

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 20th day of November, 2012, at 4:00 p.m.

Present:

Oliver H. Bennett, Chairman

Willie C. Randall, Vice Chairman

Richard L. Hubbard

Larry LeMond

Laurence J. Trala

The meeting was called to order by the Chairman.

Closed Session

Motion was made by Mr. Randall, 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:

(A) Paragraph 1: Discussion or consideration of employment, assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees or employees of any public body.

Appointments to Boards/Commissions

(B) Paragraph 3: Discussion or consideration of the condition, acquisition, or use of real property for public purpose, or of the disposition of publicly held property.

(C) Paragraph 5: Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

(D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with legal counsel employed or retained by the Board of Supervisors regarding specific legal matters requiring the provision of legal advice by counsel.

District Four Waste Collection Site – condemnation status

*G. F. Hogg, Jr., lawsuit – status
Exmore-Willis Wharf School Property Status*

All members were present with the exception of Mr. Trala and voted “yes.” The motion was unanimously passed. Mr. Trala arrived at 4:15 p.m.

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.

County Officials’ Reports:

(1) Mrs. Leslie Lewis, Director of Finance, distributed the following budget amendment and appropriation requests:

MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: November 14, 2012
RE: Budget Amendments and Appropriations – FY 2013

Your approval is respectfully requested for the following budget amendments and supplemental appropriations as requested by the Northampton County Public Schools as follows:

(1) **\$26,000.00.** This reflects a new award of 1003(a) funding for the MIND Research Grant. This grant will be used to purchase software to assist 2nd and 3rd grade students in developing a better conceptual understanding of math topics.

- (2) **\$450.79.** This reflects an increase in the actual amount of the 2012-13 Title III, Part A, Limited English Proficiency grant award.
- (3) **\$198,600.30.** This reflects a reduction in the actual amount of the 2013-13 School Improvement Grant award for Kiptopeke Elementary and Northampton High.
- (4) **\$1,702.00.** This reflects an additional appropriation of Race-to-GED grant funds by the Virginia Department of Education.
- (5) **\$5,272.56.** This reflects a reduction in the actual amount of the Title II, Part A allocation.
- (6) **\$19,374.65.** This reflects an increase in the actual amount of the Title I, Part C Migrant Education Program allocation.
- (7) **\$3,787.52.** This reflects a reduction in the actual amount of the Title VI-B, Subpart 2, Rural and Low-Income School allocation.
- (8) **\$10,392.10.** This reflects a reduction in the actual amount of the Carl D. Perkins Career and Technical Education Award.
- (9) **\$55,825.81.** This reflects a reduction in the actual amount of the Title I, Part A Basic Programs Allocations under the Elementary and Secondary Education Act of 1965.

Thank you for your attention to this matter.

* * * * *

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

MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
DATE: November 13, 2012
RE: Budget Amendments and Appropriations – FY 2013

Your approval is respectfully requested for the following budget amendment and supplemental appropriation as follows:

\$3,679.39 – insurance claim reimbursement as a result of a lightning strike at the wastewater treatment plant in late July. Please return these funds to 501/4500-50800 (Public Utilities Function – Repairs line item).

Thank you for your attention to this matter.

* * * * *

Motion was made by Mr. Randall, seconded by Mr. Hubbard, that the budget amendment and appropriation request be approved as presented. All members were present and voted “yes.”

The motion was unanimously passed.

MEMORANDUM

TO: Board of Supervisors
FROM: Leslie Lewis, Director of Finance
Date: Tuesday, November 20, 2012
RE: Budget Amendments and Appropriations – FY2013

Your approval is respectfully requested for the attached budget amendments and supplemental appropriations in FY 2013 operating budget.

Sheriff Office--DMV Grant. A \$20,250 grant was awarded to the Sheriff Office to be used as follows:

\$16,500 Part-time salary and wages, #100-3102-50050

\$ 3,450 Equipment, #100-3102-55950

\$ 300 Training, #100-3102-51750

Amendments and appropriations approved as noted on the attached pages.

* * * * *

Motion was made by Mr. Randall, seconded by Mr. Hubbard, that the budget

amendments and appropriations be approved as presented. All members were present and voted “yes.” The motion was unanimously passed. The Chairman also asked that the Sheriff’s Office provide data on areas of Rt. 13 within Northampton County that are prone to fatal accidents.

(2) Dr. Walter Clemons, Division Superintendent, Northampton County Public Schools, informed the Board of the conditional accreditation of Kiptopeke Elementary as well as inviting the Board to a December 12th School Board work session where information will be received from architects relative to the School Board Capital Improvement Plan. Mr. Bennett said that he appreciated the prompt responses of everyone with regard to the recent two school bus accidents.

Board and Agency Presentations:

(3) Mrs. Anne Sayers, Commissioner of the Revenue, responded to an earlier request made by the Board for an analysis of the implications resulting from the removal of woodland from the Agricultural-Forestal District program. Mrs. Sayers noted that she focused on the six districts which come up for renewal in 2014. There are a total of 95 active parcels in the six districts and based on the 2012 assessments and the current tax rate, the removal of the woodland would place \$20,594,100.00 of market value back on the tax rolls and create an additional \$88,208.14 in tax revenue.

(4) Mrs. Carol Vincent of the Eastern Shore Public Library shared with the Board the following powerpoint presentation:

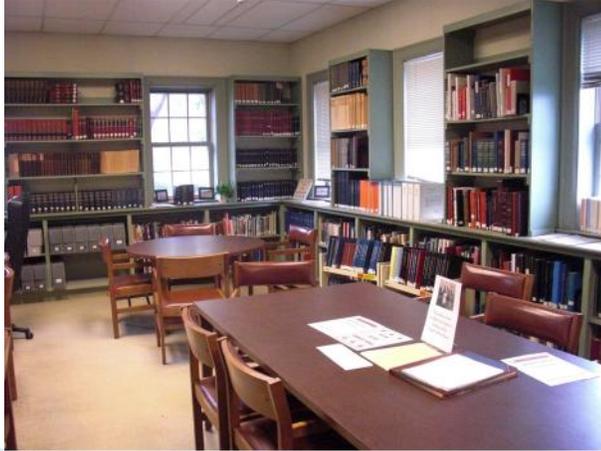


New Eastern Shore Public Library
Main Branch

Main Library 1964



Eastern Shore Room



Eastern Shore Room Overflow



Computer Area



Children's Programming



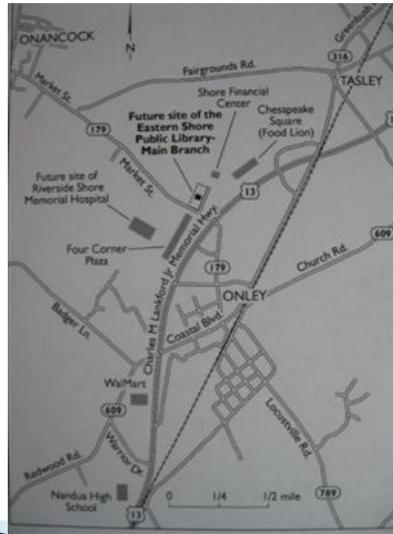
Community Meeting



Site of New Library



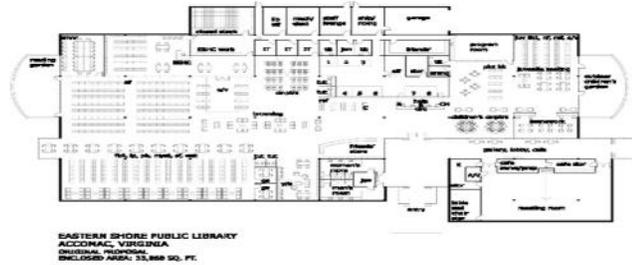
Location in Onley



Future Library



Floor Plan of New Library



Mrs. Vincent detailed the Library's upcoming capital campaign for the new facility, indicating that cost estimates are in the \$8 million range.

