

VIRGINIA:

At a regular meeting of the Board of Supervisors of the County of Northampton, Virginia, held in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia, on the 14th day of April, 2009, at 4:00 p.m.

Present:

Jeff Walker, Chairman

H. Spencer Murray, Vice Chairman

Laurence J. Trala

Dave Burden

Richard Tankard

William A. Hughes, Sr.

The meeting was called to order by the Chairman.

Closed Session

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

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

Appointments to Boards/Commissions
Planning Commission member conduct

(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.

Waste Collection Center Sites

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

(D) Paragraph 7: Consultation with legal counsel and briefings by staff members, consultants, or attorneys pertaining to actual or probable litigation, and consultation with

legal counsel employed or retained by the Board of Supervisors regarding specific legal matters requiring the provision of legal advice by counsel.

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, 5, and 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

Mr. Walker offered the invocation.

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 & Agency Presentations:

(1) Mr. Robert Isdell, Virginia Department of Transportation, commented on routine maintenance operations including patching, trash pickup and sweeper use. When asked by Mr. Tankard about whether VDOT had a Johnsongrass program, Mr. Isdell replied that he would have to investigate the matter.

Consent Agenda:

(2) Minutes of the meetings of March 3, 6, 10, and 24, 2009. Motion was made by Mr. Tankard that the minutes of the meetings of March 3, 6, 10, and 24, 2009 be approved. All members were present and voted “yes.” The motion was unanimously passed.

County Officials’ Reports:

(3) Mrs. Glenda Miller, Director of Finance, distributed the following budget

amendments and appropriations with associated explanations:

“The attached supplemental appropriations and budget amendments represent the appropriation of funds for advertising expenses associated with delinquent real estate tax property sales, insurance reimbursements and adjustments to the Social Services budget based on the State’s actual adopted budget for FY 09.”

<u>G/L Account</u>	<u>Description</u>	<u>Debit Amount</u>	<u>Credit Amount</u>
100-0011-4000-2006	Real Estate 2006 Tax Revenue	3,100.00	
100-1213-50750	Prof. Services – Legal	3,100.00	
100-0018-42075	Insurance Adjustments	8,204.00	
100-1240-55450	Office Supplies	1,599.00	
100-3102-55450	Office Supplies	6,605.00	
100-0018-42075	Insurance Adjustments	3,620.00	
100-3102-55450	Office Supplies	3,620.00	
210-5302-53804	Auxiliary Grants		10,422.00
210-5302-53811	IV-E Foster Care	35,098.00	
210-5302-53812	IV-E Adoption Subsidy		63,380.00
210-5302-53817	Special Needs Adoption	62,060.00	
210-5305-53833	Adult Services		1,000.00
210-5305-53862	Independent Living- PS & Admin.	2,155.00	
210-5305-53871	VIEW Working & Trans. Day Care		10,000.00
210-5301-53872	VIEW Purch. Serv. & Admin.	12,058.00	
210-5301-53873	Foster Parent Training		10,835.00
210-5305-53878	Head Start Trans. To Work Day Care	35,000.00	
210-5305-53881	Non-VIEW Day Care		1,610.00
210-5305-53883	Non-VIEW Day Care 100% Federal	20,065.00	
210-5305-53895	Adult Protective Services		10,000.00
210-0024-42925	Welfare Reimb. – State	30,390.00	
210-0033-44650	Welfare Reimb. – Federal	30,411.00	
210-5301-53861	ILP Education & Training Program	1,612.00	

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

(4) Ms. Sandra Benson, Director of Planning, presented her departmental update including activity reports for the following projects: Community Housing Committee; Cost of Land Uses Study, Board of Zoning Appeals, and Staff Activities & Training. The Board then acknowledged receipt of the draft Affordable Housing Policy and Plan which has been forwarded to the Board by the Community Housing Committee.

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

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

The Pledge of Allegiance was given.

(5) Ms. Katie Nunez, County Administrator, presented the following work session agenda schedule for the Board's information:

- (i) 4/28/09: FY 2010 Budget discussion
- (ii) 5/26/09: To be determined
- (iii) 6/23/09: To be determined

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

I. PROJECTS:

Federal Stimulus Projects: I have enclosed two attachments. The first is a spreadsheet tracking the projects that were submitted to the Virginia Stimulus website. As we match funding opportunities to the programs, I will fill in that information and the status of the funding requests.

The second, entitled "Tracking of Stimulus Funds – Grants Released and Applied for by Northampton County" is a spreadsheet tracking all of the federal stimulus funds that might be of benefit to our county. Since many of the programs receiving stimulus funds provide greater opportunities than we envisioned on our project list, I wanted to track these programs and any opportunities that we avail ourselves. As you will see, some of the federal stimulus funds will be issued based upon program allocation, such as the Health & Human Services funding for programs like Head Start. These will not require any sort of application to be submitted nor require a competitive process but will be released upon the current funding formula in which our service agencies received funds today. Other programs have been announced but details have not been finalized regarding the release of the rules & regulations nor any deadlines. They are included on the spreadsheet for tracking purposes only, at this time.

Below is a status on the Wastewater Grant program that is fast-tracked at the state level:

- 1.) Department of Environmental Quality (DEQ) – Wastewater Funding: The state received 294 applications requesting \$1,360,657,547. The state has \$76,995,168 from the federal stimulus package for state clean water revolving loan fund projects – of that, a minimum of \$40,101,650 must be distributed in the form of additional subsidization and \$16,040,660 must go to projects that include green infrastructure, water or energy efficiency improvements or other environmentally innovative activities.

The County submitted an application for \$189,970 for the County Complex. In addition, there were seven other projects submitted from the Eastern Shore (Accomack County, Tangier, Cape Charles, 2 for Cheriton, and 2 for Exmore).

The draft project priority list for 2009 Stimulus Funds was released on 3/25/02009. The only project on the Eastern Shore to make the list is Cape Charles in the amount of \$8,927,946. There is a public hearing scheduled on Wednesday, April 15, 2009 to solicit comments on this draft list. DEQ has stated that they have placed more projects than funding on this draft list in anticipation that some projects will not be able to move forward in accordance with the federal regulations, once they are released.

Regional Jail Update: The additional increase in the Request for Reimbursement of Construction Costs is still being reviewed by the staff of the Department of Corrections. Because they had not finalized the review, we did not get on the March agenda for the Board of Corrections to take up this issue for their disposition. We anticipate this item being on the May agenda for the Board of Corrections. Our financial advisors are in conversation with the Department of Treasury about next steps once our request is approved by the Board of Corrections.

The ICE contract for the housing of federal prisoners at the Eastern Shore Regional Jail is progressing. Final legal corrections & comments have been submitted to ICE. There has been language added to the state budget that impacts any revenue received by a locality for housing of federal prisoners. Staff has been working with the State Compensation Board to understand the implications of the language in the budget and to determine the financial feasibility of moving forward with this contract. At this point, we do feel that even with the budget language that will require a greater share of revenue be paid to the State the remaining revenues are sufficient to justify providing this service.

Transfer Station Update: As of April 1, 2009, the Transfer Station is operational. While it will take a few weeks for staff to adjust and learn new processes with managing our waste stream, to date the process has gone relatively smoothly. We have brought our engineers, Draper Aden, back in to look at a few items on the building now that we are in operation, and to have our contractor address some issues with the building. In terms of trash, we are currently having one truck load per day leave the site for disposal at our contractor's landfill.

Landfill Capping Update: We have received approval from the VA Department of Environmental Quality for the bid specifications for the capping of the landfill. Northampton County Zoning had a few minor issues that have been addressed by our engineer, Draper Aden. Staff is coordinating with Draper Aden on a bid schedule and construction calendar and will be able to provide you a fuller report

at the meeting on Tuesday, April 14, 2009.

Court Services Building: The County has received two proposals for architectural & engineering services for the design of a new court services building. The Court Services Committee will be interviewing both firms over the next two weeks and will be prepared to provide a recommendation to the Board at the next meeting.

II. MEETINGS

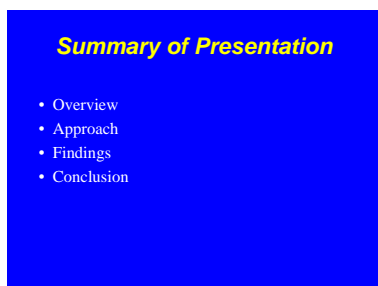
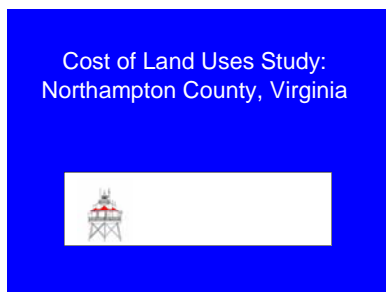
III. GRANT OPPORTUNITIES

IV. OTHER

Eastern Shore Chamber of Commerce Breakfast: On April 14, 2009 at 8:00 a.m., the ES Chamber is hosting a forum on the Federal Stimulus Bill and its impact to the Eastern Shore. The event is being held at the Eastern Shore Yacht & Country Club.

Northampton County Chamber of Commerce Seminar: On April 21, 2009 at 9:00 a.m., the NC Chamber is hosting a seminar “How to Survive & Thrive in the Economic Downturn”. The event is being held at Little Italy Restaurant.

Mr. Thomas Flynn of Thomas Point Associates presented the following power-point presentation with regard to the Cost of Land Uses Study commissioned by the Board:



Overview: Three Top Issues

1. Real Estate Tax Assessments and Tax Bills
2. Special Use Permits
3. Opportunity Costs Associated with Development

Overview: Methodology

- Review of existing and proposed codes.
- Onsite familiarization with the County and areas most affected by proposed changes.
- Interviews with County staff and citizens.
- Discussions with land development professionals (lawyers, engineers, appraisers and others) who work in Northampton County.
- Survey of parcels affected by changes and analysis of a sample selection.

Overview: Caveats

- Focus is on changes that will have a significant economic impact.
- Data used are adequate to support conclusions, but the data base is imperfect.
- Significant changes are affecting the local economy and right now.

Analysis: The Zoning Map

- Creation of a group of subcategories under the heading "Existing Subdivision" (8,426 acres).
- Reclassification from two residential categories ("Rural Village Res." and "Community Development Single-Family Res.") to "Agriculture" (4,240 acres).
- Creation of the new "Town Edge" Zone (2,001 acres) from the "Community Development" subcategories.
- Creation of the new "Waterfront Village" (2,023 acres) from "Rural Waterfront Village" (Residential and Agricultural) and "Agriculture".
- Creation of the "Hamlet" (1,337 acres), mostly from "Rural Village Residential" and "Rural Village Rural Residential".
- Reclassification of acreage from commercial to non-commercial, and a net reduction of 470.2 acres in the commercial land total.

Assessed Value

Exhibit 3-5					
Total Assessed Value, Current and Constant Dollars, Northampton County, 2004-2008 1/					
	Value (in Millions of \$) by Year				
	2004	2005	2006	2007	2008
Current \$'s	1,188	1,250	1,307	1,378	2,744
Constant 2008 \$'s	1,349	1,378	1,383	1,394	2,744
Percent Ch. From Previous Year	-	2.18%	0.35%	0.77%	96.86%
Northampton Co., Commissioner of Revenue; Thomas Point Associates, Inc.					
1/ Data includes Towns.					

Analysis: Comprehensive Plan—Economic and Market Issues

- Population peaked in 1980.
- Jobs and income peaked in 2004.
- Total assessed value (\$2.7 billion in 2008) doubled as a result of the reassessment.
- Residential property taxes increased from 64% of tax revenue in FY 2000 to 79% in FY 2009.

Assessed Value

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Findings: Assessed Values and Taxes

Commercial Zoning

- Two of the three properties would decline significantly in assessed value given the change in zoning from CD-CG to Agriculture.
- Average change in annual tax payment per acre is -\$70.23.
- Applied to total number of acres proposed for rezoning from commercial (470.2) yields a total annual change of -\$33,024 in tax payments.

