

Folks:

Please keep in mind that the *time & order* of the agenda has been slightly modified. We will start the meeting at 5:00 p.m. w/ Board & Agency Presentations, do closed session at 6:00 p.m., and then reconvene for the rest of the meeting at 7:00 p.m. as usual.

AGENDA

**Regular Meeting of the Board of Supervisors
of Northampton County, Virginia
Board Chambers, 16404 Courthouse Road
Eastville, Va.**

February 9, 2016

5:00 p.m.

Call to order

Adoption of the Agenda

Board and Agency Presentations

- (1) Terrence Flynn, General Registrar: demonstration of new voting machine
- (2) Dr. Linda Thomas-Glover, President, Eastern Shore Community College: annual update.
- (3) Mr. Chris Isdell, Residency Administrator, Va. Dept. of Transportation
- (4) Kerrie Allison, Executive Director, Eastern Shore Tourism Commission: annual update

Consent Agenda:

- (5) Minutes of the meetings of January 7, 12, 19, and 25, 2015.
- (6) Consider adopting a Resolution of Commendation for Mr. Leonard Spady, Jr., who is retiring from the Electoral Board after 21 years of service.

County Official's Reports:

- (7) Mr. John Andrzejewski, Finance Director:
 - (A) Budget Amendments & Appropriations
 - (B) Other

At 6:00 p.m.

Conduct Closed Session in accordance with Section 2.2-3711 of the Code of Virginia of 1950, as amended:

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

Appointments to boards, committees: (Regional Housing Authority, Area Agency on Aging, RC&D Council, Recreation Board, Regional Navigable Waterways Committee)

(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 such counsel.

From 7:00 p.m. forward:

Moment of Silence

Pledge of Allegiance

Public Hearing:

(8) Special Use Permit 2016-2: Hecate Energy has applied to obtain a special use permit for a 20-megawatt solar energy facility on property located 15446 Seaside Rd., near Cape Charles. The property, described as Tax Map 59, double circle A, parcel 2, is zoned AG, Agriculture, and contains approximately 185 acres of land.

(9) An amendment to the Fiscal Year 2016 County Budget as requested by the Northampton County School Board for an increase of \$741,165.22 in order to appropriate the balances remaining in the Federal awards after all Fiscal Year 2015 reimbursements were processed.

Citizens' Information Period (only matters pertaining to County business or items on Board agenda for which a public hearing has not already been scheduled.

Mrs. Katie Nunez, County Administrator (*informational items only*):

Work session/other meeting agendas:

- (i) 2/22/16: Work Session: Topic to be determined
- (ii) 3/9/16: Joint Public Hearing w/ Planning Commission
- (iii) 3/28/16: Work Session: Topic to be determined
- (iv) 4/25/16: Work Session: Topic to be determined

(10) Bi-monthly Report

Tabled Item:

(11) Special Use Permit 2015-16: Eastern Shore Rural Health System, Inc. has applied to obtain a special use permit for a Medical Facility. The proposed facility will be located on an approximately 14 acre parcel to be subdivided from property described as Tax Map 68, double circle A, parcel 52, and parcel 51. Parcels 68-A-52 and 51 are zoned AG. *This item was tabled at the January 12, 2016 meeting pending receipt of additional information from the Planning Commission.*

Action Items:

- (12) Consider adoption of the Northampton County Board Member Manual
- (13) Consider tipping fee waivers for two tire piles as follows:
 - (A) The Nature Conservancy – approx.. 60 tires ± \$120.00
 - (B) The Virginia Eastern Shore Land Trust – 103 tires = \$206.00
- (14) EMS Garage Discussion
- (15) Consider action on County Administration Roof Bid

Matters Presented by the Board Including Committee Reports & Appointments

Citizens' Information Period #2 (in which the public can again address the Board for an additional two minutes concerning what happened at that night's meeting.)

Recess until 5:00 p.m., Monday, February 22, 2016, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, in order to conduct the regular work session.

Board & Agency Presentations

(1) Terry Flynn, General Registrar

(2) Dr. Linda Thomas-Glover, President –
Eastern Shore Community College

(3) Chris Isdell, Residency Administrator – Va.
Dept. of Transportation

(4) Kerrie Allison, Executive Director – Eastern
Shore Tourism Commission

Consent

Agenda Items

VIRGINIA:

At a special-called 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 7th day of January, 2016, at 5:00 p.m.

Present:

Oliver H. Bennett, Vice Chairman	Larry LeMond
Granville F. Hogg, Jr.	H. Spencer Murray
Robert G. Duer	

The meeting was called to order by the Vice Chairman, who noted that this was a special-called meeting for the purpose of:

Conduct 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 such counsel.

Discussion of zoning text & zoning map amendment appeal filed by Ken Dufty

Any other actions as required related to the above item

Closed Session

Motion was made by Mr. LeMond, seconded by Mr. Hogg, 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 such counsel.

Discussion of zoning text & zoning map amendment appeal filed by Ken Dufty

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.

Adjourn

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

The meeting was adjourned.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR

VIRGINIA:

At a regular 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 12th day of January, 2016, at 4:00 p.m.

Present:

Oliver H. Bennett, Vice Chairman

Granville F. Hogg, Jr.

Larry LeMond

Robert G. Duer

H. Spencer Murray

The meeting was called to order by the Vice Chairman.

Closed Session

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

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

Appointments to boards, committees: (Ad-Hoc Emergency Care Committee, AFD Committee, Housing Alliance, Regional Housing Authority, ANPDC, Area Agency on Aging, Fire & Rescue Commission, E911 Commission, Groundwater Committee, E. S. Preparedness Coalition, Community Services Board, ANTDC, Tourism Commission, PDR Committee, RC&D Council, Recreation Board, Regional Jail Board, Wetlands Board)

(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.

*Property behind Kiptopeke Elementary School
Former Home Demonstration Club Pic-nic Area*

(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 such counsel.

Correspondence from Public Library's legal counsel

Discussion of zoning text & zoning map amendment appeal filed by Ken Dufty

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.

Mr. Hogg stipulated that he had not been present for the discussion relative to items contained under Paragraph 3.

The Chairman read the following statement:

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

Board and Agency Presentations:

- (1) Virginia Cooperative Extension Service: Christina Ruszczyk-Murray, Unit Director

Mrs. Ruszczyk-Murray, Unit Director, briefed the Board on the activities of the Virginia Cooperative Extension Service and introduced the new SNAP agent, Ellen Putny. She shared the following powerpoint presentation with the Board:

2015 Extension Report

Northampton County



Virginia Cooperative Extension
Virginia Tech • Virginia State University

www.ext.vt.edu

4 Program Areas

- **Agriculture and Natural Resources**
 - Ursula Deitch, Extension Agent
- **Family and Consumer Science**
 - Family Nutrition Program, Northampton & Accomack
 - Ellen Pudney, Extension Agent
 - Keisha Elmandorf, Program Assistant - adult
 - Susan O'Brien, Program Assistant - youth
- **4-H Youth Development**
 - Christina Murray, Extension Agent, Unit Coordinator
- **Community and Economic Development**



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Program Partners

- Soil and Water Conservation District
- Resources Conservation District
- Natural Resources Conservation Service
- Health Department
- Safe Kids Coalition
- Public and Private Schools
- Virginia Department of Agriculture and Consumer Services
- Department of Conservation and Recreation



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Boards and Committees

- Farm Bureau
 - Young Farmers
 - Ag in the Classroom
- Eastern Shore Healthy Communities
- Safe Kids
- New Roots Youth Garden
- Northampton Chamber of Commerce
- Southeast Educational Center
- Soil and Water
- Environmental Educators
- Irish Potato Board



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ANR Programming

- **Ag Conference**
 - 250+ attended
- **Specialist Days**
 - Weed Lecture (30)
 - Composting Workshop (45)
- **Pesticide Container Recycling Program**
 - 2000 lbs. collected
 - 3 locations
- **Pesticide Applicator**
 - 109 Certifications
- **Master Gardeners**
 - Approximately 90
- **Farm Visits & Evaluations**
- **Large Acreage GAP Food Safety Plan**
 - First in the State
- **Young Farmers 5K (48)**



ANR Programming

Insect Monitoring Programming

- **Northampton County Corn and Soybean Monitoring**
 - 14 weeks
 - 12 sites
 - Weekly e-mail updates
 - Saved estimated \$600,000+ to local growers
- **Kudzu Bug State-wide monitoring**
 - May to June
- **Brown Marmorated Stink Bugs (BMSB) in tomato fields.**
 - Research project with Dr. Kuhar
 - 12 BMSB traps
 - 3 separate tomato field locations.



Family Nutrition Program (SNAP-Ed)

- Supported USDA grant
- FNP program serves low-income individuals and families:
 - direct education
 - Indirect education
 - Policy, systems and environment



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Programming Partners / Locations:

- Northampton County Public Schools
- Churches
- Department of Social Services
- Clients' home
- Northampton Summer Migrant Program
- Cheriton Migrant Head Start
- Project Head Start
- Virginia Health District – Northampton County
- Eastern Shore Area Agency on Aging/Community Action Agency
- The Food Bank of the Eastern Shore
- Community Services Board
- Eastern Shore Healthy Communities coalition



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SNAP-Ed Curriculums

LEAP

(Literacy, Eating, and Activity for Preschoolers) The lessons combine reading activities, food tastings, and physical activities to make being healthy a fun and positive experience.

- Trained all the Pre-K teachers
 - Hare Valley Head Start
 - Kiptopeke Elementary

Teen Cuisine

Combines nutrition, physical activity, and food safety into a series of lessons where teens can receive nutrition education while enhancing their cooking skills.

- Working with FCS Teacher at Northampton High School



Virginia Cooperative Extension

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www.cvt.vt.edu

FNP Programs, Northampton

Eat Smart, Move More (Adult)

- 169 Clients taking 2 – 6 comprehensive lessons
- 926 Short – Term Contacts
 - (Direct: 347 / Indirect: 579)



Expanded Food and Nutrition Education Program

Organ Wise Guys (Youth)

Empowering kids to be healthy and smart, from the inside out!

- 120 students at NCPS since October 1, 2015
 - 6 hours of programming with each class
- Starting Healthy Weights for Healthy Kids soon



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4-H Programming

- **4-H Clubs** (35 enrolled)
 - 4-H Shooting Sports
 - Horse Club
 - Teen Leadership
- **Special Programs** (100+ enrolled)
 - New Roots Youth Garden
 - Trash to Treasure
 - Photography
- **4-H Camp**
 - Jr. Camp (5 day) (45)
 - Shooting Sports Camp (5 day) (57)
 - Teen Jobs Skills (Overnight) (27)
 - Marine Biology Camp (Overnight) (13)
- **Congress (1)**
 - 4 day trip to VT for teens



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Current Programming Efforts

4-H In-school Programs 2015

- Skill-a-thons 3rd grade
- Pumpkin Mania 2nd grade
- Embryology various
- Plant Life Cycle 2nd grade
- Electricity / Magnetism 5th grade
- Watershed 8th grade
- Ground Water 11th -12th grade
- Reality Store 9th grade
- National Science Experiment Day various
- Master Gardener enrichment and garden 2nd grade KES
- Container gardening project upper school CCC
- Healthy Weights Healthy Kids 4th grade KES



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Statewide Awards 2015

- 4-H
 - Innovative Programming Award
- ANR
 - Virginia State Showcasing Scholarship Poster Contest – 1st Place
 - Plastic Pesticide Container Recycling Program Award
- VCE
 - Diversity Fellowship – Christina Murray



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Johnsongrass Program

- Program that works toward the containment Johnsongrass in county.
- This program works through land owner notification and education and by treating growth on public land.
- Position went unfilled in 2015 growing season



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(2) Presentation from Ad-Hoc Emergency Medical Committee: Final Report

Mr. Pat Coady, Chairman of the Ad-Hoc Emergency Medical Committee, presented the following final report in keeping with the charge given to the Committee by the Board:

Summary

Northampton County needs to address five issues to ensure adequate EMS coverage when the hospital moves to Onley. These are:

- Building
- Staffing (both County and Volunteer)
- Equipment
- Pay and benefits
- Contractual relationship between the County and the three volunteer agencies.

The remaining work undertaken by the Ad Hoc Committee has import for overall medical outcomes for our citizens and can continue to be explored and addressed. However, to ensure we maintain the speed and quality of EMS service to our citizens, the above five issues must be addressed in the remaining part of this fiscal year and be fully included in Fiscal 2017 and beyond. The committee specifically supports the need for an adequate building for our county EMS, the purchase of an additional ambulance and related equipment, the gradual increase in staff, and ensuring an appropriate replacement schedule for capital and major equipment for all EMS units.

The specific recommendations from the committee and the EMS director are contained in Appendices A & B.

The county does not have the population/demand to support a critical access hospital, nor a standalone emergency room. It is not clear that we can even support a full service “urgent care center”. Most Urgent Care Centers are dependent upon more volume and a higher percentage of fully insured patients than our patient base provides. A variation of “urgent care” with extended hours and appropriate services may be feasible and should continue to be pursued.

The Riverside Healthcare Association should be encouraged to meet at least the spirit of their promises as expressed in the COPN. Failing that, the County should seek other medical providers more willing to provide needed services.

The current expected demand upon and fiscal and staffing needs of EMS after December 2016 appear to be justified and should be planned for and implemented as needed. This includes an appropriate building for County EMS and a gradual ramp-up of training and staffing in the remaining fiscal year-2016, expecting the major impact to fall in fiscal 2017.

A strong volunteer EMS is of great benefit both to the taxpayer and the sense of community as a whole. To the extent possible and feasible, the volunteer agencies should be supported and

assisted. However, the national trend is not positive. When volunteer agencies cannot fulfill their obligations, the County must be in position to continue to offer prompt fully qualified coverage to all citizens. To work co-operatively and successfully there must be fair and firm agreements between the agencies and the County to cover all contingencies. Currently, paid County staff provides assistance for approximately 85% of all calls. The County provides more than 75% of the staffing requirement for two volunteer units and the third unit has experienced having more than 2/3 of their regional calls handled by another unit. If the county were not providing volunteer units with extensive staffing, the call response would be low for all volunteer units.

The committee's current charge (April 8, 2014, amended August 11, 2015) from the Board of Supervisors is to:

1. Engage in discussions with existing medical service providers as well as potential new providers to determine level of interest to extend existing hours of operation and/or establish new levels of service delivery in Northampton County; determine costs for providing new and/or expanded hours of operation and if financial assistance either by the County or through outside funds (federal or state grants or through donations) is necessary in order for such expanded service to be offered.
2. Work with County personnel and the volunteer companies in examining the requirements and potential implementation of an "EMS" tax to support the cost of increasing the number of qualified EMTs, as identified in the Ad-Hoc Committee report.
3. Work with the County EMS Department, the volunteer EMS companies, and the appropriate state agencies to review the current required EMS protocols relating to EMS response and transport to "defined medical facilities" and determine if flexible language can and should be pursued to expand the types of medical facilities that can receive transports from EMS units.
4. Work with County personnel to develop recommendations for specific property locations for helipads in the northern, central and southern locations; include in this recommendation an estimated cost to improve the potential properties and rank the suitability of property, if there is more than one choice per the 3 "zones" of northern, central and southern locations.
5. Work with County personnel and the volunteer EMS companies to develop a proposed agreement that addresses staffing needs and assignments, including the usage of paid County staff within the volunteer companies, status of equipment and development of a proposed capital plan for ambulance replacement, requirements of training to maintain certifications, and consideration of potential stipend payments relative to both staffing needs and training needs.
6. Develop a 12-month pilot program known as the "EMS Utilization Intervention Program," including partners and funding support.

Summary of work and recommendations relative to the charges:

- 1) Our discussions with service providers are ongoing. Both Riverside and Rural Health are offering longer or Saturday hours at some locations. We are still short of ensuring access to non-emergency room care seven days a week and for not less than 12 hours a day.
 - a) Our recommendation is to continue to seek a provider and funding willing to commit to extended hour care with at least a nurse practitioner or physician's assistant on duty. This care should include access to lab, radiology, and pharmacy as needed.
- 2) The committee recommended to the Supervisors implementation of an Emergency Services tax in January 2015.
 - a) At its December 17, 2015 meeting the committee re-affirmed that recommendation.
- 3) The determination of appropriate protocols is a prime responsibility of the Operational Medical Director. The EMS department will have a new OMD in January.
 - a) Review of protocols will be among the OMD's tasks.
- 4) The recommendation for additional helipads is considered low priority and can be taken up as any appropriate development arises.
- 5) Contractual agreement between County and Volunteers
 - a) *The development of a comprehensive funding and operating agreement between the County and the volunteer EMS departments is critical.* The County is currently providing staff support for up to 85% of all calls. At present, loss of access to volunteer owned buildings or ambulances would be greatly detrimental to providing proper EMS response; far more so than the loss of any particular volunteer company's staffing.
 - b) The committee recommends the Supervisors assign a task force to explore and seek a comprehensive agreement with the volunteer agencies. We recommend two Supervisors be part of the task force. The parameters to be considered in such an agreement are covered in Appendix B.
- 6) The pilot program is on track to start in January and we should begin to have actionable data within six months.
 - a) If the data demonstrates better EMS transport demand and health outcomes, then consideration can be given to making the program permanent and appropriate funding determined. If the pilot proves successful, it is in the benefiting agencies interest to make the program permanent.

Under the original committee charge of: "Any other service offerings that could improve the provision of emergency care in Northampton County"; the committee has been working with a Strategic Plan that outlined seven goals. These goals are:

Goal I: Create a strong, well-equipped, well-staffed EMS system to serve all residents of Northampton County.

Goal II: Enhance, support and increase primary care resources in the county.

Goal III: Provide urgent care service in Northampton County.

Goal IV: Create telecommunications infrastructure to support medical services.

Goal V: Educate the public regarding health care resources and how to best use such resources.

Goal VI: Generate revenue to support medical services in Northampton County.

Goal VII: Develop a system for accountability and monitoring of health services in Northampton County.

Goal I The committee's recommendations for Goal I are the major consideration of this report and are covered above and in Appendix A. A significant part of accomplishing this goal is greater involvement of the educational community in advising our citizens of EMS opportunities and providing the education and testing required.

Goal II is being partially met with expanded hours at Cape Charles Medical Center and the proposed consolidation of Rural Health at a new facility in Eastville. More work needs to be done in this area. The citizens need providers that are available seven days a week and at least 12 hours a day. With such service available and an educated public, some pressure on our EMS services would be lessened.

Goal III: Riverside is clearly not keeping their promise to provide "urgent care" in Nassawadox. "Urgent Care" is a somewhat nebulous term. What is really needed in Northampton, for both lower utilization of EMS and better health outcomes, is expanded availability of primary care with available diagnostic lab, radiology, and pharmacy as needed. Discussions should continue with alternative providers and the Northampton Medical Foundation to fulfill this outstanding need.

Goal IV: This goal is progressing. ESVBA has offered an RFP for full wireless broadband coverage and is in negotiation with one or more respondents. Our request for a wireless tower study to develop a strategic plan for current and future communication needs including public safety, broadband and cellular will be partially fulfilled by an agreement between Virginia Tech and the state Center of Innovation Technology. This study will cover ideal tower locations with detailed propagation maps. We still need to obtain grant funding to cover surveying providers and users as to their plans and needs. One method by which we can reduce the need for EMS services and improve patient health is through telemedicine both for patient monitoring and care provision. Full implementation of this goal would make telemedicine feasible for our citizens.

Goal V: Through publication, websites and social media, we will need an ongoing program to inform the public of available medical services as well as transportation options.

Goal VI: Combined with goal seven we have an opportunity, in co-operation with the new Foundation, to seek funding for improved patient outcomes, which benefit not only the patients, but also the payers. The "Healthy Communities" program and the state push toward "accountable care" can both assist in achieving these goals. Medicare and Medicaid reimbursements are beginning to allow for more non-traditional care reimbursements. These changes, if they continue and are adopted by insurers, will significantly assist our efforts. An Emergency Services Tax can provide the funding necessary to absorb the impact of the hospital move on EMS.

Goal VII: The pilot study will provide important data on some of our most severe medical needs.

Combined with the above-mentioned two initiatives, we should have considerable data available. HIPPA restrictions will, of course, be met.

Transportation

Transportation issues continue to significantly affect good patient outcomes. Lack of transportation leads to delayed seeking of care, many missed appointments, and inappropriate use of ambulances services—whether for transportation or due to critical issues which should have been addressed earlier. The current state contract for “medical taxi” services does not serve the Eastern Shore in an effective manner.

The Shore needs to establish a medical transport system, which provides door-to-door service for poorly mobile patients. We have many vans already in service on the Shore, some with wheel chair capability, which sit idle for large portions of the day. A Shore based medical taxi service with co-operative agreements with van operating agencies and appropriate funding/reimbursement mechanisms needs to be made operational. The Eastern Shore Healthy Communities may be the choice for lead agency in this effort. Under the initiative of Ms. Stern, Rural Health is moving forward on a portion of this need in co-operation with CSB.

Appendix A

Excerpts from: Northampton County Emergency Medical Services
EMS System Overview and Plan
December 17, 2015

Requirements

An EMS agency shall provide service within its primary service area on a 24-hour continuous basis.

Each locality shall seek to ensure that emergency medical services are maintained throughout the entire locality.

In accordance with our response plan, an EMS agency will 90% of the time have a unit on scene within 20 minutes of the time of dispatch, 24 hours a day.

Considerations to Lessen Impact of Hospital Move

Implement strong EMS training program
Rebuild the volunteer EMS system
Pilot program, “Advanced/Community Public Health Nurse Assist”

Considerations/Recommendations

Equipment – Vehicles

The increase of county personnel in the volunteer stations lessens the need for volunteers to run calls. If an agency does not have personnel and call volume, their ability to maintain state licensure as an EMS agency comes into question.

An agency's loss of licensure brings the following struggles for County staff:

- Loss of ambulance(s) to utilize

- Loss of needed building in call district to house ambulance(s) and personnel

It is recommended a contract be put in place with each agency outlining how their ambulances, equipment and supplies can continue to be used both on a temporary and/or permanent basis if the need should arise. These details should be formulated with input from the VA Office of EMS, the County Attorney and others as identified.

Enough space should be considered at the Machipongo site in the event services need to be centralized due to loss of any or all facilities. This is not the recommended way to provide EMS services to the County, however, it would be an interim option on county owned property and could be cost saving. An appropriate agreement between the agencies and the county can reduce this need.

Disposable Supplies & Training

While not a current problem, concerns exist with ensuring vehicles/equipment are properly maintained and disposable medical/cleaning supplies are readily available.

Consideration should be made to place the \$90,000 received from Exmore and Cape Charles into a fund to bulk purchase disposable medical/cleaning supplies for all ambulances, oxygen and potential capital purchases.

A review of this fee needs to be considered to ensure it is assessed fairly across all stations with assigned county personnel. Potentially this could be based on shifts county staff cover thereby affecting the revenue generated in each station.

Any leftover funds could be utilized to purchase new/updated equipment to benefit all.

Capital Plan

A Capital plan needs to be developed to include a replacement schedule of all EMS vehicles and any piece of equipment costing more than \$5,000 (monitor/defibrillator, stretcher, etc.). A unified approach to ambulance/vehicle design, equipment specifications and funding sources should be included with this plan.

Examples of needs:

1. Ambulances

Three (3) ambulances at or near replacement time

2. CPR devices

Need a Lucas Chest Compression System on each ambulance, for a total of three (3) more needed

3. Difficult airway management equipment

Need difficult airway management equipment on all ambulances

4. Power stretchers

Need a power stretcher on each ambulance, for a total of two (2) more needed

Consider six (6) patient loading systems as now required on all new ambulances beginning July 1, 2015

Personnel

The logistics and funding required to provide a dual role fire/medics is significant and is not recommended at this time. The EMS impact with the hospital move is enough burden for the County to bear.

Career Recruitment/Retention:

Need additional pay incentive

Need Hazard Duty Retirement Package

Majority of EMS providers lost to Accomack County. Accomack is losing providers to Wallops, Virginia Beach, Norfolk, etc.

Need to reach into Tidewater market by providing payment of bridge tolls

Volunteer Recruitment:

Work with high school to offer elective for juniors and seniors to attend EMT class.

Work with TEMS to get EMT practical testing back on the Shore.

Work with ESCC to provide EMT written testing, as a Pearson Vue Testing Center.

Long term, work with ESCC to offer EMT training as a career studies course.

Funding the Stations

The Board of Supervisors should set the ambulance billing fee schedule used by all agencies, including write offs. Pursuit of collections will be at the discretion of each agency.

All EMS agencies shall utilize the same billing company, negotiated by the County. This will allow for electronic submission through EMS charts for all EMS agencies.

Billing monies will remain separate and payable to each transport agency.

Operational Medical Director:

Dr. Grimes is set to take over the role as Operational Medical Director for all NC EMS agencies on or about February 1, 2015.