(5) Mr. Dave Schulte, Executive Director of the Eastern Shore Tourism Commission, shared with the Board the following powerpoint presentation:



Presentation to the Northampton County Board of Supervisors

Eastern Shore of Virginia Tourism Commission
November 20, 2012

Economic Impact of Visitor Spending in Northampton County



2011

- \$66,574,000 in spending
- \$12,550,000 in payroll
- 736 jobs
- \$234,600 in lodging taxes
- \$258,400 in meal taxes
- \$1,253,272 total taxes

Source: Virginia Tourism Corporation

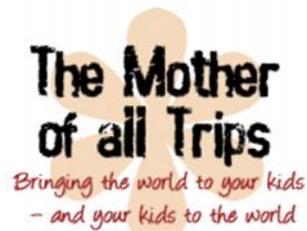
Eastern Shore of Virginia Welcome Center



Visitors

- 330 per day
- 10,000 per month
- 120,000 per year
- 361,000 total visitors
- \$35,000 in fees paid by businesses

Media Relations



Media Relations

Aquaculture & Tourism Media Tour
November 10 & 11, 2013



Media Relations

Aquaculture & Tourism Media Tour
November 10 & 11, 2012



Media Relations

Aquaculture & Tourism Media Tour
November 10 & 11, 2013



Media Relations

Aquaculture & Tourism Media Tour
November 10 & 11, 2012

LADIES'
HomeJournal

SAVEUR


gothamist

Fodor's

 **The Daily Meal**™
All the food that's fit to eat Beta

metro 

About.com

2013 Visitors Guide



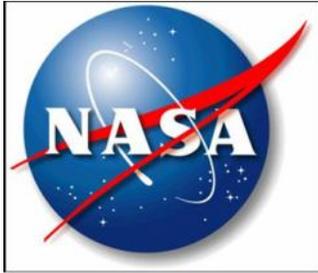
- Larger format
- More photos & text
- Major annual events
- 150,000 distributed

Strategic Partnerships



Virginia 
is for Lovers[®]

NASA Wallops



Watkins Yacht Owners Annual Gathering Cape Charles, May 2013





Thank you very much for your support the Eastern Shore's tourism industry.

At the conclusion of the presentation, Mr. Randall asked Mr. Schulte to work in cooperation with the Colonial Williamsburg effort in the hopes of bringing visitors to the Shore.

(6) Mrs. Joan Prescott and Captain Dave Stewart shared with the Board the following powerpoint presentation with regard to the recent OpSail 2012/Tall Ships initiative:



Eastern Shore Virginia Festivals (ESVAF, Inc.)

TALL SHIPS AT CAPE CHARLES June 8-12, 2012

EXECUTIVE SUMMARY ECONOMIC IMPACT REPORT

November 20, 2012



Tall Ships At Cape Charles
June 2012
Economic Impact



- County wide participation
 - Steering Committee 30+ volunteers from throughout the County
 - Event volunteers – 40+
 - Informal collaboration with Onancock
- Organizations
 - Bay Coast Railway
 - Northampton County Chamber of Commerce
 - ES Tourism
 - Virginia Tourism
 - Festevents Norfolk
 - 4H
 - Barrier Island Center
 - Smith Island Crab Skiff Association
 - U.S. Coast Guard Station Cape Charles
 - Preservation Virginia
 - Girl Scouts/Boy Scouts
 - American Legion Post 56 – Cheriton
 - Cape Charles Museum
 - Friends of Cape Charles Library
 - Cape Charles Rotary
 - Northampton County Sheriff’s Department
 - Northampton County EMS
 - Exmore, Eastville and Cape Charles Police Departments
 - Cape Charles Fire & Rescue
 - Cape Charles Amateur Radio Club
 - USCG Auxilliary
 - Cape Charles Business Association
 - ES National Wildlife Refuge Center
 - Bay Creek Resort & Club
 - Bay Bloomers Club
 - Arts Enter Cape Charles



Tall Ships At Cape Charles
June 2012
Economic Impact



Festival Included Adopt-A-Ship Educational Program

- In collaboration with Opsail 2012 Virginia and participating tall ship educational foundations
- Curriculum for Northampton County written and directed by volunteer Joyce Fay White, retired teacher and librarian
- Additional curriculum by Barrier Islands Center, Cape Charles Museum, Friends of Cape Charles Library, ES National Wildlife Center Refuge
 - War of 1812, ES history, science, environment and ecology lessons; art contest
- Participating NC Public Schools
 - Kiptopeke Elementary Grades 3 and 5
 - Kiptopeke Elementary Kindergarten
 - High School science and art classes
- Participating Private Schools
 - Cape Charles Christian School
 - Home Schoolers
 - Girl & Boy Scout Troops
 - Broadwater Academy



Tall Ships At Cape Charles
June 2012
Economic Impact



Activities/ Tall Ship Events in Cape Charles and Star Spangled Day in Eastville

- Three tall ships/four days June 8-12; fourth tall ship June 11 - 18
- Free deck tours/10 paid day sails
- Two US Navy vessels June 9 & 10 – free deck tours
- US Coast Guard Station open for tours
- 6 food vendors plus new seafood restaurant
- Crafts – 44 exhibitors in CC; 6 in Eastville
- Bands/Musicians – 12 groups in CC; 4 in Eastville
- 25 costumed historical re-enactors in CC
- Courthouse records open and historic building tours with re-enactors in Eastville
- Eastville – 3 historical lectures; 2 Crystal Concerts at Christ Church
- Native American history, music, weapons talks/demonstrations – Eastville
- Weddings at Eastville gazebo
- Children's activities
- Art plein aire competition and exhibit
- Film showing