Findings: Assessed Values and Taxes

Residential to Agricultural

- Of five properties one would be reduced to the value of agricultural land.
- Average change in annual tax payment per acre is \$1.23.
- Applied to the total number of acres proposed for rezoning (1,740) yields a total annual change of -\$2,146.29 in tax payments.

Note: potential economic impact to the County

- *Some large parcels that would be reclassified into the Existing Subdivision-Agriculture District (5,597 acres) may be eligible for the land-use program.*
- *“Remainder” parcels that can’t be further subdivided, are over 5 acres and are certified to be used for agriculture, forestry, or horticulture.*
- *Number of acres that could qualify in this way is not known but could be significant.*

Findings: Assessed Values and Taxes

Residential to Town Edge

- Change in zoning from residential to Town Edge would affect the assessed value of one of four selected properties.
- Projected to the total of 926 acres that would be rezoned in this way, annual change of -\$2,456.62 is estimated.

Findings: Assessed Values and Taxes

- In two other situations --- no change projected:
- RVR to Hamlet (case nos. 13-14)
- Agricultural to Waterfront Village-1 (case no. 15)

Findings: The Special Use Permit (“SUP”) Process

- *Two significant procedural changes will have economic effects:*
- *1. Number of situations that trigger the SUP requirement increases.*
 - Under the existing code there are 575 situations that require SUP review.
 - This would increase to 777 occasions for SUP’s and 673 occasions for “Minor” SUP.
 - An increase of 152%.

Example:

- *permit requirements associated with development of a church are quite different under the two systems. Under the existing code there are two situations that trigger the SUP requirement and seven where the development is "by right." The proposed code distinguishes between two different sizes of church and identifies six "by right" situations and 20 that require SUP's, including 13 that require Minor SUP's.*

SUP's, cont.

- 2. *Application process itself becomes more complicated and expensive.*
- Average cost of \$2,400 per application attributed to the SUP (based on three days professional time for assembly of application, hearing participation and follow-up) would result in additional annual costs to applicants of \$9,600 for 4 SUP applications.
- "Minor" SUP's also involve costs to both applicant and County: applicant costs at roughly \$1,600 per application and 13 applications per year (\$20,800)

Findings: Potential Loss of Revenues from Commercial Activity

- *While a large amount of commercial land would still be available in the County after the proposed rezoning, some of the properties that are best located, from a commercial development perspective, would no longer be available.*

Potential Loss of Revenues from Commercial Activity

- Retail sales tax, represents 4.7% of projected County revenue.
- 20,000 square feet of retail space over the next decade (at retail sales of \$350 per square foot) would amount to \$87,500.

Potential Loss of Revenues from Commercial Activity

- Hotel/motel occupancy tax represents 1.0% of projected County revenue.
- An 80-room hotel with a room rate of \$70 and an annual occupancy of 65%, paying an occupancy tax of 5%, would generate annual tax revenue of \$66,400.

Finding: Potential Loss of Property Value

- Some individual properties may increase or decrease in value as a result of the rezoning, and owners may experience a real gain or loss as a result.
- Evaluation of this type of economic impact would require a specific accounting analysis that identifies the cost basis, carrying costs, income over the history of the property and discounted value at time of projected sale for each affected property.

Conclusions

Annual costs:

- Changes in assessed values and real estate tax income: -\$37,627.
- Costs associated with the special use permit process: \$30,400.
- Loss of retail sales and hotel/motel occupancy tax revenues: -\$195,930

Conclusions

Net present value:

- County: -\$1,144,600.
- Property owners: -\$234,700.

Following Mr. Flynn’s presentation, he answered questions from the Board members.

It was noted that written comments from Mr. Dimitri Plionis have been received which indicated Mr. Plionis’ belief that the study was well thought out and well documented but cautioned that the sample properties were a very small sample.

Citizen Information Period:

Mr. Hank Jones distributed a copy of the proposed Use Tables contained in the draft Zoning Ordinance, noting that many aquaculture practices would not be allowed in the Conservation District. He also questioned some of the low-impact agri-tourism uses not allowed

in that district. He concluded his comments by noting that the County needed a new planning commission if it was the body which produced the draft ordinance.

Mr. Walker read the following comments into the record:

“April 14, 2009

Northampton County Board of Supervisors

Subject: Comments for the Citizens Information Period

Mr. Chairman and members of the Board:

I am Robert C. Richardson from Seaview. This evening I bring to the board’s attention one of the worst ordinances that has been enacted in the history of Northampton County. I am referring to the Zoning Ordinance. The Zoning Ordinance is:

1. Discriminatory
2. Regressive
3. Repressive
4. Incomprehensible
5. Harmful

I respectfully request that the board place this ordinance on November ballot to allow the voting public their right to vote this ordinance out of existence. Thank you,

/s/ Robert C. Richardson
6365 Riverside Farm Lane
Cape Charles, Virginia 23310”

Mr. Walker read the following letter into the record:

“April 14, 2009

Board of Supervisors
Northampton County
Eastville, VA 23347

To All Members of the Northampton County Board of Supervisors:

Due to a prior commitment I will be unable to attend the meeting this evening. I ask that this letter be read into the minutes of the meeting.

While the BOS has repeatedly stated it wants to help the towns succeed, the actions of the BOS will speak louder than their words.

As the financial impact study shows the proposed zoning will have a negative effect on county revenue while at the same time being more burdensome and costly to our residents. This is a double negative to the future vitality of our area and an unnecessary burden to our current residents, both in and outside of town limits. In light of the current economic climate, it would be foolish for the Board of Supervisors to adopt the proposed zoning ordinance. It is far too complicated and contains many errors.

My understanding is that you plan to dissolve the Planning Commission and form a new Commission without town appointed representatives. How can the Board state they want the towns to succeed, while at the same time deny town appointed representation on the planning commission? This ultimately gives the Board of Supervisors complete control over all of the appointees and not just the county appointees, leaving the towns with no appointed representation.

Sincerely,

/s/ Melody Scalley
Eastville”

Mr. Norman Mapp of Northampton Alliance Against Trash, read the following comments:

“April 1, 2009

Northampton County Board of Supervisors
Eastville, Virginia 23347

Dear Sirs:

The Northampton Alliance Against Trash was established in October 1993. Our goal was to clean up the unincorporated communities in the County. Through the years, some of the towns have also requested our services. Over the 15 ½ years, we have cleaned communities from the Accomack County line to the Bay Bridge. As we went to these communities we discovered that each trip was producing less trash. Our goal has been reached.

As the organization aged so have the volunteers and we have been unable to recruit younger workers. Our last scheduled cleanup will be April 25, 2009. After that clean up we will be available upon request to the towns and communities but we will no longer schedule monthly clean ups.

We are grateful to the Board for the support you have given us over the years.

Sincerely,

/s/ Norman Mapp, President”

Mr. Dave Kabler reiterated comments he had previously provided to the Board with regard to the establishment of a public service authority.

Mr. Ken Dufty of Exmore read the following comments:

Comments on the Thomas Point Associates Land Use
Economic Study

In the late 1990's, the Czech Republic began considering banning tobacco products. They thought the economic impacts of tobacco use by its people was costing the government too much. In response, Phillip Morris commissioned a study to analyze the positive and negative impacts of smoking on the government. Note that Phillip Morris is the largest producer of consumer packaged goods in the world. They hired the firm of Arthur D. Little, the world's oldest and one of the foremost management consulting firms.

The study took into account both direct effects of smoking, such as accrued taxes and indirect effects such as health care cost savings.

After a one year study, the firm of Arthur Little found that the net positive effect of smoking on the Czech Republic for the year of 1999 ranged from \$1.3 million to \$13 million with a realistic estimate of \$5.8 million.

In the body of the 26 page study, the reader learns that the findings were based on health care cost savings. The study based its economic analysis on the assumption that those who smoked died nearly a decade earlier than those who didn't. So the government, which provided health care to all of its citizens, saved money once the smokers died.

The study, however, did not include the private or societal costs of smoking, such as lost wages, lost taxes, lost productivity or other considerations.

Hence the study was summarily dismissed and remains to this day a prime example of how economic data can be selectively manipulated to reach any desired conclusion.

The study by Thomas Point Associates appears to be a very close relative to the Phillip Morris study as it takes a tunnel vision look at only one side of the economic impacts associated with the proposed zoning amendments, and does not take into account the following:

(1) The potential devastating NEGATIVE impacts on the economy of Northampton County if the Board of Supervisors does not reign in unchecked development along the Route 13 corridor. If the quality and/or quantity of our potable water is breached by overdevelopment of the recharge spine (Route 13) and resultant salination of our fresh water, the entire economy of this portion of the Eastern Shore could and probably would collapse on itself. Note that 2 years ago the Manokin Aquifer up the highway in Maryland was overpumped and nearly 100 homes and businesses ran out of water. Note that their aquifer is “rechargeable” and not of the sensitive and limited nature of the Columbia and Yorktown-Eastover multi-aquifer system.

(2) The potential POSITIVE impact of encouraging concentrated development in a 1-mile radius outside the incorporated towns. The Town of Exmore is adding new businesses on a monthly basis in the town center and if the new zoning amendments are passed, this trend should accelerate resulting in a net positive economic impact to the town, thus the county. This was not included in the Thomas Pointe study.

(3) The potential POSITIVE impact on real estate values of individual homes taking into account the added list of “allowable” commercial uses in the homes. This will make property in the outlying sectors more desirable as home-based business is the fastest growing private business sector in the US.

(4) The potential and very real NEGATIVE impact on the economy of the county if we over-develop and interfere with the reason tourists come to Northampton County. When folks come into our store in Exmore, we usually ask them what brought them to the Eastern Shore. We hear more often than not that folks come from all over to the Eastern Shore to “get away” from the hectic pace that is all too common in areas like Norfolk, Chesapeake, D.C., and elsewhere. Folks do not bring their tourism dollars to Northampton County because of our macadam, our WalMarts or our Lowes Improvement Stores. They come because we don’t have the WalMarts, the Lowes, the thousands of acres of macadam and the sterile environment associated with those “economic development” panaceas. The state of Virginia realizes \$700 million dollars each year in revenue from folks who come to this state to observe birds and wildlife. Northampton County has a treasure trove of these assets, and if we lose them we cannot get them back. There is a very real economic component to preserving the natural beauty of the Eastern Shore and that was not considered in the Thomas Pointe Associates study.

In closing, I would ask that if the decision on the zoning amendments is to hinge on an economic study, that it not be based on the one-sided findings of the Thomas Point Associates study, and that the Board consider the economic impacts to the Northampton County economy if you DON’T act now to preserve the character and sanctity of this wonderful portion of the Eastern Shore.

Thank you,

/s/ Ken Dufty
Owner, Wachina Company
12148 Bank Ave., Exmore”

Ms. Judy Summers, a business owner on Route 13, asked the Board to address the large number of abandoned buildings in the County.

Public Hearings:

Chairman Walker called to order the following public hearing:

(6) Conduct joint public hearing with the Virginia Department of Transportation on the Proposed Secondary Road Six Year Plan: 2009-2010 to 2014-2015 and Improvement Priorities for Fiscal Year 2009-2010 for Northampton County

He asked if there were any present desiring to speak.

Mr. Robert Isdell of the Virginia Department of Transportation presented the proposed Secondary Road Six Year Plan for 2009-2010 to 2014-2015 and Improvement Priorities for Fiscal Year 2009-2010. He noted that only federal funds were available for allocation to the only federal project on the priority listing: Route 636.

Mr. Andre Savage questioned the status of Honeysuckle Lane and was told that this road, a part of the Fairview Community Development Block Grant Project, was awaiting construction by VDOT.