Dr. Hatch will remain our Physician Course Director as we begin to move through the training accreditation process, with the hopes of another physician undertaking these responsibilities shore wide upon acquiring three (3) years of experience.

EMS Charts should be used County wide, but on four separate systems with OMD access to all for QA purposes. Each agency should have an appointed QA Specialist responsible for review of all charts and quarter report submission to OMD.

Summary

Prepare to career staff four (4) ambulances during the day time (6a/p) hours and three (3) ambulances during the night time (6p/a) hours. This requires the following:

- Hiring of an additional six (6) EMT-Intermediates/Paramedics and seven (7) EMT-Basic/Enhanced. This will bring us to a total of twenty-four (24) field EMS providers.
- An increase funding of \$697,000 will be required, totaling \$1,785,000 for full-time personnel costs (salaries & benefits).
- Staggered hiring should be done over the next 9 months, beginning in January 2016, to ensure full staff upon the hospital move slated for December 2016.

It is anticipated a total EMS budget of \$2,025,000 will be required to fully fund all positions and operational costs. This does not include anything related to a capital plan.

Summary of Salary Request

	FY16	FY17	Increase	Percentage
Full-time Salary	\$ 695,229	\$1,077,862	\$ 382,633	55%
Full-time Overtime	\$ 142,382	\$ 273,795	\$ 131,413	92%
Full-time Benefits	\$ 320,672	\$ 432,884	\$ 112,212	35%
Part-time	\$ 70,460	\$ 70,460	\$ -	0%
Part-time FICA	\$ 5,390	\$ 5,390	\$ -	0%
TOTAL SALARY	\$ 1,234,133	\$ 1,860,391	\$ 626,258	51%
Operations estimated	\$ 105,395	\$ 164,610	\$ 59,215	56%
Capital pending	\$ 17,650		\$ (17,650)	
TOTAL BUDGET - estimated	\$ 1,357,178	\$ 2,025,001	\$ 667,823	49%

Appendix B

Parameters to be considered in a County/EMS Volunteer Agency agreement

- 1) If an agency loses its certification or for other reasons ceases to provide service
 - a) Equipment and supplies will continue to be available as needed to the citizens to ensure adequate coverage
 - b) Physical Facilities will likewise continue to be available to service the citizens who supported their creation through donations and taxes
 - c) A unified approach should be developed to provide for capital vehicle and equipment needs, including specifications and funding sources.
 - d) Agencies should agree to maintain vehicles in full working order or notify County of any inability to do so, so that corrective actions can be taken.
 - e) Consideration should be given in any agreement toward the bulk purchase of supplies, maintenance levels, and co-operative funding of those purchases
- 2) Billing
 - a) Agencies should all have billing service providers who can provide appropriate electronic data to “EMS Charts”
 - b) Consideration should be given to having the Board of Supervisors set a billing fee schedule for all units, including policy for write-offs.
- 3) Staffing
 - a) County and Agencies to agree on percentage of revenue paid to county for paid staff at the volunteer agency.
 - b) Parameters of this agreement may include:
 - i) If volunteers are unable to meet agreed staffing percentages and the County provides the necessary staff, revenue allocations may adjust accordingly
 - ii) Agencies agree to support and co-operate with all County efforts for training both additional and current Staff report
 - iii) Agencies agree to assist and support County efforts in staffing for more fully trained volunteers
- 4) Employment, paid and volunteer
 - i) Agreement should address need to reduce loss of personnel, (stop being a training ground for others); this may include:
 - (1) Offer bridge toll reimbursement to more fully tap tidewater market
 - (2) Need to do actuarial study on retirement incentive
 - (a) Design and provide an appropriate Hazard Duty Retirement Incentive
- 5) Revenue
 - a) Agencies and County agree on a percentage of the standard hourly cost which will be reimbursed to the County based on # of hours filled by paid staff.
 - b) Sufficient revenue to remain with volunteer agency to enable their operations and maintenance. It is not anticipated that billed revenue will fully cover personnel costs.

Appendix C

Call data

EMS Response Data

July 2014 through June 2015

Performance Measure: EMS agencies with 90% of the time have a unit on-scene within 20 minutes from the time of dispatch, 24 hours a day.
Response Time = time from 911 dispatch to arriving on-scene.

Table 1. Performance Measure Data

Daytime (Monday thru Friday, 6a-6p)				
District	#	Total Calls	Less than 21 min response time	% 95%
Community FC	13	563	546	97%
Northampton F&R	16	518	503	97%
Cape Charles RS	19	666	621	93%
Out of County	10/11	37	25	
Average Response Time:		9:29	Max:	46

Night-time/Weekend (Monday thru Friday, 6p-6a & all Saturday & Sunday)				
District	#	Total Calls	Less than 21 min response time	% 94%
Community FC	13	371	348	94%
Northampton F&R	16	272	260	96%
Cape Charles RS	19	398	375	94%
Out of County	10	17	11	
Average Response Time:		10:49	Max:	34

Table 2. Mutual Aid Data

Daytime (Monday thru Friday, 6a-6p)							
District: Receiving Aid	Station: Giving Aid					% Calls Answered	
	13	16	19	31	Other		
Community FC	13		14	2	16	33	88%
Northampton F&R	16	281		21	34	10	33%
Cape Charles RS	19	29	19		41	2	86%
					91	45	

Night-time/Weekend (Monday thru Friday, 6p-6a & all Saturday & Sunday)							
District: Receiving Aid	Station: Giving Aid					% Calls Answered	
	13	16	19	31	Other		
Community FC	13		26	0	48	13	77%
Northampton F&R	16	82		2	97	1	33%
Cape Charles RS	19	4	4		132	0	65%
					277	14	

Table 3. NCEMS Calls

Total Calls:	2842	
Response Time < 21 mins:	2653	93%
	4%	maximum

Data represents calls which originated within a particular district.
Data Source: Eastern Shore of VA 911 Center

District: Receiving Aid	Call Type			Assists
	ALS	BLS	Other	
Community FC	13	200	343	258
Northampton F&R	16	134	337	147
Cape Charles RS	19	281	352	322
Other	10	14	8	29
TOTAL		629	1040	756

85% 289

Mr. Hogg questioned the possibility of implementing a 24-on; 48-off work schedule; perhaps that would be an aid in the recruitment and retention of staff. Mr. Coody said that the Committee would not be in a position to answer such a question and directed the inquiry to EMS Director Hollye Carpenter.

Mr. Murray said that the only way to corral the true costs of medical services needed is to

have some place for the ambulances to go. Mr. Coady responded that one of the recommendations of the Committee: creation of cooperative agreements with the volunteer agencies, would hopefully address some of Mr. Murray's concerns, and that the Board as decision-makers must be at the table as it is ultimately the Board's responsibility. Changes are being planned to existing protocols which may allow ambulances to deliver patients to facilities other than an emergency room.

Motion was made by Mr. LeMond, seconded by Mr. Murray, that the Board extend the charge given to the Ad-Hoc Emergency Care Committee by another 90 days (until April 1, 2016). All members were present and voted "yes." The motion was unanimously passed.

Consent Agenda:

- (3) Minutes of the meetings of December 8 and 28, 2015.

With regard to the minutes of the meeting of December 8, Mr. Hogg asked that the four pages excerpted from the Board's Strategic Plan, which he had distributed at the meeting, be included therein. The Board agreed with this request.

Mr. Hogg then asked that pages 102-292 of the December 8th meeting minutes, which contained the exhibits referenced therein, be omitted as he did not have those exhibits at the December 8th meeting. Mr. Jones replied that those documents formed the substance of Mr. Trala's motion at that meeting.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that the minutes of December 8, 2015 be approved as amended by the inclusion of the Strategic Plan pages. All members were present and voted "yes," with the exception of Mr. Hogg who voted "no", and Mr. Duer and Mr. Murray who abstained. The motion was passed.

Motion was made by Mr. LeMond, seconded by Mr. Hogg, that the minutes of the

December 28, 2015 meeting be approved as presented. All members were present and voted “yes,” with the exceptions of Mr. Duer and Mr. Murray who abstained. The motion was passed.

(4) Consider adoption of a Resolution endorsing Community Unity Day, scheduled for January 18, 2016

RESOLUTION

WHEREAS, Northampton County's economic and social well-being requires the best efforts and cooperation of county residents of all races, creeds and backgrounds; and

WHEREAS, the Northampton County Branch of the National Association for the Advancement of Colored People, the Citizens for a Better Eastern Shore, and the Northampton County Public Schools have organized a COMMUNITY UNITY DAY to commemorate the life of Dr. Martin Luther King, Jr., which includes a community breakfast to be held at 8:30 a.m. at Northampton High School, followed by a walk to Eastville.

NOW, THEREFORE, the Northampton County Board of Supervisors does hereby endorse the COMMUNITY UNITY DAY to be held January 18, 2016.

* * * * *

Motion was made by Mr. Murray, seconded by Mr. Duer, that the resolution be adopted as presented. All members were present and voted “yes.” The motion was unanimously passed.

Mr. Duer asked that the agenda be amended to allow for an addition under the Action Items Agenda in regards to considering action on zoning matters. The Board concurred.

Mr. Murray asked that the agenda be amended to allow for an addition under the Action Items Agenda in regards to the Comprehensive Plan Advisory Committee. The Board concurred.

County Officials' Reports:

(5) Mr. John J. Andrzejewski, Finance Director, presented the following Budget Amendments and Appropriations for the Board’s review:

MEMORANDUM:

TO: Board of Supervisors
FROM: John J. Andrzejewski, Director of Finance
DATE: January 12, 2016
RE: Budget Amendments and Appropriations – FY 2016

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

\$395,242.89 – This represents the receipt of an erroneous wire transfer from Bank of America related to the 2001 QZAB. Funds should have been wired to VPSA. Funds to be placed in Debt Service account since the wire to VPSA was from that account.

\$23,818 – This represents a shortage required to close out the 2001 QZAB. Funds will be taken from under-utilized health insurance budget in Fund 100 (Commissioner of the Revenue, Finance, Sheriff, Emergency Medical Services, Facilities Management, Planning & Zoning, and Economic Development).

\$3,094 – This represents an increase in the Victim-Witness grant to be used for pay and benefits.

\$1,196.10 – This represents the insurance reimbursement for repairs to a damaged vehicle. The amount is net of the deductible and taxes. The funds will be placed in Facilities Management's Vehicle and Equipment Supplies account.

\$39 – This represents Asset Forfeiture funds received by the Commonwealth Attorney in conjunction with a case. The funds will be put in the Commonwealth Attorney's State Asset Forfeiture account.

\$22,500 – This represents a grant from the Port of Virginia for dredging at Willis Wharf. The project was originally budgeted for in FY 2015. Receipt of the funds was delayed to FY 2016. The funds will be put in State Aid and the budget for Harbors and Boat Ramps, Construction/Improvements will be increased.

* * * *

Motion was made by Mr. Murray, seconded by Mr. LeMond, that the foregoing budget amendments and appropriations be approved as presented. All members were present and voted

“yes.” The motion was unanimously passed.

Lastly, Mr. Andrzejewski presented a memorandum requesting Board approval of the new mileage rate as determined by the IRS for 2016: 54 cents (down from 57.5 cents for 2015). Motion was made by Mr. Duer, seconded by Mr. Murray, that the new mileage rate be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

The Second Quarter, FY 2016 Financial Statements were distributed to the Board. Questions can be directed to the Finance Director. Additionally, copies of the FY 2015 Comprehensive Annual Financial Statement were released; a presentation by the auditors will be heard at the January 25th work session.

At approximately 6:00 p.m., the Board recessed for the supper break.

At 7:00 p.m., the Chairman reconvened the meeting.

A Moment of Silence was observed.

The Board recited the Pledge of Allegiance.

(6) Organizational Matters:

The floor was opened for nominations for the office of Chairman. Mr. Duer nominated Mr. Murray for Chairman. Mr. LeMond nominated Mr. Bennett for Chairman. There being no further nominations, motion was made by Mr. Hogg, seconded by Mr. LeMond, that the nominations be closed. All members were present and voted “yes.” The motion was unanimously passed. In the matter of the election of Mr. Murray as Chairman, all members were present and voted “yes”, with the exceptions of Mr. Bennett and Mr. LeMond. The motion was passed. Mr. Murray was elected Chairman and assumed the Chair.

The floor was opened for nominations for the office of Vice Chairman. Mr. Hogg nominated Mr. LeMond for Vice Chairman. There being no further nominations, motion was

made by Mr. Bennett, seconded by Mr. Duer, that the nominations be closed. In the matter of the election of Mr. LeMond for Vice Chairman, all members were present and voted “yes.”

The motion was unanimously passed.

At this time, the Chairman declared a brief recess in order to shake hands with the public.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that the Board retain the following schedule for regular meetings as set out below. All members were present and voted “yes.” The motion was unanimously passed. Said meeting schedule is set out below:

Regular meetings:

Second Tuesday of each month, commencing at 5:00 p.m. in the Board Room, 16404 Courthouse Road, Eastville, Virginia. The Board will hear Board & Agency Presentations between 5 and 6 p.m. and then will conduct Closed Session between 6 and 7 p.m. At 7:00 p.m., the Board will reconvene the regular meeting. (This new format eliminates the dinner break.) Additionally, it is the Board’s intent to add an “adoption of the agenda” item as well as adding an additional Citizen Information Period at the conclusion of the regular meeting in which the public can again address the Board for an additional two minutes concerning what happened at that night’s meeting.

Motion was made by Mr. Duer, seconded by Mr. Hogg, that the Board retain the following schedule for work session meetings as set out below. All members were present and voted “yes.” The motion was unanimously passed. Said meeting schedule is set out below:

Work session meetings:

Fourth Monday of each month, commencing at 5:00 p.m. in the Board Room, 16404 Courthouse Road, Eastville, Virginia.

While substantial changes had been proposed to the Board Member Manual, following advice by legal counsel, it was the consensus of the Board that additional research was needed; this matter will be brought forward for consideration next month.

Public Hearing:

(7) Special Use Permit 2015-16: Eastern Shore Rural Health System, Inc. has applied to obtain a special use permit for a Medical Facility. The proposed facility will be located on an approximately 14 acre parcel to be subdivided from property described as Tax Map 68, double circle A, parcel 52, and parcel 51. Parcels 68-A-52 and 51 are zoned AG.

The Chairman called the public hearing to order and asked if there were any present desiring to speak.

Mr. Peter Stith, Long-Range Planner, indicated that the Planning Commission was recommending approval of the petition with the condition that Type C opaque screening be required along the north boundary and that the applicant be required to explore a subdivision of the property in which a boundary line adjustment is made (to move the diagonal line that separates parcels 68-A-52 and 68-A-51).

Mrs. Nancy Stern, CEO of Eastern Shore Rural Health, distributed a folder of ESRH materials, including their 2015 annual report, map of center locations, guides to medical and dental services, patient portal, and provider directory. She indicated that ESRH serves in excess of 36,000 patients on the Shore with primary care, health education and outreach services. The consolidation of the Bayview and Franktown Community Health Centers will “bring real opportunity for economies of scale”. She anticipates an improvement in the access of services by providing 10-hour days and Saturday hours at the new facility. Digital x-ray capability will be available at Eastville; a service not currently offered at Bayview or Franktown, as well as an expanded laboratory, another dental chair and provider and an employee exercise room.

Mr. Peter Bozick, and Ms. Katherine McAllister, engineers with George, Miles & Buhr, LLC, of Salisbury, commented on required water and wastewater supplies, electrical service, stormwater management and traffic issues. Detailed studies have not been completed yet although they do not expect to need special exemptions or waivers.

Mr. Bob Meyers read the following comments:

For entry into the Public Record, Board of Supervisors Meeting 12 Jan 2016, Public Hearing

Mr. Chairman,

I am submitting to you first a list of 9 questions I asked to be answered in writing by the proponent in coordination with the Planning Commission. As of tonight, I have not received any written response in a timely manner so I could evaluate the answers to the questions I asked. I am then going to address the extraordinarily poor conduct of the Planning Commission as they pretended to provide you with a reasonable recommendation based on the Comprehensive Plan and good zoning practices.

Questions read to the PC, again read to the BOS.

As I address the Planning Commission Conduct for this Hearing, I am going to summarize the areas in which they were most deficient. I wish to note first that one member attempted to guide his colleagues to consider several pertinent portions of the Comprehensive Plan and was ignored. His suggestions were met with inane trivia and recitation of other agency considerations. I will summarize that and provide you a transcript of excerpts of the audio recording made of the meeting so you can read their actual and sometimes incomprehensible statements.

The Commission deliberations, if you can call it that, started at 27 minutes with Mr. Fauber explaining several sections of the Comprehensive Plan and summarizing by saying there are many other sites that would be more appropriate for this proposal and that this site directly on US 13 is just too dangerous.

That was followed by another member at 31 minutes saying that if Rural Health Board chose this site they know best. Then her interpretation on the sole criteria of the Comprehensive Plan is that, since this is around the perimeter of the town it must be consistent with such. Then she added at 38 min that other agencies will be ones to give final approval. This was spoken like a true bureaucratic expert in effect saying —let someone else do the evaluation so we can't be held accountable.

The motion to approve at 36 minutes was seconded by another member who supported the application. Her reason was that Rural Health would always work with her in her other job. Did she ever give thought to anything related to zoning practices or conflict of interest? Those considerations never came out of her mouth.

Page 1 of 4

For the Public record by RH Myers 2 Jan 2016 7615 Prettyman Cir Exmore, Va

Then with another incredulous demonstration of violating all zoning principles several minute later, Attorney Ward at 58 minutes suggests to his fellow commissioners to make their draft of the Comprehensive Plan agree with the just passed zoning ordinance instead executing this task in the proper order.

And that Mr. Chairman, and Board members gives you a quick view into the lack of insight, lack of thoughtful compliance with the Comprehensive Plan and lack of discussion of good zoning practices your Planning Commission used when exercising their charge to provide you with useful advice on this Public Hearing. The one member who attempted to get his colleagues to think about this project using the tools they were taught in planning school was ignored.

I have addressed the Northampton Board of Supervisors previously about the dysfunctionality of your Planning Commission. This Commission with one exception has demonstrated that positive change and improvement toward utilization of good zoning practices seems to be beyond their grasp.

Mr. Chairman and Board members, thank you for your attention.

TRANSCRIPT EXERCPTS of the Planning Commission Audio

Planning Commission Public Hearing 5 Jan 2016 ESRH

Commission Comments for consideration of application Begin 26:45

Fauber: 26:58 I just went briefly through the Comp Plan and just did a brief review of it and found two pages of reasons why this site is a poor site. The main one being that the Comp Plan time and time again speaks to the development along Rt 13 and keeping development off Rt 13. This development is going to have a lot of traffic. I think they say some, you know, 700 in and out during the day. The fact that it's built over the recharge area for the groundwater and the fact that it's taking good farm land away for a commercial entity. There are many other sites in the County they could have selected that would be more appropriate. And I think you are setting the people that would be coming in and out of there, I think you are setting them up for an accident coming in and out on that road. This is not a facility that needs to go on the highway.

Page 2 of 4

For the Public record by RH Myers 2 Jan 2016 7615 Prettyman Cir Exmore, Va

Downing: 30:59 I understand what you are saying. I note your concern, but evidently the (Rural Health) Board chose this particular piece of property as choice and location. I don't know what went into that selection but I do know the concern that... also note that the Comp Plan says that you know we should encourage development in and around the towns so um, it does meet that criteria as far as being, around the perimeter of the town.

Stanley: 36:30 I think it would be a good idea. I have dealt with Rural Health in my job and there were times when we had in custody and we couldn't get a doctor to see and I would call over there and they would always work with us. And I was also thinking when the new hospital come, there are a lot of seniors here in this County who may not want to go all the way to Onley to the hospital they could go there and be seen you know for minor things but I really think it's good idea. And I've dealt with them in Accomack I think they have been very reasonable and there are things like the drug treatment, not treatment, but ah, (unintelligible prompt by chair) thank you. Because in my job a lot of times we have clients that we want them to go and get testit, so we just send them there and we get results so I think it would be really helpful for Northampton County. 37:25

Chair: What's your pleasure?

Freeze: I make a motion we approve Special Use Permit 2015-016 for Rural Health and start the process.

Stanley: Second.

Ward: are we including the encouragements that Staff Peter selected? -

Downing: 38:44 And it's understood that all the other entities have to approve the site plan, the engineering plans, the VDOT, the traffic plans, the waste treatment plans. If any of these are not met then this project cannot go there.

Motion passes 5-1 with MR Fauber voting NO.

Ward 58:39 To me the biggest question was, there was a certain... when we drafted the first part of the plan, there were subsequent changes we made recommendations on when we reviewed the zoning ordinance, particularly about zoning districts. And do we want to update the first part of the plan in terms of the zoning districts to reflect our subsequent actions or do we want to send out the original without certain zoning districts 59:32

-----End of excerpts-----

Questions for Northampton Planning Commission regarding Rural Health application.
Please provide written answers with the assistance of Rural Health. Until these questions are answered satisfactorily **I cannot support** this application.

1. How will this application improve the medical services for the citizens of Northampton significantly above what exists today?
2. Do the benefits of consolidation in one location through providing more and better medical services outweigh the obvious fact that citizens at both ends of the County will have to travel further to obtain those services?
3. What plans are part of this application for use/sale of the existing buildings in Franktown and Bayview? Could those facilities be enhanced for less money and services increased with new equipment and more staff?
4. Why has Rural Health not considered consolidating their proposal to include existing ambulance service operations into a joint operational area that could be considered an Eastville Medical Center?
5. What guarantee would be provided with this application that the Rural Health proposed relocations would NOT prevent, in any way, another independent medical provider or medical provider associated with a hospital system NOT connected with Riverside from operating at or south of the Eastville location?
6. With the aversion of Riverside Hospital System for operating its own sewage and well facilities, why is it that Rural Health is willing to do so?
7. Will Rural Health provide a 25 year guarantee that they will not request public sewage and water service from either Northampton County or the Town of Eastville?
8. With this application, please provide a written justification that this proposal complies with the current Comprehensive Plan on all aspects regarding the site selection?
9. Access to the proposed location has no vehicle turn protection. Citizens using the facility will generally be ill and will not be as attentive to driving as safely as a healthy person. VDOT standards are NOT to approve left turns onto a highway such as US13 without turn signals. If Rural Health is adamant about this location, any permit should require an acknowledgement that ingress and egress to the facility from the east lane of US13 will be only by Willow Oak Rd & Stumptown Rd. It should be acknowledged that the unprotected crossover 2100 feet north of Stumptown Rd will not be used and Rural health will support its closing.

Ms. Sandra Beerends asked that the Board consider the VDOT analysis before making a decision.

Mr. James Sturgis, Mayor of Eastville, said that he was concerned with the lack of a connection of a water system (i.e., hydrant system). Additionally, he was concerned with the placement of stormwater management ponds on the property, which he felt should be fenced due to children in the neighborhood. He noted that the project lies within the boundary adjustment area proposed by the Town and requested that the Board postpone its action on this matter until a decision on the boundary adjustment is reached.

Chief David Eder of Eastville said that he was representing the Eastville Volunteer Fire Company, which agency was not contacted in this matter. He reiterated the comments made by Mayor Sturgis as well as concerns with ingress/egress to the site from Route 13.

Dr. Joan Lingen, Clinical Director of the Franktown Center, said that staff was looking forward to this new opportunity to bring state-of-the art medical facilities to the area.

Mr. David Kabler said that he supported the application but did not believe that this was the right location. He said that the Planning Commission did not perform a proper review of the petition and that “his” Planning Commission would not have approved the application in one night.

Mr. David Boyd questioned how the new facility will increase primary care resources in the County and how would off-hours coverage be handled. Also, he questioned would this new facility prevent another health care provider from coming to the area.

Mrs. Martina Coker noted the relationship between Eastern Shore Rural Health and Riverside and wondered whether this arrangement would prevent a relationship with Sentara.

Mrs. Stern confirmed that the same agreement is in place with them.

Mr. Jeff Walker said that the proposed location is not the right one for the project, noting that placement on Route 13 is not necessary as ESRH patients will find them. He saw this project as an opportunity to “share what we already have [water and wastewater services].

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

Mr. Hogg asked several questions of the applicant including what type of testing is being performed at Bayview and Franktown and will this change at the new site. Dr. Lingen responded that x-rays, EKGs, ob-gyn and other diagnostic services will be available although advanced diagnostics are not part of their scope of care.

Mr. Hogg asked what is the current under-service score and Mrs. Stern replied “nine”.

Mr. Hogg asked if this new facility would best address the service needs and requirements of Northampton County and its residents. Mrs. Stern replied “yes”, and noted that Bayview and Franktown cannot offer 10-hour days or Saturday hours.