Tall Ships At Cape Charles
June 2012
Economic Impact



Attendance

- Cape Charles - 7,000- 9,000 by actual head and parking counts
 - Friday – 1,500
 - Saturday – 4,000+
 - Sunday – 3,000
 - Monday – 1,000+
- All day sails on each of 3 tall ships were sold out in advance
- 314 paid visitors viewed POS June 8th
- Eastville – 500+ by head count
- Informal visitor intercepts indicated visitors came from:
 - Virginia Eastern Shore - Northampton and Accomack Counties
 - Maryland Eastern Shore – Salisbury, Ocean City
 - Hampton Roads
 - Richmond
 - North Carolina
 - Washington, DC
- Many first time visitors; Many said they will return for other tall ship events



Tall Ships At Cape Charles
June 2012
Economic Impact



Marinas Comparison – June 8, 2012 weekend vs same weekend 2011*

- Cape Charles Town Harbor

- Transient vessel slips rented	79 versus 14
- Transient vessel revenue	\$17,573.75 versus \$3,611.00
- Bay Creek Marina

- Transient vessel slips rented	99 versus 41
- Transient vessel revenue	\$17,054.00 versus \$4,400.00

* Does not include fuel sales and other marina services or long term slip rentals



Tall Ships At Cape Charles
June 2012
Economic Impact



Overnight Visitation – June 8-10, 2012

- Cape Charles B&B's (5) fully booked – first time ever for corresponding June 2011 weekend
- New Cape Charles Hotel fully booked (16 rooms)
- Exmore Hampton Inn & Holiday Inn Express bookings double 2011
- Sunset Inn Resort Hotel and Campground bookings highest ever for same June weekend
- Cherrystone and Kiptopeke Campgrounds sold out or nearly sold out for first time ever on same weekend



Tall Ships At Cape Charles
June 2012
Economic Impact



Northampton Revenues
April – June 2011

• Transient Occupancy	\$53,677.66*
• Food & Beverage	\$84,396.69
• Sales & Use	\$448,556.92

Northampton Revenues
April – June 2012

• Transient Occupancy	\$57,809.76*
• Food & Beverage	\$90,770.54**
• Sales & Use	\$484,907.37

*Does not include state run campgrounds

** May be underreported by \$28K



Tall Ships At Cape Charles
June 2012
Economic Impact



Cape Charles Revenues 2011

June

- Meals Tax \$ 20,447.90
- Transient Occupancy \$ 2,836.79

July

- Meals Tax \$18,374.40
- Transient Occupancy \$ 4,926.86

August

- Meals Tax \$25,868.28
- Transient Occupancy \$ 2,859.72

Cape Charles Revenues 2012

June

- Meals Tax \$ 20,935.46
- Transient Occupancy \$ 2,271.59

July

- Meals Tax \$27,688.70
- Transient Occupancy \$ 5,555.34

August

- Meals Tax \$30,392.22
- Transient Occupancy \$ 8,365.05



Tall Ships At Cape Charles
June 2012
Economic Impact



Exmore Revenues FY2011

- Meals Tax \$290,000
- Transient Occupancy \$120,000

Exmore Revenues FY2012

- Meals Tax \$325,000
- Transient Occupancy \$112,000



Tall Ships At Cape Charles June 2012 Economic Impact



- **Marketing**
 - Co-op marketing with Norfolk Festevents/Opsail 2012 Virginia, ES Tourism, Virginia Tourism, CBBT
 - Stay & Play packages coordinated by ES Bed & Breakfast Association
 - 100,000 flyers handed to motorists at CBBT toll booths over 3 months
 - 10,000 rack cards distributed to New Church and Northampton Welcome Centers, CBBT, merchants, museums, stores, etc.
 - 3 outdoor billboards on Route 13 north and southbound one month prior to event
 - Display and classified ads in regional print media
 - Comprehensive PR outreach to local, regional and social media
 - Website www.tallshipscapecharles.com
 - Online ticket sales
 - T-shirt and poster sales
 - Facebook Tall Ships At Cape Charles
 - Radio promotions



Tall Ships At Cape Charles June 2012 Economic Impact



- **Tall Ships Operating Budget**
 - Expenses totaled \$95,262.64
 - Balance remaining post event - \$7,734
- Northampton County - \$55,000 plus in kind (security, EMS, etc.)
- Eastville - \$2,000 plus in kind
- Cape Charles \$5,000+ \$19,829 in kind
- CBBT – marketing and in kind
- Bay Coast Railroad – venue and in kind
- Festevents/Opsail - \$ 12,000 grant for 3 tall ships appearance fees
- Sponsors - \$11,700 plus in kind
- Additional income realized from share of day sails, Parade of Sail tickets, vendor fees, t-shirt and poster sales



Tall Ships At Cape Charles June 2012 Economic Impact



- Festivals and cultural events play a key role in marketing a destination
 - NC Tourism annual revenue = \$63 million
 - Supports 746 jobs
 - Provides \$1.25 million in local taxes that remain in the county (11.2% increase over 2010; highest in state)*

*Source – Virginia Tourism Corporation 2010 Virginia Economic Impact Data



Tall Ships At Cape Charles June 2012 Economic Impact



- ESVAF currently sponsors two County-wide events:
 - Birding and Wildlife Festival – October (since 1992)
 - Tall Ships - June
- Goals
 - Continue to grow ESVAF as County-wide events organization to achieve economic impact via increased awareness, visitation and spending
 - Enlarge Board of Directors to include Tourism, other County-wide organizations
 - Facilitate full or part time paid director position
 - Establish tall ships as an annual event
 - Leverage existing events to achieve greater visitation and spending
 - Add at least one additional event in next calendar year
 - Either through an entirely new event or mangement of an existing event
 - Eastville wants to build on this year's success to develop an annual event
 - Farm to Table event
 - Kayak Tournament – Oyster and/or Willis Wharf

The County Administrator had also provided the Board with a memorandum as set out below:

MEMORANDUM

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: November 15, 2012
RE: Review of OpSail/Tall Ships Event and Determination of Funding for FY 2013

Joan Prescott of FestEvents will be making a presentation on how the OpSail/Tall Ships event went this past June and its impact on local revenues, specifically the Transient Occupancy Tax and the Meals Tax.

I have enclosed our trends for these taxes, as well as the sales use tax, for Northampton County for your review. Please note that the Transient Occupancy Tax is being reported on a calendar year basis and I have highlighted in light green the 4 quarters that make up Fiscal Year 2012. The specific quarter to focus on for this discussion is the row called “2nd Quarter” which contains the lodging receipts for the month of June of each calendar year. For the other two spreadsheets (Food & Beverage and Sales Use Tax), look at the row called “4th Quarter” – please note that we have not done all of the end of fiscal year adjustments – still waiting on final confirmation from our auditors that will pull some money from the Fiscal Year 2013 1st quarter totals back into Fiscal Year 2012.

As part of your Fiscal Year 2013 budget, you appropriated \$45,000 that may potentially be allocated to continue a contractual relationship with FestEvents for Tall Ships Events; however, these funds are currently reserved in our contingency fund until further action by the Board since you wished to receive impact information of the first event before funding this event in the future.

