of R-1, Town Edge, Agriculture and Industrial. *Staff comment: Leave as proposed Industrial.*



(#66,67,68) Mychelle & Timothy Holloway Opposed to rezoning to R-3 Request to remain Ag. Tax Map 2-1-C, 2-4-A2, 2-1-B, 2-4-A, and 2-1-A. Parcels contain 2.85, 3.67, 3.36, 5.11 and 3 acres, respectively. These parcels are currently zoned A/RB and are proposed to be R-3. Surrounding zoning consists of Agriculture. *Staff comment: No objection to request. If the Board changes the zoning to Ag, staff would recommend changing 2-4-A1 to Ag as well.*



(#65) Hank Bowen – Front Setback for WW should remain 10 feet. The current setback is 60 ft. or prevailing or 10 ft. for water dependent uses only. The proposed setback is prevailing or 30 ft. *Staff comment: Recommend adding the 10 foot setback for water dependent uses only in addition to the proposed 30 ft. or Prevailing front setback.*

Signs. Legal is currently working on a memo for **Article VII Signs.**

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Supervisor Hogg asked Mr. Peter Stith, Long-Range Planner, how long has the preliminary plat approval been in place in regards to comment #6 above.

Closed Session

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

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.

County Administrator's evaluation

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.

Drummond Property

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 such 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 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.

Motion was made by Mr. LeMond, seconded by Mr. Trala, that the Chairman authorized

to accept the Deed on behalf of the Board of Supervisors, between the County, George R. Drummond, and Drummond Paint Company for purchase of property at Machipongo. All members were present and voted “yes.” The motion was unanimously passed.

Adjourn

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

The meeting was adjourned.

CHAIRMAN

COUNTY ADMINISTRATOR