Mr. LeMond stated that there were legitimate questions with the property including fire protection and traffic issues and suggested that the applicant return with a traffic study and plans for fire protection and stormwater management pond security.

Mr. Duer said that he was concerned with how the project fits with the Comprehensive Plan and traffic issues as noted. He said that he was not ready to vote tonight.

Motion was made by Mr. Hogg, seconded by Mr. LeMond, that the project be returned to the Planning Commission to “vet” the information and bring answers (to the questions posed tonight) back to the Board. All members were present and voted “yes.” The motion was unanimously passed.

Citizens’ Information Period (only matters pertaining to County business or items on Board agenda for which a public hearing has not already been scheduled.

Mr. David Kabler asked to have the Board meetings on-line. He also said that the

Planning Commission is not doing a good job and needs to hear that from the Board and that the Commission was not even making any site visits.

Ms. Debbie Campbell said that she was thrilled to see the interaction between the Board and the public tonight and that she agreed with some of the earlier comments regarding the Board's agenda packets.

Dr. Art Schwarzschild thanked the new Board members for the evening's clarity.

Ms. Donna Bozza, Executive Director for Citizens for a Better Eastern Shore, handed out a flyer advertising The Marc Steiner Show and invited the Board to attend. The topic of the forum is "community impacts of industrial poultry operations".

The following future meeting agenda was shared with the Board:

Work session/other meeting agendas:

- (i) 1/25/16: Work Session: FY 2017 Budget: Revenues
- (ii) 2/22/16: Work Session: Topic to be determined
- (iii) 3/28/16: Work Session: Topic to be determined

(8) The County Administrator's bi-monthly report was distributed to the Board as follows:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: January 7, 2016
RE: Bi-Monthly Report

I. Projects:

A. USDA Grant Obligation Update:

November 2015 Status Report: As an update from your October 13, 2015 meeting, we have continued to move forward with meeting the requirements of this agreement. USDA has signed off completely on all items except for the 2 generators for the School. Staff is still developing the procurement documents for the 2 generators for the elementary schools. To date, we have now committed

\$496,283.85 of the \$599,734.80 obligation or 82.75%. NO NEW UPDATE FROM THE NOVEMBER/DECEMBER STATUS REPORT.

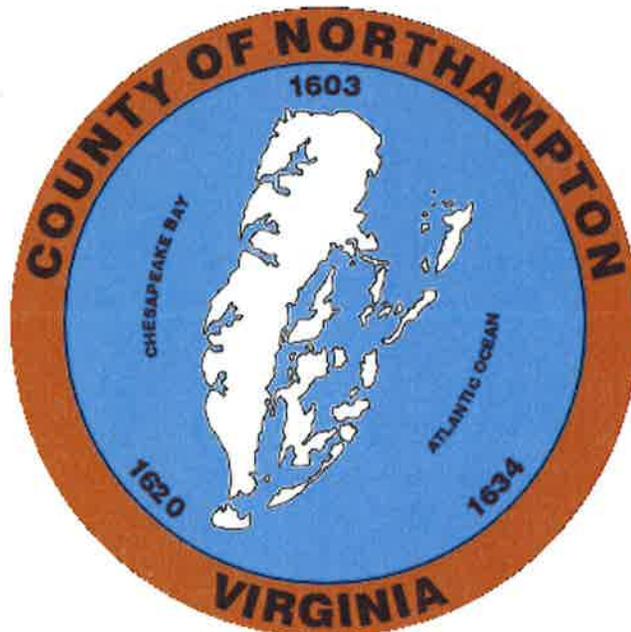
B. SET (Stronger Economies Together) Grant:

Work is progressing on the regional SET Grant. The first two community meetings were held on October 27, 2015 and December 15, 2015. The next forum is scheduled for Tuesday, January 12, 2016 from 8:30 a.m. – 12:30 p.m. at the Community College. There is limited seating for this forum; however, this is the third of six forums that will be held over the next six months. The purpose and intent of the SET Grant is to develop a strategic economic plan for the region, based upon community input with assistance from the ANPDC, USDA, and Virginia Tech personnel.

C. Board of Supervisors Strategic Plan:

Enclosed is the Board's Strategic Plan with progress updates included in red font.

NORTHAMPTON COUNTY



5 YEAR STRATEGIC PLAN

2014 - 2018

Adopted by the Board of Supervisors on April 8, 2014.

With Modifications as made by the Board on February 23, 2015

Updated Status Reports as of 1/7/2016 – Katie H. Nunez, County Administrator

BACKGROUND and PROCESS:

Strategic planning in local government involves a structured, analytical approach to setting goals, defining objectives and strategically pursuing actions in furtherance of a shared community vision. Strategic planning extends beyond arbitrary administrative boundaries and traditional thinking. Strategic planning is often defined as “a disciplined effort to produce fundamental decisions and actions that shape and guide what an organization is, what it does and why it does it.” The intent of a strategic retreat composed of the elected leadership of the community and the appointed department heads was to establish long-range goals, annual objectives and detailed strategies to address issues relating to performance, productivity and general improvement of the well-being of the community and work force.

The Northampton County Board of Supervisors conducted a strategic retreat at the County’s Emergency Operations Center on Saturday, March 10, 2012, facilitated by Eddie Swain, Dean of Workforce Development at the Eastern Shore Community College. The session focused on the following:

- Review of the existing Vision and Mission Statement
- Identify the Strengths, Weaknesses, Opportunities & Threats of the County
- Development of 4 Major Strategic Goals to achieve the vision and mission statement of the County.

The department heads and constitutional officers participated with the Board in the review of the Vision and Mission Statement and the Strengths, Weaknesses, Opportunities & Threats Assessment (SWOT Review). The SWOT Review is attached to this Strategic Plan.

With the establishment of the 4 major strategic goals, the Board directed the County Administrator to develop 3 to 4 major objectives to bring the strategic goal to fruition and to develop specific strategies & tasks for each major objective that are Specific, Measurable, Attainable, Reach (just out of), and Time bound (SMART) to serve as the plan to move the goal into reality.

This work resulted in the adoption of the County’s Five-Year Strategic Plan 2012 – 2016.

Then, on February 22, 2014, the Board of Supervisors conducted a half-day retreat to review and update the 5-Year Strategic Plan, confirming the vision and mission and providing revisions to the strategies for each identified goal.

VISION and MISSION STATEMENT

The mission of the Northampton County Government is to provide the necessary services to protect the health, safety, welfare, environment and quality of life of our citizens consistent with the communities' values and priorities. This mission is accomplished by encouraging citizen involvement, by preserving the County's fiscal stability, traditional values and unity of our people through the implementation of effective and efficient government programs; consensus building; managing the County's natural, cultural, and historic resources; planning for the future; and representing citizen needs and desires to other levels of government.

STRATEGIC GOALS

- I. EDUCATION – Facilitate the development of a quality educational environment that provides for high-quality educational and job readiness skills all County residents
- II. ECONOMIC DEVELOPMENT – Create an environment where businesses are welcome and services are available to help them be prosperous.
- III. INFRASTRUCTURE – Develop an infrastructure system that improves our quality of life.
- IV. HEALTH CARE – Provide Emergency Medical Services and encourage and support adequate health care facilities, services and coverage for all citizens of the County, to the extent possible.

GOAL #1 – EDUCATION

Facilitate the development of a quality educational environment that provides for high-quality educational and job readiness skills for all County residents

OBJECTIVE #1: Develop on-going mutually agreeable goals with the School Board ~~by June 30, 2014.~~

STRATEGIES

- A. Support prevention and early intervention programs for children and youth most at risk.**
- B. Continue to implement universal pre-K program. – IMPLEMENTED IN 2013/2014 SCHOOL YEAR.**
- C. Increase communication with the School Board on matters of importance to the community, including the following: **The Superintendent provides quarterly status reports to the Board of Supervisors.****

 - (a) Increase graduation rates across demographic categories. For 2014, the District achieved a graduation rate of 81% which meets the state benchmark.**
 - (b) Obtain accreditation for each school within the School District. For 2014 & 2015, the High School is fully accredited; Occohannock Elementary School and Northampton Middle School is accredited with warning; Kiptopeke Elementary School is Accreditation Denied.**
 - (c) Develop a mutually acceptable Capital Plan for the School District. The Board of Supervisors is exploring the financing options for a high school construction project of \$35 million with a potential start in Fiscal Year 2018.**
 - (d) Develop frequent and ongoing status reports on the approved capital projects, including reports on the conditions of the school facilities. School Administration is providing updates on ongoing capital projects as part of the Superintendent’s quarterly status report and attended the December 2014 meeting to apprise the Board of an urgent capital repair need at the high school with initial funding released for engineering & some initial stabilization work.**

- D. Secure agreements between the School Board and the County to share costs and responsibilities where practical and when county cost savings can be realized. The range of programs and services amenable to possible collaboration include the purchase of supplies and equipment, vehicle procurement & maintenance, maintenance of physical plant and building grounds, financial management, personnel systems, insurance, audit services, and information technology services.**

OBJECTIVE #2: Develop a funding strategy for mutually-agreeable school capital improvement plan by June 30, 2015.

STRATEGIES	A. Work with School Board in developing a feasibility study regarding the high school facility, including options for middle school location.
	B. Develop a comprehensive cost estimate through the feasibility study for the high school and update the existing capital plan for the two elementary schools.
	C. Utilize services of the county’s financial advisor to provide funding options and timelines to achieve implementation of the school capital improvement plan. The Board of Supervisors is exploring the financing options for a high school construction project of \$35 million with a potential start in Fiscal Year 2018.

OBJECTIVE #3: Continue funding at or above current per-student levels on an annual basis.

STRATEGIES	A. Maintain funding at or above current per-student levels, using the Fiscal Year 2013 budget as base.																					
	<table border="1" style="width: 100%; background-color: #d9534f; color: white;"> <tr> <td></td> <td style="text-align: center;">FISCAL YEAR 2014</td> <td style="text-align: center;">FISCAL YEAR 2015</td> </tr> <tr> <td></td> <td style="text-align: center;">(School Year 2013 – 2014)</td> <td style="text-align: center;">(School Year 2014 – 2015)</td> </tr> <tr> <td></td> <td style="text-align: center;">Enrollment of 1,685</td> <td style="text-align: center;">Enrollment of 1,651</td> </tr> <tr> <td style="text-align: left;">State Per Pupil Amount</td> <td style="text-align: center;">\$5,127</td> <td style="text-align: center;">\$5,599</td> </tr> <tr> <td style="text-align: left;">Federal Per Pupil Amount</td> <td style="text-align: center;">\$2,457</td> <td style="text-align: center;">\$1,024</td> </tr> <tr> <td style="text-align: left;">Local Per Pupil Amount</td> <td style="text-align: center;">\$4,847</td> <td style="text-align: center;">\$5,111</td> </tr> <tr> <td style="text-align: left;">Total Per Pupil Amount</td> <td style="text-align: center;">\$12,431</td> <td style="text-align: center;">\$11,734</td> </tr> </table>		FISCAL YEAR 2014	FISCAL YEAR 2015		(School Year 2013 – 2014)	(School Year 2014 – 2015)		Enrollment of 1,685	Enrollment of 1,651	State Per Pupil Amount	\$5,127	\$5,599	Federal Per Pupil Amount	\$2,457	\$1,024	Local Per Pupil Amount	\$4,847	\$5,111	Total Per Pupil Amount	\$12,431	\$11,734
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	B. Examine the impact of the Composite Index re-calculation in spring 2013 for impact on Fiscal Year 2014 and Fiscal Year 2015 budgets.																					
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C. Develop a memorandum of understanding with the School Board that stipulates the county’s financial commitment to public education, on a fiscal year basis, that the School Board can rely upon when developing the school budget.																						

GOAL #2 – ECONOMIC DEVELOPMENT

Create an environment where businesses are welcome and services are available to help them be prosperous.

OBJECTIVE #1: Review and revise the zoning ordinance to promote business development by ~~January~~ August 1, 2015.

STRATEGIES

- A. Complete the Comprehensive Plan Update by ~~January~~ September 1, 2015. The Planning Commission has completed an initial draft of Comprehensive Plan; however, its roll-out to the Stakeholder Group is on hold while they review the proposed zoning ordinance – fall 2015.**
- B. Review the zoning ordinance for consistency and compliance with the updated Comprehensive Plan.**

OBJECTIVE #2: Assist and promote the use of the existing Industrial Park in Cape Charles by June 30, 2017.

STRATEGIES

- A. Develop list of available properties that meet the criteria developed by the Board of Supervisors for an industrial park.**
- B. Evaluate and refine the list by ranking properties that are most suitable for development into an industrial park.**
- C. Engage discussions with landowners for acquisition of property.**
- D. Seek and apply for federal and state funds to develop property for industrial park purposes.**

OBJECTIVE #3: Develop Business Incentives that can be provided by the County to stimulate business recruitment, selection, location and development by June 30, 2016.

STRATEGIES	<ul style="list-style-type: none">A. Develop and propose a Technology Zone for the County which would identify qualifying properties and provide incentives for the location of technology specific businesses within that zone. Potential incentives for a technology zone were provided to the Board of Supervisors. Input is being sought from the five towns in developing a zone with proposed incentives.B. Develop and propose a Tourism Zone for the County would identify qualifying properties and provide incentives for the location of tourism specific businesses within that zone. The concept was discussed with the Board of Supervisors; we are awaiting the ES Tourism Commission to complete their Blue Print and accompanying strategy to serve as a basis for creating and offering the Tourism Zone.C. Review and recommend additional incentives for the Enterprise Zone, relative to permit review and local taxation. The joint Accomack-Northampton Enterprise Zone has been re-authorized by the Governor for an additional ten year term, plus 2 five-year term renewals.D. Annually review the County's tax structure and analyze its effectiveness and competitiveness with other similarly sized Virginia localities. The Board appointed an Ad-Hoc Committee to Study the Existing Tax Structure of the County. The Committee delivered its report at the January 13, 2015 meeting.E. Assist and promote agriculture, aquaculture and tourism.
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GOAL #3 – INFRASTRUCTURE

Develop an infrastructure system that improves our quality of life.

OBJECTIVE #1: Promote broadband availability for business and residential use by June 30, 2017.

STRATEGIES	<ul style="list-style-type: none">A. Engage the Eastern Shore of Virginia Broadband Authority in developing marketing materials that detail the location of high-speed broadband and the pricing of service.B. Partner with the Virginia Economic Development Partnership in marketing the availability of broadband in the County.C. Work with local internet service providers in removing any barriers (zoning or otherwise) that may impede the offering of broadband to our businesses and residents. The Board approved a zoning text amendment relative to broadband/wireless provisions on 10/12/2015. The Board signed a 5- year lease (with 5 5-year renewal options) with DNG on 1/28/2015 to locate wireless antennas on the County's water tower.
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OBJECTIVE #2: Provide water and sewer to Northern and Southern Nodes of the County in a financially responsible way by June 30, 2017. **After presentation of a commercial service district in the Southern Node in summer 2015, the Board determined to not proceed with the proposed project and has shelved the PSA at this time.**

STRATEGIES	<ul style="list-style-type: none">A. Support the Public Service Authority with staffing assistance.B. Assist the Public Service Authority in seeking grant funding opportunities for water and sewer system development and construction.C. Examine feasibility of special tax districts to assist in the development of water and sewer infrastructure.D. Participate in outreach to the County residents, businesses and incorporated towns regarding the need, impact and cost of proposed water and sewer systems.
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GOAL #4 – HEALTH CARE

Provide Emergency Medical Services and encourage and support adequate health care facilities, services and coverage for all citizens of the County, to the extent possible.

MAJOR OBJECTIVES & Key Strategies/Tasks

OBJECTIVE # 1: Ensure the County has a 24/7 Emergency care facility located in the County by June 30, 2017.

STRATEGIES	<ul style="list-style-type: none">A. Ascertain final plans from Riverside as to what remaining medical services and facilities will continue to be provided at the Nassawadox campus. Riverside made a presentation to the Board of Supervisors at the 12/8/2015 meeting.B. Partner with Eastern Shore Health District and the Accomack-Northampton Planning District to determine what health services need to be solicited to adequately service Northampton County for emergency care.
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OBJECTIVE #2: Strongly support EMS services by June 30, 2017.

STRATEGIES	<ul style="list-style-type: none">A. Review and implement the state Fire and EMS Study, commissioned in 2011, as it relates to EMS service.B. Complete feasibility study for renovation of former Middle School property as new location for the Northampton EMS Department. Engineering and architectural options were considered for the renovation of the former Middle School. No option was pursued by the Board at this time. The Board has purchased the Drummond property (current location of EMS) and will be providing a garage facility at this location.C. Review and evaluate the effectiveness of the County-operated ambulance in relation to the volunteer ambulance coverage.D. Secure formal, written agreements with volunteer fire and rescue stations, including performance standards, to address issues of concern such as timely grant reporting, etc.
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OBJECTIVE #3: Partner with Riverside Shore Memorial Hospital for a redevelopment plan for its present facilities.

STRATEGIES	<ul style="list-style-type: none">A. Engage the Riverside Shore Memorial Hospital Board of Directors and Executive Management of Riverside in discussions to determine the scope of the medical services and facilities that will remain in Nassawadox. Riverside made a presentation to the Board of Supervisors at the 12/8/2015 meeting.B. Work with the Riverside Shore Memorial Hospital Board of Directors, the Executive Management of Riverside and the Nassawadox Town Council in identifying re-use possibilities for the property and any facilities that will not have a continued purpose for delivery of medical services.
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ATTACHMENT A

As part of the Board retreat from March 10, 2012, each department was requested to develop and submit 3 to five goals for their departmental functions. These goals were distributed to the Board and are now incorporated by reference as Attachment A to this plan. Included as part of this Attachment A is the update from the departments in implementing and achieving these goals.

ATTACHMENT B

SWOT REVIEW

As part of the initial Board of Supervisors retreat on March 10, 2012, the Board of Supervisors and the Department Heads identified the Strengths, Weaknesses, Opportunities and Threats of the County.

These are defined within the following parameters:

STRENGTHS: Items/Things that are steady/paced, focused, enduring, smart.

WEAKNESSES: Slow, Always Behind

OPPORTUNITIES: Outside perception is vulnerable; patience/time to develop these items

THREATS: Predators; perception

GROUP 1

<u>STRENGTHS</u>	<u>WEAKNESSES</u>
Rural Appeal	Limited Health Care – Impending move of hospital
Small Size	CBBT – barrier
High Level of education of retirees	Lack of skilled workforce
Strong Government Presence	Lack of public beach access
Route 13 Pass Thru-Traffic	Retiree increase = no kids
Parks & Campgrounds/Golf Courses	Lack of opportunity for local high school or college graduates
Entrepreneurs	Lack of retail
Hunting & Fishing Opportunities	Need destination programs/events for hotels
Large # of undeveloped lots	High unemployment/need livable wage jobs
Seafood industry	Affordable housing is lacking
	School System
	Lack of infrastructure (water & sewer)
	High poverty rate
	# of town governments impediment to unified plan for growth
<u>OPPORTUNITIES</u>	<u>THREATS</u>

<p>Eastern Shore is not the Outer Banks (over-developed/over-crowded) – also absence of hurricanes that tend to impact the Outer Banks.</p> <p>Route 13 – business opportunities</p> <p>Green Energy opportunities</p> <p>Small & Medium Size Business opportunities</p> <p>Richmond has discovered the Shore and is providing assistance</p> <p>Deep water harbor in Cape Charles</p> <p>Ocean Boat Access (Oyster)</p> <p>Proximity to large cities (Norfolk, Baltimore, DC)</p> <p>Improvement by and within Cape Charles</p> <p>Broadband</p> <p>Golf Courses/Bay Creek/Future Recreation Center</p> <p>Rail Traffic increase</p> <p>Wallops Development Spin-Off</p>	<p>Loss of Hospital (largest County employer)</p> <p>Weather – bridge can close at any time; snow shuts down the Eastern Shore</p> <p>CBBT’s own marketing campaign does not align with our need for visitors to stop and explore the Eastern Shore (Bridge markets Rte. 13 as short cut and fastest route to Outer Banks).</p> <p>Geographic location</p> <p>Lack of Regional Partnerships</p> <p>Drawing down on Federal & State Funding</p> <p>Need for reasonable zoning – need to eliminate the “fear of.....” for zoning rationale.</p>
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GROUP 2

<u>STRENGTHS</u>	<u>WEAKNESSES</u>
<p>Transportation is varied (Route 13; water access; railroad availability)</p> <p>Location</p> <p>Recreational opportunities – boating, fishing, golf</p> <p>Beautiful, scenic area</p> <p>Family oriented lifestyle – very laid back</p> <p>Low crime rate</p> <p>Ecotourism – strong established industry</p>	<p>Job Opportunities – loss of skilled workforce; low paying jobs</p> <p>Location – very isolated</p> <p>Infrastructure is lacking – water, wastewater, public transportation</p> <p>Lack of educational opportunities</p> <p>Medical services</p> <p>No Economic Growth – not business friendly (regulations)</p>

<p>Aquaculture and Agricultural Industries</p> <p>Viewed as retirement area</p>	<p>Affordable housing is limited – lacking standard amenities for all houses</p> <p>No indoor recreational services</p> <p>Limited to non-existent shopping</p>
<p><u>OPPORTUNITIES</u></p> <p>Board’s Strategic Retreat Meeting with input and discussion with Department Heads</p> <p>Public Service Authority</p> <p>Regional Partnerships – Accomack County Board of Supervisors</p> <p>Route 13</p> <p>Bayshore Concrete</p> <p>Riverside Hospital Emergency Care Facility</p>	<p><u>THREATS</u></p> <p>Weather – Location – Isolation</p> <p>Accomack County – more business friendly; problems in past with regional partnerships</p> <p>Route 13 is corridor – bypass</p> <p>Chesapeake Bay – clean = more regulations</p> <p>“No Growth Crowd” – perception of the county; few landowners for the majority of the land</p> <p>Medical Services – lack of facility</p> <p>State funding – budget cuts; mandates</p>

GROUP 3

<p><u>STRENGTHS</u></p> <p>Unique location – natural beauty</p> <p>Mild climate</p> <p>Relatively low tax rate</p> <p>Relatively relaxed pace of life</p> <p>Strong seafood industry – use of natural resources</p> <p>Quality of natural resources, environment – water; open space</p> <p>Historic resources</p> <p>Abundant fertile farmland</p>	<p><u>WEAKNESSES</u></p> <p>Location</p> <p>Lack of qualified workforce</p> <p>Lack of vision for community as a whole</p> <p>Disproportionate influence of special interest groups</p> <p>Public school system</p> <p>Lack of critical infrastructure</p> <p>Perception of “not business friendly”</p> <p>High unemployment</p> <p>Lack of diversified employment base</p>
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<p>Broadband</p> <p>Strong artisan community, active volunteer & civic groups</p> <p>Deep water harbor, marina</p> <p>Recreational opportunities</p> <p>Relatively low crime rate</p>	
<p><u>OPPORTUNITIES</u></p> <p>Capitalize on Route 13 Traffic</p> <p>Attract more retirees</p> <p>Destination Resort (Bay Creek, camping)</p> <p>Location in relation to larger population centers</p> <p>Recruit additional health care</p> <p>Railroad system</p> <p>Synergistic opportunity for water-related research</p>	<p><u>THREATS</u></p> <p>Retirees/groups who don't want change</p> <p>Well-organized special interest groups</p> <p>Hospital move to Accomack County</p> <p>Shrinking state funding/ state & federal mandates</p> <p>Impacts of belief that county is not business friendly; county has excessive regulations, etc.</p> <p>Vulnerability of infrastructure/ access to major disaster</p> <p>Lack of cooperation with major players (counties, towns)</p> <p>Needs may exceed ability to pay</p>

GROUP 4

<p><u>STRENGTHS</u></p> <p>Beautiful landscape</p> <p>Infrastructure – County Complex</p> <p>Citizens/History</p> <p>Low Tax rate</p> <p>Small Government/Ready access to Officials</p>	<p><u>WEAKNESSES</u></p> <p>Public perception</p> <p>Sustainable Employment Opportunities</p> <p>Isolated location</p> <p>Public Transportation System</p> <p>Lack of Affordable Housing</p>
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Managed Growth	Lack of Medical Facilities
Surrounded by water	Absentee landowners
Weather – 4 seasons	AFD Program
Wind	
<u>OPPORTUNITIES</u>	<u>THREATS</u>
Route 13	Special Interest groups
Wind	No Major medical facility
Water	Loss of younger population
Potential businesses	State & Federal Government Regulations & Funding
Professional knowledge of residents	Lack of Majority Representation
Potential destination point	Accomack County

* * * * *

Supervisor Hogg commented that the Board should have a retreat to discuss updates to the Strategic Plan. He was asked by the Chairman to bring this matter up at a later date.