* * * * *

In accordance with the recommendation outlined above, motion was made by Mr. Randall, seconded by Mr. LeMond, that the Board approve the release of the FY 13 funding for this function (\$45,000) contingent upon a satisfactory agreement being reached with Eastern Shore of Virginia Festivals (ESVF). All members were present and voted “yes.” The motion was unanimously passed.

Consent Agenda:

(7) Minutes of the meetings of October 9 and 22, 2012.

(8) Consider approval of the Abstracts of Votes cast in the November 6, 2012 General/Special Election and spreading same upon the minutes of this meeting.

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

At 6:30 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 given.

(9) The following work session agenda schedule was presented for the Board’s information:

- (i) 12/24/12: Work session cancelled
- (ii) 1/28/13: Topic to be announced
- (iii) 2/25/13: Topic to be announced

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

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: November 14, 2012
RE: Bi-Monthly Update

I. PROJECTS:

A. ESVA Public Services Authority Update:

The PSA is working to obtain detailed water and sewer usage from the commercial properties on Route 13 between Cape Charles & Cheriton. Staff is working on the draft application to USDA for the Exmore/Nassawadox area. Their next meeting is on Tuesday, November 27, 2012.

B. Hurricane Sandy:

On Friday, October 26, 2012, in advance of the approaching Hurricane Sandy, a Declaration of Local Emergency was issued that put us in a status of

emergency preparatory actions. *The Board needs to vote retroactively, authorizing this Declaration of Local Emergency.*

Motion was made by Mr. Randall, seconded by Mr. Trala, that the foregoing resolution be adopted retroactively. All members were present and voted "yes." The motion was unanimously passed. Said resolution as adopted is set forth below:

**RESOLUTION
DECLARATION OF A LOCAL EMERGENCY**

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

Due to conditions arising from the continuing impacts of Hurricane Sandy, the County of Northampton is facing a condition of extreme peril which necessitates the proclamation of the existence of an emergency in order to provide mitigation and activities to protect life and property;

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

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

* * * * *

As the storm approached, the County opened the Emergency Operations Center at 12:00 p.m. and opened the High School as a Refuge of Last Resort on Sunday, October 28, 2012 at 2:00 p.m. We initiated a mandatory evacuation notice for all low-lying coastal and flood zone areas, including a targeted area of Cape Charles adjacent to the bayside/beach area. There was concern for the Seabreeze Apartments as a result of earlier erosion on the back side of the beach adjacent to the beach and the expected high tides would further this erosion and potentially affect the stability of those buildings. As the storm progressed, those apartments were also evacuated.

The shelter housed a maximum of 25 individuals during the storm. The shelter was closed on Tuesday, October 30, 2012 at 9 a.m. Debris Management teams were dispatched this same day, starting at 12:00 p.m. and concluded their assessment by 1:00 p.m. the following day. After consultation with the Chairman and to ensure an orderly clean-up of any debris, a waiver of storm-related debris tipping fees was instituted, effective from October 31,

2012 to November 17, 2012. ***The Board needs to retroactively approve the waiver of the tipping fees for all storm-related debris received at the Transfer Station, effective from October 31, 2012 to November 17, 2012.*** The Emergency Operations Center was closed down on Tuesday, October 30 at 6:00 p.m.

Motion was made by Mr. Trala, seconded by Mr. Randall, that solid waste tipping fees for storm debris be waived for the period October 31, 2012 to November 17, 2012. All members were present and voted "yes." The motion was unanimously passed.

The County was not as severely impacted as other localities further north from this hurricane. While we experienced three extremely high tide cycles that caused flooding in our traditionally known flood-prone areas, there was time between the tide cycles to allow the flooding to recede, especially as we received lower-than-expected winds and the storm eventually making landfall further north than originally projected. We activated our reverse call system (Everbridge) to inform the citizenry of the approaching storm and advised voluntary evacuations as well as to issue another round of reverse calls to our targeted mandatory evacuation areas of the county; this system proved to be very successful in informing the citizenry about the storm. Our change of staffing at the EOC level and the Debris Management teams was also very successful – these changes had been put in place after last year's hurricane to improve our operations.

Enclosed is the preliminary damage assessment report that has been submitted seasonal residents are able to return and check their properties, especially those located on the bayside where erosion may have been experienced.

Mrs. Nunez also reported the total loss of a Sheriff's Office vehicle (as a result of flooding) and the County will be reporting this loss to FEMA for possible assistance. In addition, the Board will be approached at a later date for replacement of the vehicle.

C. Meeting with Riverside – Status Report:

On Friday, November 9, 2012, a meeting was held with representatives of Riverside Shore Memorial Hospital, a representative from Eastern Shore Rural Health, the mayors of the 5 towns, and the Chairman and one member (standing in for the vice-chairman) of the Board. The intent of this initial meeting was to open a dialogue to discuss identifying the issues that may result from the move of the hospital facilities and begin working to outline solutions to solve those issues.

Hospital Administrator Joe Zager indicated that he will be taking a new role with the hospital and a new administrator has been named, effective January 1, 2013 – Susan McAndrews. There was discussion over what services will

remain in Nassawadox once the hospital opens in Onley: urgent care center, full range of diagnostics, the physicians' offices, full range of lab testing facilities, and the nephrologists will remain. For 2012, the hospital has lost money as a result of seeing more patients without insurance and there has been an increase in the amount of charity care provided.

There were discussions about the loss of the emergency room services in the Nassawadox location and how that will impact Emergency Medical Services. County staff is working on cost projections for the Board (which we will present at the December Board meeting). It was agreed that we will compile this information and continue to meet to start laying out possible solutions.

As a follow-up to our letter to the Riverside President and CEO, we have received a response letter (enclosed) seeking some clarification and indicating a desire to schedule a meeting to talk about the impact of the hospital move to service delivery and the remaining facilities and hospital campus in Nassawadox.

D. Ditch Maintenance Program – Status Report:

At the October 9, 2012 Board meeting, it was requested that staff garner information about the Accomack Ditch Maintenance program. We received the following information:

- Does VDOT provide any funds or personnel to assist in maintaining the ditches? *VDOT maintains only the VDOT drainage and Accomack County is responsible for non-VDOT responsible areas in which the county has appropriate private landowner permission to operate. Typically, the county has received a permanent easement, provided by the landowner and recorded in the Clerk's office.*
- How does the County fund this program? *Accomack County funds this program through its general fund. The program was funded from the Board's prior District fund, now renamed and repurposed with tighter controls than was originally the case. They have created district accounts to segregate the money within the general fund. Unused moneys are carried over but have a cap. The Public Works Director maintains a list of projects and is responsible for oversight of the funds (enclosed is the policy that Accomack has adopted on this matter).*
- If you provide funding for this program, how much? What equipment do you have used in this program? *The funding for Fiscal Year 2013 is \$170,000. Each district received about \$13,000 in new money each year. The county has a walking excavator, known as a spider, which was purchased used for \$325,000. They anticipate a life span of this piece of equipment to be 10 years plus annual maintenance.*
- Would there be an interest in a collaborative arrangement of personnel and/or equipment for ditch maintenance? *Accomack would not be opposed to a discussion on this issue; however, there is an extensive list of work for ditch maintenance and this type of work is very time*

intensive and the greatest limitation is operator time. The equipment does sit idle at times; however, the operator is also responsible for conducting deed research and works to obtain landowner permission, check out new projects. The other issue that may limit a shared concept is the equipment requires a fair amount of upkeep. In order to consider a shared or collaborative program, we may need to consider additional equipment and another operator.