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

Motion was made by Mr. Tankard that the Board approve the Secondary Road Six Year Plan: 2009-2010 to 2014-2015 and the Improvement Priorities for Fiscal Year 2009-2010 as presented and set out below and adopt the following resolution therefor. All members were present and voted "yes." The motion was unanimously passed.

Priority #1: Route 636 – reconstruction (Cobb Station Road) from Route 13 to Route 637

Priority #2: Route 602 – reconstruction – Cemetery Road (county portion)

Priority #3: Route 602 – reconstruction – Cemetery Road (town portion)

Priority #4: Route 618 – new construction – new location (Rt. 619 to Rt. 604)

Priority #5: Route 636 – reconstruction (Cobb Station Road) from Rt. 637 to Rt. 600.

RESOLUTION

WHEREAS, the Virginia Department of Transportation and the Northampton County Board of Supervisors have jointly established the Six Year Plan for Fiscal Years 2009-2010 to 2014-2015 and Priority List for the Fiscal Year 2009-2010; and

WHEREAS, the Virginia Department of Transportation and the Northampton County Board of Supervisors have jointly held a Public Hearing on the Six Year Plan for Fiscal Years 2009-2010 to 2014-2015 and Priority List for Fiscal Year 2009-2010.

NOW, THEREFORE, BE IT RESOLVED that the Northampton County Board of Supervisors hereby approves the Six Year Plan for Fiscal Years 2009-2010 to 2014-2015 and Priority List for Fiscal Year 2009-2010.

Tabled Items:

(7) Comprehensive Plan Amendment 08-03 NHCO: The Joint Local Planning Commission, under motion of intent, proposes to amend the Northampton County Comprehensive Plan by adding a new section to be known as “Part 1, Section 3, Economic Development Plan” and by updating Part 2, Section 4, Economic Analysis.

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

9 Economic Development Plan

3.1 Introduction

The term “economy” refers to “a system for the management of resources and production of goods and services.”¹ As noted in Section 5, Environment & Natural Resources Plan, Northampton’s economy historically has relied on natural features and resources that sustain agriculture and maritime activities, which remain key components of the local economy. **However, the largest individual employment sector is government, including education. The private employment sector includes health care services, retail and wholesale trade, construction, finance and insurance, transportation and**

¹ Webster’s II New Riverside Dictionary, Houghton Mifflin Company, 1996.

warehousing, real estate services, and accommodation and food service industries. While it should also be noted that a significant level of entrepreneurial activity contributes to the local economy, it must also be recognized that not everyone wishes to be an entrepreneur, and so a sustainable mix of growth and basic industries and services is important.

In recent years, tourism-related activities have played an increasingly significant role in generating revenue in the county, as our natural features and assets have become a resource more highly valued as such features are disappearing in other areas. It is well established that migratory bird habitat on the Eastern Shore peninsula, particularly in the Southern Tip of Northampton, is hemispherically important. This, coupled with the fact that Northampton County is one of the last remaining rural areas on the East Coast, places a higher resource value factor on the county's natural features and assets in developing the economic plan.

A citizen survey commissioned by Northampton County in late 2004 found that respondents were almost equally concerned about the perceived increase in population growth in the county as they were with a lack of job growth. The tension inherent in these two divergent conclusions, combined with the necessity and the desire to preserve and protect the resources that support the local economy, underscore the challenge of developing business pursuits that are economically viable for residents **and** environmentally sustainable.

3.2 Agriculture

Agriculture remains a mainstay of the county's economy. In Virginia aquaculture and aquaculture products are considered "agriculture," although this sector will be discussed in a separate section of this chapter. According to the 2002 Census of Agriculture, the average-per-farm market value of agricultural products sold for Northampton is the second highest in Virginia, exceeded only by Accomack County, which has a higher percentage of value associated with livestock and poultry than with crops. At \$236,320, Northampton's average-per-farm market value was more than four times greater than the state average of \$49,593. Approximately 45% of Virginia's potato crop is grown in Northampton County, and Virginia ranks sixth in the nation in potato production. Virginia now ranks third in the nation in the production of fresh tomatoes, and last year that crop was worth about \$140 million dollars to Virginia's economy. It is estimated that more than 80 percent of the tomatoes grown in the Commonwealth are grown on the Eastern Shore and that tomato sales comprise approximately 50 percent of gross farm income in the county. In addition, Northampton County is home to the largest green bean operation in the United States.

The value of the agriculture industry to Virginia's economy was documented in the recently-released report *The Economic Impact of Agriculture and Forestry on the Commonwealth of Virginia* (Weldon Cooper Center for Public Service, September 2008). While the report has a statewide focus, the references to the economic impacts of wineries and agritourism are noteworthy given the presence of two wineries, plus an

additional grape grower in the county. The report also cites steady growth in greenhouse sales related to increasing urbanization in the mid-Atlantic region, and well as the increasing economic impact of horse events across Virginia.

It should be mentioned that while not statistically well-documented for Northampton, the role of organic production has also become more noteworthy in recent years. Demand has increased due to consumer concern about pesticide use in terms of both health and environmental impacts.

It is significant to note that between 1997 and 2002, the number of farms in Northampton County increased by 23, or 14 percent. However, the total acreage in the county devoted to farms dropped by almost 5,000 acres during that period. At the same time, the number of farms and the acreage operated by tenants increased, with the rise in rented acreage amounting to an increase of nearly 40 percent, based on the 2002 Census of Agriculture data. Also during the period 1997 – 2002 the average age of farmers in Northampton County rose slightly from 53.7 years to 55.4 years, with the number of persons in the 45 – 59 year age range increasing more significantly than other age groups.

These data suggest that farm land is being converted to other uses, that a greater percentage of land is being controlled by an owner other than the operator and that more farmers are having to pay rent to farm, and that younger persons are choosing occupations other than farming. Improved production methods have enabled farmers to reduce labor costs while crop yields remain reasonably high overall; nevertheless, the loss of farmland is a disturbing trend voiced by members of the local farming community. While some of the land converted to other uses has been acquired by conservation organizations and state and federal agencies, much of it has been acquired for residential development purposes. As this development has occurred, there are increasing conflicts between agricultural activities which generate dust, noise, and chemical applications and the desires of residents for quiet open space. In addition to complaints from residents, concerns persist about environmental impacts of some farming practices, particularly stormwater runoff associated with tomato plasticulture, although recent studies have been inconclusive about the relationship between tomato cultivation and impaired waters.

3.2.1 Agriculture Sector Goals and Strategies

The following goals and strategies are intended to address the issues identified above.

Goal: Ensure that farming remains a viable livelihood and that farmland continues to be an available resource.

Strategies:

- 1) Ensure that rezoning does not include productive farms in areas designated for hamlets, villages, and dense residential development.

- 2) Promote niche farming by ensuring through zoning that small lots (approximately one acre) remain available for agricultural activities.
- 3) Continue to allow creation and expansion of Agricultural and Forestal Districts.
- 4) Continue to support and promote the county's Purchase of Development Rights program.
- 5) Evaluate potential establishment of a Transfer of Development Rights program.
- 6) Encourage and fund the development of an agriculture curriculum in the high school.
- 7) Support the regional Farmers' Market.

8) Encourage farmers to utilize Natural Resource and Conservation Service standards in their operations.

Goal: Reduce conflicts between agricultural uses and environmental concerns and other land uses.

Strategies:

- 1) Regulate migrant housing through zoning but ensure that it continues to be allowed in the Agricultural District.
- 2) Allow for maintenance of existing ditches and the installation of retention ponds for stormwater management that can also be used for irrigation.
- 3) Evaluate use of other water quality Best Management Practices on farmland.
- 4) Implement a public information program to inform county residents and potential residents about farming practices.
- 5) Work with real estate community to ensure that appropriate and accurate information about farming activities and practices is available to potential purchasers of land in or adjacent to the Agricultural District.
- 6) Continue to note subdivision plats for land being divided in or adjacent to the Agricultural District concerning the proximity of agricultural activities which might be considered nuisances.
- 7) Evaluate current wildlife control methods.

- 8) Encourage equine-related activities to preserve open space.

Goal: Ensure that farmers have opportunities to expand their businesses.

Strategies:

- 1) Evaluate effectiveness of land-use taxation as a preservation tool for farm land.
- 2) Consider reduction of required setbacks for poultry houses and livestock handling areas to allow use of smaller acreage for such activities.
- 3) Evaluate sign regulations with respect to agricultural businesses and sale of agricultural products.

Goal: To encourage the local workforce to consider farming as a viable occupational alternative.

Strategies:

- 1) **Encourage farmers to pay wages that support a sustainable lifestyle and to provide all employees a pay check with federal and state deductions.**
- 2) **Encourage farmers to hire from the local labor pool.**
- 3) **Encourage farmers to educate their work force in such areas as agricultural practices, farm machinery mechanics and welding, conservation, application of pesticides, commercial driving, and language skills.**
- 4) **Encourage farmers to look for innovative ways to create year-round jobs for their work force.**
- 5) **Encourage farmers to insure their work force with health insurance and workers' compensation insurance.**

3.3 Seafood and Aquaculture

The seafood industry is one of Virginia's and Northampton County's oldest and most successful industries. Aquaculture, along with the fresh tomatoes industry, has been cited by a September 2008 Weldon Cooper Center for Public Service report, as one of Virginia's most rapidly growing agricultural commodities in recent years in percentage terms, and hard-clam aquaculture is the fastest growing industry in Northampton County. Local sources indicate that Northampton County is now the largest hard-clam producer in the world.

As of 2007 Virginia continued to be ranked third nationally in total fisheries landings, which includes aquacultured oysters and clams. According to the Virginia Employment Commission, there are three seafood companies among the county's fifty largest employers. In the past, the impressive statistics from our commercial fisheries were the best available way of realizing the economic importance of Virginia's marine resources, but new information on the highly significant impact of recreational fishing and shellfishing has added greatly to our understanding of the economic value of Virginia's recreational fisheries. Northampton County's economy has historically been heavily dependent on its fisheries resources, and aquaculture has played an increasingly significant role.

While an attempt has been made to locate county-specific data, most information is available only for the state as a whole or for Northampton and Accomack counties combined. In many ways it is more desirable to study the statistics for the entire state due to the interdependency of various aspects of Virginia's fisheries. It must be recognized that each locality has a responsibility for any action that impacts the quality of the marine environment shared by us all. It is imperative that we maintain a broad view while examining our local situation, since neither many of the resources nor factors that may impact the resources tend to be geographically confined. It is also important to keep in mind that historically it has been very difficult to obtain complete counts or dollar values despite required reporting, and most states recognize that statistics for catch, economic value, and employment are more often than not understated.

3.3.1 Commercial Fisheries

In 2000 Virginia's commercial finfish and shellfish landings totaled 81,905,267 pounds with an estimated value of \$89,073,924. In 2007 total shellfish and finfish landings declined somewhat to 79,722,187 pounds with a value of \$108,322,166. In 2000, the Virginia Marine Resources Commission reported that blue crabs accounted for 28,846,177 pounds and \$24,114,523 in value. In 2007 the catch of blue crabs was 21,677,959 pounds, down from 27,155,057 pounds in 2006, and representing a value of \$17,145,515. Virginia has recently enacted new limitations on crab harvesting in an effort to reduce overfishing of the resource, but on September 24, 2008, it was reported that the U. S. Commerce Secretary had declared the decline in blue crab harvests in the Chesapeake a "commercial fishery failure." This may mean more restrictions on this important resource as steps are taken to restore the crab population. Virginia has also emergency gill net regulations to limit unintended and out-of-season by-catches of certain fish and turtle species.