D. Planning Commission Report on the Study of the Chesapeake Bay Preservation Act:

Enclosed is a copy of the Board of Supervisor’s resolution, dated December 9, 2014, requesting the Planning Commission to study the Chesapeake Bay Preservation Act (CBPA) as it relates to the seaside. The Planning Commission has completed its study which is enclosed for the Board’s consideration.

E. Contract for Architectural/Engineering Services – DJG - for EMS Facility:

As you may recall, the County engaged the services of DJG for architectural and engineering services related to examination of the middle school for renovation and possible home for EMS garage. I have enclosed a memorandum dated March 7, 2014 which details the scope of that contract; a copy of the contract; a specific proposal letter that was required when the project was envisioned to resolve the USDA grant obligation and limited the initial contract proposal for DJG’s services to \$64,780; and a proposal dated April 1, 2015 to conduct a limited

environmental research on the Drummond property in the amount of \$2,190. I have also enclosed an Accounts Payable Invoice Report for DJG, Inc. which shows that under this contract, the County has paid \$45,718.50

The contract is still open with DJG and direction is needed from the Board how you wish to proceed with that contract. In addition, if architectural/engineering services are needed for the EMS Garage, the County will need to comply with procurement in securing those services.

There is \$1,051,000 remaining in the capital fund (Fund 303) which will be the source of funding for this project.

Motion was made by Mr. Hogg, seconded by Mr. LeMond, that the Board authorize the closure of the DJG contract and release of the remaining fund encumbrance. All members were present and voted "yes." The motion was unanimously passed. Supervisor LeMond stressed his belief that the Board should start working on the EMS garage specifications next month.

F. Request from Kaufman & Canoles regarding the County's Intended Use of its Bond Capacity for Calendar Year 2016:

I have received a request from Kevin A. White, Bond Counsel with Kaufman & Canoles, wanting to know if the County intends on incurring **any debt** under its Bank Qualified capacity allowed by the IRS (ability to issue \$10 million tax-exempt financing thru an Industrial Development Authority) in calendar year 2016. If not, they have a client that would like to run its financing through our Joint Industrial Development Authority (JIDA). The JIDA earns bond issuance fees when they issue bonds like this and the JIDA has done this for three entities over the last few years: Norfolk Academy, Williamsburg Retirement Home, and YMCA South Hampton.

Please let me know the Board's intentions regarding financing in calendar year 2016.

It was the consensus of the Board to further discuss this matter at the January 25th work session.

* * * * *

Tabled Item:

(9) Consider approval of the FY 2015 Local Government Agreement with the Health Department.

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

Mr. Scott Chandler, Administrative Manager of the Eastern Shore Health District, was recognized and answered questions of the Board.

Motion was made by Mr. Duer, seconded by Mr. Hogg, that the FY 2016 Local Government Agreement be approved as presented. All members were present and voted “yes.” The motion was unanimously passed.

It was the consensus of the Board that the Chairman and Vice Chairman be instructed to meet with Mr. Chandler and Health District Director Dr. David Matson to discuss the FY 2017 contribution as well as the actual physical location of the health department.

Action Items:

- (10) Consider adoption of the Northampton County Emergency Operations Plan (required not later than January 2016)

The following memorandum was provided to the Board:

MEMORANDUM:

TO: Board of Supervisors
FROM: Katie H. Nunez, County Administrator
DATE: January 7, 2016
RE: **Emergency Operations Plan Review/Adoption**

Under Section 44-146.19E of the Code of Virginia, localities are required to maintain a “current” Emergency Operations Plan (EOP). “Current” is defined as being revised and adopted by the governing body within the past four years. Northampton County’s EOP was last adopted on January 10, 2012.

In order to remain current, the EOP needs to be comprehensively reviewed, revised and adopted by the January 2016 Board of Supervisors' meeting. This comprehensive analysis has been carried out by Ms. Hollye Carpenter, Coordinator of Emergency Services, and other staff members, and is attached for the Board's review and action.

As you can see from the "Summary of Changes" page, the older statistics have been updated to 2014 figures and three new appendices have been added:

Oil & Hazardous Materials – Appendix 4.7

Radiological Emergency – Appendix 4.8

Pandemic Influenza – Appendix 4.9

Board adoption of this document is respectfully requested.

* * * * *

Supervisor Hogg expressed his concerns that during the tornado event, residents were not allowed to access their properties. He said that there needs to be better communication between the State Police and the local residents to be able to address the residents' needs. Mr. Hogg was asked to submit these written concerns to Ms. Hollye Carpenter, Emergency Management Coordinator, and to the State Police.

Motion was made by Mr. Hogg, seconded by Mr. Bennett, that the Northampton County Emergency Operations Plan be adopted as presented. All members were present and voted "yes." The motion was unanimously passed. Said resolution effecting such adoption is shown below:

Resolution for Emergency Operations Plan

WHEREAS, the Board of Supervisors of Northampton County, Virginia recognizes the need to prepare for, respond to, and recover from natural and manmade disasters; and

WHEREAS, Northampton County, Virginia has a responsibility to provide for the safety and well-being of its citizens and visitors; and

WHEREAS, Northampton County, Virginia, has established and appointed a Director and Coordinator of Emergency Management;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Northampton County Virginia, this Emergency Operations Plan as revised is officially adopted, and

IT IS FURTHER RESOLVED AND ORDERED that the Director of Emergency Management, or his/her designee, is tasked and authorized to maintain and revise as necessary this document during the next four (4) year period or until such time it be ordered to come before this board.

* * * * *

Motion was made by Mr. Duer, seconded by Mr. Hogg, that the following resolution be adopted:

MOTION AND RESOLUTION

This Motion is made to adopt the following Northampton County Board of Supervisor's Resolution, as follows:

RESOLUTION OF THE NORTHAMPTON COUNTY BOARD OF SUPERVISORS REGARDING THE REPEAL OF NORTHAMPTON COUNTY ZONING CODE AND MAP enacted December 8, 2015 as Chapter 154.1 and Zoning Map Amendment 2014-01, REPEAL OF Chesapeake / Atlantic Preservation Areas Ordinance Section 158, AND RE-ENACTMENT OF ZONING CODE and MAP, inclusive of the Chesapeake / Atlantic Preservation Areas District, previously enacted as Northampton County Code Chapter 154, as amended on October 21, 2009

WHEREAS, the Northampton County Zoning Map and Code Chapter 154, as amended on October 21, 2009 (hereinafter referred to as "2009 Zoning Code and Map"), was repealed and replaced in its entirety by a new Chapter 154.1, and Zoning Map on December 8, 2015 (hereinafter referred to as "2015 Rezoning"), by a 3-2 vote of the Board of Supervisors;

WHEREAS, the 2015 Rezoning is not consistent with the adopted Northampton County Comprehensive Plan;

WHEREAS, the 2015 Rezoning does NOT further public necessity, convenience and general welfare of County residents, and it is NOT consistent with good zoning practices;

WHEREAS, the 2009 Zoning Code and Map are consistent with the adopted Northampton County Comprehensive Plan;

WHEREAS, the 2009 Zoning Code and Map further public necessity, convenience and general welfare of County residents, and are consistent with good zoning practices;

WHEREAS, the County regulations pertaining to the Chesapeake / Atlantic Preservation Areas are more appropriately located within the County Zoning Code as a matter of good zoning practices;

WHEREAS, the 2009 Zoning Code shall be amended from time to time to improve the zoning practices therein, and to further the public necessity, convenience and general welfare of County residents;

WHEREAS, Attachment A to this Resolution contains proposed text amendments to the 2009 Zoning Code that will improve the zoning practices therein, and further the public necessity, convenience and general welfare of County residents;

NOW THEREFORE, BE IT RESOLVED by the Board of Supervisors of Northampton County, Virginia, that:

1. The repeal of Northampton County Zoning Code, Chapter 154.1, and Map, as adopted on December 2015, the repeal of Chesapeake / Atlantic Preservation Areas, Chapter 158 of the Northampton County Code of Ordinances, and the re-enactment of the Chapter 154, also known as the 2009 Zoning Code and Map, together with Chesapeake / Atlantic Preservation District regulations therein, any amendments made subsequent to the October 21, 2009 amendments, and proposed amendments thereto as more fully described in Attachment A, are consistent with and in furtherance of the necessity, convenience and general welfare of the public; and they are consistent with good zoning practices and the Northampton County adopted Comprehensive Plan and Future Land Use Map.
2. The Northampton County Administrator shall immediately prepare, and cause to be prepared, all maps, notices, correspondence and documentation necessary for the initiation of, publication and public notification of the following actions:
 - a. The repeal of the Northampton Zoning Code Chapter 154.1 and Zoning Map adopted December 8, 2015;
 - b. The adoption and reenactment of the Northampton County Zoning Code Chapter 154, as amended on October 21, 2009, and as amended from time to time prior to its 2015 repeal, inclusive of all sections pertaining to the Chesapeake / Atlantic Preservation District, included hereto by reference;
 - c. The adoption of the Northampton County Zoning Map previously adopted on October 21, 2009, as amended from time to time prior to December 8, 2015, included hereto by reference; and,
 - d. The adoption of amendments to the proposed reenactment of the Northampton County Zoning Code Chapter 154, as provided in Attachment A attached hereto and made a part hereof.
3. In furtherance of SECTION 2 of this Resolution, the Northampton County Administrator, Attorneys, staff and Planning Commission shall adhere to the following schedule:
 - a. Notice and Publication pursuant to standards and requirements of Virginia Code shall commence no later than January 21, 2016, with all public notice completed by February 1, 2016.

- b. The Planning Commission and Board of Supervisors shall hold a Joint Public Hearing on February 9, 2016.
- c. The Planning Commission recommendation must be submitted to the Board of Supervisors no later than March 1, 2016.

BE IT FURTHER RESOLVED, that this Resolution is adopted by the Northampton County Board of Supervisors on this 12th day of January, 2016.

ATTACHMENT "A"

TO
 RESOLUTION OF THE NORTHAMPTON COUNTY BOARD OF SUPERVISORS
 REGARDING THE REPEAL OF NORTHAMPTON COUNTY ZONING CODE AND MAP enacted
 December 8, 2015 as Chapter 154.1 and Zoning Map Amendment 2014-01, the
 REPEAL OF Chesapeake / Atlantic Preservation Areas Ordinance Section 158,
 and the RE-ENACTMENT OF ZONING CODE and MAP, inclusive of the Chesapeake /
 Atlantic Preservation Areas District, previously enacted as Northampton County Code
 Chapter 154, as amended on October 21, 2009

In the following Sections of the proposed reenactment of Chapter 154 of the Northampton County Zoning Code and Map, underlined words are proposed to be added and words with "strikethrough" indicates proposed deletion. Words in Bold are intended as instruction; *** is used to separate Sections, and ... indicates where proposed amendments do not affect existing language immediately before or after the amended paragraphs.

§ 154.002 INTENT AND PURPOSE.

.....

(B) *Purposes.* The regulations that follow are part of the county's comprehensive program to guide and facilitate the orderly and economical growth of the community and to promote the public health, safety, convenience, comfort, prosperity and general welfare.

More specifically, the purpose of these regulations is to:

- (1) Provide for adequate light, air, convenience of access and safety from fire, flood and other dangers;
- (2) Reduce or prevent congestion in the public streets;
- (3) Facilitate the creation of a convenient, attractive and harmonious community;
- (4) Assure that residential areas be provided with healthy surroundings for family life;

(5) Facilitate the provision of adequate police and fire protection, medical services, disaster evacuation, civil defense, transportation, water, sewerage, flood protection, schools, parks, forests, playgrounds, recreational facilities, airports and other public requirements;

(6) Protect against destruction of or encroachment upon historic areas;

(7) Protect against the following: overcrowding of land, undue density of population in relation to the community facilities or natural resources existing or available, including soil and groundwater supply, obstruction of light and air, danger and congestion in travel and transportation, or loss of life, health or property from fire, flood, panic or other dangers;

(8) Assure that the growth of the community be consonant with the efficient and economical use of public funds

(9) Encourage economic development activities that provide desirable employment and enlarge the tax base, as directed by the Comprehensive Plan

(10) Provide for the preservation of agricultural and forestal lands and other lands of significance for the protection of the natural environment, by measures including, but not limited to, the following: reducing and preventing sedimentation and soil erosion that may harm citizens or the natural environment; protecting the marine environment for the preservation of the waters of the Chesapeake Bay, the Atlantic Ocean, and the seafood industry; providing for the orderly development of the county in order to conserve valuable natural resources including farmland, forests, dunes, wetlands, waters and wildlife; and allowing for the safe and unobtrusive excavation or mining of soil or other natural resources;

(11) Protect surface water and ground water by means consistent with applicable state water quality standards and the County's Comprehensive Plan;

(12) Allow for the provision within the county of a supply of safe, sanitary, affordable housing, in suitable environments, with a balance and variety of types of structures;

(13) Protect approach slopes and other safety areas of licensed airports and landing areas, including United States government and military air facilities.

* * * * *

§ 154.003 DEFINITIONS.

.....

(C)

{INSERT IN ALPHABETICAL ORDER}

Replace definition--

~~ACCESSORY LIVING UNIT. A separate and complete housekeeping unit which provides complete and independent living, sleeping, sanitation, and cooking facilities which is a portion of a main structure or is an accessory structure clearly secondary to a primary single-family dwelling on the same lot.~~

Accessory dwelling. An attached or detached dwelling used as a residence that is subordinate to a single-family dwelling and is constructed in conformity with the performance standards in §154 .xxx {to be added.}

Replace definition--

~~AGRITOURISM. Any activity carried out on an operational farm that allows members of the general public, for recreational, entertainment, or educational purposes, to view or experience rural activities, including, but not limited to, farming, wineries, historical, cultural, or harvest-your-own activities, with or without a fee.~~

Agritourism. Any activity, as defined in Virginia Code § 3.2-6400, carried out on a working farm, farm winery or farm brewery, in an agriculturally classified district, involving activities or events that are usual and customary at Virginia agricultural operations, that allows members of the general public, for recreational, entertainment, or educational purposes, to view or enjoy rural activities, including farming, wineries, ranching, historical, cultural, harvest-your-own activities, or natural activities and attractions, regardless of whether or not the participant paid to participate in the activity. These rural activities also include, but are not limited to, farm tours, tours of an individual agricultural operation, hayrides, heirloom plant and animal exhibits, crop mazes, and educational programs, workshops, or demonstrations related to agriculture or silviculture. These activities must be directly related to agricultural or natural resources and incidental to the primary operation of the farm. Activities shall be conducted on a working farm, located in the Agriculture/Rural Business District (A/RB), and shall be clearly subordinate to the agricultural operation.

Delete--

~~INTENSIVE LIVESTOCK FACILITY. An agricultural operation that brings feed to animals which are kept for the majority of their lives in confined facilities such as feedlots without the ability to graze.~~

~~INTENSIVE POULTRY FACILITY. An agricultural operation which utilizes confinement structures and which at any one time has at least 500 turkeys, 500 ducks, 1,000 chickens, 500 geese, 1,000 domesticated birds, or a combination of turkeys, ducks, chickens, geese, or domesticated birds exceeding 1,000 in number.~~

Insert--

Animal Feeding Operations (AFO) and Concentrated Animal Feeding Operations (CAFO): Agricultural enterprises where animals are kept and raised in confined situations. AFOs/CAFOs congregate animals, feed, manure and urine, dead animals, and production operations on a small land area. Feed is brought to the animals rather than the animals grazing or otherwise seeking feed in pastures, fields, or on rangeland. See Appendix D.

* * * * *

§154.081 ZONING DISTRICTS CREATED.

For purposes of this chapter, the following classes of districts and sub-districts are created:

(A) *Primary zoning districts.* The entire territory under the jurisdiction of Northampton County, exclusive of the incorporated towns, is classified into primary zoning districts to be known and cited as:

- (1) Conservation District (C);
- (2) Agriculture/Rural Business District (A/RB);
- (3) Hamlet/Residential District (H/R);
- (4) Waterfront Hamlet/Residential District (WH/R);
- (5) Village District (V);
- (6) Waterfront Village District (WV);
- (7) Existing Cottage Community/Residential District—ECC/R (~~ECC~~);
- (8) Town Edge District (TE);
- (9) Existing Business District (EB);
- (10) Existing Industrial District (EI);
- (11) Existing Subdivision District/Residential—ES/R (~~ES~~);
- (12) Commercial District (C-1).

(B) *Secondary zoning districts.* The Village District (V), Waterfront Village District (WV), Town Edge District (TE), and Existing Subdivision District/Residential—ES/R (~~ES~~); are further classified into secondary zoning districts.

(1) The Village District (V) is sub-classified into three secondary zoning districts to be known and cited as:

- (a) Village - 1 District (V-1);
- (b) Village/Residential —2 District (~~V-2~~); V/R
- (c) Village - Neighborhood Business District (V-NB).

(2) The Waterfront Village District (WV) is sub-classified into four secondary zoning districts to be known and cited as:

- (a) Waterfront Village - 1 District (WV-1);
- (b) Waterfront Village/Residential—WV/R —2 District (~~WV-2~~);
- (c) Waterfront Village - Neighborhood Business District (WV-NB);
- (d) Waterfront Village - Waterfront Commercial District (WV-WC).

(3) The Town Edge District (TE) is sub-classified into four secondary zoning districts to be known and cited as:

- (a) Town Edge - 1 District (TE-1);
- (b) Town Edge/Residential—TE/R —2 District (~~TE-2~~);
- (c) Town Edge - Neighborhood Business District (TE-NB);

(d) Town Edge - Commercial General District (TE-CG).
The TE/R, TE-2, TE-NB, and TE-CG Districts are available upon approval by the Board of Supervisors of a rezoning application in areas zoned TE-1 by the 2009 Comprehensive Amendments.

- (4) The Existing Subdivision District/Residential—ES/R (ES); ~~The Existing Subdivision District (ES)~~ is sub-classified into eight secondary districts to be known and cited as:
- (a) Existing Subdivision - Agricultural-1 District (ES-A-1);
 - (b) Existing Subdivision - Rural Village - Rural Residential District (ES-RV-RR);
 - (c) Existing Subdivision - Rural Village - Residential District (ES-RV-R);
 - (d) Existing Subdivision - Rural Village - Residential Mixed District (ES-RV-RM);
 - (e) Existing Subdivision - Community Development - Rural Residential District (ES-CD-RR);
 - (f) Existing Subdivision - Community Development - Single-Family Residential District (ES-CD-R1);
 - (g) Existing Subdivision - Community Development - Residential Mixed District (ES-CD-RM);
 - (h) Existing Subdivision - Existing Business - Commercial Waterfront (ES-EB-CW).

* * * * *

§ 154.082 STATEMENTS OF INTENT FOR PRIMARY AND SECONDARY ZONING DISTRICTS.

....

(B) *Agriculture/Rural Business District (A/RB)*. The intent of this District is:

- (1) To ~~protect~~ preserve the prime agricultural soils of the county;
- (2) To ~~help~~ maintain the rural character of the county and its agricultural activities.
- (3) To provide an area in which the agricultural and forestry ~~industries~~ land use activities of the county may freely practice the "Right to Farm" (as set forth in VA Code §§ 3.1-22.28 and 3.1-22.29, as amended), including the right to till the soil, plant, grow, and harvest crops, livestock and timber, with the attendant noise, dust, odor, and chemical applications, ~~and including the authorized consideration of their impacts on "the health, safety or general welfare of the public", and provided that such activities are consistent with accepted agricultural and silvicultural practices and are not performed in an unsafe manner.~~
- (4) To provide for farm agritourism activities on working farms, in an agriculturally classified district, as defined in State Code § 3.2-6400, involving activities or events that are usual and customary at Virginia agricultural

operations and, also including the authorized consideration of their impacts on “the health, safety or general welfare of the public”.

(5) To recognize that there currently exist established low density, settled rural residential neighborhoods in the District, and to provide for low density, rural housing compatible in aspect, design and form with the rural, agricultural quality of the District and arranged to minimize impact upon agricultural activities and to maximize open space which may be used for agriculture and forestry.

(C) *Hamlet/Residential District (R/H)*. The intent of this District is:

(1) To recognize the County’s small rural settlements of historic or cultural significance, often located at crossroads, and which have, over the years, taken on the form of primarily residential neighborhoods.

(2) To provide for a mixture of residential, home business and low-impact commercial uses which are compatible in aspect, design, and form with this rural setting.

(3) To provide for primarily residential settlements in rural locales, which will support a variety of housing options.

(D) *Waterfront Hamlet/Residential District (WH/R)*. The intent of this District is:

(1) To recognize the county's distinct, small, traditional residential and working-waterfront Hamlets situated on the seaside and bayside;

(2) To provide for their continued existence as long-established Hamlets that support enclaves of single-family homes and certain low-impact water-dependent activities for working watermen and recreational use.

(3) To preserve environmentally-sensitive lands and protect water quality and viewsheds.

(4) To protect flood prone areas by discouraging residential land use

(E) *Village District (V)*. The intent of this primary district is:

(1) To recognize the traditional villages of Northampton County and other such clusters of development in rural areas that have begun to take on the qualities of a village;

(2) To provide for a mixture of residential and neighborhood business uses which are compatible with a rural village setting.

Accordingly, three secondary districts are provided.

(a) *Village-1 (V-1)*. The intent of this secondary district is:

1. To provide a transition and potential future growth area between adjacent principally agricultural areas and the more intensely developed residential village areas of the county. ~~Agricultural users may still practice Limited farming~~ Farming activities continue to be permitted. ~~but must recognize that some practices may need to be modified when used in close proximity to residential areas.~~

2. To provide for a mixture of existing farming activities and agricultural uses and compatible low density residential uses that will also allow areas for potential population expansion that is still in keeping with a rural lifestyle.

(b) ~~*Village/Residential -V/R 2(V-2)*~~. The intent of this primarily residential secondary district is:

to provide residential lots large enough to accommodate both individual water systems and sewage disposal systems on the same site.

(c) *Village - Neighborhood Business (V-NB)*. The intent of this secondary district is:

1. To recognize small neighborhood commercial areas already established in rural villages.

2. To provide for additional small neighborhood-serving commercial areas compatible in nature, design and scope with a rural village setting. Mixed-use neighborhood business with limited compatible residential development may also be appropriate if impacts from such mixed-use development can be mitigated.

(F) *Waterfront Village District (WV)*. The intent of this primary district is to recognize the distinct, established, traditional waterfront villages in uses which are compatible in aspect, design, and form with a rural waterfront village setting, designed to preserve environmentally sensitive lands, ~~and~~ protect water quality and viewsheds, discourage residential land use in flood prone areas, and serve to support its residents and the local economy with traditional propagation and harvesting of seafood products, farming, and related activities ~~industries~~ that are clean, environmentally low impact, and ecologically sound.

Four secondary districts are provided.

(1) *Waterfront Village-1 (WV-1)*. The intent of this secondary district is:

to provide for low-density rural housing while recognizing existing aquacultural and farming activities ~~agricultural uses~~, and ensuring that ~~farming and other~~ uses and activities protect wetlands and ground and surface waters.

(2) *Waterfront Village/Residential ---WV/R 2 (WV-2)*. The intent of this secondary district is:

to provide a mix of housing types, with single-family units predominating, that are compatible in scale with the traditional characteristics of the village, and still ensuring that uses and activities protect wetlands and ground and surface waters.

(3) *Waterfront Village - Neighborhood Business (WV-NB)*. The intent of this secondary district is:

to recognize existing commercial areas and to allow for environmentally low-impact commercial activities which preserve the pristine quality of ground and surface waters and other natural resources in the village. In addition, mixed-use neighborhood businesses with limited residential development outside of flood prone areas may also be appropriate if impacts from such mixed-use development can be mitigated, while still ensuring that uses and activities protect wetlands and ground and surface waters.

(4) *Waterfront Village - Waterfront Commercial (WV-WC)*. The intent of this secondary district is:

to provide for those low impact commercial uses which must be located on the waterfront due to the intrinsic nature of the activity, while still ensuring that uses and activities protect wetlands and ground and surface waters.

(G) *Existing Cottage Community/Residential District (ECC/R)*. The intent of this District is:

to recognize existing rural residential development located on or near the water, predating the county's adoption of a zoning ordinance or developed under old zoning standards, and which are not served by public utilities. It is the intent of Northampton County not to create any new Existing Cottage Community Districts, and the presence of an Existing Cottage Community shall

not serve as justification for expansion of the District into surrounding Agriculture/Rural Business or Conservation Districts.

(H) *Town Edge District (TE)*. The intent of this primary district is:

to provide potential development areas adjacent to incorporated towns which may, in the future, be served by extensions of public water and sewer services from the towns. Growth and increased development are intended to occur simultaneously with the provision of public infrastructure, including, but not limited to, public sewer and water, to support such growth and development.

Four secondary districts are provided:

(1) *Town Edge - 1 District (TE-1)*. The intent of this secondary district is: to provide for a mix of existing farming activities, compatible low density residential, light commercial and other low-impact uses at a density/intensity higher than that of the surrounding agricultural areas, but lower than may be appropriate in the TE/R ~~TE-2~~ district.