- *Are there any other issues or items we should consider relative to starting a ditch maintenance program? The biggest challenge is gaining all of the appropriate permissions and authority to work on private land. The deed research takes up a significant amount of time. The equipment is very specialized and requires a significant amount of maintenance and upkeep. If the funds were available, they would pursue a programmatic engineered program to help determine priority and need. Lastly, there have been some issues with the Army Corps of Engineers relative to what permits and jurisdiction apply, since ditches can and may contain water and that may carry a designation of a ditch being “waters of the United States” since many of these ditches were originally created through the WPA program of the 1930s and 1940s.*

It was the consensus of the Board to request the attendance of the VDOT Residency Administrator at a future meeting for discussions relative to ditch cleaning and maintenance.

E. Foreign Trade Zone in Northampton County:

At a recent meeting convened by Bayshore Concrete and the Town of Cape Charles, we met with representatives from the Virginia Port Authority to discuss the current Foreign Trade Zone in Northampton County and how this program is changing that will be highly beneficial to the county. The former Sustainable Technologies Park had been designated as part of the Foreign Trade Zone affiliated with the Washington Dulles Foreign Trade Zone #137 and was known as a subzone to that zone. There are two other subzones on the Eastern Shore – Wallops Park & the Accomack Industrial Park. This designation provides benefits by eliminating or deferring import duties along with other benefits.

The Foreign Trade Zone Board is moving away from these types of fixed subzones and is allowing an Alternative Site Framework which will allow an application for property within 50 miles for service purposes of a Foreign Trade Zone that has need for this type of economic development incentive. All of the Eastern Shore will be placed in the Alternative Site Framework, thus allowing a greater range of business location development on the Shore for qualifying types of businesses that would seek and benefit from Foreign Trade Zone status.

Staff from the Virginia Port Authority are willing to conduct additional meetings to disseminate this information and I am working with the Eastern Shore Realtors Association to schedule a meeting with the realtors so that they become familiar with what is a Foreign Trade Zone and how this change will benefit marketing and recruitment of commercial and industrial businesses. I have enclosed the PowerPoint from our meeting for your information.

F. Eastville Waste Collection Center:

The condemnation of the former Willis Estate property has been resolved and the County is the full legal owner. I have now developed a construction calendar as follows:

November – December 2012: Completion of permits and approvals

January 1, 2013: Bid documents are available.

January 31, 2013: Deadline to receive bids for construction.

February 12, 2013: Board Meeting to award construction contract.

March 1, 2013: Start construction.

July 1, 2013: Anticipated opening date of the site.

G. Department of Planning & Zoning:

With the retirement of Director Sandra Benson Thornton on October 31, 2012, I have worked with the staff to re-assign duties in the interim and will be meeting weekly with the department to oversee the activities and responsibilities of the department until we fill the position of the Director of Planning & Zoning. The CPAC is meeting weekly and is looking at a mid-December completion to forward their recommendations to the Board and the Planning Commission. Work is still progressing on the data & analysis section of the Comp Plan and we will be working with the Planning Commission to continue moving forward the other chapters of the Comp Plan.

H. Change in Accounting Standards to Affect Reporting of Pension Liability:

The Governmental Accounting Standards Board (GASB) has placed into effect two new regulations: GASB 67 and GASB 68. GASB 67 affects Plan Administrators, such as the Virginia Retirement System, to report shared liabilities to the underlying funding entity. This reporting requirement starts for VRS in Fiscal Year 2014. GASB 68 affects the localities on this same issue and we are required to begin reporting this in Fiscal Year 2015. We are affected because of our school divisions who receive funding from the state and the locality towards retirement benefits. This will place a large liability amount on our financial statements in FY15 that was not previously included in our statements; since we are not a rated locality (through Moody's or other similar rating agency), it will not have an impact on a bond rating. However, it will factor into our financial analysis through any shared bond pursuits, such as through the Virginia Public School Authority. But, all localities across the United States will be having this type of experience if they have a shared

pension obligation. We will continue to work with VRS and our auditors in implementing this new requirement into our financial documents.

* * * * *

(10) The County Administrator presented the following memorandum to the Board for its consideration:

MEMORANDUM:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: November 12, 2012
SUBJECT: Enterprise Zone

As part of our Enterprise Zone program, the County is allowed to make changes to the map for inclusion or deletion of property on an annual basis. Our last amendment to the map was done in October 2011. Each town has been solicited for input with the following results as well as the one specific request from a county citizen:

Nassawadox – no changes requested

Exmore – no changes requested

Cheriton – no response received

Cape Charles – Tax Map 90-15-M2 and 90-15-N2: Sports Club Area
Tax Map 90-2-1J and 90-2-1F: Golf Academy Parcels

Eastville – designation of road frontage between two existing Enterprise Zone segments on Courthouse Road

Mary Miller & David Handschur: Extension north along Courthouse Road to include their property (Tax Map 58-A-93). Just road frontage – not including intervening parcels.

If the Board is agreeable to these requests, I will schedule the required public hearing and notifications.

* * * * *

Motion was made by Mr. Randall, seconded by Mr. LeMond, that the Board proceed to

public hearing for consideration of those requests as outlined in the memorandum above. All members were present and voted “yes.” The motion was unanimously passed.

(11) The County Administrator presented the following memorandum for the Board’s review:

MEMORANDUM

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: November 15, 2012
RE: Review of Ordinances

At the July 10, 2012 meeting of the Board of Supervisors, it was voted to direct a comprehensive review of the County ordinances to identify any provisions of our local ordinances that may be stricter than required under State Code. The departments responsible for enactment and oversight of the respective ordinances were charged with conducting this review with assistance from legal counsel and to provide the following analysis: 1) if required by Code; 2) not required by Code but deemed recommended by staff to retain; 3) not required by Code and recommended by staff to eliminate; or 4) no longer authorized by the Code of Virginia. In addition, some additional changes have been highlighted for the Board’s consideration. There are still some sections that have not been completed and are noted below but I wanted to bring forward the completed reviews to date for Board input.

Enclosed is a detailed cover sheet for each ordinance. If the Board concurs that revisions should be made to any of these ordinances, it will require a public hearing before any changes could be made. In terms of the zoning-related ordinances, that will require a public hearing before the Planning Commission as well as the Board of Supervisors.