3.3.2 Aquaculture

In 2005 the Virginia Institute of Marine Science (VIMS) reported that aquaculture production in Northampton County was valued at \$33,000,000. In the May 2008 *Virginia Shellfish Aquaculture Situation and Outlook Report* released by the Virginia Institute of Marine Science (VIMS), it was reported that the number of hard clams sold in Virginia in 2007 was 211,876,000, representing an increase of almost 9% over the 2006

total. The report indicated that clam farming showed an expansion of 22.6% with respect to full-time employment and 14% in part-time employment during 2007. By contrast, the oyster aquaculture sector showed a decline in employment opportunities during 2007, despite a nearly 53% increase in the number of aquacultured market oysters sold by Virginia growers. The VIMS report suggests that estimating labor needs for oyster aquaculture is difficult at this time due to the stage of development of this industry.

3.3.3 Concerns

The seafood industry is dependent upon good water quality. Local clam growers have expressed concern about negative impacts from poorly-controlled stormwater runoff from both development and agricultural operations, **including point-source overboard discharge of treated wastewater which adversely affects salinity of tidal waters.** Excess nutrients from lawn fertilizer and septic failures harm clam larvae and also lead to algal blooms. In addition, preservation of water access, protection of working waterfronts, and reduction of trash making its way into the waters have also been mentioned as matters which require attention in order to ensure that the local seafood and aquaculture industries remain productive.

3.3.4 Seafood & Aquaculture Goals and Strategies

The following goals and strategies are intended to address the issues mentioned above.

Goal: Preserve water quality which will sustain commercial and recreational fishing and aquaculture.

Strategies:

- 1) Develop stormwater management initiatives that will control residential and agricultural runoff into the creeks, Chesapeake Bay, and Atlantic Ocean.
- 2) Regulate the installation of waste water treatment systems so that they are not located at the headwaters of creeks.
- 3) Work with agricultural community to limit siltation of waterways.
- 4) Discourage installation of bulkheading that interferes with the natural movement of sand on bayfront properties.
- 5) Work with agricultural community to limit chemical contamination of waterways from spraying activities.
- 6) Develop public information concerning the economic importance of preserving water quality to support commercial and recreational uses, including careful management of chemical applications, reduction of soil erosion, and reduction of trash in waterways.

7) Continue to enforce the county's Chesapeake/Atlantic Preservation District through the zoning ordinance.

8) Support Virginia's Shellfish Enhancement Zone initiative.

9) Work to eliminate additional overboard point-source discharges into creeks, Chesapeake Bay, and Atlantic Ocean.

Goal: Preserve water access for recreational fishing and working watermen.

Strategies:

1) Protect working waterfront areas from encroachment of other uses through zoning.

2) Continue to provide public boat ramps with adequate parking, sanitary facilities, and trash collection facilities.

3) To the extent possible, monitor siltation levels in waterways and support and assist in implementation of dredging to preserve ingress/egress for working watermen and recreational fishing.

Goal: Preserve aquatic resources and species and assist with efforts to promote seafood products so that the seafood industry remains viable.

Strategies:

1) Support oyster restoration efforts.

2) Support submerged aquatic vegetation restoration initiatives.

3) Support Department of Environmental Quality and Virginia Marine Resources Commission efforts to reduce recreational boating conflicts with commercial fishing activities.

4) Support Virginia Marine Resources Commission efforts to reduce overfishing of various species.

5) Support efforts to establish a regional Seafood Market on the Eastern Shore of Virginia.

Goal: To encourage the local workforce to consider aquaculture as a viable employment opportunity.

Strategies:

- 1) Encourage watermen/aquafarmers to pay wages that support a sustainable lifestyle and to give all employees a pay check with federal and state deductions.
- 2) Encourage watermen/aquafarmers to hire from the local labor pool.
- 3) Encourage watermen/aquafarmers to educate their work force in such areas as aquaculture practices, safe boating, boat mechanics and welding, conservation, commercial driving, and language skills.
- 4) Encourage watermen/aquafarmers to look for innovative ways to create year-round jobs for their work force.
- 5) Encourage watermen/aquafarmers to insure their work force with health insurance and workers' compensation insurance.

3.4 Tourism

In March 2007, the Eastern Shore Tourism Commission, on which Northampton County has representation, adopted a document entitled *Tourism Strategy for the Eastern Shore of Virginia* (the Strategy). The following is excerpted from the Strategy:

The Eastern Shore is unique and therein lies our key advantage. In our increasingly homogenized world, being unique is a priceless commodity—something to be protected and treasured. It is the goose that will lay the golden egg...Nature tourism, agritourism, resort and heritage tourism offer economic opportunities that mesh perfectly with the Eastern Shore's assets.

And as nature becomes an increasingly rare commodity, the economic advantage of preserving our natural heritage becomes more and more compelling. Historically, the Eastern Shore has lived and thrived on the bounty of nature: fishing, hunting, and agriculture have been the mainstays of the Eastern Shore for nearly 400 years. A continued reliance on nature can fuel the Eastern Shore's prosperity for the next 400 years. We need to take a different approach, of course, but the resource is the same. But if we turn our backs on our assets—on what makes this place unique—then we have nothing. Our success depends on our ability to differentiate ourselves.

As we develop our tourism industry, though, it's vital that we don't make the mistake of thinking that every tourist activity is helpful. As an industry, tourism has many styles and faces. This document stems from the belief that you build on your strengths rather than pursue a pale imitation of another area's success. This is not the Caribbean; it's not Florida. The beauty and appeal of the Eastern Shore is far more delicate and subtle, ill suited to mass-

market tourism or mega-development. Yet this delicate beauty is an asset, too. If we play to our strengths, the Eastern Shore has everything necessary to become a tourist destination of national renown.” (pp. 7-8)

The Strategy was designed to promote development of “high-dollar, low-impact tourism” and, in addition to setting forth a marketing plan and strategy, focuses on six (6) sectors of the tourism industry: agritourism, the arts, beach and recreational resorts, heritage tourism, hospitality industry, and nature tourism. The first task recommended by the Strategy, development of an Eastern Shore brand, has been accomplished. While many of the strategies detailed in the document are activities more appropriately handled by private interests and the Tourism Commission itself than by local government, the goals established are ones which should be supported by Northampton County. Accordingly, the Strategy is incorporated into this chapter by reference and included as an appendix to the comprehensive plan. In addition, the following goals and strategies are also intended to support implementation of the Strategy.

3.4.1 Tourism Goals and Strategies

Goal: Support tourism activities in appropriate locations through land use planning.

Strategies:

- 1) Provide for activities that are tourist-draws, such as festivals, wineries, tours, non-motorized recreational trails, arts and agritourism events and activities, bed and breakfast inns, etc., through zoning.
- 2) Protect resources that support the tourism industry by managing land uses in environmentally sensitive areas.
- 3) Allow for adequate signage to promote tourism-related activities.

Goal: Ensure that Northampton County remains a safe, attractive place to visit.

Strategies:

- 1) Maintain the functionality of U. S. Route 13 by continued implementation of access management regulations and vigilant law enforcement efforts.
- 2) Support litter control efforts.

3.5 Existing Business and Business Development

It is important that the present businesses be supported and new businesses encouraged to locate and develop in the areas designated, since so many county residents depend on these employment opportunities. Although the largest individual employment sectors in the county are government (including education) and health care services, the construction, manufacturing, retail and wholesale trade, finance and insurance, transportation/warehousing, real estate, and accommodation and food services industries combined provide the greatest number of employment opportunities in Northampton County (Virginia Employment Commission, *Northampton Community Profile*, September 21, 2008). This section will discuss issues associated with retention of and support for existing businesses as well as factors affecting new business development in the county.

3.5.1 Supporting Existing Businesses

The county has a long-standing policy of encouraging business development and commercial activity in and around the incorporated towns. However, it is important to consider the needs of existing businesses regardless of their current location. In 2007 county citizens participated in public meetings designed to garner input to inform the regional Comprehensive Economic Development Strategy. The meetings were facilitated by project staff from Virginia Tech's Office of Economic Development, who in August 2007 produced a summary of the effort entitled *Community Economic Development for the Eastern Shore: Summit Report*. The *Report* focused on sustainable, asset-based expansion of existing businesses as an important strategy for economic development on the Eastern Shore.

Among the action priorities identified in that report related to business support was the establishment of an economic development position or a "point person" to assist both existing and new businesses to navigate the regulatory and permitting processes, among other things.

An issue of major concern for many businesses, those located on U.S. 13 as well as those located off the major thoroughway, is visibility of signage. As development is encouraged in our towns, it is imperative that the county develops an effective signage program that balances the needs of business owners with the need to limit the visual "clutter" on US 13 and other local roads.

The issue of workforce housing has been addressed in the Housing component of the plan, but it must be emphasized that availability of adequate and affordable housing as defined in the Housing Plan (see Part 1, Section 4) is essential for continuity of business activity. The relative scarcity of workforce housing is not unique to Northampton County. The tools available to the county to assist in and to promote workforce housing development are somewhat constrained by Virginia law, but the county's Community Housing Committee continues to work to identify solutions to this challenge.

The *Summit Report* also discussed the desirability of a clear, concise tax code. Businesses generate a vital component of the tax revenue for Northampton County. The

means used to collect these taxes need to be designed in such a way that they do not create an undue workload for small local businesses.

The Tourism Commission recently developed the Eastern Shore Brand to elevate the profile of the region and Northampton County. Consistency of use is a key component to the branding effort, and the county should consider taking a leadership role in the widespread use of the brand.

3.5.2. Attracting New Businesses

Clearly some of the actions which would support existing businesses would also assist in attracting new businesses. A designated individual who is responsible as a resource for businesses would be a benefit for business attraction. The county possesses unique core assets such as natural, cultural, and recreational resources on which business attraction should be based. At the same time, factors which are currently liabilities with respect to business development must also be considered and addressed. **A critical component for any business start-up or expansion is private sector capital investment. Communities can create incentives for that investment by using public or non-profit programs such as the Main Street program, Enterprise Zone benefits, and state and Federal tax credits.**

Part of the tension relative to economic development is the need to balance the need and the expressed desire to protect and preserve the county's unique and, in some cases fragile, natural resources and rural character with the need and desire to provide job opportunities for citizens and also to generate sufficient revenues to provide desired services. In that vein, there are business sectors that might be targeted, as follows:

- 1) Marine industry – The proximity of the county to the major shipping lanes of the mid-Atlantic, as well as the deep-water harbor in Cape Charles and maritime heritage, lend themselves to this type of industry. It is essential that this industry is developed with the most stringent environmental protections in order to protect our coastal water quality. As this industry develops, the county can become an example for sustainable industrial development in other regions. There are ongoing and proposed projects to develop the marine services industry on the Eastern Shore from marina services to yacht repair.
- 2) Research and scientific community - The Eastern Shore has unique natural assets that have attracted an active scientific and research community including three university-level research stations. This growing industry provides great synergy with other vital aspects of the economy, and maximizes our core assets in a sustainable fashion.
- 3) High-end specialty manufacturing - Two of the largest employers in the county, Bay Shore Concrete and New Ravenna Mosaics, are in this sector of our economy. These businesses import raw materials, train and use local labor, and

export their products worldwide.

- 4) Alternative energy - There are many residents in Northampton County who consider themselves environmentally aware. The unique nature of the county combined with the high level of environmental awareness in our business sector should allow Northampton to position itself to take advantage of this growing industry. There are a variety of alternative energy opportunities including:

Wind power generation;
Hydro (wave, current) power generation;
Solar power generation;
Geothermal heating;
Algae-based bio-fuel production;
Home-based alternative energy.