(2) *Town Edge/Residential District TE/R ~~(TE-2)~~*. The intent of this secondary district is:

to provide for a mix of residential, home business, low-impact commercial and community service commercial uses at a density/intensity similar to that of the adjacent town, taking into consideration the feasibility of, and impacts from, infill development within the town.

(3) *Town Edge - Neighborhood Business (TE-NB)*. The intent of this secondary district is:

to provide for a compatible mix of neighborhood-scale commercial, community service, very light industrial, and residential uses at a density higher than that in the Town Edge-1 District and similar to that of the adjacent town.

(4) *Town Edge - Commercial General (TE-CG)*. The intent of this secondary district is:

to provide for a mix of commercial, community-service, and light manufacturing/industrial uses adjacent to incorporated towns and at a density similar to that of the adjacent town.

(I) *Existing Business District (EB)*.

(1) The intent of this District is: to recognize commercial uses and zones outside of Village, Waterfront Village, Hamlet, Waterfront Hamlet, and Town Edge Districts which already exist, but in areas which are not recommended by the Comprehensive Plan for such use(s) or for further development or expansion of such

use(s) on adjacent sites. The Existing Business designation shall apply to all parcels (or the portions thereof) that:

(a) Have legal, actively operating businesses existing on them as of the adoption date of the 2009 Comprehensive Amendments to this chapter, or

(b) Parcels rezoned to the Rural Village - Commercial, Community Development - Commercial Neighborhood District and/or the Community Development - Commercial General District between January 1, 2002, and the effective date of the 2009 Comprehensive Amendments to this chapter but which are located outside the Village, Waterfront Village, Hamlet, Waterfront Hamlet, and Town Edge zoning districts.

(2) Commercial uses in the EB District shall be those allowed in Appendix A for TE-CG.

(3) Existing Business Districts are not intended to be enlarged after the date of adoption of the 2009 Comprehensive Amendments; however, a use being performed within an Existing Business District may expand to the lawful limits of the existing site.

(4) Any lawful non-conforming commercial use which exists on a parcel rezoned to the EB District on the adoption date of the 2009 Comprehensive Amendments to this chapter, but does not appear in Appendix A, shall still be considered a permitted use on the parcel.

(5) It is the intent of Northampton County to provide lawfully conforming status to parcels mapped as Existing Business District on the adoption date of the 2009 Comprehensive Amendments to this chapter.

(J) *Existing Industrial (EI)*. The intent of this District is to recognize existing industrial uses in the County as of the effective date of the 2009 Comprehensive Amendments as well as those proposed for industrial use in the adopted Comprehensive Plan.

(1) Existing Industrial Districts are not intended to be enlarged after the date of adoption of the 2009 Comprehensive Amendments; however, a use being performed within an Existing Industrial District may expand to the lawful limits of the existing site.

(2) Any lawful non-conforming industrial or commercial use which exists on a parcel rezoned to the EI District on the adoption date of the 2009 Comprehensive Amendments to this chapter, but does not appear in Appendix A, shall still be considered a permitted use on the parcel.

(3) It is the intent of Northampton County to provide lawfully conforming status to parcels mapped as Existing Industrial District on the adoption date of the 2009 Comprehensive Amendments to this chapter.

(K) Existing Subdivision/Residential (ES/R). The intent of this District is to recognize ~~principally single-use~~, rural residential subdivisions and condominiums which have been developed or have been approved for six or more lots, or in the case of condominium development, six or more separate dwelling units on one parcel, on a 50-foot right-of-way or a state road as of the date of adoption of the 2009 Comprehensive Amendments to this chapter, but which are located in areas which are not recommended by the Comprehensive Plan for such use(s) or for further development or expansion of such use(s) on adjacent sites.

(1) The developments zoned Existing Subdivision/Residential as the primary district will retain as a secondary district the zoning assigned on December 28, 2000, or that to which the property was rezoned between December 28, 2000, and the date of adoption of the 2009 Comprehensive Amendments to this chapter. See § 154.081. The uses and dimensional and area regulations associated with each secondary district as adopted on December 28, 2000, and as may have been subsequently amended, are hereby incorporated into this chapter and will constitute the regulations under which each existing subdivision may continue to be developed and/or used.

(2) Existing Subdivision/Residential Districts are not intended to be enlarged after the date of adoption of the 2009 Comprehensive Amendments; however, a development may expand to the lawful limits of the approved subdivision plat and plan of development and in accordance with the applicable December 28, 2000, use and dimensional and area regulations.

(L) Commercial (C-1). The intent of this primary District is to provide places for the conduct of commerce and business as well as to provide places of employment and strengthen the local economic base. To that end, a mix of commercial, community service, and very light industrial uses will be allowed in this District. Commercial Districts are also intended to control and limit strip commercial development and regulate access to public streets and to ensure that commercial uses preserve and protect the groundwater aquifer recharge spine along U.S. Route 13.

* * * * *

§ 154.020 DESIGNATION OF ZONING ADMINISTRATOR; AUTHORITY

~~(A) This chapter shall be administered by the Zoning Administrator who shall be appointed by the Board of Supervisors and assisted by such other persons as the Board of Supervisors or County Administrator may direct. The Zoning Administrator shall have all necessary authority to administer, interpret and enforce the provisions of this chapter, including the establishment of necessary administrative procedures.~~

~~(B) The Zoning Administrator, along with his/her deputies and inspectors, is hereby empowered, subsequent to a 24-hour notice of intent, to enter and go upon any~~

~~private or public property in the county for the purpose of inspecting for compliance with this chapter and for the administration and enforcement thereof, provided that any and all such entries shall be in accordance with the general requirements of due process. Nothing herein, however, shall authorize or purport to authorize any unlawful search or seizure.~~
(Ord. passed 10-21-2009)

A) The office of zoning administrator is hereby established, subject to the following:

The Zoning Administrator shall have all necessary authority on behalf of the governing body to administer and enforce the zoning ordinance.

B) The Zoning Administrator, along with his/her deputies and inspectors, is hereby empowered, subsequent to a 24-hour notice of intent, to enter and go upon any private or public property in the county for the purpose of inspecting for compliance with this chapter and for the administration and enforcement thereof, provided that any and all such entries shall be in accordance with the general requirements of due process. Nothing herein, however, shall authorize or purport to authorize any unlawful search or seizure.

C) Administration for the purpose of this ordinance is defined to be that person who shall be the primary source of information for service to the public, explaining the zoning ordinance in detail to those who seek to take actions within the allowable limits of the ordinance, assisting with presenting proposed changes to the ordinance and assisting citizens who apply for exceptions to the ordinance. The Administrator shall be responsible for maintaining, and making available for public inspection, all the administrator's records in full compliance with the Public Records Act of VA (§ 42.1-76).

D) The authority to enforce the zoning ordinance includes:

1. Enforcing this chapter and the official zoning map;
2. Enforcing compliance on any matters arising under this chapter, including but not limited to, how a building, structure or use should be classified, explaining to the public what uses are permitted within a particular zoning district and why, whether a proposed building or structure complies with setback, height, bulk and other requirements, whether a building, structure, use or lot is nonconforming, and whether a lot meets minimum lot size requirements.
3. Ordering in writing the remedying of any use or structure determined to be in violation of this chapter;
4. Pursuant to § 15.2-231, any written notice of a zoning violation or a written order of the zoning administrator shall include a statement informing the recipient that he may have a right to appeal the notice of a zoning violation or a written order within 30 days to the Board of Supervisors. A copy of all written notices shall be provided to the Chairman of the Board of Supervisors.

5. Insuring compliance with this chapter if necessary, by initiating legal action through the County attorney, including an action for injunction, abatement, civil penalties or other appropriate action or proceeding subject to appeal as provided by Virginia Code § 15.2-2311 and this chapter;

6. In specific cases, making findings of fact and, with concurrence of the county attorney, conclusions of law regarding determinations of rights under Virginia Code §§ 15.2-2307-and 15.2-2311(C);

7. Absence of specific authority is a limitation. The authority granted to the zoning administrator in other sections of this chapter shall not be construed to exceed the authority specifically granted in this section.

§ 154.110 STANDARDS FOR LIVESTOCK OPERATIONS, INCLUDING ANIMAL FEEDING OPERATIONS (AFOs), CONCENTRATED ANIMAL FEEDING OPERATIONS (CAFOs) AND OTHER LIVESTOCK OPERATIONS, EXCLUDING FINFISH AND SHELLFISH

.....

(A)

Findings. The Board hereby finds that the standards in this section were established by considering their impact on the agriculture, aquaculture and tourism industries in the county, on the proximity of A/RB Districts to extensive surface water resources, and on the proximity of established residential Villages, Hamlets and other rural neighborhoods to the A/RB Districts.

The board further finds that one or more substantial impacts on the public health, safety, or welfare have been identified when these standards are set by this section.

These substantial impacts, and the thresholds and standards related thereto, are based upon the comprehensive plan, study, and existing state standards.

In addition, the board finds that the thresholds and standards established herein are the minimum necessary in order to satisfy the relevant policies, goals, and objectives of the comprehensive plan without allowing the activities and structures permitted by this section to cause substantial impacts and thereby endanger the public health, safety, or welfare.

.....

(F)

(3) Setbacks for CAFOs, AFOs, intensive livestock, intensive poultry facilities, and manure storage and compost structures. Facilities shall be situated according to the following setbacks:

(a) From a public road right-of-way: 1,000 300 feet.

(b) From the limits of an incorporated town or Town Edge District: 1,500 feet.

(c) From Villages, Waterfront Villages, Hamlets, Waterfront Hamlets, Existing Cottage Communities, Existing Subdivision Districts ~~Town Edges~~: 1,500 feet.

~~(d) From Hamlets: 1,000 feet.~~

~~(ed) From any property line: 1,000 400 feet. Except this may be reduced to 200 feet if there is 200 feet in width of mature woodlands and ammonia scrubbers are used to actively capture emissions. These same mature woodlands used to secure a reduction in setbacks must be preserved, neither thinned nor harvested, during the life span of the associated intensive livestock facility.~~

~~(ef) From tidal waters: 2,000 feet.~~

~~(FG) Minimum requirements for intensive livestock facilities CAFOs.~~

- ~~(1) Compost sheds must be operational upon commencement of the facility operation.~~
- ~~(2) Manure storage must be operational within two years after at the commencement of the facility operation.~~

~~(GH) Animal waste handling. All animal wastes must be contained so that none are allowed to enter a Resource Protection Area. All Any open manure storage must be at least 1,000 400 feet from a property line. Otherwise, storage must be in an enclosed storage facility no closer than 1,000 feet from a property line or one-half the average lot width, whichever is less.~~

~~(HI) Lagoons. Lagoons to serve livestock compounds may be permitted with a special use permit.~~

~~(J) Submittals Plans required. No CAFOs are livestock operations permitted until the developer has submitted to the county the following: a Nutrient Management Plan, a Stormwater Management Plan and an Erosion and Sediment Control Plan, approved by the appropriate agencies. The County reserves its right to ensure any such plans are consistent with County Ordinances, including this Chapter. In addition, the operator must submit for county approval, a Contingency Plan for fire response, emergency response, public health response and vector control. Livestock facilities are required to have a nutrient management plan approved by the Eastern Shore Soil and Water Conservation District and the Virginia Department of Conservation and Recreation and a development plan, and an erosion and sediment control plan approved by the Northampton County Department of Planning and Zoning.~~

§ 154.116 STANDARDS FOR WIND ENERGY FACILITIES, WIND ENERGY TEST FACILITIES, AND WIND TURBINES, LARGE AND UTILITY-SCALE.

.....

(D) *Setbacks, densities, lot sizes, and dimensions for wind turbines -large scale and utility scale.*

.....

(3) The minimum setback distance between a wind turbine (large scale and utility scale) and overhead utility or transmission lines, other wind turbines, electrical substations, and public roads, shall be no less than one and one-half times the wind turbine height or 600 feet, whichever is greater. The setback requirement from adjacent property lines shall be no less than 1.25mi/6600 feet. An exemption to the setback requirement for property lines may be granted by the Board of Supervisors only after an agreement, through the execution of a legally binding publicly recorded document that runs with the land, between the proponent and the adjacent property owner.

* * * * *

§ 154.127 LOW IMPACT COMMERCIAL USES.

REPLACE the term “Qualifying Rural Business(es)” with the term “Adaptive Re-Use Business(es) throughout this Section, and any other location in Chapter 154 and Appendices.

(B)

(3) *Criteria.* All Adaptive Re-Use Businesses ~~Qualifying Rural Businesses~~ shall meet all of the following criteria:

(a) *Rural character.* The business shall be consistent with the surrounding community and the character of the district in which it is located.

(b) *Existing buildings used.* The Adaptive Re-Use Business ~~Qualifying Rural Business~~ shall make use of buildings existing at the time of adoption of the 2009 Comprehensive Amendments to this chapter as verified by the Zoning Administrator. Such building(s) may be renovated as long as the exterior appearance is not substantially changed. The existing building(s) must be the principal structure(s) used by the business; however, additions are permitted for Qualifying Rural Businesses up to 50% of the existing square footage and ~~conditioned upon the exterior appearance of such addition being consistent with that of the existing building(s).....~~

* * * * *

§154.164 CHESAPEAKE/ATLANTIC PRESERVATION DISTRICT (CAP).

.....
§ (l) (1)

(a) As described in the *Division of Chesapeake Bay Local Assistance Riparian Buffers Modification & Mitigation Guidance Manual*, trees may be pruned or removed as necessary to provide for sight lines and vistas, subject to approval by the Zoning Administrator, provided that where removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff;

(b) Any path, ~~subject to approval by the Zoning Administrator~~, shall be constructed and surfaced so as to effectively control erosion, subject to approval by the Zoning Administrator;

(c) Dead, diseased, or dying trees or shrubbery and noxious weeds (such as Johnson grass, kudzu, and multiflora rose) may be removed and thinning of trees allowed, subject to approval by the Zoning Administrator, pursuant to sound horticulture practices; and

(d) For shoreline erosion control projects, trees and woody vegetation may be removed, necessary ~~control~~ techniques to control erosion employed, and appropriate vegetation established to protect or stabilize the shoreline in accordance with the best available technical advice and applicable permit conditions or requirement, subject to approval by the Zoning Administrator.

(e) The Zoning Administrator is responsible for developing and administering a fair, transparent and timely process for approvals required pursuant to this Section, with assistance from County staff, within the following parameters:

i. A landowner/applicant shall notify the County of the proposed action by electronic or regular US mail, providing contact information which shall include telephone number, mailing address, physical address or a description providing location, property owner's name if different than applicant, and a description of the

proposed activity. Within three (3) days of receipt of said notification by any County staff, the landowner/applicant shall be provided with project tracking information and any requested assistance by County staff.

ii. Within seven (7) days of receipt of said notification by any County staff, the Zoning Administrator or designee shall conduct a site visit and/or issue a written approval. If Zoning Administrator elects to conduct a site visit, an approval or a reason for not delivering an approval is due to the applicant within 3 days after the site visit.

iii. The Zoning Administrator must maintain all records of notifications received, and approvals/disapprovals for a minimum of five calendar years.

{New Section to be added.}

§154.xxx ACCESSORY DWELLINGS

(A) 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 one total unit, contingent upon it being designed, located, constructed and maintained in compliance with the following standards:

(B) General standards for all accessory dwellings.

(1) The accessory dwelling shall be located on the same lot as the detached single-family dwelling to which it is accessory and the detached single-family dwelling may be constructed before or after the issuance of a permit for the accessory dwelling the setbacks that apply to principal structures and buildings shall apply;

(2) The accessory dwelling shall be limited to a maximum of two bedrooms;

(3) Only one accessory dwelling shall be permitted for each detached single-family dwelling and shall not be permitted accessory to a multi-family dwelling;

(4) The accessory dwelling shall be owned by the same owner as the detached single-family dwelling to which it is accessory and the owner shall reside in the detached single-family dwelling or the accessory dwelling;

(5) The accessory dwelling shall be served by a water supply and septic system approved by the Virginia Department of Health; and

(6) The accessory dwelling shall be constructed in compliance with the Virginia Uniform Statewide Building Codes residential standards and shall be issued a certificate of occupancy as a dwelling prior to occupancy; and

(7) A minimum of one off-street parking space beyond what is required for the detached single-family dwelling shall be provided.

(C) An accessory dwelling shall be created through one of the following construction methods and shall meet the following standards specific to each method as defined below. If more than one method is used to create an accessory dwelling unit, the most restrictive standard shall apply.

(1) An internal conversion within a portion of an existing detached single-family dwelling or existing accessory structure or the total conversion of an existing accessory structure to create an accessory dwelling.

(a) The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the existing detached single-family dwelling calculated prior to the internal conversion to create an accessory dwelling.

(b) When the conversion is within an existing detached single-family dwelling, setback and height regulations for principle structures shall apply.

(c) When the conversion is within an existing accessory structure, setback and height regulations for accessory structures shall apply.

(2) An external attachment, connection or addition to an existing detached single-family dwelling or existing accessory structure to create an accessory dwelling.

(a) The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the existing detached single-family dwelling calculated prior to the external attachment, connection or addition to create an accessory dwelling.

(b) When the accessory dwelling is attached, connected or added to the existing detached single-family dwelling, setback and height regulations for principle structures shall apply.

(c) When the accessory dwelling is attached, connected or added to the existing accessory structure, setback and height regulations for accessory structures shall apply.

(3) Construction of an accessory dwelling within, attached, connected or added to a new detached single-family dwelling included in the initial design and construction or construction of a new detached accessory dwelling.

(a) The size of the accessory dwelling shall not exceed 50% of the gross heated floor area of the detached single-family dwelling calculated excluding area which are designated to an accessory dwelling having an external entrance not shared with the area designated to the detached single-family dwelling.

(c) Setback regulations for principle structures shall apply.

(d) When the accessory dwelling is within, attached, connected or added to a new detached single-family dwelling, height regulations for principle structures shall apply.

(e) When a new detached accessory dwelling is constructed, height regulations for accessory structures shall apply.

{NEW SECTION TO BE ADDED}

§154.xxx ADDITIONAL SINGLE-FAMILY DWELLINGS ON ONE PARCEL.

(A) If the dwelling cannot be designed, located, constructed and maintained in compliance with the standards in §154.xxx {Section to be added} for Accessory Dwelling, it shall not be considered an accessory dwelling, but may be considered an additional single-family dwelling on one parcel if it is designed, located, constructed and maintained in compliance with the following standards:

(1) Additional single-family dwellings on one parcel shall comply with the density regulations for the zoning district in which it is to be located. Each single-family dwelling unit on one parcel shall be one unit used in the density calculation;

(2) Additional single-family dwellings on one parcel shall be served by separate and independent infrastructure including, but not limited to, a water supply and septic system approved by the Virginia Department of Health; and

(3) An additional single-family dwelling on one parcel 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 and shall be laid out in such a manner as to permit subdivision into separate lots as provided for in Chapter: 156 Subdivision; and

(4) If a property containing additional single-family dwellings seeks approval for one or more of the single-family dwellings to be subdivided from the base parcel, the applicant shall first seek approval of a preliminary subdivision plat and phasing plan for the subdivision of all single-family dwellings located on the base parcel. After the approval of a preliminary subdivision plat and phasing plan has been obtained, one or more of the single-family dwellings located on the base parcel may be subdivided individually in compliance with the approved preliminary subdivision plan and phasing plan.

* * * * *

Amendments to Appendix A—Use Regulations

In the following Districts, the uses listed below are proposed to be changed from “SUP” to “By Right”:

In Commercial General/Existing Business/Commercial 1 Districts:

Banks/Financial Institutions	Qualifying Rural Business
Miniature Golf	RV/Camper Sales, Rental
Dance Halls to 5000 sq ft	Schools of Special Instruction, 25+ students
Mini-storage Facilities	Tourist Cottages to 12 units
Dry Cleaning/Laundry	Warehousing, incl Moving & Storage
Mobile Home Sales	Colleges/Universities
Flexible Term Rental Units	Hospitals
Motels/Hotels up to 25 rooms	Schools, primary, secondary-public/private
Music Studio	Schools, vocational/technical-public/private

Other Retail Establishment to 25,000 sq ft	Telephone Exchange, unmanned
Regional Commercial Center to 20,000 sq ft	Sewage Treatment facilities on-site use
Restaurant, outdoor seating, no drive-thru	Waste collection center, public

In Existing Industrial District:

Dance Halls to 3000 sq ft	Truck Stop
Dance Halls to 5000 sq ft	Sewage Treatment facilities
Guide/Outfitter Services	Telephone Exchange, unmanned
Petroleum Products Bulk Storage, wholesale	Telecommunication antennas & towers
	Waste collection center, public

Amend Appendix A, Category 8 SF to allow Accessory Dwelling with Minor Special Use Permit in the following Districts: Hamlet, Village 1 & 2, Waterfront Village 1 & 2, Town Edge 1 & 2, Agriculture/Rural Business, and Existing Cottage Community Districts (district names should also be amended).

Amend Appendix A, Category 2, by removing all Low Impact Agritourism Uses; delete table.

ADD NEW APPENDIX D

Regulatory Definitions of Large CAFOs, Medium CAFO, and Small CAFOs

A Large CAFO confines at least the number of animals described in the table below. A Medium CAFO falls within the size range in the table below and either:

- has a manmade ditch or pipe that carries manure or wastewater to surface water; or
- the animals come into contact with surface water that passes through the area where they're confined.

If an operation is found to be a significant contributor of pollutants, the permitting authority may designate a medium-sized facility as a CAFO.

A Small CAFO confines fewer Size Thresholds (number of animals)

than the number of animals listed in the table and has been designated as a CAFO by the permitting authority as a significant contributor of pollutants.

Animal Sector

	<u>Large CAFOs</u>	<u>Medium CAFOs</u>	<u>Small CAFOs²</u>
<u>cattle or cow/calf pairs</u>	<u>1,000 or more</u>	<u>300 - 999</u>	<u>less than 300</u>
<u>mature dairy cattle</u>	<u>700 or more</u>	<u>200 - 699</u>	<u>less than 200</u>
<u>veal calves</u>	<u>1,000 or more</u>	<u>300 - 999</u>	<u>less than 300</u>
<u>swine (weighing over 55 pounds)</u>	<u>2,500 or more</u>	<u>750 - 2,499</u>	<u>less than 750</u>
<u>swine (weighing less than 55 pounds)</u>	<u>10,000 or more</u>	<u>3,000 - 9,999</u>	<u>less than 3,000</u>
<u>horses</u>	<u>500 or more</u>	<u>150 - 499</u>	<u>less than 150</u>
<u>sheep or lambs</u>	<u>10,000 or more</u>	<u>3,000 - 9,999</u>	<u>less than 3,000</u>
<u>laying hens or broilers (liquid manure handling systems)</u>	<u>30,000 or more</u>	<u>9,000 - 29,999</u>	<u>less than 9,000</u>
<u>chickens other than laying hens (other than a liquid manure handling systems)</u>	<u>125,000 or more</u>	<u>37,500 - 124,999</u>	<u>less than 37,500</u>
<u>laying hens (other than a liquid manure handling systems)</u>	<u>82,000 or more</u>	<u>25,000 - 81,999</u>	<u>less than 25,000</u>
<u>ducks (other than a liquid manure handling systems)</u>	<u>30,000 or more</u>	<u>10,000 - 29,999</u>	<u>less than 10,000</u>
<u>ducks (liquid manure handling systems)</u>	<u>5,000 or more</u>	<u>1,500 - 4,999</u>	<u>less than 1,500</u>

* * * * *

The Chairman read the following comments:

Northampton County Board of Supervisors

Board Meeting of January 12, 2016

Comments made by H. Spencer Murray,
Supervisor, District Four

Motion and Resolution Regarding the Appeal of Northampton County
Zoning Ordinance Passed 12/8/15

Before we vote on this extremely emotionally charged issue, I offer the following comments for the record.

In the now thirty years I have lived in Northampton County I do not remember an issue that has consumed more resources, largely at the expense of other County needs, than the last two years in the complete rewrite of the County Zoning Ordinance. This issue has confused and divided our citizens to the extent that many question the motives of others and have lost faith in their government. I refuse to label persons on either side of this issue as “good” or “bad”. We simply disagree. In our system of government disagreements are best resolved at the ballot box. Among other issues, the public spoke to Zoning on November 3rd last year. A brief history.

I voted for the 2009 Zoning Ordinance and throughout my term sponsored numerous amendments to clarify, simplify, and respond to changes needed in that Ordinance. The ordinance was designed to reflect the previously adopted Comprehensive Plan. It was not perfect and no zoning ordinance ever is. However I **never** heard the public demand a complete rewrite with massive up-zoning of agricultural land, thus eliminating the vested rights of property owners in sub-divisions created under prior amendments.