TITLE I. General Provisions – Chapter 10, Sections 1 thru 99

This is required to establish the framework of our codified ordinances and is procedural in nature. No changes are recommended to this section.

TITLE III. Administration

Chapter 30 – Departments, Commissions, Authorities

Some sections of this ordinance are required by code and others are not. If the County chooses to establish certain departments, commissions or authorities, then it must be done as an ordinance in compliance with the State Code of Virginia as we have done. We are recommending a small correction under the Biennial County Supervisor Elections to reflect that the Board has moved to 5 supervisors and the fact that we will elect two supervisors under one election and then followed two years later by an election for three supervisors.

Chapter 31 – County Policies

Under this ordinance, most of these sections are not required by the State Code of

Virginia; however, due to their purpose, we would recommend retaining the bulk of this ordinance. There is one section (Section 31.01 – Requiring Fingerprinting for concealed handgun permits) which does not require a local ordinance to be effective; therefore, we would recommend repealing this section. Legal counsel is still reviewing one component of this ordinance relative to an age requirement for firefighting.

Chapter 32 – Elections

This ordinance was not included in this review since it was revised as part of the redistricting in 2011. We are required to have this ordinance.

Chapter 33 – Finance & Taxation – Not ready at this time.

TITLE V. Public Works

Chapter 50 – Solid Waste

This ordinance is not required but if the County is responsible for providing this service then it may enact an ordinance governing the parameters of a solid waste program. The primary content of this ordinance had been adopted in 1988 with very minor revisions made to it since that time. This ordinance needs to be completely revised to reflect how we have changed our solid waste program (closure of landfill, operation of a transfer station and manned waste collection sites, etc) and we have included a draft ordinance for consideration.

Chapter 51 – Sewer Service

This ordinance is not required since the County does not operate a municipal sewer system as well as the oversight of septic tanks is handled by the Virginia Department of Health. However, since the County has an active Public Service Authority and there are certain provisions contained in the Subdivision Ordinance that promotes sewer systems over septic systems for a residential development project, we may wish to work with the Public Service Authority in adopting appropriate ordinances governing construction, monitoring, ownership and any fees associated with this type of installation.

Chapter 52 – Water Service

This ordinance addresses water-to-air heat pumps which utilize groundwater for purposes of heating and cooling. Legal counsel is researching whether this is covered through the State Building Code or through the Virginia Department of Health.

Chapter 53 – Water Protection

This ordinance has two primary components: (1) To address large scale development and to minimize its impact on our groundwater and (2) a section dealing with the handling of oil for any commercial or industrial facilities that handle oil, such as automotive service shops, etc.

The first section is not required by the State Code of Virginia and the County enacted this ordinance through the work of the Regional Groundwater Committee as they have worked to establish policies to protect the single-source aquifer for the Eastern Shore. Staff does not have a recommendation to the Board whether this ordinance should be retained or not.

The second section may be provided under the State Building Code or other state department regulation (legal counsel is researching). At a minimum, if we are required to have this as an ordinance, this section should be moved under the land use ordinance sections.

TITLE VII. Traffic Code

Chapter 70 – General Provisions – Not ready at this time

Chapter 71 – Traffic Regulations – Not ready at this time

Chapter 72 – Parking Regulations – Not ready at this time

TITLE IX. General Regulations

Chapter 90 – Docks and Ramps

This ordinance addresses the operation of our docks and ramps. Some provisions are required by the State Code of Virginia and others are optional. We are recommending to retain this ordinance.

Chapter 91 – Harbors

The two sections in this ordinance (Oyster Harbor & Willis Wharf Harbor) are not required by the State Code of Virginia; however, we are allowed to establish rules addressing the operation of our local harbors. We are recommending to retain this ordinance.

Chapter 92 – Abandoned Vehicles

This ordinance is not required by the State Code of Virginia; however, if the locality wishes to address and handle abandoned vehicles then it must do so through an ordinance established in accordance with the State Code of Virginia. We are recommending to retain this ordinance.

Chapter 93 – Food Service

This ordinance is not required by the State Code of Virginia. The Health Department requested this ordinance originally until a comprehensive state-wide Food Manager Certification is in place. They have confirmed their desire for the county to retain this ordinance because the original reasoning stands.

Chapter 94 – Nuisances

The three sections within this ordinance (overgrown grass, dangerous or derelict structure, and Johnsongrass control) are not required by the State Code of Virginia; however, if a locality wishes to enact programs to address these nuisances, then it must be by an ordinance in compliance with the Code of Virginia. We are recommending to retain this ordinance.

Chapter 95 – Animals – Not ready at this time.

Chapter 96 – Operation of Vessels

This ordinance is not required by the State Code of Virginia; however, if the County wishes to establish any no wake zones for boat traffic on our waterways, then an ordinance is required in compliance with the Code of Virginia. We are recommending to retain this ordinance.

Chapter 97 – Open Burning

This ordinance is not required by the State Code of Virginia; however, staff recommends retaining this ordinance to ensure we have a mechanism in place establishing the parameters of open burning in the county. We would recommend a minor correction to this ordinance so that it provides a citation to the State Code of Virginia that gives us the authority to adopt such an ordinance (Section 15.2-922.1)

Chapter 98 – Noise – Not ready at this time.

TITLE XI. Business Regulations

Chapter 110 – Business Licensing – Not ready at this time.

Chapter 111 – Itinerant Dealers – Not ready at this time.

Chapter 112 – Door to Door Vendors – Not ready at this time.

Chapter 113: Community Antenna Television Systems – Not ready at this time.

TITLE XIII. General Offenses

Chapter 130 – General Offenses – Not ready at this time.

TITLE XV. Land Usage

Chapter 150 – Building Regulations

The ordinance is required relative to the State Building Code; however, the section establishing the fee schedule is determined by the locality. In addition, the County adopted an optional building code provision to establish rental inspection districts – this section is not required by the State Code of Virginia; however, a prior Board adopted this section in 2009 and identified specific areas of the County it is applicable for. However, we have not fully implemented this ordinance due to its restrictions and impact on potential available rental housing stock. Board input is needed.

Chapter 151 – Wetlands

Components of this ordinance are required by the State Code of Virginia while others are optional as they relate to process of administration of the Wetlands Act. We are recommending to retain those sections either through the ordinance or through an adopted policy of the Wetlands Board and the Department of Planning & Zoning. In addition, we have noted that there should be some corrections to the ordinance to be compliant with the State Code of Virginia.

Chapter 152 – Coastal Primary Sand Dunes

The county is either required to have a local ordinance addressing the Coastal Primary Sand Dunes or it will be administered by the Virginia Marine Resources Commission (VMRC). Staff would recommend to retain local review of this statutory provision. There are some corrections that need to be made to this ordinance to bring it into compliance with the State Code of Virginia.

Chapter 153 – Erosion and Sediment Control

The County is required to have an ordinance administering the Erosion and Sediment Control Act. There are some sections within the ordinance that we have highlighted are stricter than required but allowed under the State Code of Virginia. There are some sections of this ordinance that are pending comment until legal review has been completed.