- 5) Entrepreneurial activity – The proximity of the county to Hampton Roads and other major metropolitan centers is a significant advantage in attracting entrepreneurs. With the increased capacity of modern technology, it is quite possible to locate a consulting, legal, engineering, or other firm in the county and participate in the global economy. ~~The local economy also needs entrepreneurs to serve the local community.~~ **Essential community goods and services**

provided by the private sector offer entrepreneurial opportunities for residents and newcomers alike. Trades such as carpentry, plumbing, HVAC installation, landscape maintenance, and vehicle repair; services such as private transport, elder-care, on-site computer repair, pet grooming, and catering; and independent contracting, such as clam-growing and harvesting, offer moderate-cost business start-ups for entrepreneurs who acquire the appropriate skills. U. S. Census Bureau 2006 data indicate 1,004 “Nonemployer Business Firms” in the county; owner-operators are not counted as part of the county workforce in the Virginia Employment Commission data. Retail and service establishments, such as those which make use of or sell the local agriculture/aquaculture commodities and locally-made products, and which may also offer accessory goods and services which enhance the basic products, provide additional entrepreneurial and small business opportunities for local residents and newcomers who might be looking for business start-up prospects in the county. Self-employment in professional services such as bookkeeping provides yet other entrepreneurial alternatives.

- 6) Information Technology and Internet-based businesses – Internet-dependent businesses, including information processing, information and data management, graphic design, website creation and management, software development, database management, data warehousing, Internet content development,**

Internet transactions, desktop publishing, and telecommuting, will provide expanded opportunities for home- and office-based businesses in rural areas.

3.5.3 Workforce Development

Workforce development is an area highlighted in the *Summit Report* as a priority action item. Increasing our base of well-trained and motivated workers will be necessary to retain existing and attract new businesses. As economic development occurs within the county, our school system needs to evolve to support the business opportunities that exist. Currently the vast majority of our employers are small and local. This strong community of local entrepreneurs needs multi-talented staff with strong computer and customer service skills. The potential target industries identified above have specific needs for their workforce. Our school system needs to ensure that the young men and women who graduate from our schools have the foundation they need to work within these industries. Cooperation and coordination with the Community College is essential in creating a strong workforce. Workforce education needs to be targeted towards the jobs we hope to develop here as well as those that we already have. Further, throughout their time in our school system, our children should be developing the skills they need to compete in the job market. **Entrepreneurial training programs must be offered, and apprenticeship programs should be encouraged with the schools and all businesses so that young people and other job seekers can learn trades, skills, and services necessary for the Eastern Shore community.**

Workforce education might include on-site seminars that could include workers from more than one site or farm to train or be taught in such areas as job safety, application of pesticides, erosion and sediment control, Best Management Practice maintenance, trades associated with farming, language skills, commercial driver's license, and sexual harassment.

By maximizing the opportunities available to our children, our community can create a workforce that will attract new business to the county. By targeting specific industries the county can create opportunities for the school system and community college to develop training programs that address the specific needs of such industries.

3.5.4 Assets

State and federal rural development experts have encouraged the county to adopt the concept of community-asset-based economic development. Quality of life is often at the top of the list of reasons that businesses have located or remained on the Eastern Shore. However, it is imperative to recognize the discrepancy between different segments of our population when it comes to quality of life. There is clearly a need to create opportunities for the lower-income population of the county. At the same time, there is an obvious attraction that our rural coastal community has for the more affluent individuals who either live and work here already or would consider moving their business to the county. The high-value quality of life available here is one of our core

assets and should be protected as such. Continued preservation of open spaces is a key component of the quality of life that the county has to offer. Developmental sprawl can quickly eliminate this key resource. Well thought-out, effective land-use planning is essential for the economic success of the county.

The small town atmosphere is another aspect of Eastern Shore life that holds great appeal for many persons. As our small towns continue to grow, they should focus their growth in such a way that they are able to maintain their “small town atmosphere.” Tools to consider in this effort include maintaining town centers, compact footprints, and plans that include integrated retail and commercial opportunities.

The quality of our coastal waters is essential to our economic well-being. This is arguably our most valuable natural asset, and it needs to be managed in a sustainable manner. In addition, Northampton County is sustained by a sole source aquifer. As development occurs it is vital that we protect the recharge zone for this aquifer and that we develop within the sustainable capacity of our sole water source.

Broadband is where the next wave of opportunity starts for our community, and Northampton County is taking a lead role on the broadband initiative. The Eastern Shore of Virginia Broadband Authority (ESVBA) has been established for the purpose of promoting economic development opportunities for communities located on the Eastern Shore of Virginia. Historically, there has been a lack of redundant, alternative fiber optic access to rural communities on the Eastern Shore of Virginia. In order to attract new- economy technology companies to the region, alternative carriers need to have affordable access to provide competitive broadband services to the area. The ~~mission~~ **goal** of the ESVBA is to be responsible for providing the most affordable, cost-effective and technologically up-to-date (presently and in the future) Broadband Internet service possible for all residents, businesses, and institutions on Virginia’s Eastern Shore.

The Bay Coast Railroad (BCRR), a north-south route on the Delmarva Peninsula, consists of seventy (70) miles of mainline tracks and a 26-mile car float operation that crosses the Chesapeake Bay from Cape Charles to Little Creek, Virginia. The BCRR route is strategically located to take advantage of other rail connections to provide the most direct route between Norfolk, Virginia, and the Northeast. This facility is an important asset which may serve potential new industry as well as future development in Cape Charles, Northampton County’s largest town.

3.5.5 Business Goals and Strategies

The following goals and strategies are intended to support the county’s assets and promote business development.

Goal: Create a “business friendly” environment in Northampton County while preserving the county’s unique assets.

Strategies:

- 1) **Create an Economic Development Plan for Northampton County.**
- 2) Evaluate where an economic development ombudsman for Northampton County should be based and pursue a regional approach to economic development.
- 3) Maintain a simplified system of business taxation.
- 4) Enhance customer service at various county offices.
- 5) Evaluate county signage regulations with consideration for potentially different requirements based on location, size, and seasonal needs of varying businesses.
- 6) Support installation of gateway signs as well as the efforts of the Tourism Commission to have travel-oriented signage installed.
- 7) Encourage development of state-of-the art communications systems, including internet access and use; support completion of the Broadband project.
- 8) Work with the towns to facilitate infrastructure development.
- 9) Encourage the reuse of existing buildings **and use of undeveloped sites zoned, or which may be rezoned,** for business development.
- 10) **Encourage property marketing professionals to inventory available commercial real estate, including properties available in the incorporated towns and to create a marketing plan which includes a presence on the state business development website.**
- 11) Promote development of workforce housing opportunities to the extent possible.
- 12) Encourage maximum use of **tax incentive programs, such as** the Enterprise Zone, **Work Opportunity Tax Credits, Welfare-to-Work Tax Credit,** and Historic Tax Credit programs, including credits **or other tax relief** to encourage adaptive reuse **and/or rehabilitation** of existing buildings for **new businesses and** workforce housing.
- 13) Provide for small businesses and home occupations, such as those related to the arts, regional crafts, artisanal foods, personal services, etc., through appropriate zoning.

- 14) Encourage participation in the Small Business Loan Program offered by the Virginia Eastern Shore Economic Empowerment Corporation.
- 15) Support and promote the Small Business Development Center at the Eastern Shore Chamber of Commerce.
- 16) Consider other county-initiated incentives to encourage and support business development, such as a county low-interest loan program to encourage small business development.

Goal: Improve workforce skills.

Strategies:

- 1) Support continued development of the Eastern Shore Community College learning center in Cape Charles.
- 2) Support the Eastern Shore Community College Workforce Development Center.
- 3) Facilitate communication between business owners and the educational system concerning skill requirements, including promotion of the Career Readiness Certification (CRC), a unique business and industry certification available at Eastern Shore Community College.
- 4) Ensure that the county remains engaged in state and regional Workforce Investment Act system.
- 5) Encourage more entrepreneurship skill training opportunities, such as those provided by the Center for Entrepreneurship at Norfolk State University.
- 6) Support incentives for businesses that utilize local labor, implement training and safety programs, and provide educational assistance for employees.
- 7) Support the county school system's Career and Technical Education Program.
- 8) Encourage participation by local employers in the Virginia Department of Labor Registered Apprenticeship program, which provides custom-designed on-the-job training and classroom programs to train their workforce.

Goal: Ensure that an adequate water supply is maintained and that water quality protection is considered an economic development tool.

Strategies:

- 1) Develop a stormwater management program.
- 2) Protect through zoning the sole-source aquifer recharge area along U.S. Route 13.
- 3) Reduce runoff into saltwater systems.
- 4) Ensure that waste water treatment systems are properly located and maintained.
- 5) Encourage businesses to recirculate, reuse, and conserve water.

It is important to recognize that our core assets are an economic development tool to retain and attract business. Accordingly, it is in the county's best interest to preserve and protect our natural, cultural, and recreational resources.

4 Economic Analysis

4.1 Introduction

By evaluating the local economy and employment trends, factors may be identified which influence population growth and provide some basis for policy changes by the governing body. Economic expansion or changes in the economic structure of a community trigger the conversion of land to new uses and in turn creates the need for new public facilities and services. Understanding these dynamic forces is therefore a prerequisite for land use planning.

4.2 Civilian Labor Force, Unemployment Rate, and Wages

The civilian labor force defined is all people aged sixteen or more who are able to work and are neither in the military nor institutionalized. ~~As cited from~~ According to the Virginia Employment Commission (VEC), the civilian labor force ~~of~~ in Northampton County as of August 2008 was 6,234 workers, of which 5,798 were employed and 436 were unemployed. At that time, the county unemployment rate was 7%, compared with a rate of 4.6% statewide. Looking back over time, the average number in the civilian labor force as of the fourth quarter of 2007 was 6,081, with 5,837 employed and 244 unemployed, for an unemployment rate of 4%. In January 2006 the civilian labor force consisted of 5,848 people. Of those, 5,560 were employed and 288 were unemployed. This equates, equating to an unemployment rate of 4.9%. In April 2000, the

civilian labor force was 5,329. The number of employed in April 2000 was 5,132 and 197 unemployed, which was an unemployment rate of 3.7%, which many economists consider virtual full employment. The 10-year annual averages for the labor force, employment, and unemployment for the period 1998-2007 are:

<u>civilian labor force</u>	<u>5,733</u>
<u>number employed</u>	<u>5,482</u>
<u>number unemployed</u>	<u>251</u>
<u>unemployment rate</u>	<u>4.4%</u>

For the fourth quarter of 2007, the VEC reports a total of 5,399 workers in all industry categories in Northampton County. Compared to the number of available workers in the civilian labor force during the same period and taking the number of unemployed workers in the county, this number suggests that a net of 438 workers traveled outside the county to find employment. In the third quarter of 2005, VEC reports 6,708 working employees in the county, not counting those employed in education services, utilities or private sector management. This indicates the possibility of more than 1,500 more employees working in the county than the number of available workers in the county workforce. The construction, hospitality, resort maintenance and health care industries depend, to some extent, on imported workers.

June 2008 was 6,134 individuals, of which 5,181 were employed and 316 were unemployed, resulting in an unemployment rate of 5.2 %. At that time the statewide unemployment rate for Virginia was 4.2%. Based on the monthly, not seasonally adjusted labor force data for June of the five years between 2004 and 2008, the county's average total civilian labor force was 6,172 persons and unemployment averaged 275 persons, or 4.5%. For that same period, statewide unemployment average 3.6%.