On **May 13, 2014** I appeared before the previous Board and asked that in the rewrite of the zoning ordinance we seek **BALANCE** between sensible growth, protection of our property rights and preservation of our natural resources. I asked that the Board not “throw the baby out with the bathwater.”

I believe the expedited December 8, 2015 adoption of the Zoning Ordinance did just that.

I also realize that the action we are considering tonight will be a bitter pill to swallow for those who have worked over the last three years. This is not an attempt to put the genie back in the bottle and go backward. The amendments proposed tonight take us forward in many ways:

- For Commercial Districts, fewer approvals will be required
- For Residential Zoning Districts, neighbors will be protected by special use permits
- Rural businesses will have more freedom to refurbish existing structures

— A new section is added for Accessory Dwellings similar to the 2015 language to expand affordable housing

— A section to allow additional single-family dwellings on one parcel is included

— Setbacks are increased to protect our clean waters from manure runoff from Animal Feeding Operations and assure the community of an emergency response plan in case of fire.

I ask the staff, the Planning Commission, and the public to scrutinize these amendments and provide feedback. WE will listen.

With that, I call for the vote.

H. Spencer Murray

January 12, 2015

* * * * *

All members were present and voted “yes”, with the exceptions of Mr. Bennett and Mr. LeMond who voted “no”. The motion was passed. It is noted for the record that the time lines stipulated in the foregoing resolution were amended later in the evening.

The County Attorney indicated that he did not believe the dates specified in the Resolution can be achieved as per the Code of Virginia and asked for a few minutes’ research time.

Mr. Hogg read the following comments:

For those of you seated in the audience this evening as well as those who could not be here this evening, I wish to thank you for expressing your thoughts. Don't hesitate, Government needs your guidance. I appreciate you taking time to bring to my attention areas where "WE" might improve "OUR" community. I have read your comments, listened to your debate, and researched subjects for guidance to make what I believe are the best technical decisions for "OUR" Community.

In my opinion, I have made clear succinct statements with regards to the 2015 Zoning Ordinance as well as traffic safety issues and our medical services system. There are many good things that came from the debate. I have made attempts to implement your suggestions and with your help "WE" will create a better Northampton County for all. In our efforts and desire for change we strayed from the proven configuration. That is what we had and we need to return to the basics

and continue our efforts, adjusting to the changes in technology and opportunities as they become available.

I have stated in the past, "This is not a Pentarchy". It is not what you and I want individually, it is about what "WE WANT AS A COMMUNITY".

I have asked for your help. The voters of the Districts 4 and 5 have responded. Those voters have made a statement but the job does not end there. There is a commitment by all to make it work. As leaders it is our job to see it does work. There are areas of local government that can be improved. I will debate proposals made by my colleagues, looking for the "UNINTENDED CONSEQUENCE", to get the best outcome for "OUR" community.

Looking forward, WHAT WILL NORTHAMPTON COUNTY LOOK LIKE TWO YEARS FROM TODAY?

I want to see a Solar Farm in operation that will provide opportunities for our county.

I want to see an improved Medical Services System that includes medical personnel trained here and a garage that will shelter our ambulance and response vehicles. Maybe even a medical facility that can sew-up a cut hand or provide medical care on Saturday, Sunday or even the middle of the night.

I want to see a place where people can come and share our beaches for a couple of weeks while they share their bank account with us. I want them to experience what Northampton County has to offer so they will want to return with a friend.

I believe we can get back on the right path but it will take your support. When I cease to get the job done, then I need to step down or you need to say it's time for you to go!

* * * * *

With regard to the Comprehensive Plan Advisory Committee established earlier by the Board, motion was made by Mr. Murray, seconded by Mr. Hogg, that the Board dissolve that committee effective immediately. 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. Duer, seconded by Mr. Murray, that Mr. LeMond and Mr. Hogg be reappointed to the Ad-Hoc Emergency Care Committee. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Hogg, seconded by Mr. Duer, that Mr. Murray be appointed to the Agricultural-Forestal District Committee, replacing Mr. Richard L. Hubbard. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Murray, that Mr. Robert Duer be appointed to the Eastern Shore of Virginia Housing Alliance, replacing Mr. Laurence J. Trala. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. Hogg, that Mr. LeMond, Mr. Hogg and Mr. Duer be appointed to the Accomack-Northampton Planning District Commission. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. LeMond, seconded by Mr. Bennett, that Mr. Hogg be reappointed to the Fire & Rescue Commission. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that Mr. Robert Duer be appointed to serve on the E-911 Commission, replacing Mr. Laurence J. Trala. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Murray, seconded by Mr. Duer, that Mr. Bob Meyers be appointed to serve on the Eastern Shore Groundwater Committee, replacing Mr. Hubbard. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. Hogg, that Mr. Murray be appointed to serve on the Eastern Shore Preparedness Coalition (formerly known as the Local Emergency Planning Committee), replacing Mr. Richard L. Hubbard. All members were present and voted "yes." The motion was unanimously passed.

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that Mr. Robert Duer and

Mr. Spencer Murray be appointed to serve on the Eastern Shore Regional Jail Board, replacing Mr. Hubbard and Mr. Trala. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Murray, seconded by Mr. Duer, that Mr. Bob Meyers be appointed to the Wetlands Board for a term expiring June 30, 2016, succeeding Ms. Nancy Wells Drury who has resigned. All members were present and voted “yes.” The motion was unanimously passed.

Closed Session

Motion was made by Mr. Hogg, 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 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.

Prior zoning motion

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.

Motion was made by Mr. Duer, seconded by Mr. Hogg, that the foregoing resolution in regard to the Board’s intent to repeal the December 8, 2015 zoning ordinance and map adoption actions be amended to eliminate the stated deadlines and indicate that the proposed work schedule will be presented for the Board’s consideration at its January 15th work session. All members were present and voted “yes.” The motion was unanimously passed.

Recess

Motion was made by Mr. Bennett, seconded by Mr. LeMond, that the meeting be recessed until 5:00 p.m., Monday, January 25, 2016, in the Board Room of the County Administration Building, 16404 Courthouse Road, Eastville, Virginia, for the regular work session. All members were present and voted "yes." The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR

VIRGINIA:

At a special-called 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 19th day of January, 2016, at 5:30 p.m.

Present:

H. Spencer Murray, Chairman,

Robert G. Duer

Larry LeMond, Vice Chairman

Granville F. Hogg, Jr.

Oliver H. Bennett

The meeting was called to order by the Chairman, who noted that this was a special-called meeting for the purpose of:

Conduct 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 such counsel.

Discussion of zoning text & zoning map amendment appeal filed by Ken Dufty – request for continuance

Any other actions as required related to the above item

Closed Session

Motion was made by Mr. LeMond, seconded by Mr. Duer, 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 such counsel.

Discussion of zoning text & zoning map amendment appeal filed by Ken Dufty – request for

continuance

Certain aspects of the proposed zoning ordinance amendments voted on by the Board at the last meeting

Galloway assessments suit

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

Mr. Duer left the meeting at 6:30 p.m.

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.

At this time, the Board reviewed three memoranda from legal counsel and staff relative to “Comments and Questions with Respect to Attachment ‘A’ to Board’s January 12, 2016 Resolution”. Said memoranda and the Board’s directives concerning same are outlined below:

Comments and Questions from P. Stith with respect to Attachment “A” to Board’s January 12, 2016, Resolution

Districts:

- If some of the districts are going to be renamed, the nomenclature should be consistent and reflect the new district. For example:
 - Hamlet/Residential (H/R)
 - Existing Subdivision/Residential:
 - Existing Subdivision/Residential – Rural Village Residential (ES/R-RVR)

The Board concurred with this staff recommendation.
- The new intent of the Town Edge district does not appear to be consistent with the Comprehensive Plan with the addition of “existing farming activities”.

It was the consensus of the Board to leave in the proposed language as included in the January 12, 2016 Resolution.

- Wherever there is a reference to the “2009 Comprehensive Amendments” the actual date of adoption or the effective date should be inserted, either October 20, 2009 (adopted) or October 21, 2009 (effective).

The Board concurred with this staff recommendation.

- There are additional districts, overlay and floating, included in the 2009 Ordinance:
Overlay Districts: Historic Preservation, Floodplain Overlay, Airport Protection, Chesapeake/Atlantic Preservation, and US 13 Corridor
Floating Districts: Mobile Home Park, Planned Industrial, Existing Planned Rural Village and Solar Energy.

Staff is asking for confirmation to include all of these with no additional changes to the names or intents of these districts.

The Board concurred that all of the Overlay Districts and Floating Districts, with the exceptions of the Floodplain Overlay District, the Chesapeake/Atlantic Preservation Overlay District and the Planned Industrial Floating District, should be included in the proposed new draft document.

Agritourism:

Memo from Planning Commission attached.

It was the consensus of the Board that additional thought needed to be given to the Agritourism memo. This item will be more fully discussed at the January 25th work session.

It was the consensus of the Board to delete the phrase, “in an agriculturally classified district” as shown on page 2 of 20 within the definition of “Agritourism”.

CAFOs:

- Clarification needed if the proposed setbacks apply to all AFO and CAFOs (small, medium and large) or if there are different setbacks for different types.
- As drafted it appears any operation with less than certain number of animals is considered a Small CAFO. Staff would recommend setting a minimum for small CAFOs.
- There are zero parcels that would meet the setbacks proposed in the resolution and have any acreage available to have a CAFO or AFO. There are a few parcels that have some acreage but it is minimal and not enough to have a CAFO or AFO.
- Staff notes there are many common farm animals that are missing from Appendix D which include, but are not limited to, goats, turkeys, llamas, alpacas, and rabbits.

It was the consensus of the Board that additional thought was needed relative to whether the proposed setbacks applied to all of the various sizes of CAFOs and AFOs, as well as

the need for a minimum size of CAFOs and AFOs. The Board agreed to include the omitted common farm animals (including the Latin terminology) as referenced above.

* * * * *

Comments and Questions from Melissa Kellam with respect to Attachment “A” to Board’s January 12, 2016, Resolution

Item #1

Page 2 of 20 proposes to delete the 2009 zoning code definition for accessory living unit and replace it with a new definition called accessory dwelling. Also, page 16 of 20 proposes to insert performance standards for accessory dwellings into the 2009 zoning code. Staff is seeking the Board’s direction as to whether or not these changes will also be made to the 2000 zoning code. Because the 2009 zoning code includes existing subdivision districts which require these districts to use the 2000 zoning code, making these changes in the 2009 zoning code as well as the 2000 zoning code should be considered. The change in terminology is a good change, because the term accessory dwelling is a more commonly used zoning term and including the revised terminology and performance standards in both the 2009 and 2000 will help to unify the accessory dwelling regulations.

It was the consensus of the Board to make the referenced changes in the 2000 zoning code as well, in order to be consistent across all documents.

Item #2

Page 6 of 20 (D) (4) includes the term flood prone. Is it the intention of the Board to use the definition of flood prone from Chapter 159: Floodplain Management which is very general term defined as follows: “floodplain or flood-prone area – any land area susceptible to being inundated by water from any source”, or does the Board want to use a term such as “special flood hazard areas” which is a specific term with areas located on the FEMA maps.

It was the consensus of the Board to utilize the “special flood hazard areas” terminology.

Item #3

Page 3 of 20 and page 5 of 20 include the term “working farm” in the definition and performance standards for agritourism. Should a definition for “working farm” be developed or should the term “agricultural operation”, which is defined by the VA Code, be used in its place. In the VA Code, agricultural operation means any operation devoted to the bona fide production of crops, or animals, or fowl including the production of fruits and vegetables of all kinds; meat, dairy, and poultry products; nuts, tobacco, nursery, and floral products; and the production and harvest of products from silviculture activity.

It was the consensus of the Board to utilize the term “agricultural operation” in place of “working farm” in all instances.

* * * * *

Comments and Questions from B. Leatherbury with respect to Attachment "A" to Board's January 12, 2016, Resolution

1. Page 1 Of 20: Intent and Purpose:

Virginia Code §15.2-2283 states that a purpose of a zoning ordinance is to "encourage economic development activities that provide desirable employment and enlarge the tax base"; the proposed draft adds "as directed by the Comprehensive Plan".

The Code of Virginia provides that "Such ordinance may also include reasonable provisions, not inconsistent with applicable state water quality standards, to protect surface water and ground water as defined in §62.1-255." The draft provides that a purpose is to "Protect surface water and ground water by means consistent with applicable state water quality standards and the County's Comprehensive Plan.

The Comprehensive Plan is a guide to be considered by the Board in making decisions, but it is not a document that mandates or binds the actions of the Board with respect to economic development and employment. With respect to groundwater, the State mandates a five year groundwater plan. DEQ regulations, not the local Comprehensive Plan, govern the groundwater plan.

It was the consensus of the Board to strike the words "as directed by the Comprehensive Plan" in both areas as noted above.

2. Page 12 of 20: Powers of the Zoning Administrator

A. Code 15.2-2286(a)(4) provides that the Zoning Administrator "shall have all necessary authority on behalf of the governing body to administer and enforce the zoning ordinance." The Code contemplates the ZA to be an enforcement officer of the governing body who can speak through orders which can be appealed. The Board's amendment seems to contemplate somewhat restricted authority and a primary role of public legal adviser.

B. The 24 hour notice of intent should be deleted. An administrative warrant section as contemplated by Va. Code § 15.2-2286(A)15 should be included. The Zoning Administrator should have authority to obtain such warrants. Here is the language in the 2015 Ordinance:

(D) Inspection Warrants. The Zoning Administrator or his / her agent may present sworn testimony to a magistrate or court of competent jurisdiction and if such sworn testimony establishes probable cause that a violation of this Chapter has occurred, request that the magistrate or court grant the Zoning Administrator or his / her

agent an inspection warrant to enter a dwelling, structure, building or upon land for the purpose of determining whether violations of this Chapter exist. The Zoning Administrator or his / her agent shall make a reasonable effort to obtain consent from the owner or tenant of the dwelling, structure, building or land before seeking the issuance of an inspection warrant under this section.

State law reference: Va. Code §15.2-2208; 15.2-2209; 12.2-2286 (A) (5)

It was the consensus of the Board to delete the 24-hour notice of intent statement and to include an administrative warrant section as recommended by counsel.

[Consider taking a look at the all the enforcement provisions of the 2015 ordinance; they are superior in many respects, easier to administer and received no public criticism.]

C. The draft, specifically ¶7 on page 12 of 20 would remove other powers and duties of the ZA allowed by both the Code of Virginia and by the 2009 and 2000 ordinances, which include but may not be limited too, the duties and following sections:

- (1) Implementing performance based standards
- (2) Enforcing supplemental regulations
- (3) Modifying setbacks under specific conditions
- (4) Permitting under certain conditions encroachments into the buffer as waivers

These powers and duties are addressed by these sections of the codes:

2009 Zoning Code

Supplemental Performance Standards 154.100 – 116C

Supplemental Regulations 154.140 – 148

Chesapeake / Atlantic Preservation District (CAP) 154.164

Off-street Parking and Loading 154.205 – 213

2000 Zoning Code

Performance Standards 154.100 – 112

Modifications of District Regulations 154.140 – 147

Chesapeake / Atlantic Preservation District (CAP)

Off-street Parking and Loading 154.205 – 213

D. The powers given the ZA in the “violations” section of the 2009 Ordinance, (154.998) are broader than those enumerated in the Attachment to the Board’s resolution and would presumably be negated by the language of ¶7 on page 12 of 20. Furthermore, the 2009 Ordinance allows the ZA to impose civil penalties for violations. (154.999(B)).

It was the consensus of the Board that additional review time was needed relative to the powers and duties of the Zoning Administrator as referenced in paragraphs A, C and D above.

3. The ZA is probably not the person to maintain and make available records for public inspection. The Virginia Public Records Act, cited in the draft, deals with the management, preservation and destruction of public records, not with public inspection of those records. Public inspection of records is governed by the Virginia Freedom of Information Act and it would be wise practice to continue to centralize FOIA responses within the County and to consult with the County Attorney regarding such responses.

With respect to compliance with the Virginia Public Records Act, Va. Code § 42.1-85(C) provides in pertinent part:

Each . . . political subdivision of this Commonwealth shall designate as many as appropriate, but at least one, records officer to serve as a liaison to The Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction, of obsolete records. * * *
Designation of a records officer for political subdivisions shall be by the governing body or chief administrative official of the political subdivision. Each entity responsible for designating a records officer shall provide The Library of Virginia with the name and contact information of the designated records officer, and shall ensure that such information is updated in a timely manner in the event of any changes.

Janice Williams has been designated the Records Officer for Northampton County.

The Board indicated that it needed additional review item on this item.

4. The 2000 and 2009 Ordinances both allow PUDs, and the Bayview development is mapped as a PUD. Directions?

It was the consensus of the Board that the Bayview Development continue to be mapped as a Planned Unit Development, but that there be no additional provisions for PUDs.

5. Floodplain: We have an up-to-date Floodplain Ordinance, Chapter 159 of the County Code. Should floodplain regulations in the 2009 ordinance be deleted?

It was the consensus of the Board to retain the stand-alone Floodplain Ordinance (Chapter 159 of the County Code) as adopted by the Board in 2014.

6. The newly enacted Chesapeake/Atlantic Preservation provisions differ from what is contained in the 2009 Ordinance. The differences relate to required stormwater provisions. May we simply import the new legislation into the 2009 Ordinance?

It was the consensus of the Board that the 2015 zoning code language be retained within the proposed new draft ordinance.

7. Signs. The sign provisions of 2015 and 2009 differ significantly. Legal has addressed 2015 in the aftermath of the Supreme Court's 2015 decision in the case of Reed v. Town of Gilbert Arizona, wherein the Court examined whether or not a locality's sign ordinance that assigns different size and

posting requirements based on the type of noncommercial speech displayed violates the First Amendment of the U.S. Constitution. Legal has not addressed the 2009 ordinance. Directions? There were no public comments at all regarding the sign ordinance revisions.

It was the consensus of the Board that legal counsel be directed to revise the 2009 zoning code language to make it constitutional.

Other:

In review of the Board's January 12, 2016 Resolution and 20-page listing of proposed amendments to the 2009 zoning ordinance code, the Board agreed to remove the word "existing" in the phrase "existing farming activities" as used in the Village-1 zoning district intent statement (shown on page 6 of 20), and the Town Edge-1 zoning district intent statement (shown on page 8 of 20).

The Board also agreed to delete the sentence, "It is the intent of Northampton County to provide lawfully conforming status to parcels mapped as Existing Business District on the adoption date of the 2009 Comprehensive Amendments to this chapter.", as shown under the Existing Business District (page 9 of 20) and Existing Industrial District (page 10 of 20).

The Board also agreed to delete the use "Dance Halls to 3000 sq ft" as a use allowed in the Existing Industrial District (shown on page 19 of 20).

The Board agreed that legal counsel will draft revised language for proposed Section 154.116 Standards for Wind Energy Facilities, Wind Energy Test Facilities, and Wind Turbines, Large and Utility-Scale specific to setback requirements from adjacent property lines (page 14 of 20).

With regard to the draft zoning adoption calendar as recommended by staff, it was the consensus of the Board to hold the joint public hearing, tentatively scheduled for March 9, 2016, at Northampton High School in Eastville. It was noted that the draft advertisement for the proposed amendments cannot be completed until the remaining questions left outstanding in

tonight's discussion are answered. The Board discussed and will need to set the timeline for Planning Commission review.

Adjourn

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

The meeting was adjourned.

CHAIRMAN

COUNTY ADMINISTRATOR

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 25th day of January, 2016, at 5:00 p.m.

Present:

H. Spencer Murray, Chairman	Granville F. Hogg, Jr.
Larry LeMond, Vice Chairman	Robert G. Duer
Oliver H. Bennett	

The meeting was called to order by the Chairman.

Board & Agency Presentations:

(1) Mr. Paul Lee and Ms. Anne Wall of Robinson, Farmer, Cox Associates reviewed the FY 2015 Comprehensive Annual Financial Report with the Board and noted that no deficiencies were found during the audit.

In response to questions from Supervisor Murray, Ms. Wall said that it was their position that the USDA obligation did not warrant notice in the audit as a “contingency”. Supervisor Murray said that he disagreed with this assessment and believed that the issue should have been included in both the 2014 and 2015 audits. He said the auditors to look at their work papers and see what documentation they had that could be provided to the Board.

County Administrator’s Report:

(2) Draft Zoning Ordinance Calendar & Memo

The following draft zoning ordinance adoption calendar was presented for the Board’s review as well as a memorandum from the County Administrator detailing several items left over

from the January 19th special meeting which need the Board’s input. These documents are set out below with the Board’s direction highlighted in yellow italicized text:

CALENDAR FOR ZONING ORDINANCE ADOPTION

Draft prepared by Katie H. Nunez – January 13, 2016

Adopted pursuant to Board Vote on _____

ACTIVITY	CALENDAR
Board of Supervisors Meeting where it voiced its intent to repeal the 12-8-2015 zoning ordinance and map and provided proposed amendments	January 12, 2016
Meeting of zoning staff and legal counsel to review proposed amendments as issued by the Board and the generation of a memo (if necessary) with any “problems” identified with the proposed amendments. This memo will be e-mailed to the Board on January 20, 2016.	January 19, 2016
Staff preparation of applications for zoning text and map amendments and compilation of all required backup documentation in order to forward to Planning Commission	January 13 – January 26, 2016
Official notice is provided to the Planning Commission.	February 2, 2016
Staff to do all editing as well as printing, sorting and stuffing all mailing notices to all property owners (thru a mailing service)	February 1 – 16, 2016
All required notices to property owners and adjacent localities are mailed. Documents are posted on the County’s website for public review.	February 16, 2016
Submit legal advertisement to newspaper	February 16, 2016
First legal advertisement appears in Eastern Shore News	February 24, 2016
Second legal advertisement appears in Eastern Shore News	March 2, 2016
Joint Public Hearing between the Board of Supervisors & the Planning Commission on the Zoning Ordinances & Map Amendments	March 9, 2016 Location: Northampton High School, Eastville
Review time by the Planning Commission (maximum time allowed by the Code of Virginia is 100 days)	May 12, 2016 <i>This date is determined by adding 100 days from the date of the first meeting of the Planning Commission (February 2, 2016) following referral by the Board of Supervisors. If the Planning Commission completes its recommendations sooner than the 100-day allotment or the Board provides a shorter timeframe for Planning Commission review, the Board can</i>

	<i>consider action sooner.</i>
Time frame for Action by the Board (pending receipt of recommendation from the Planning Commission)	March 10 – May 12, 2016

* * * * *

MEMORANDUM:

TO: Board of Supervisors

FROM: Katherine H. Nunez
County Administrator

DATE: January 21, 2016

SUBJECT: 2016 Zoning Ordinance –
Additional Items for Board Guidance

See below the remaining items from the January 19th special meeting of the Board which require final guidance to staff:

Agritourism:

It was the consensus of the Board that additional thought needed to be given to the Agritourism memo. This item will be more fully discussed at the January 25th work session.

It was the consensus of the Board to use the term “agricultural operation” instead of “working farm.” Additionally, the Board reviewed again the memorandum from the Planning Commission which contained its recommendations relative to Agritourism, dated July 22, 2015. It was the consensus of the Board to recommend the inclusion and deletion of certain definitions as recommended in the memorandum as well as the addition of a new “Section 154.117 Standards for certain Agricultural uses” and the proposed changes to the Use Charts. The Board also agreed that these proposed changes be included in the 2000 Zoning Ordinance in order to capture those properties mapped as Existing Subdivisions.

CAFOs:

- Clarification needed if the proposed setbacks apply to all AFO and CAFOs (small, medium and large) or if there are different setbacks for different types.

- As drafted it appears any operation with less than certain number of animals is considered a Small CAFO. Staff would recommend setting a minimum for small CAFOs.
- There are zero parcels that would meet the setbacks proposed in the resolution and have any acreage available to have a CAFO or AFO. There are a few parcels that have some acreage but it is minimal and not enough to have a CAFO or AFO.
- Staff notes there are many common farm animals that are missing from Appendix D which include, but are not limited to, goats, turkeys, llamas, alpacas, and rabbits.

It was the consensus of the Board that additional thought was needed relative to whether the proposed setbacks applied to all of the various sizes of CAFOs and AFOs, as well as the need for a minimum size of CAFOs and AFOs.

Supervisor Murray distributed a printed diagram from the Virginia Department of Environmental Quality which illustrated a flow-chart of which permits would be needed for AFOs (Animal Feeding Operations) and/or CAFOs (Concentrated Animal Feeding Operations).