Chapter 154 – Zoning Code

Please see the one-page report on this ordinance.

Chapter 155 – Purchase of Development Rights

This ordinance is not required by the State Code of Virginia. The County elected to enact this program; therefore, an ordinance was required to outline the parameters of the program. While we currently not funding this program, effective with the Fiscal Year 2013 Budget, there are properties within this program so we need to retain this ordinance. We are recommended some minor corrections to this ordinance to reflect changes to our zoning map.

Chapter 156 – Subdivision Code

There are some components of this ordinance that are required by the State Code of Virginia and there are others that are not required. Please see the report for the detail for each section

Chapter 157 – Minimum Separation Distances

This ordinance is not required by the State Code of Virginia. The County elected to enact this ordinance to put in place additional requirements related to the placement of wells and septic systems on property. This ordinance is stricter than the Health Department regulations that oversee this matter.

* * * * *

Due to the depth and complexity of this issue, it was the consensus of the Board to discuss this topic at a future work session.

Citizen Information Period:

There was no comment from the public.

Public Hearing:

Chairman Bennett called to order the following public hearing:

(12) Special Use Permit 2012-07: Pamela Barefoot & James M. Green have applied to operate a bed and breakfast in a primary structure located on 7.828 acres of land at 6235 Osprey Lane. The property, zoned A/RB Agriculture/Rural Business District, is described as Tax Map 13, double circle A, parcel 51 in the Salt Works area.

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 this petition with four conditions:

- (1) The special use permit runs with the current owners;
- (2) No identification signage shall be visible from the applicants' property;
- (3) Landscaping and vegetated buffer shall be maintained as it is;
- (4) "No Trespassing" signs are to be installed by applicant.

Mrs. Pamela Barefoot, the applicant, indicated that in response to concerns expressed at the Planning Commission hearing, the bed and breakfast operation would be supervised. In addition, only non-smoking guests will be housed. Also, "no trespassing" notices will be issued to guests as well as signage being installed. She said that she believed her enterprise will be a great asset to the County and contribute to the County's economic growth.

When questioned by Mr. Randall, Mrs. Barefoot confirmed that the conditions recommended by the Planning Commission were acceptable.

Mrs. Cela Burge, speaking on behalf of Occohannock Family Farms indicated that in-depth written comments have been distributed to the Board for inclusion in the record but read the following summarized version:

OFF REQUEST TO REJECT OR TO LIMIT SUP 2012-07 WITH CONDITIONS
November 20, 2012

Occohannock Family Farms ("OFF") respectfully requests the denial of SUP 2012-07 for

a B&B at 6235 Osprey Lane, Exmore. OFF is most concerned about the very real risks of fire and trespass on their 85 acres, much of which is wooded, which encloses the applicant's property, by paying B&B guests.

If, however, the Board of Supervisors should approve this SUP, then we ask you to consider that OFF has no recourse in zoning procedure to bring this SUP back before the Board in the event of fire or trespass. Only if specific written conditions are attached to the SUP can there be accountability and enforceability at an administrative level.

OFF requests the following seven conditions be placed on SUP 2012-07 which would permit a B&B only in the home (primary structure) of the applicants Pam Barefoot and James Green:

To mitigate the risk of fire:

1. A dedicated smoking area must be maintained in a safe, cleared area on the applicants' property, recognizing, as does nearly every other B&B property on the Eastern Shore, that smokers still come to non-smoking properties.

2. The special use permit be issued to Pam Barefoot and James Green only and non-transferable, with rentals only when they are at the residence. The personalized service and attention, supervision of guests, and accountability for conditions requires the applicants' actual presence when they have B&B guests.*

To mitigate potential trespass:

A. Notice.

3. Written notice to guests that they may not enter into farm fields or woods. This notice should also include a number of no-trespass signs posted at the cleared perimeter of applicants' property.*

B. Screening.

4. No signage visible from all the applicants' property (in keeping with the QRB criteria).*

5. Landscaping and vegetated buffer shall be maintained as it is.*

C. Pets.

6. No pets to be permitted, formalizing the applicant's acknowledgement that no pets will be permitted (last paragraph of the Background portion of the Application). Pets in an unfamiliar setting will run, causing their owners to trespass onto OFF property and raising the potential for injury on OFF property. Pets do not read "No Trespassing" signs.

To mitigate for "Dark Sky" compliance.

7. Total compliance with the "Dark Sky" lighting ordinance, Sec. 154.112.

The asterisk "*" indicates conditions recommended by the Planning Commission 11/7/12.

* * * * *

Ms. Judy Brunk, a neighbor of Ms. Barefoot, said that there has been no problem with fires in the past even when hunting was allowed. She said that the concerns of Occohannock Family Farm were “somebody trying to control someone else’s property”.

An e-mail correspondence from Mary Jane Dodson was read into the record as follows:

Mr. Bennett,

I am writing in connection with the upcoming hearing Tuesday evening on the Barefoot/Green proposal to operate a B&B in their home. Our farm entirely surrounds their property; the guests must cross through our farm in order to reach the B&B. My husband and I are not in favor of the proposed activity because of concerns about trespass, liability, loss of value and damage to our property. We have submitted written comments, which are in the materials you are receiving for the meeting. I wondered, though, whether it would be helpful to you to be able to talk about this in advance of the meeting. If you would like to visit our farm, to see the issues first hand, or if you would like me to come visit with you to discuss these issues, please feel free to call me at home: 442-5105. I will be out of town this weekend but back home Monday and Tuesday. We very much appreciate your time considering our concerns. Thank you in advance.

Mary Jane Dodson, for Occohannock Family Farm

* * * * *

Motion was made by Mr. Trala, seconded by Mr. Randall, that Special Use Permit 2012-07 as petitioned by Pamela Barefoot & James Green be approved with the following conditions:

- (1) The special use permit runs with the current owners;
- (2) No identification signage shall be visible from the applicants’ property;
- (3) Landscaping and vegetated buffer shall be maintained as it is;
- (4) “No Trespassing” signs are to be installed by applicant.

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

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

(13) Receive public comment on the request of Cape Charles Christian School to obtain Virginia tax exempt status. The Cape Charles Christian School owns real property identified as Tax Map 83A3-01-393 and 83A3-01-396, with an assessed value of \$664,700.00 and was taxed \$3,589.38 in 2012 in real estate taxes and no personal property taxes. Approval of this petition will amend the County’s Ordinance entitled, AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR

CERTAIN NON-PROFIT ORGANIZATIONS” by adding Cape Charles Christian School as a tax exempt organization.