Monthly Not Seasonally Adjusted Labor Force Data, Northampton County

<u>June</u>	<u>Civilian Labor Force</u>	<u>Employment</u>	<u>Unemployment</u>	<u>Unemployment Rate (%)</u>	<u>VA Unemployment Rate (5)</u>
<u>2008</u>	<u>6,134</u>	<u>5,818</u>	<u>316</u>	<u>5.2</u>	<u>4.2</u>
<u>2007</u>	<u>6,190</u>	<u>5,967</u>	<u>223</u>	<u>3.6</u>	<u>3.1</u>
<u>2006</u>	<u>6,217</u>	<u>5,945</u>	<u>272</u>	<u>4.4</u>	<u>3.2</u>
<u>2005</u>	<u>6,156</u>	<u>5,840</u>	<u>316</u>	<u>5.1</u>	<u>3.7</u>
<u>2004</u>	<u>6,161</u>	<u>5,915</u>	<u>246</u>	<u>4.0</u>	<u>4.0</u>

Source: Virginia Employment Commission, Local Area Unemployment Statistics (LAUS) Unit & Bureau of Labor Statistics

The average weekly wage for Northampton County in the 3rd quarter of 2005 was \$477. This would be equivalent to \$11.93 per hour or \$24,804 annually, assuming a 40 hour week was worked the year round. The Virginia statewide average weekly wage for the same time period was \$815 or equivalent to \$20.38 hourly and \$42,380 annually. As of the fourth quarter of 2007, the average weekly wage in Northampton County was \$613, the equivalent of \$15.33 hourly and \$31,876 annually, assuming a 40-week worked for 52 weeks. At the same time, the Virginia statewide average weekly wage was \$922, equating to \$23.05 per hour and \$47,944 annually.

According to the U.S. Census Bureau, the median household income in Northampton County in 1999 was \$28,276. Based on data from the Virginia Employment Commission and the U. S. Department of Agriculture Economic Research Service, that measure has been steadily rising. In 2004 the median household income was \$31,847, in 2005; it was \$32,096; in 2007, the last year for which the data is available, the county median household income was \$33,950, or 57% of the statewide median household income.

The February 26, 2009, Northampton County Profile published by the Virginia Employment Commission, Economic Information Services Division, cites 2000 Census data indicating 1,568 in-commuters, mostly from Accomack County, and 1,154 out-commuters, mostly to Accomack County, for a net of 414 in-commuters. This commuting pattern suggests that differing job requirements coupled with specific job skills of workers requires travel to jobs in particular industry sectors.

4.3 Major Industries

The total number of employees working in Northampton County in 2005 was 6,708. The largest major industry sector was Agriculture, Forestry, Fishing & Hunting with 32%. That was followed by Health Care & Social Assistance with 15% and Retail Trade (44 & 45) with 9%. Table 4.3 I shows the major industries in Northampton County with the number of establishments in each industry sector, the number of employees in each sector and each sector's percentage of the total number of people working in Northampton County. The data is from the Virginia Employment Commission for the 3rd quarter 2005 time period. Chart 4.3 I shows each sector's portion of the total number of people working in Northampton County.

A shift had occurred by the fourth quarter of 2007 such that the largest employment sector was Health Care and Social Assistance with 19% of the total number employed, followed by Agriculture, Forestry, Fishing and Hunting with 17% and Retail Trade with 11%. However, it is important to note that third-quarter figures would include peak seasonal and migrant employment.

It is instructional to examine the number of establishments within the various sectors in conjunction with numbers of employees. For example, based on 4th-quarter 2007 figures, there were 70 retail establishments employing 614 persons, which represents an average of 9 employees per business. In contrast, there were 10 manufacturing

establishments employing 544 persons, representing an average of 54 persons per business. Table 4.2 displays the various industry groups in descending order based on number of employees, while Chart 4.2 shows each sector's percentage of the total number of business establishments.

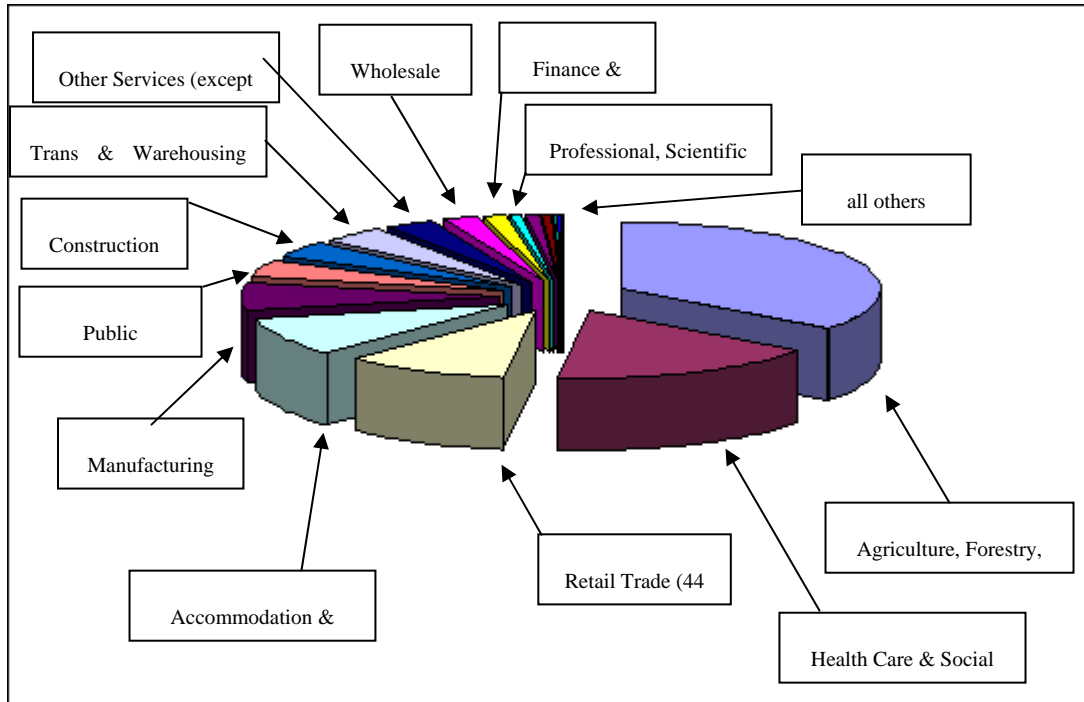
Table 4.1
Major Industries, 2005, 3rd Quarter Time Period
Northampton County, Virginia

Industry Group	Establishments	Employees	Approx. %
Agriculture, Forestry, Fishing & Hunting	33	2,156	32.1
Health Care and Social Assistance	33	1,001	14.9
Retail Trade (44 & 45)	71	630	9.4
Accommodation and Food Services	32	583	8.7
Manufacturing (31-33)	11	400	6.0
Public Administration	21	279	4.2
Construction	60	237	3.5
Transportation and Warehousing (48 & 49)	12	235	3.5
Other Services (except Public Admin.)	43	189	2.8
Wholesale Trade	14	124	1.8
Finance and Insurance	16	86	1.3
Professional, Scientific & Technical Svc.	22	54	0.8
Real Estate and Rental and Leasing	14	52	0.8
Arts, Entertainment, and Recreation	4	32	0.5
Admin., Support, Waste Mgmt, Remediation	3	19	0.3
Information	3	14	0.2
Education Services	*	*	*
Utilities	*	*	*
Management of Companies and Enterprises	*	*	*
Total Employed		6,708	

Source: Virginia Employment Commission, 2005, 3rd quarter data

* Confidential, numbers not large enough to avoid confidentiality breach

Chart 4.1
Major Industries, 3rd
quarter 2005
Northampton County, Virginia



Source: Virginia Employment Commission, 2005, 3rd quarter data
* Excludes the three industries listed as confidential in Table 4.3

Table 4.2
Employment by Industry
4th quarter 2007- 3rd quarter 2007

Industry Group	Establishments	Employees	% of total
Health Care & Social Assistance	45	1,010	19
Agriculture, Forestry, Fishing, Hunting	31	898	17
Retail Trade	70	614	11
Manufacturing	10	544	10
Accommodation & Food Services	34	456	8
Public Administration	25	304	6
Transportation & Warehousing	21	215	4
Construction	46	214	4
Wholesale Trade	20	122	2
Other Services (except Public Admin.)	38	115	2
Finance & Insurance	18	82	1.5
Professional, Scientific, Technical Sves	25	80	1.5
Real Estate & Rental & Leasing	13	51	1

Admin., Support, Waste Mgmt, Remediation	-9	-37	-0.7
Arts, Entertainment, Recreation	-3	-16	-0.3
Education Services	Confidential	Confidential	---
Mgmt of Companies & Enterprises	Confidential	Confidential	---
Utilities	Confidential	Confidential	---
Information	Confidential	Confidential	---
Total, all industries	420	5,399	100

Source: Virginia Employment Commission

Industry Group	# Establishments	Average Employment	% Total Employment
Agriculture, Forestry Fishing & Hunting	31	2,096	32
Health Care & Social Assistance	43	1,034	16
Retail Trade	71	616	9
Manufacturing	12	545	8
Accommodation & Food Services	34	521	8
Educational Services	5	341	5
Public Administration	26	307	5
Construction	49	241	4
Transportation & Warehousing	22	222	3
Other Services, except Public Administration	38	173	3
Wholesale Trade	19	123	2
Finance & Insurance	18	82	1
Professional & Technical Services	23	60	1
Real Estate & Rental & Leasing	13	51	0.7
Administrative & Waste Services	8	39	0.5
Arts, Entertainment, & Recreation	3	27	0.4
Utilities	***	***	***
Information	***	***	***
Management of Companies & Enterprises	***	***	***
Total, All Industries	422	6,618	

Source: Virginia Employment Commission, Labor Market Statistics, Covered Employment & Wages

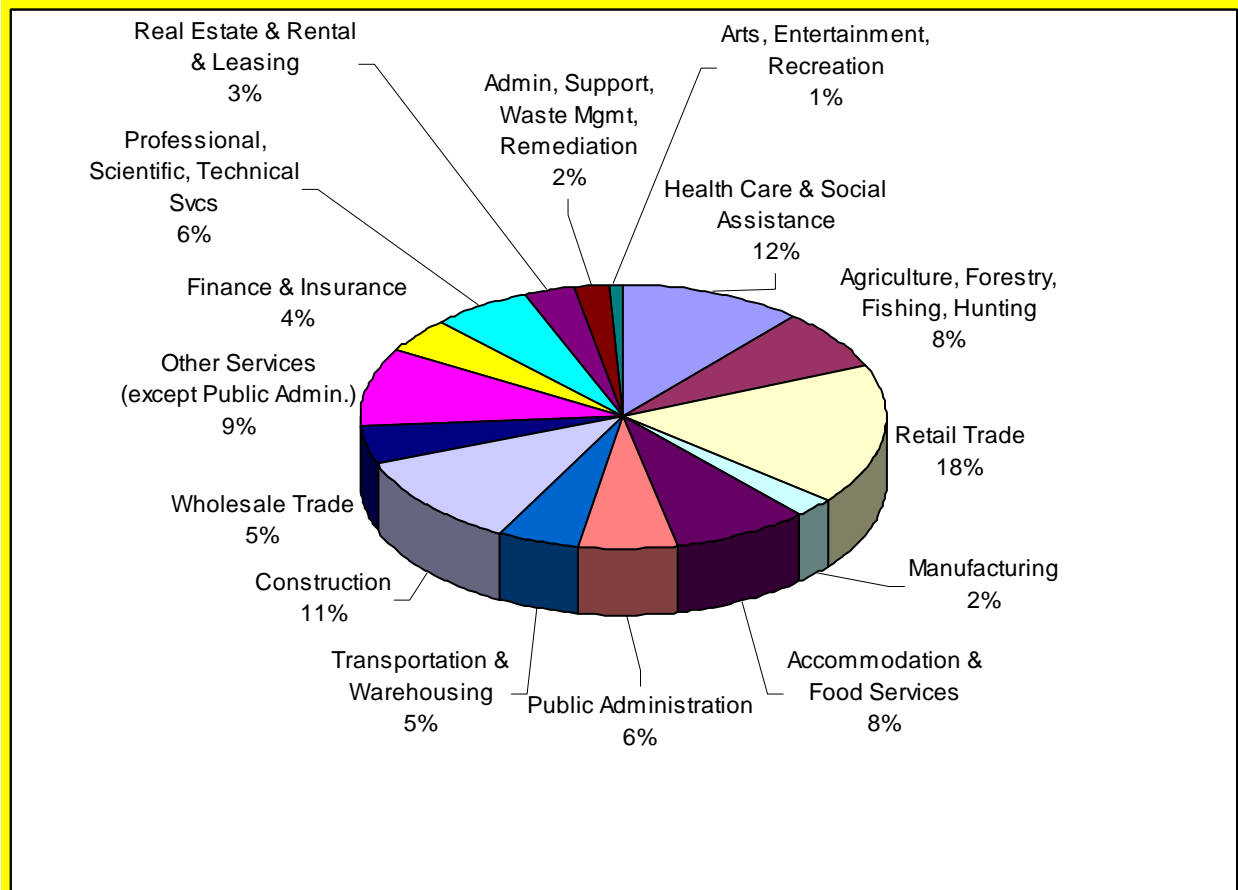
Program
Notes: Asterisks indicate non-disclosable data.