It was the consensus of the Board that the proposed setbacks outlined in the January 12th resolution shall apply to all sizes of CAFOs. Ms. Melissa Kellam, Zoning Administrator, noted that in the recently adopted 2015 zoning ordinance, all intensive farming operations as defined by the State are subject to setbacks. It was the consensus of the Board to utilize this language in the proposed new zoning ordinance. Ms. Kellam was instructed to develop a tiered structure which would address examples of small animal “confinements”, such as a few chickens in the backyard, as not falling with the definitions of AFOs or CAFOs.

A. Code 15.2-2286(a)(4) provides that the Zoning Administrator “shall have all necessary authority on behalf of the governing body to administer and enforce the zoning ordinance.” The Code contemplates the ZA to be an enforcement officer of the governing body who can speak through orders which can be appealed. The Board’s amendment seems to contemplate somewhat restricted authority and a primary role of public legal adviser.

C. The draft, specifically ¶7 on page 12 of 20 would remove other powers and duties of the ZA allowed by both the Code of Virginia and by the 2009 and 2000 ordinances, which include but may not be limited too, the duties and following sections:

- (1) Implementing performance based standards
- (2) Enforcing supplemental regulations
- (3) Modifying setbacks under specific conditions
- (4) Permitting under certain conditions encroachments into the buffer as waivers

These powers and duties are addressed by these sections of the codes:

2009 Zoning Code
Supplemental Performance Standards 154.100 – 116C

Supplemental Regulations 154.140 – 148
Chesapeake / Atlantic Preservation District (CAP) 154.164
Off-street Parking and Loading 154.205 – 213

2000 Zoning Code
Performance Standards 154.100 – 112
Modifications of District Regulations 154.140 – 147
Chesapeake / Atlantic Preservation District (CAP)
Off-street Parking and Loading 154.205 – 213

D. The powers given the ZA in the “violations” section of the 2009 Ordinance, (154.998) are broader than those enumerated in the Attachment to the Board’s resolution and would presumably be negated by the language of ¶7 on page 12 of 20. Furthermore, the 2009 Ordinance allows the ZA to impose civil penalties for violations. (154.999(B)).

It was the consensus of the Board that additional review time was needed relative to the powers and duties of the Zoning Administrator as referenced in paragraphs A, C and D above.

It was the consensus of the Board:

(i) that the “24-hour notice of intent” statement be removed from Section 154.020(B); (This guidance was also provided at the January 19th meeting.)

(ii) that Section 154.020 D.7. (contained on pages 11 and 12 of the Board’s January 12th resolution) be deleted;

(iii) that the authority granted by Virginia Code Section 15.2-2286(a)(4) be granted in the proposed new ordinance;

(iv) that consistent language with regard to the powers and duties of the Zoning Administrator be used within the 2000 and 2009 Zoning Ordinances; and

(v) that Section 154.999(B) of the 2009 Zoning Ordinance be used in the new draft document.

The ZA is probably not the person to maintain and make available records for public inspection. The Virginia Public Records Act, cited in the draft, deals with the management, preservation and destruction of public records, not with public inspection of those records. Public inspection of records is governed by the Virginia Freedom of Information Act and it would be wise practice to continue to centralize FOIA responses within the County and to consult with the County Attorney regarding such responses.

With respect to compliance with the Virginia Public Records Act, Va. Code § 42.1-85(C) provides in pertinent part:

Each . . . political subdivision of this Commonwealth shall designate as many as appropriate, but at least one, records officer to serve as a liaison to The Library of Virginia for the purposes of implementing and overseeing a records management program, and coordinating legal disposition, including destruction, of obsolete records. * * * Designation of a records officer for political subdivisions shall be by the governing body or chief administrative official of the political subdivision. Each entity responsible for designating a records officer shall provide The Library of Virginia with the name and contact information of the designated records officer, and shall ensure that such information is updated in a timely manner in the event of any changes.

Janice Williams has been designated the Records Officer for Northampton County.

The Board indicated that it needed additional review time on this item.

Supervisor Murray distributed an excerpt from the Virginia Public Records Act. Supervisor Hogg questioned whether the Board should request an audit from the Library of Virginia. It was the consensus of the Board to make sure that all department heads are following the requirements of the Public Records Act.

With regard to the draft zoning adoption calendar as recommended by staff, it was the consensus of the Board to hold the joint public hearing, tentatively scheduled for March 9, 2016, at Northampton High School in Eastville. It was noted that the draft advertisement for the proposed amendments cannot be completed until the remaining questions left outstanding in tonight’s discussion are answered. *The Board discussed and will need to set the timeline for Planning Commission review.*

Following discussion by the Board, it was the consensus of the Board to provide the Planning Commission with 43 days to review the proposed zoning ordinance text and map and so approved the following calendar:

CALENDAR FOR ZONING ORDINANCE ADOPTION

Draft prepared by Katie H. Nunez – January 13, 2016

Adopted pursuant to Board Vote on January 25, 2016

ACTIVITY	CALENDAR
Board of Supervisors Meeting where it voiced its intent to repeal the 12-8-2015 zoning ordinance and map and provided proposed amendments	January 12, 2016
Meeting of zoning staff and legal counsel to review proposed amendments as issued by the Board and the generation of a memo (if necessary) with any “problems” identified with the proposed amendments.	January 19, 2016

This memo will be e-mailed to the Board on January 20, 2016.	
Staff preparation of applications for zoning text and map amendments and compilation of all required backup documentation in order to forward to Planning Commission	January 13 – January 26, 2016
Official notice is provided to the Planning Commission.	February 2, 2016
Staff to do all editing as well as printing, sorting and stuffing all mailing notices to all property owners (thru a mailing service)	February 1 – 16, 2016
All required notices to property owners and adjacent localities are mailed. Documents are posted on the County's website for public review.	February 16, 2016
Submit legal advertisement to newspaper	February 16, 2016
First legal advertisement appears in Eastern Shore News	February 24, 2016
Second legal advertisement appears in Eastern Shore News	March 2, 2016
Joint Public Hearing between the Board of Supervisors & the Planning Commission on the Zoning Ordinances & Map Amendments	March 9, 2016 Location: Northampton High School, Eastville
Review time by the Planning Commission (maximum time allowed by the Code of Virginia is 100 days which would be May 12, 2016 <i>This date is determined by adding 100 days from the date of the first meeting of the Planning Commission (February 2, 2016) following referral by the Board of Supervisors. If the Planning Commission completes its recommendations sooner than the 100-day allotment or the Board provides a shorter timeframe for Planning Commission review, the Board can consider action sooner.)</i>	At its meeting of January 25, 2016, the Board agreed that the Planning Commission shall have a review time of 43 days, which will terminate March 16, 2016 .
Time frame for Action by the Board (pending receipt of recommendation from the Planning Commission)	March 28, 2016 work session

* * * * *

There were two items that were identified for additional legal review as shown below. This will be forwarded to the Board as soon as it is received.

(1) Signs. The sign provisions of 2015 and 2009 differ significantly. Legal has addressed 2015 in the aftermath of the Supreme Court's 2015 decision in the case of Reed v. Town of Gilbert Arizona, wherein the Court examined whether or not a locality's sign ordinance that assigns different size and posting requirements based on the type of noncommercial speech displayed violates the First Amendment of the U.S. Constitution. Legal has not addressed the 2009 ordinance. Directions? There were no public comments at all regarding the sign ordinance revisions.

It was the consensus of the Board that legal counsel be directed to revise the 2009 zoning code language to make it constitutional.

It was the consensus of the Board to use the 12-8-2015 adopted sign language in the proposed new draft document with the following amendments:

- (i) Delete 154.1-704 (A) 2 (a) due to content.*
- (ii) Indent Paragraph (4) of the Temporary Signs section (154.1-702)*
- (iii) Add to the 2015 Section 154.1-704 (B)(2) Permitted Signs Standards that language contained in the 2009 Ordinance (Section 154.191)*

(2) Wind Turbine Setback Requirements. *The Board agreed that legal counsel will draft revised language for proposed Section 154.116 Standards for Wind Energy Facilities, Wind Energy Test Facilities, and Wind Turbines, Large and Utility-Scale specific to setback requirements from adjacent property lines (page 14 of 20).*

The County Attorney's revisions as requested in the two items above are shown below:

PERMITS REQUIRED FOR SIGNS.

(A) No sign greater than 2 ½ square foot in area may be constructed, erected, moved, enlarged, illuminated or substantially altered except in accordance with the provisions of this Chapter and with a valid sign permit.

(B) Applications for a sign permit shall be submitted to the Zoning Administrator and shall include detailed renderings, including colors, sizes, lighting and location for all signs. Sign requests for a multi-use or tenant development projects shall be submitted in conjunction with the first site plan submitted for approval within the project.

(C) The following signs are exempt from regulation under this ordinance:

- (1) Signs 2 ½ square feet or less in area;
- (2) Signs erected by or on behalf of or pursuant to the authorization of a governmental body, including legal notices, identification and informational signs, traffic, directional, or regulatory signs;
- (3) Official signs required by federal or state regulation;
- (4) Flags of the United States and other nations, the Commonwealth of Virginia, Northampton County and other political subdivisions of the United States and of bona fide civic, charitable, fraternal and welfare organizations. All such flags shall be mounted in a permanent fashion with no more than two flags on a single pole. No more than three flag poles are permitted on any single lot or parcel.

Flags shall be maintained in good repair and shall not constitute a hazard to vehicular or pedestrian traffic.

- (5) Directional on premise signage which does not exceed four square feet in size and six feet in height.
- (7) Signs displayed on a truck, bus, or other licensed vehicle while in use in the normal conduct of business.
- (8) Historical markers identifying properties or structures which have been recognized as historically significant on National, State, or local registries, or in policy documents adopted by the Board of Supervisors, such as the Comprehensive Plan. Historical markers shall be allowed a maximum height of eight feet, and shall not exceed four square feet in area.

TEMPORARY SIGNS.

(A) The following temporary signs are permitted without a zoning permit. However, such signs shall conform to the requirements set forth below as well as all other applicable requirements of this ordinance.

- (1) Real estate advertising signs.

- (a) On premise signs.

- 1. On premise signs advertising the sale, lease, or rental of property shall be limited to one sign per agency per lot per street frontage or frontage on navigable waterway.
- 2. Signs shall not exceed four square feet in size and a maximum of four feet in height except for agricultural, commercial and industrial zoning districts in which signs shall not exceed thirty-two square feet in size and a maximum of ten feet in height.
- 3. The height of all signs shall be measured from ground level to the top of the sign structure.

- (b) Off-premise signs.

- 1. Off-premise signs advertising the sale, lease, or rental of property shall be allowed in conjunction with a bona fide "open house" showing and shall not be erected for more than three days in any seven day period.

2. Signs advertising a multiple number of lots for sale in a development may be placed at the entrance as large as thirty-two square feet in area and ten feet in height.

(2) Construction site or development project identification signs.

- (a) Such signs shall not be erected before the issuance of a land disturbing permit for the property and shall be removed within ten days after the issuance of the final inspection or certificate of occupancy by the Building Official.
- (b) One project identification sign shall be permitted per construction site or development project and limited to sixteen square feet in area and ten feet in height.
- (c) In addition, in the case of multiple principals at the construction site or for the development project (e.g., owner, developer, architect, engineer, contractor, or real estate or leasing agent) all identification information shall be contained on one additional sign, limited to sixteen square feet in area and ten feet in height.

(3) Political campaign and event signs.

- (a) Such signs shall not be located within public rights-of-way or attached to public utility structures and shall be limited to freestanding signs not more than sixteen square feet in area except in agricultural, commercial and industrial zoning districts which shall not exceed thirty-two square feet in area.
- (b) Political campaign and event signs, including flags, indicating an event to be located on property where the event such as a grand opening, fair, carnival, festival, seasonal sale of local products, yard sale or other event is to take place may be erected no more than sixty days prior to the political election, primary, canvas, referendum or other event.

(4) All temporary signs shall be removed within seven days following the sale, election, primary, project or other event to which they were related.

GENERAL SIGN RESTRICTIONS AND PROHIBITIONS PERTAINING TO ALL SIGNS.

- (A) Signs that revolve or are animated or that utilize movement or apparent movement to attract the attention of the public are prohibited.

- (B) Signs that are attached to or utilize utility poles adjacent to streets and roadways are prohibited.
- (C) No signs or supporting structures shall be located within or over any public right-of-way unless authorized by the holder of the right-of-way.
- (D) No sign may be erected so that by its location, color, size, shape, nature or message it would tend to obstruct the view of or be confused with official traffic signs or other signs erected by governmental agencies.
- (E) No sign may be located within the sight triangle that interferes with the view necessary for motorists to proceed safely through intersections or to enter onto or exit for public or private roads.
- (F) Portable signs and off-premise signs shall be prohibited unless otherwise specifically allowed by this Chapter. Portable signs containing public service messages shall be allowed.

PERMITTED SIGN STANDARDS.

- (A) Façade identification signs on properties used for non-residential purposes.
 - (1) Each non-residential establishment, except for planned developments, home occupations, and shopping centers, regulated separately in this section, shall be allowed a total of one façade sign attached to a wall or building unit containing the establishment.
 - (2) Such signs shall be limited to not more than 10% of the area of the structure fronting or facing a road or highway, or two hundred square feet, whichever is less, and shall meet the following standards:
 - (a) In the case of multiple occupancy buildings which are not shopping centers, each occupant of a building shall be allowed a total of one façade sign attached to an exterior wall. Such sign shall be limited to ten percent of the area of the wall to which it is attached or two hundred square feet, whichever is less.
 - (b) Each establishment or, in the case of multiple occupancy buildings which are not shopping centers, each building, is allowed one projecting sign which meets the following standards:
 - 1. Each projecting sign shall not exceed ten percent of the area of the wall fronting or facing a public street or highway, or forty square feet in area, whichever is less.

2. All projecting signs shall be mounted such that the bottom of the sign is at least eight feet above grade.

(c) Canopy or awning signs shall be allowed in addition to the one façade sign or one projecting sign.

(d) Mural art painted building walls, 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 scenes or similar which shall be done in relatively accurate detail and color schemes.

(B) Freestanding identification signs on properties used for non-residential purposes.

(1) Each non-residential establishment, except for planned developments, home occupations, and shopping centers shall be allowed a total of one freestanding sign per lot or parcel not exceeding sixty-four square feet and thirty feet in height. In addition each business located on U.S. 13 or Business U.S. 13 may have one informational sign for approaching traffic from each direction within 1 mile of the business advertised subject to Virginia Department of Transportation regulations, property owner's permission, and not to exceed thirty-two square feet.

The Board agreed to change "1 mile" noted in Paragraph (B) (1) above to "2 miles".

(2) Off-site town business directory sign. The purpose of such a sign is to inform travelers on Route 13 of businesses within a town and direct them to the downtown center. These signs shall be allowed up to 40 square feet in area, not to exceed 15 feet in height, and accommodate the town name, changeable business name panels, the Eastern Shore brand logo, a directional arrow and the mileage to the downtown commercial area. A sign permit is required.

(3) Design standards for freestanding signs on properties used for non-residential purposes.

(a) All freestanding signs, except for home occupation signs, shall be monument-type signs, double-post signs, or single-post signs, and shall comply with the following standards:

(b) Signs incorporated into a free-standing wall or completely solid structure which is set upon footings shall be entitled to a thirty percent larger face area than otherwise provided for in this Article provided the following conditions are met:

1. The width of the base of the sign shall be equal to or greater than the width of the sign face.
2. The height of the base of the sign shall be less than or equal to the height of the sign face unless architectural pillars are used.
3. The total height of the sign, including the base, shall be less than the width of the base.
4. The sign shall be masonry, wood, high density urethane (HDU), composite panel or other suitable materials.
5. Shrubs, flowers, or other landscaping materials which do not obscure the sign face shall be incorporated into the sign installation area.

(c) Double-post signs

1. Total sign structure height shall not exceed sixteen feet.
2. Sign shall be wood, HDU, composite panel or other suitable materials.

(d) Single-post signs

1. Total sign height shall not exceed sixteen feet.
2. Sign structure shall be a single, vertical mounting pole and shall be made of wood, HDU, composite panel or other suitable materials.
3. Sign face shall not be attached directly to the vertical mounting pole and shall utilize a mounting arm attached perpendicular to the vertical mounting pole.

(C) Signs on properties used for residential purposes.

- (1) Signs on properties used for residential purposes are allowed one freestanding sign per parcel, limited to no more than four square feet and four feet in height.
- (2) Signs on properties used for residential purposes shall not be illuminated.

(D) Sales of agricultural products shall be allowed one freestanding sign and one façade sign, no larger than four square feet in size and a maximum of six feet in height. One off-site sign no more than one mile from site in each direction is allowed to advise motorists in advance of sale location.

The Board agreed to change "1 mile" noted in Paragraph (D) above to "2 miles".

(E) Shopping Centers

- (1) Individual establishments within a shopping center shall each be allowed one façade identification sign which does not exceed ten percent of the area of the wall frontage dedicated to that establishment and not extend over more than eighty-five percent of the horizontal width of the building front.
- (2) In addition to a façade identification sign, individual establishments within a shopping center shall each be allowed one projecting sign which does not exceed ten percent of the area of the structure frontage dedicated to that establishment.
- (3) Shopping centers shall be allowed one freestanding identification sign per road frontage, each limited to no more than 150 square feet in size and thirty feet in height.
- (4) Out parcels platted as part of a shopping center shall be allowed one façade identification sign per establishment and one freestanding sign per road frontage with no sign greater than sixty square feet.

(F) Directional signs shall not be counted as signs for the purpose of calculating the total number of signs in place.

(G) Residential uses such as residential subdivisions, multi-family developments, and mobile home parks shall be allowed one freestanding identification sign per public entrance which shall be consistent with freestanding sign standards herein.

COMPUTATION OF SIGN AREA.

The area of a sign face shall be computed by means of the smallest square, circle, rectangle, triangle or combination thereof that will encompass the extreme limits of the writing representation, emblem, or other display. The area shall not include any supporting framework, bracing or decorative wall that is clearly incidental to the display itself.

SIGN ILLUMINATION AND SIGNS CONTAINING LIGHTS.

(A) Signs shall adhere to lighting standards pursuant to §154.1-607 Outdoor Lighting.

(B) Unless otherwise prohibited by this Chapter, signs shall be illuminated using white lighting and such illumination shall not be directed skyward.

(C) Internally illuminated freestanding signs may not be illuminated during hours that the business or enterprise advertised by such sign is not open for business or in operation. This subsection shall not apply to the following types of signs:

- (1) Signs that constitute an integral part of a vending machine, telephone booth, and signs that only indicate the time, date, or weather conditions, or similar device whose principal function is not to convey an advertising message.
- (2) Signs that do not exceed two square feet in size and that convey the message that a business enterprise is open or closed or that a place of lodging does or does not have a vacancy.

MAINTENANCE OF SIGNS AND REQUIRED PERMITS.

(A) All signs and all components thereof, including, without limitation, supports, braces, and anchors, shall be kept in a state of good repair. Components of freestanding signs, (e.g., supporting structures, backs, etc.) not bearing a message shall be constructed of materials that blend with the natural environment or shall be painted a neutral color to blend with the natural environment.

(B) If the message portion of a sign is removed, leaving only the supporting "shell" of a sign or the supporting braces, anchors, or similar components, the owner of the sign or the owner of the property where the sign is located or other person having control over such sign shall, within two years of the removal of the message portion of the sign, either replace the entire message portion of the sign or remove the remaining components of the sign. This subsection shall not be construed to enable the replacement of a nonconforming sign except as provided in §154.1-708 Nonconforming Signs nor shall this subsection be construed to prevent the changing of the message of a sign.

(C) A sign permit shall be revoked automatically if the business license for the premises lapses, is revoked, or is not renewed; or if the business activity on the premises is discontinued for a period of ninety days or more or is not renewed within thirty days of a notice from the Zoning Administrator to the last permittee, sent to the premises, that the sign permit will be revoked if not renewed.

NONCONFORMING SIGNS.

(A) No nonconforming sign may be enlarged or altered in such a manner as to increase the degree of the nonconformity nor may illumination be added to any nonconforming sign.

(B) A nonconforming sign may not be moved or replaced except to bring the sign into compliance with the requirements of this Chapter.

(C) If a nonconforming sign is destroyed or damaged in any manner to the extent that the cost of restoration to its condition before such an occurrence exceeds fifty percent of the current replacement value at the time of damage, the sign shall not be replaced except in compliance

with the provisions of this Chapter. Such sign may not thereafter be repaired, reconstructed, or replaced except in conformity with all the provisions of this Chapter. The remnants of the former sign structure shall be cleared from the property.

(D) Subject to the other provisions of this section, nonconforming signs may be repaired and renovated so long as the cost of such work does not exceed, within any twelve month period, fifty percent of the value of such sign.

(E) If a nonconforming billboard remains blank for a continuous period of two years, that billboard shall be deemed abandoned and shall, within thirty days after such abandonment, be altered to comply with this ordinance or be removed by the sign owner, owner of the property where the sign is located, or any other person having control over such sign. For purposes of this section, a sign is "blank" if:

- (1) It advertises a business, service, commodity, accommodation, attraction, or other enterprise or activity that is no longer operating or being offered or conducted;
- (2) The advertising message it displays becomes illegible in whole or substantial part;
or
- (3) The advertising copy has been removed.

REMOVAL OR ABANDONMENT OF SIGNS.

(A) A sign shall be removed by the owner or lessee of the premises upon which the sign is located when the business which it advertises is no longer conducted on the premises.

(B) The Zoning Administrator may order the removal of any sign erected or maintained in violation of this ordinance upon thirty days written notice to the owner of such signs, or the owner of the building, structure or premises on which such sign is located, to remove the sign or to bring such sign into compliance with this Chapter. Upon failure to comply with such notice, the Zoning Administrator shall take the appropriate action to obtain a court order to remove to the sign.

(C) If a sign advertises a business or activity that is no longer operating or being offered or conducted, that sign shall be considered abandoned and shall, within two years after such abandonment, be removed. The cost for removal shall be the responsibility of the property owner. Such sign shall be removed by the owner of the property if notified by Northampton County to do so.

* * * * *

Setbacks for Wind Turbines:

(3) The minimum setback distance between a wind turbine (large scale and utility scale) and overhead utility or transmission lines, other wind turbines, electrical substations, and public roads shall be no less than one and one-half times the wind turbine height or 600 feet, whichever is greater. The setback requirement from the closest property lines of adjacent and other properties shall be no less than 1.25mi/6600 feet. An exemption to the setback requirement for property lines may be granted by the Board of Supervisors only after an agreement, through the execution of a legally binding publicly recorded document that runs with the land, between the proponent and adjacent and other property owners with property lines which are within a radius of 1.25 mi/6600 feet of the wind turbine.

It was the consensus of the Board to approve the text as recommended by the County Attorney above. Supervisor Hogg questioned whether the wind turbines would cause interference with cell or broadband service.

With regard to the concerns expressed by Assistant County Attorney Beverly Leatherbury, it was the consensus of the Board to delete the phrase “as directed by the Comprehensive Plan” as contained on Page 1 of 20 of the Attachment A to the Board’s January 12, 2016 Resolution. This guidance was also provided at the January 19th meeting.

It was also the consensus of the Board to delete the phrase “and the County’s Comprehensive Plan” from the phrase which starts “protect surface and ground water by means consistent with applicable state water quality standards” as contained on Page 1 of 20 of Attachment A. This guidance was also provided at the January 19th meeting.

It was the consensus of the Board to label the Bayview Planned Unit Development (PUD) as such but provide no further language on planned unit developments. It was the consensus of the Board to keep the recently-adopted and approved by FEMA, stand-alone Floodplain Management Ordinance as such. This guidance was also provided at the January 19th meeting. It was the consensus of the Board to bring the 12-8-2015 adopted text relative to the Chesapeake Bay Act into the new zoning ordinance. This guidance was also provided at the January 19th meeting.

With regard to comments expressed by Long Range Planner Peter Stith, it was the consensus of the Board to make all district nomenclature consistent across the various zoning ordinances. This guidance was also provided at the January 19th meeting. Additionally, it was the consensus of the Board to delete the word “existing” from the phrase “existing farming activities” in the Town Edge district. It was the consensus of the Board to add all of the Overlay and Floating districts that were included in the 2009 Zoning Ordinance into the proposed text, with the exceptions of the Floodplain Overlay District, the Chesapeake/Atlantic Preservation Overlay District and the Planned Industrial Floating District, should be included in the proposed new draft document. This guidance was also provided at the January 19th meeting

With regard to concerns expressed by Zoning Administrator Melissa Kellam, it was the consensus of the Board that the Accessory Dwelling Unit language be consistent between the 2000 and 2009 zoning ordinance texts. This guidance was also provided at the January 19th meeting.

With regard to the use of the term “floodplain” or “flood-prone”, it was the consensus of the Board to use the term “special flood hazard area” within Chapter 159. This guidance was also provided at the January 19th meeting.