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED,
“AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION
FOR CERTAIN NON-PROFIT ORGANIZATIONS”**

BE IT ORDAINED by the Board of Supervisors of Northampton County, Virginia, that AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS be amended as follows:

1. That Cape Charles Christian School be added to the listing of local tax exempt organizations as delineated in the last paragraph of said ordinance as set out below:

NOW, THEREFORE, BE IT ORDAINED by the Northampton County Board of Supervisors this 20th day of November, 2012, that the following organization be designated as exempt from county taxation pursuant to Code of Virginia Section 58.1-3651 on real and/or personal property as set out above, *nunc pro tunc*, with the effective date of exemption being as follows:

Cape Charles Christian School, May 14, 2010.

* * * * *

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

The County Administrator indicated that requests for local tax exemption have traditionally been handled through the public hearing/ordinance adoption method but that the County Attorney has recently determined that the Virginia Constitution allows local tax exemption of this educational facility without the public hearing process. As the advertisement has already been placed, and in keeping with the precedent already set by the Board, she recommended that the public hearing continue.

Mr. John W. Burdiss, Esq., spoke on behalf of the applicant, noting that the Cape Charles Christian School has had its non-profit status since June 30, 2009 and acquired the real property in question on May 14, 2010. He requested the Board’s favorable consideration for the tax exempt status as well as a refund of 2010 and 2011 taxes paid, in his estimation to be in excess

of \$6500.00.

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

Motion was made by Mr. Randall, seconded by Mr. Trala, that the Board adopt AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, “AN ORDINANCE ESTABLISHING LOCAL TAX EXEMPTION FOR CERTAIN NON-PROFIT ORGANIZATIONS as set out above, and that a refund of taxes paid be authorized, pending certification by Mrs. Anne Sayers, Commissioner of the Revenue. All members were present and voted “yes”, with the exception of Mr. Bennett who abstained. The motion was passed.

Action Item

(14) Consider a request from Mr. and Mrs. Frank Dorsch, Jr. for permission to build a shed/implement building next to an existing shed on their property which is within the Weirwood Agricultural-Forestal District.

Motion was made by Mr. Hubbard, seconded by Mr. Randall, that the Board approve the request for placement of a shed (next to an existing shed) on property identified as Tax Map 30-A-79, and included within the Weirwood Agricultural-Forestal District. All members were present and voted “yes.” The motion was unanimously passed.

(15) Consider adoption of a resolution and joint application amendment as requested by the County of Accomack for an amendment to its Enterprise Zone.

Motion was made by Mr. Randall, seconded by Mr. Trala, that the Board approve the Resolution and Joint Application Amendment Agreement, concurring in the actions of Accomack County to amend its Enterprise Zone. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

WHEREAS, the County of Northampton is applying for enterprise zone amendments jointly with County of Accomack; and

WHEREAS, the County of Northampton is designated to act as program administrator:

WHEREAS, the Board of Supervisors of the County of Northampton hereby authorizes the County Administrator to submit all information needed to apply for enterprise zone amendments and to carry out all program administrative and reporting requirements on its behalf.

NOW, THEREFORE, BE IT RESOLVED, that the County of Northampton hereby approves enterprise zone amendments as set forth in the attached documentation.

* * * * *

(16) Consider adoption of a resolution – addition of new subdivision street – for Stuart’s Way in Kiptopeke Landing Phase 2.

Motion was made by Mr. Hubbard, seconded by Mr. LeMond, that the Board adopt the following resolution, requesting the addition of a new subdivision street (Stuart’s Way – new Route 1136) into the State Secondary Road System. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

WHEREAS, the streets described on the attached Additions Form AM-4.3, fully incorporated herein by reference, are shown on plats recorded in the Clerk’s Office of the Circuit Court of Northampton County; and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board that the streets meet the requirements established by the *Subdivision Street Requirements* of the Virginia Department of Transportation.

NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add the streets described on the attached Additions Form AM-4.3 to the secondary system of state highways, pursuant to Section 33.1-229, Code of Virginia, and the Department’s *Subdivision Street Requirements*; and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage; and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Additions Form AM-4.3:
Stuart’s Way, State Route Number 1136

From Route 704 to Route 645, a distance 0.29 miles
Recordation Reference: Plat Book 34, pages 69-70
Right of Way width (feet): 50

(17) Consider accepting the sum of \$75.00 from the sale of Animal Friendly license plates during FY 2012 and providing same to the Eastern Shore SPCA.

Motion was made by Mr. Hubbard, seconded by Mr. Randall, that the Board accept the sum of \$75.00 derived from the sale of Animal Friendly license plates and appropriate said funds to the Eastern Shore SPCA. 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. Randall, seconded by Mr. LeMond, that Mr. Rick Hubbard be appointed to the Eastern Shore community Services Board, replacing Mr. Spencer Murray whose term expires December 31, 2012. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Randall, seconded by Mr. Trala, that the Board appoint a Hazard Mitigation Grant committee consisting of the County Zoning Administrator, Building Official, County Administrator, Mr. LeMond and Mr. Bennett (the two Board members whose districts are represented by the grant). All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Hubbard, seconded by Mr. LeMond, that Mr. Thomas A. Arnold be reappointed to the Board of Appeals for the Building Inspector for a new term of office commencing January 1, 2013. All members were present and voted "yes". The motion was unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Hubbard, that Mr. Carl Harris be reappointed to the Eastern Shore of Virginia Public Service Authority, for a new term of office

commencing July 1, 2012. All members were present and voted “yes.” The motion was unanimously passed.

Following comments from Mr. Randall who indicated that a member of the Chesapeake Bay Bridge & Tunnel Commission was studying the concept of commuter tolls for residents who live on the Shore and work in Hampton Roads as well as short-term vacationers, motion was made by Mr. LeMond, seconded by Mr. Randall, that the following resolution be adopted. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

Whereas the Northampton County Board of Supervisors is actively promoting economic development in Northampton County, and

Whereas, the Northampton County Board of Supervisors recognizes that the Chesapeake Bay Bridge Tunnel is a vital infrastructure, which links Northampton County to the mainland and offers opportunities for trade, economic development, and increased employment.

Now, therefore, be it resolved that the Northampton County Board of Supervisors supports and encourages efforts by the Chesapeake Bay Bridge Tunnel Commission to provide reduced (affordable) toll rates to regular commuters and short term vacation visitors.

* * * * *

Following comments regarding action by the Northampton Board in 2008 to request closure of multiple median cross-overs by VDOT, motion was made by Mr. LeMond, seconded by Mr. Randall, that the County Administrator be authorized to write to VDOT and request a status report on this project. All members were present and voted “yes.” The motion was unanimously passed.

Mr. Bennett thanked Food Lion of Cape Charles for its generous participation in the FFA banquet.

The Chairman asked Mrs. Anne Sayers, Commissioner of the Revenue, whether there

was anything her office could do to provide assistance to citizens who may not be receiving county services as a result of their living conditions; specifically residents receiving lower real estate assessments due to repeated flooding of their properties, such as in the Fairview and Virginia Street (Exmore) areas. Mrs. Sayers responded that she can lower the assessments in such instances but the residents must notify her office of those conditions.

Adjourn:

Motion was made by Mr. Randall, 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