Covered Employment & Wages means that covered by unemployment insurance, not including wage and salary agricultural employees, self-employed farmers, self-employed non-agricultural workers, domestic workers, unpaid family workers, workers covered by Railroad Unemployment Insurance, certain state and local government workers, and some non-profit workers.

It is important to note that the Retail Trade and Accommodations & Food Services industry groups provide 25% of employment opportunities in terms of number of establishments. According to the VEC's February 26, 2009, Northampton Community Profile (based on 3rd quarter 2008 Quarterly Census of Employment & Wages) the twenty (20) largest employers in the county are:

1. **Lfc. Agricultural Services, Inc.**
2. **Shore Memorial Hospital**
3. **Atg Holding Company, Inc.**
4. **Northampton County Schools**
5. **Bayshore Concrete Products Company**
6. **County of Northampton**
7. **Chesapeake Bay Bridge Tunnel**
8. **Heritage Hall**
9. **New Raveena, Inc.**
10. **Food Lion**
11. **Ballard Brothers Fish Company, Inc.**
12. **Eastern Shore Rural Health System**
13. **McDonald's**
14. **Ballard Fish & Oyster Company, Inc.**
15. **C & E Farms**
16. **Tankard Nurseries**
17. **YMCA**
18. **Bay Creek Marina & Resort**
19. **Broadwater Academy**
20. **David's Nursery**

Chart 4.2
Industry Groups as Percentage of All Business Establishments
4th Quarter, 2007



~~Note: Exclude the four industry groups for which data is considered confidential.~~
~~Source: Virginia Employment Commission~~

4.4 Agriculture

A Census of Agriculture was taken in 2007, but the results have not yet been released.

According to the 2002 Census of Agriculture, there were 187 farms in Northampton County in 2002. That figure was up 14% from 164 farms in 1997. The amount of acreage in farmland in 2002 was 52,459 acres. That figure was down 9% from 1997. The average farm size was 281 acres in 2002, which was down 20% from 350 acres in 1997.

The market value of production in 2002 was \$44,192,000, which was up 14% from the 1997 amount of \$38,751,000. Crop sales accounted for \$32,949,000 of the total and livestock sales accounted for \$11,242,000. The market value of production average per

farm was up slightly at \$236,320 in 2002 from \$236,289 in 1997. ~~This information comes from the U.S. Department of Agriculture, 2002 Census of Agriculture.~~

Government payments totaled \$478,000 in 2002 and \$368,000 in 1997, which is an increase of 30%. The average per farm receiving these payments was \$9,949 in 2002 and \$5,339 in 1997, which was an increase of 86%. ~~This information comes from the U.S. Department of Agriculture, 2002 Census of Agriculture.~~

4.5 Aquaculture

The seafood industry has seen a shift from harvesting from the sea towards the farming of fish and shellfish. This is known as aquaculture. ~~It~~ **and it** has become a major industry for the Eastern Shore.

Clam **aquaculture**, in particular, has become a major source of revenue in Northampton County, **although it is difficult to obtain specific data due to confidentiality concerns.** Virginia Institute of Marine Science (VIMS) reported in their 2004 Marine Report that there were 150 million market clams sold for a total of 24 million dollars gross. ~~The 2005 sales amounts are estimated to be \$30 million.~~ **The number of hard clams sold in Virginia in 2005 was 193,639,300, and by 2007 the number had risen to 211,876,000. The average clam price remained steady over that period at \$0.13, according to VIMS' May 2008 report Virginia Shellfish Aquaculture: Situation and Outlook Report – Results of 2007 Virginia Shellfish Aquaculture Crop Reporting Survey.** The clam industry is a year-round employer and now employs about 400 people in Northampton County. Clams are filter feeders like oysters and thus create an important ecological benefit. Decreased water quality due to land-based activities can potentially cause negative impacts on the clam **aquaculture**. The shoreline-based hatcheries would incur major production problems if exposed to poor water quality.

4.6 Tourism

Tourism is increasingly becoming an important economic factor in Northampton County. Bird enthusiasts have been enjoying the Eastern Shore for years, but the attraction is now expanding to other groups in search of other treasures that have been discovered here.

The region is home to one of the last remaining undeveloped stretches of coastline along the East coast of the United States. Its traditional, aquatic and rural lifestyle offers visitors a rare opportunity to relax, experience local, southern hospitality, fish, cruise the pristine barrier islands, bird watch, and savour some of the country's best, local seafood.

Eco-tourism is a form of nature tourism. It is defined by the International Eco-tourism Society as “responsible travel to natural areas which conserves the environment and sustains the well-being of local people”. Eco-tourism has become popular in Northampton County as in other places around the world. The County provides access to the following top ranking eco-tourism activities:

- Visiting state parks
- Hiking
- Exploring preserved areas
- Wildlife viewing (non birding)
- Nature trails in ecosystems
- Unique natural places (dunes, sinkholes)
- Environmental education
- Birding
- Biking
- Fishing, both freshwater and saltwater
- Marsh exploring
- Climbing
- Kayaking
- Swimming

The Eastern Shore of Virginia is home to four major ecosystems

- Chesapeake Bay Ecosystem
- Coastal Uplands Ecosystem
- Barrier Islands Ecosystem (including in-shore marshes)
- Atlantic Ocean Ecosystem

Three other categories of tourism, in addition to eco-tourism, are worth mentioning here as Northampton County is experiencing an increase in interest to these as well. Agricultural tourism is the attraction of visitors to an area used primarily for agricultural purposes. Heritage tourism engages travellers in the visual and performing arts related to heritage sites, as well as the areas values, lifestyles, traditions and events. Aqua-tourism offers water-based activities ranging from visiting aquaculture facilities, fishing, clamming, and kayaking to boating.

According to research done by the Virginia Tourism Corporation, travel-related expenditures increased in the county by 3.4% comparing 2007 and 2006, but for the period 2003-2007, spending by travellers, including expenditures for meals, lodging, transportation, shopping, admissions, and entertainment, rose by 20%, Travel-related state tax receipts increased 1.2% in the 2006-2007 years and 10% for the 2003-2007 timeframe. Local tax receipts related to travel in the county increased 2.9% 2006-2007 and 15% for 2003-2007.

Discretionary, leisure travel is likely to be affected somewhat by overall economic conditions. At the same time, however, more people may opt for more localized travel in lieu of longer and more expensive trips.

Written comments had been received and were read into the record as follows:

“April 14, 2009

Northampton County Board of Supervisors

Subject: Economic Development Plan

Mr. Chairman and members of the Board:

I am Robert C. Richardson from Seaview. The economic future of Northampton County is contingent upon attracting businesses that will be able to provide GAINFUL employment to workers in the county. The statistics provided in the economic analysis seem to indicate that employment in the county is plentiful and income is adequate. Those assumptions and statistics are defective. A majority of citizens are at or below the poverty line and many properties are going into foreclosure. The county is in the worst economic condition today that I have seen it in the last fifty years. A major cause of businesses and people not coming into the county is the Zoning ordinance. A person or business contemplating a move into the county is completely discouraged by the ordinance. Many citizens have information or ideas that may be used to help the county attract employers but this information is not revealed because supervisors do not hold public meetings in their districts. It is very sad that the leaders of the county have allowed the county to regress to this level.

Thank you,

Sincerely,

/s/ Robert C. Richardson
6365 Riverside Farm Lane
Cape Charles, Virginia 23310”

Mr. Burden shared with the Board his recommended changes to the foregoing documents as shown below:

3.2.1. Agriculture Sector Goals & Strategies

Goal: Reduce conflicts between agricultural uses and environmental concerns and other land uses.

Strategies:

- 1) Regulate migrant housing through zoning but ensure that it continues to be allowed in the Agricultural District.
- 2) Allow for maintenance of existing ditches and the installation of retention ponds for stormwater management that **prevent stormwater runoff from entering our coastal waters, and can allow that water** to be used for irrigation.
- 8) Encourage equine-related **agri-tourism** activities to preserve open space.

3.3.2 Aquaculture

In 2005 the Virginia Institute of Marine Science (VIMS) reported that aquaculture production in Northampton County was valued at \$33,000,000. In the May 2008 *Virginia Shellfish Aquaculture Situation and Outlook Report* released by the Virginia Institute of Marine Science (VIMS), it was reported that the number of hard clams sold in Virginia in 2007 was 211,876,000, representing an increase of almost 9% over the 2006 total. The report indicated that clam farming showed an expansion of 22.6% with respect to full-time employment and 14% in part-time employment during 2007. By contrast, the oyster aquaculture sector showed a decline in employment opportunities during 2007, despite a nearly 53% increase in the number of aquacultured market oysters sold by Virginia growers. The VIMS report suggests that estimating labor needs for oyster aquaculture is difficult at this time due to the **(RICHARD – suggests change)** stage of development of this industry.

3.3.4 Seafood & Aquaculture Goals and Strategies

Strategies:

- 1) Develop stormwater management initiatives that will control **and reduce** residential and agricultural runoff into the creeks, Chesapeake Bay, and Atlantic Ocean.
- 3) Work with agricultural community to limit siltation of waterways.
- 4) Discourage installation of bulkheading, **jetties, and groins** that interfere(s) with the natural movement of sand on bayfront properties.
- 9) Work to eliminate additional(RICHARD – suggests change) overboard point-source discharges into creeks, Chesapeake Bay, and Atlantic Ocean.**

Strategies:

- 1) Support (RICHARD – suggests change) oyster restoration efforts.
- 6) Through zoning allow for the appropriate development of aquaculture facilities including hatchery and aquatic nursery operations.

3.5.2. Attracting New Businesses

Clearly some of the actions which would support existing businesses would also assist in attracting new businesses. A designated individual or organization to be responsible as a resource for businesses would be a benefit for business attraction. The county possesses unique core assets such as natural, cultural, and recreational resources on which business attraction should be based. At the same time, factors which are currently liabilities with respect to business development must also be considered and addressed. **A critical component for any business start-up or expansion is private sector capital investment. Communities can create incentives for that investment by using public or non-profit programs such as the Main Street program, Enterprise Zone benefits, and state and Federal tax credits.**

Part of the historic tension relative to economic development has been the need to balance the need and the expressed desire to protect and preserve the county's unique and, in some cases fragile, natural resources and rural character with the need and desire to provide job opportunities for citizens and also to generate sufficient revenues to provide desired services. **By recognizing the realities and potential of the modern economy, it becomes evident that with minimal effort, environmental protection and economic prosperity can be reached as cohesive rather than competing goals.** In that vein, there are business sectors that might be targeted, as follows:

- 3) High-end specialty manufacturing - Two of the largest employers in the county, Bay Shore Concrete and New Ravenna Mosaics, are in this sector of our economy. These businesses import raw materials, train and use local labor to transform these raw materials into products with much greater market value, and export their products worldwide.
- 5) Entrepreneurial activity – The proximity of the county to Hampton Roads and other major metropolitan centers is a significant advantage in attracting entrepreneurs. With the increased capacity of modern

technology, it is quite possible to locate a consulting, legal, engineering, or other firm in the county and participate in the global economy. The local economy also needs entrepreneurs to serve the local community. **Essential community goods and services provided by the private sector offer entrepreneurial opportunities for residents and newcomers alike. Trades such as carpentry, plumbing, HVAC installation, landscape maintenance, and vehicle repair; services such as private transport, elder-care, on-site computer repair, pet grooming, and catering; and independent contracting, offer moderate-cost business start-ups for entrepreneurs who acquire the appropriate skills. U. S. Census Bureau 2006 data indicate 1,004 “Nonemployer Business Firms” in the county; owner-operators are not counted as part of the county workforce in the Virginia Employment Commission data. Retail and service establishments, such as those which make use of or sell the local agriculture/aquaculture commodities and locally-made products, and which may also offer accessory goods and services which enhance the basic products, provide additional entrepreneurial and small business opportunities for local residents and newcomers who might be looking for business start-up prospects in the county. Self-employment in professional services such as bookkeeping provides yet other entrepreneurial alternatives.**

7) Healthcare - With Shore Memorial Hospital as the centerpiece of an expansive and vital healthcare industry in the county, it is important to recognized both the significance of this sector to our economy, and the potential for growth that exists. Primary and secondary care facilities, home care businesses, and nursing homes are all key resources for our community.