(3) Presentation of FY 2017 Revenues

The Board reviewed the following memorandum from the Finance Director:

MEMORANDUM

TO: Board of Supervisors
FROM: John J. Andrzejewski, Director of Finance
DATE: January 19, 2016
RE: Discussion of FY2017 Revenue Projections

The following information is provided to facilitate a discussion of Northampton County FY 2017 revenue projections. Attached are two reports, (1) Revenue Annual Budget Report for the

General Fund – Summary (one page) and (2) Revenue Budget Worksheet Report for the General Fund – Detail (11 pages).

In both of these reports, you will find the following information:

- The last three years of history (Fiscal Year 2013, 2014 and 2015)
- The adopted Fiscal Year 2016 Budget
- Fiscal Year 2017 Department Requests
- The difference between the FY2017 Requested column and the FY2016 Adopted Budget

1. General Property Tax Revenue

- A. Real Estate 2017 Tax Revenue (Projected) \$13,605,981**
 This represents the largest source of county revenue, real estate taxes. At this time, we do not have the certified Tax Year 2016 assessment from the Commissioner of Revenue. However with the reassessment and equalization to take place, we can utilize the FY 2015 tax levy plus 1% for growth. The collection rate of 95% was used when calculating the current year real estate tax revenue. This is the same rate that was used in FY16.

FY17 Projected Budget tax revenue	\$13,471,269	
FY16 Budgeted Current Year tax revenue	<u>\$13,421,679</u>	
Increase in tax revenue	\$ 49,590	
FY17 Equalization (1%)	<u>\$ 134,712</u>	
Total tax revenue increase	\$ 184,301	
Delinquent Real Estate Tax Revenue		\$ 628,000

The taxpayers continue to pay their taxes and delinquent real estate tax revenues is funded in the FY17 Budget.

- B. Public Service Companies Tax \$ 356,210**
 Public Service Companies tax revenues increased from the FY16 Budget. The valuation of public service companies are set by the state. The county has no control over these valuations.
 FY17 Projected increase in tax revenue **\$ 25,555**
- C. Personal Property Tax \$ 1,885,029**
 Personal property tax revenues are estimated based on last year's assessment.
 A **\$ 197,475** increase in revenue.
- D. Boat Taxes \$ 87,390**
 A **\$704** increase in projected revenue.
- E. Mobile Homes \$ 16,660**
 A **\$990** increase in projected revenue.
- F. Farm Equipment \$106,858**
 A **\$3,152** decrease in projected revenue.
- G. Heavy Equipment \$ 11,399**
 A **\$6,744** increase in projected revenue.
- H. Machinery & Tools \$ 90,190**

A **\$12,848** increase in projected revenue.

- I. **Penalties and Interest** (for late payments of taxes) **\$325,000**
No change
- J. **BPP Late Filing Penalty** (late filing of Business Personal Property) **\$ 8,114**
A **\$625** increase in projected revenue.

General Property Taxes projected revenue in FY17 is \$17,050,711 without the 1% equalization growth increase. This is a **\$66,181** increase from the FY16 Adopted Budget.

2. Other Local Taxes

- A. **Sales & Use Tax** **\$ 1,194,666**
No change in projected revenue. The county is mandated to send a percentage of the Sales & Use Tax revenue to the towns based on school age populations. The percent that must be used is calculated annually by the Weldon Cooper Center. Therefore the Sales & Use Tax for FY16 is net revenue after deducting the amount allocated to the towns.
- B. **Consumer Utility Tax** **\$ 323,900**
No change in projected revenue.
- C. **Business License Tax** (level fund) **\$ 40,000**
No change in projected revenue. The County has a modified Business Professional Occupancy License (BPOL).
The county only charges a \$30 yearly fee for a business license. The county does not assess a tax on the actual revenues. Exmore and Cape Charles charge the full BPOL tax.
- D. **Motor Vehicle License Tax** **\$ 400,000**
No change in projected revenue.
- E. **Bank Stock** **\$ 10,700**
No change in projected revenue.
- F. **Taxes on Wills and Recordation** **\$ 146,000**
A **\$10,500** decrease in projected revenue.
- G. **Transient Occupancy Tax** **\$ 270,000**
No change in projected revenue
- H. **Food & Beverage Taxes** **\$ 300,000**
No change in projected revenue
- I. **Telecommunications Taxes** **\$ 506,000**
A **\$4,000** decrease in projected revenue.

Other Local Taxes projected revenue in FY17 is \$3,191,266, a **\$14,500** decrease from the FY16 Adopted Budget.

3. Permits, Privilege Fees & Reg Lic

- A. **Animal License** **\$ 4,000**
A **\$100** decrease in projected revenue.

B. Precious Metal Dealer Permit	\$ 200
No change in projected revenue.	
C. Building Permit	\$ 87,000
No change in projected revenue.	
D. 10% BP for Fire Services	\$ 8,700
No change in projected revenue.	
E. Rehab. Structure App. Fee	\$ 900
A \$30 increase in projected revenue.	
F. Certificate of Occupancy	\$ 1,600
A \$1,600 increase in projected revenue.	
G. AFD Application Fees	\$ 0
A \$500 decrease in projected revenue.	
H. Transfer Fees	\$ 500
No change in projected revenue.	
I. Planning & Zoning Fees	\$ 17,500
A \$4,500 decrease in projected revenue.	

Permits, Privilege Fees & Reg. Lic projected revenue in FY17 is \$116,400, a **\$3,370** decrease from the FY16 Adopted Budget.

4. Fine & Forfeitures

A. Fine & Forfeitures	\$510,000
A \$30,000 decrease in projected revenue.	

Fine & Forfeitures projected revenue in FY16 is \$510,000, a **\$30,000** decrease from the FY16 Adopted Budget.

5. Use of Money & Property

A. Interest on Bank Deposits & Investments	\$ 3,550
A \$1,450 decrease in projected revenue.	
B. Rent of General Property	\$ 8,500
A \$400 increase in projected revenue.	

Use of Money & Property projected revenue in FY16 is \$12,050, a **\$1,050** decrease from the FY16 Adopted Budget.

6. Charges for Services

A. Courthouse Security & Maintenance Fees	\$ 206,000
A \$10,000 decrease in projected revenue.	
B. Ambulance Fees	\$ 120,000
A \$1,000 decrease in projected revenue.	

<p>C. Commonwealth’s Attorney Fees</p> <p>No change in projected revenue.</p>	<p>\$ 2,400</p>
<p>D. Waste Collection & Disposal Fees</p> <p>A \$153,687 decrease in projected revenue.</p>	<p>\$ 535,685</p>
<p>E. Recreation Fees</p> <p>A \$1,900 increase in projected revenue.</p>	<p>\$ 36,300</p>
<p>F. Harbor Fees</p> <p>A \$15,150 increase in projected revenue.</p>	<p>\$ 15,150</p>
<p>Charges for Services projected revenue in FY17 is \$915,535, a \$147,637 decrease from the FY16 Adopted Budget.</p>	
<p>7. Other Miscellaneous</p> <p>A \$14,650 decrease in projected revenue.</p>	<p>\$ 3,000</p>
<p>Other Miscellaneous projected revenue in FY17 is \$3,000, a \$14,650 decrease from the FY16 Adopted Budget.</p>	
<p>8. Recovered Costs</p>	
<p>A. Recovered Costs – General</p> <p>No change in projected revenue.</p>	<p>\$ 50,000</p>
<p>B. Recovered Costs RE Tax Auctions</p> <p>A \$124,128 increase in projected revenue.</p>	<p>\$ 182,497</p>
<p>Recovered Costs projected revenue in FY17 is \$182,497, a \$124,128 increase from FY16 Adopted Budget.</p>	
<p>9. Payments in Lieu of Taxes</p>	<p>\$ 26,000</p>
<p>Payments in Lieu of a Taxes projected revenue in FY17 is \$26,000, no change from the FY16 Adopted Budget.</p>	
<p>10. Non-Categorical</p>	
<p>A. Mobile Home Titling Taxes</p> <p>No change in projected revenue.</p>	<p>\$ 12,000</p>
<p>B. Recordation Taxes</p> <p>A \$8,681 decrease in projected revenue.</p>	<p>\$ 40,000</p>
<p>C. Rolling Stock Taxes</p> <p>No change in projected revenue.</p>	<p>\$ 1,900</p>
<p>D. Auto Rental</p> <p>A \$1,500 increase in projected revenue.</p>	<p>\$ 4,500</p>

E. PPTRA Reimbursement **\$1,421,967**
 This is revenue received from the state at a set amount that does not change.

Non-categorical projected revenue in FY17 is \$1,480,367, a **\$7,181** decrease from the FY16 Adopted Budget.

11. Shared Expenses

A. Clerk of Court	\$ 192,980
B. Commissioner of Revenue	\$ 93,950
C. Commonwealth Attorney	\$ 235,507
D. Treasurer	\$ 78,692
E. Sheriff	\$ 1,007,097
F. Registrar/ Electoral Board	\$ 29,302

Shared Expenses projected revenue in FY17 is \$1,637,528. No change in any department's projected revenue.

12. State Categorical Aid

A. Litter Control	\$ 9,550
B. Fire Program	\$ 20,760
C. Four for Life	\$ 11,492
D. Pest. Recycling/Johnson Grass	\$ 1,713
E. Victim/Witness Grant	\$ 23,721

A **\$3,094** increase in projected revenue.

State Categorical Aid projected revenue in FY17 is \$64,142, a **\$3,094** increase from the FY16 Adopted Budget.

13. Federal Categorical Aid

A. Office of Emergency Services Grant	\$ 7,500
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A **\$7,500** increase in projected revenue.

Federal Categorical Aid projected revenue in FY17 is \$ 7,500, a **\$7,500** increase from the FY16 Adopted Budget.

14. Transfer from other Funds

A. Transfer from Social Services	\$ 73,558
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No change in projected revenue.

B. Transfer from Public Utilities	\$ 3,863
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A **\$421** decrease in projected revenue.

Transfer from other Funds projected revenue in FY17 is \$77,421, a **\$421** decrease from the FY16 Adopted Budget.

15. Appropriated Fund Balance **\$ 0**

Appropriated Fund Balance in FY17 is \$ 0.
This is a **\$137,735** decrease from FY16 Adopted Budget.

Please see the attached chart titled “Summary of FY17 Revenue Projections” for a summary of the revenues just discussed. I will be glad to answer any questions.

(The 11-page Revenue Budget Worksheet report and 1-page Revenue Annual Budget by Account Classification Report are filed in the Office of the County Administrator. The remaining spreadsheet, “Projected FY 17 Tax Revenue (using the Fall 2015 Tax Book) is set out below:

Supervisor LeMond questioned the possibility of implementing a Business, Professional & Occupational License (BPOL) tax and said that he was concerned with equalization between big and small businesses in the collection of the \$30.00 annual fee. The County Administrator was asked to do an analysis on this matter.

(4) Staff had been requested to compile a "Priority Listing" of concerns and projects that are known. Following receipt of the staff work product, Supervisor Murray indicated that he had summarized the four-page listing as follows:

Northampton County Board of Supervisors

Projects and Issues Listing—Not in Priority Order

January 25, 2016

<u>Project or Issue</u>	<u>Comments</u>
1. Complete 2017 Budget.....	see schedule
2. Implement 2009 ZO and Amendments.....	see schedule
3. Finalize USDA obligation.....	Need release letter
4. Finalize/Adopt Board Manual.....	February Meeting?
5. EMS/Volunteer Agreement.....	Task Force comments
6. EMS Garage Decision.....	Review options
7. EMS Staffing/Equipment Plan and Funding.....	2017 Budget
8. VDH Services Contract FY 17.....	Set meeting
9. Update Capital Plan needs.....	List and \$\$\$
10. Properties (OWNED).....	BOS 10/26/15
11. Cape Charles Access Road.....	Target March 2016
12. Compensation and Classification Study.....	Board Employees
13. AFD Application Ranking System (Advisory Group).....	Comm of Revenue
14. Stronger Economies Together (SET).....	Meetings/ANPDC
15. Facilities, Utilities, Harbors and Ramps, Solid Waste.....	Develop Action List
16. E-911 System, Public Safety Communications (Southern).....	Study options
17. Town of Eastville-Request for Boundary Adjustment.....	In progress
18. Town of Cape Charles-Request for historic overlay district.....	Pending
19. Appropriate staffing-Code Comp, Building, Parks and Rec.....	Restructure?
20. Restructure Quarterly Financial Statements.....	Finance
21. Review Financial Policies (update).....	Finance
22. Review Personnel Policy Manual.....	Finance, Legal, HR
23. Centralization of all finance staff.....	Recommendations ?
24. Rural Health, Hecate, Sunset Inn, Bay Storage.....	Track and Assist
25. Follow Riverside Plans and actions in Massawadox.....	Town Issue
26. Review County Website content and updates.....	Resources?
27. Identify Storm water management Facilities (pond maintenance).....	Code Enforcement?
28. Re-draft Residential Rental Ordinance (deal with vacant only).....	Confirm legality
29. Consider/Plan Review session for Strategic Plan.....	Offsite event
30. Track Legislative Agenda (VACO releases) like DEQ Stormwater.....	Adopted 10/13/15

Supervisor Murray said that he hoped to “divide the work up” and assign these priorities

to Board members and have them bring back recommendations to the full Board.

Supervisor LeMond asked that a new item, #31, be added to the listing, “elimination of paper through automated agenda preparation and delivery”. The Board agreed to this addition. Mr. LeMond also asked that another new item, #32, be added, “Request assistance from the Commissioner of the Revenue on SLEAC values”. The Board agreed with this suggestion as well.

While several Board members indicated their preference for task assignments as follows, it was the general consensus of the Board that they should further review the list for additional discussion at a later date. At this time, task assignments were initially selected as follows:

Supervisor Hogg:	#5, #6, #7, #10, #24
Supervisor Duer:	#10
Supervisor LeMond:	#5, #6, #7, #8
Supervisor Murray:	#4, #8, #21
Supervisor Bennett:	#10, #14 (tentative choices)

In a matter not on the agenda, Supervisor Murray said that he had received correspondence from Mr. Jay Ford of Virginia Eastern Shorekeepers, who indicated that Accomack County was opposing off-shore drilling. Mr. Ford wondered if Northampton County was interested in joining this position. Several supervisors indicated that they did not have sufficient knowledge to make a decision and the County Administrator was asked to request a copy of the Accomack County position statement and distribute same to the Board.

Additionally, Mr. Murray indicated that Supervisor Hogg has requested that a letter be sent to the Virginia Department of Transportation with regard to the Sunset Beach project traffic

plan; said letter indicated that Northampton County would like to review VDOT's proposed comments prior to delivery to staff and the developer. Hearing the proposed language, the County Attorney indicated that the Board may wish to modify the proposed language as the Board does not have the required authority for this request and suggested that the request be more in line with VDOT allowing the County to review VDOT's work at the same time as it is provided to the applicant. The Board concurred with the request to send the letter to VDOT as noted above.

With regard to an item contained within the FYI agenda materials, the County Administrator was asked to develop an endorsing resolution similar to the Grayson County resolution which opposes the actions taken by Attorney General Herring to revoke concealed handgun permit recognition from 25 reciprocal states effective February 1, 2016. The County Attorney was asked to review the resolution once it has been crafted.

Adjourn

Motion was made by Mr. Duer, 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

RESOLUTION OF COMMENDATION

WHEREAS, the Northampton County Board of Supervisors has identified public service and community leadership as critical components in defining excellence and in improving the vision of Northampton County; and

WHEREAS, Mr. Leonard Spady, Jr. has served as a member of the Northampton County Electoral Board since his appointment effective March 1, 1995; and

WHEREAS, Mr. Spady has faithfully and diligently fulfilled his duties of office as a member of the Northampton County Electoral Board during the entire tenure of his service.

NOW, THEREFORE, BE IT RESOLVED, that the Northampton County Board of Supervisors does hereby adopt this Resolution of Commendation for Mr. Leonard Spady, Jr. and his valuable contributions to the health, safety and well-being of the citizens of Northampton County.

Adopted this _____ day of _____, 2016.



NORTHAMPTON COUNTY BOARD OF SUPERVISORS

By: _____
Its Chairman

Short Bio of The Reverend Leonard Spady, Jr.

Whereas:

The Reverend Leonard Spady, Jr. has served the voters of Northampton County for 25 years with enthusiasm and distinction as a member of the Northampton County Electoral Board.

As a member of the Electoral Board, Rev. Spady has helped ensure that elections were run with fairness, accuracy and integrity.

During his tenure he has helped execute 6 Presidential Elections, 6 Gubernatorial Elections and scores more Federal, State and Local elections.

Leonard is a native of Northampton County, attending its public schools and then graduating from Norfolk State University.

Leonard is a beloved and influential member of the Eastern Shore Community, serving as pastor of St. John Baptist Church for 25 years; a teacher in both Northampton and Accomack public schools; and as an employee of Delmarva Power and Light.

Leonard and his wife Carrie Elizabeth raised four wonderful children about whom he always speaks with pride, Felicia, Jaclyn, Leonard and Sandra.

Finance Report

NORTHAMPTON COUNTY



TO: Board of Supervisors
FROM: John J. Andrzejewski, Director of Finance
DATE: February 9, 2016
RE: Budget Amendments and Appropriations – FY 2016

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

\$103 – This represents a transfer from the Jail Discretionary Fund account to pay for flowers for the late Deputy Will Smith.

DATE: _____

Chairman, Northampton County

Sandi Esposito

From: Sabrina Satchell <ssatchell@co.northampton.va.us>
Sent: Thursday, January 21, 2016 3:40 PM
To: 'Sandy Esposito'
Subject: discretionary fund

January 21, 2016

Please cut a check to Florist By The Sea from the discretionary fund 225-3302-51950. This was for the purchase of flowers for the death of the retired Deputy Will Smith.

*SABRINA SATCHELL
LIDS TECH/JAIL SECRETARY
EASTERN SHORE REGIONAL JAIL
P.O BOX 1417
EASTVILLE, VA 23347
757-678-1361 (OFFICE)
757-678-7900 (FAX)*

ESRQ Discretionary Funds.

Florist By The Sea

Invoice

7326 Lanford Hwy
P.O. Box 492
Nassawadox VA, 23413

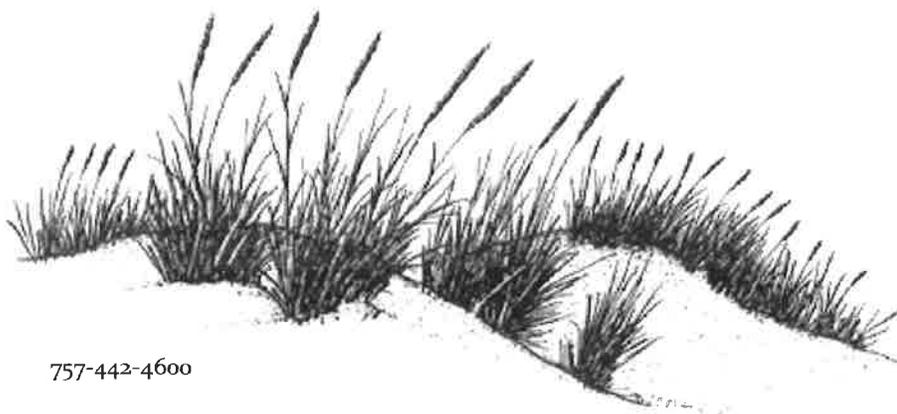
Date	Invoice #
12/18/2015	4055

Bill To
NORTHAMPTON COUNTY SHERIFF DEP DAVID DOUGHTY PO BOX 68 EASTVILLE VA 23347

Ship To
WILL SMITH DOUGHTY FH

Delivery Date
12-20-15

Description	Qty	Rate	Amount
FRESH FUNERAL STANDING SPRAY EXMORE	1	100.00 2.95	100.00T 2.95



757-442-4600

Subtotal	\$102.95
Sales Tax (5.3%)	\$5.30
Total	\$108.25
Payments/Credits	\$0.00
Balance Due	\$108.25



Journal Edit Listing

Sort By Entry

Department	Number	Journal Type	Sub Ledger	G/L Date	Description	Source	Reference	Reclassification	Journal Type
1220 - Finance	2016-00002630	BA	GL	02/09/2016	BOS- Transfer Jail Discretionary funds-Funeral Spray	sae	Board Approved - Board Approved Journal		
<i>G/L Date</i>	<i>G/L Account Number</i>	<i>Account Description</i>		<i>Description</i>	<i>Source</i>	<i>Source</i>		<i>Debit Amount</i>	<i>Credit Amount</i>
02/09/2016	225-0018-42375	Other Miscellaneous		BOS- Transfer Jail Discretionary funds-Funeral Spray	sae	sae		103.00	.00
02/09/2016	225-3302-51950	Discretionary Account Expenses		BOS- Transfer Jail Discretionary funds-Funeral Spray	sae	sae		103.00	.00
						Number of Entries: 2		\$206.00	\$.00

NORTHAMPTON COUNTY



TO: Board of Supervisors
FROM: John J. Andrzejewski, Director of Finance
DATE: February 9, 2016
RE: Budget Amendments and Appropriations – FY 2016

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

\$43.46 – This represents a revised Title III, Part A award allocated under the Elementary and Secondary Education Act (ESEA). The funds will be classified as Instruction.

\$3,781.51 – This represents a grant award received from the Virginia Department of Education for 18 first-year teachers who qualify for the “Mentor Teacher Program.” The funds will be classified as Instruction and will be used to support the mentoring program for these new teachers.

\$64,722 – This represents State Compensation Supplement funding for the State’s share of the step increase that was part of the FY 2016 Budget as was included in the Governor’s Introduced 2014-2016 Biennial Budget. The funds will be classified as Instruction.

DATE: _____

Chairman, Northampton County

NORTHAMPTON COUNTY PUBLIC SCHOOLS

**7207 Young Street
Machipongo, Virginia 23405
www.ncpsk12.com**

Phone: 757-678-5151

Fax: 757-678-7267

**Mr. Charles E. Lawrence
Division Superintendent**

January 28, 2016

Req. 2016-26

Mr. John Andrzejewski
Director of Finance
County of Northampton
P.O. Box 66
Eastville, VA 23347

Dear Mr. Andrzejewski:

The Northampton County School Board respectfully requests a budget appropriation of \$3,781.51 for the 2015-2016 School Operating Budget. This is for the Grant Award received from the Virginia Department of Education for 18 first-year teachers who qualify for the "Mentor Teacher Program". These funds will be spent to support the mentoring program for these new teachers.

These revenues will be tracked separately as State Revenues, and Expenditures will be classified within the category of Instruction.

Please notify me in writing when this request has been passed by the Northampton County Board of Supervisors. Thank you for your help with this matter.

Sincerely,

E. Brook Thomas

E. Brook Thomas, CPA
Director of Finance

Cc: Mr. Charles E. Lawrence, Superintendent of Schools
Members, Northampton County School Board



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Phone: 757-678-5151

Fax: 757-678-7267

**Mr. Charles E. Lawrence
Division Superintendent**

January 28, 2016

Req. 2016-27

Mr. John Andrzejewski
Director of Finance
County of Northampton
P.O. Box 66
Eastville, VA 23347

Dear Mr. Andrzejewski:

The Northampton County School Board respectfully requests a budget appropriation in the amount of \$43.46 for the 2015-2016 School Operating Budget. This is to reflect a revised Title III, Part A award allocation under the Elementary and Secondary Education Act (ESEA).

These revenues will be tracked separately as State Revenues, and Expenditures will be classified within the category of Instruction.

Please notify me in writing when this request has been passed by the Northampton County Board of Supervisors. Thank you for your help with this matter.

Sincerely,

E. Brook Thomas

E. Brook Thomas, CPA
Director of Finance

Cc: Mr. Charles E. Lawrence, Superintendent of Schools
Members, Northampton County School Board



NORTHAMPTON COUNTY PUBLIC SCHOOLS

7207 Young Street
Machipongo, Virginia 23405
www.ncpsk12.com

Phone: 757-678-5151

Fax: 757-678-7267

Mr. Charles E. Lawrence
Division Superintendent

February 1, 2016

Req. 2016-28

Mr. John Andrzejewski
Director of Finance
County of Northampton
P.O. Box 66
Eastville, VA 23347

Dear Mr. Andrzejewski:

The Northampton County School Board respectfully requests a budget appropriation in the amount of \$64,722 for Fiscal Year 2016. This is to reflect State Compensation Supplement funding for the State's share of the step increase that was approved as part of the Fiscal Year 2016 Budget as was included in the Governor's Introduced 2014-2016 Biennial Budget.

These revenues will be tracked separately as State Revenues, and Expenditures will be classified within the category of Instruction.

Please notify me in writing when this request has been passed by the Northampton County Board of Supervisors. Thank you for your help with this matter.

Sincerely,



E. Brook Thomas, CPA
Director of Finance

Cc: Mr. Charles E. Lawrence, Superintendent of Schools
Members, Northampton County School Board