8) Engineering and Technical Consulting – With the development of the Orbital Science Space Port at Wallops Island, and the continued development of the Hampton Roads Naval and shipping centers to the South, Northampton County is uniquely situated as the hub that connects two internationally significant centers of cutting edge engineering and technology. By offering a centralized location for businesses with the desire to work in both of these highly competitive areas, Northampton County has the opportunity to become a resource center and regional headquarters for leading military, aerospace, and industrial engineering firms.

3.5.5 Business Goals and Strategies

6) Support installation of gateway signs as well as the efforts of the Tourism Commission to have travel-oriented signage installed as part of a comprehensive regional signage program.

Goal: Improve workforce skills.

Strategies:

- 1) Support continued development of the Eastern Shore Community College learning center in Machipongo.

It is important to recognize that our core assets **comprise** ~~are~~ an economic development tool to retain and attract business. Accordingly, it is in the county's best interest to preserve and protect our natural, cultural, and recreational resources.

It was the consensus of the Board to accept Mr. Burden's recommended modifications.

Mr. Tankard provided his recommended changes to the foregoing documents as set out below:

Recommended changes/deletions to Economic Plan (as revised 3/09)

3.2.1 Agric. Sector Goals and Strategies

Goal: Ensure that farming remains a viable livelihood and that farmland continues to be an available resource.

Strategies: Promote niche farming by ensuring through zoning small lots (*as little as 1 acre*) remain available for agricultural activities. Remove (*approximately one acre*)

Goal: Ensure that farmers have opportunities to expand their businesses.

Strategies: Delete number 1, substitute with *Support reasonable land rental rates through continued implementation of use-value taxation.* Delete number 2 entirely.

3.3 Seafood and Aquaculture

Delete entire sentence, *"It must be recognized that each locality has a responsibility for any action that impacts the quality of the marine environment shared by us all"*

3.3.2 Aquaculture

The VIMS report suggests that estimating labor needs for oyster aquaculture is difficult at this time due to the *early* stage(s) of development of this industry.

3.3.4. Seafood & Aquaculture Goals and Strategies

Delete number 2.

In number nine delete the word *additional*.

Goal: Preserve aquatic resources and species and assist with efforts to promote seafood products so that the seafood industry remains viable.

Strategies: In number one, Support *native* oyster restoration efforts.

3.5.4 Assets

Second paragraph, reword second sentence to read, *If our small towns continue to grow...*

3.5.5 Business Goals and Strategies

Delete number 16.

Goal: Improve workforce skills

Strategies: In number one, delete *continued*. Change Cape Charles to *Machipongo*.

It was the consensus of the Board to accept Mr. Tankard's recommended modifications.

The Board heard comments from Mr. Dimitri Plionis who indicated that these documents were "vision" documents and that what is really needed is an action/implementation plan to effect the vision strategies.

Mr. Murray read the following comments:

Economic Plan and Economic Analysis of the Comprehensive Plan
Northampton County

Comments by H. Spencer Murray, Vice Chairman
April 14, 2009

Mr. Chairman and Fellow Board members:

I believe this Economic Plan and Economic Analysis are vastly improved over previous drafts, especially in the recognition that “a sustainable mix of growth and basic industries and services is important”. Section 3.5.2. Attracting New Businesses contains new wording that invites capital investment in targeted industries while acknowledging the need for balance in protecting our natural resources while providing job opportunities for citizens and revenues to fund county operations.

Faced with many opportunities, capital investment will flow to where it is welcome. The first place it looks to assess whether or not it is welcomed is the county Comprehensive Plan and Zoning Ordinances. I am concerned that extensive use of the word “existing” business and the lack of a primary commercial zoning district doesn’t represent an attractive welcome mat.

The Economic Analysis shows that without managed commercial growth in and around the towns and on Route 13 with proper limited access and buffering, the county may not have sufficient revenue growth to meet even inflationary needs. The civilian labor force has declined over the last five years, despite national economic growth.

The deny the revenue possibilities associated with managed commercial growth is to strangle the county’s future and further transfer the tax burden to personal property and real estate, a trend that has increased from 64% of revenues to 79% of revenues since the year 2000. This “inconvenient truth” must be acknowledged. I do not believe and the public has not accepted that Agriculture, Aquaculture, and Tourism alone will assure our prosperity. Counties, like corporations, stagnate and die when they fail to innovate and grow, losing market share and an economic reason to exist.

I am told that it is the Strategic Plan that represents the action items that promote the goals outlined in the Economic Plan. If so, we need to get busy on it immediately. We cannot simply “encourage” farmers and watermen to provide year-round employment with benefits and living wages when their costs are rising and their prices falling. I have no idea what the incentives would be or how the county can afford them, but we must avoid unrealistic notions and empty words. Our challenges are real and because I believe much of this Economic Plan acknowledges this reality, and because I hope for a revised Zoning Ordinance that supports this Economic Plan, I can support its adoption.

Thank you, Mr. Chairman

/s/ H. Spencer Murray, Vice Chairman, comments to be included in the public record”

Motion was made by Mr. Burden that Comprehensive Plan Amendment 08-03 NHCO as petitioned by the Northampton County Joint Local Planning Commission be adopted as amended tonight through Mr. Burden's and Mr. Tankard's recommendations. All members were present and voted "yes." The motion was unanimously passed.

Action Item:

(8) Consider adopting a Resolution of the Board of Supervisors of the County of Northampton, Virginia, authorizing the issuance and sale of the County's Revenue Anticipation Note.

The County Administrator indicated that this was an annual housekeeping measure taken by the Board in anticipation of the receipt of tax revenues later in the year.

Motion was made by Mr. Murray that the following Resolution be adopted. All members were present and voted "yes." The motion was unanimously passed. Said Resolution as adopted is set forth below:

**A RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF NORTHAMPTON, VIRGINIA
AUTHORIZING THE ISSUANCE AND SALE OF
THE COUNTY'S REVENUE ANTICIPATION NOTE**

WHEREAS, the Board of Supervisors of the County of Northampton, Virginia (the "County") has determined that it is necessary and advisable to borrow money and issue its revenue anticipation note in anticipation of the collection of the taxes and revenues of the County for the current year pursuant to Section 15.2-2629 of the Code of Virginia of 1950, as amended:

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF NORTHAMPTON, VIRGINIA:

1. Authorization of Note. The Board of Supervisors hereby determines that it is advisable to borrow money and to issue and sell the County's revenue anticipation note (the "Note") in the maximum principal amount of \$2,000,000 in anticipation of the collection of the taxes and revenues of the County for the current year. The issuance and sale of the Note are hereby authorized.

2. Details and Sale of Note. The Note shall be issued upon the terms established pursuant to this Resolution and upon such other terms as may be determined in the manner set forth in this Resolution. The Note shall be issued in fully registered form, shall be dated the date of its issuance and delivery, shall be in the form of a single registered note and shall mature not more than twelve months from its date, subject to prepayment as set forth therein. The Treasurer, or such officer as the Treasurer may designate, is authorized and directed to accept a proposal for the purchase of the Note and to approve the terms of the Note, provided that the principal amount of the Note shall not exceed \$2,000,000, the Note shall mature not more than twelve months from its date and the interest rate on the Note shall not exceed 5.75%.

3. Execution of Note. The Treasurer of the County and the Clerk of the Board of Supervisors of the County are authorized and directed to execute an appropriate negotiable Note and to affix the seal of the County thereto and to deliver the Note to the purchaser thereof.

4. Non-Arbitrage Certificate and Tax Covenants. The Treasurer of the County and such officers and agents of the County as the Treasurer may designate are authorized and directed to execute a Non-Arbitrage Certificate and Tax Covenants setting forth the expected use and investment of the proceeds of the Note and containing such covenants as may be necessary in order to comply with the provisions of the Internal Revenue Code of 1986, as amended ("Code"), including the provisions of Section 148 of the Code and applicable regulations relating to "arbitrage bonds."

5. Designation for Purchase by Financial Institutions. The Board of Supervisors designates the Note as a "qualified tax-exempt obligation" eligible for the exception from the disallowance of the deduction of interest by financial institutions allocable to the cost of carrying tax-exempt obligations in accordance with the provisions of Section 265(b)(3) of the Code. The Board of Supervisors does not reasonably anticipate that it and any "subordinate entities" will issue more than \$30,000,000 in tax-exempt obligations during calendar year 2009 (not including certain private activity bonds) and the Board of Supervisors will not designate more than \$30,000,000 of qualified tax-exempt obligations pursuant to such Section 265(b)(3) in calendar year 2009.

6. Further Actions. The County Administrator and the Treasurer of the County and such officers and agents of the County as either of them may designate are authorized and directed to take such further actions as they deem necessary regarding the issuance and sale of the Note and all actions taken by such officers and agents in connection with the issuance and sale of the Note are ratified and confirmed.

7. Effective Date. This Resolution shall take effect immediately.

(9) Consider accepting all bids as received in the March 5, 2009 Auction of Delinquent Tax Properties.

The County Administrator indicated that enough revenue had been derived from the other

parcels sold that date to be able to cover the deficiencies on the remaining parcels, which did not realize enough funds to cover the County's tax and other obligations. Motion was made by Mr. Tankard that all bids as received in the Delinquent Tax Auction conducted on March 5, 2009 be accepted as received. All members were present and voted "yes." The motion was unanimously passed.

(10) Consider resolution creating the structure for a new planning commission.

The Board considered three draft resolutions for the creation of a new planning commission as follows:

Option A: establishes a 9-member commission, based upon one appointment from each of the six voting districts and 3 at-large appointments.

**RESOLUTION FOR CREATION AND ESTABLISHMENT OF THE
NORTHAMPTON COUNTY PLANNING COMMISSION**

WHEREAS, Section 15.2-2210 of the Code of Virginia of 1950, as amended, authorizes Northampton County to create a local planning commission; and

WHEREAS, the Board of Supervisors is desirous of creating and establishing the composition and rules for a local planning commission; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Northampton County, Virginia to establish a Planning Commission, effective July 1, 2009, as prescribed below:

ARTICLE 1 – NAME, LOCATION, AUTHORITY & PURPOSE

- 1-1.** The name of this organization shall be the Northampton County Planning Commission, hereinafter called the "Commission".
- 1-2.** The principal office of the Commission shall be in Eastville, Virginia.
- 1-3.** The Commission shall be a public body corporate and political with all the powers and duties granted to it by Chapter 22 of Title 15.2 of the Code of Virginia of 1950, as amended.

- 1-4.** The purpose of the Commission shall be to improve public health, safety, convenience and welfare of the citizens of Northampton County and to plan for the future development of the County that incorporates consideration for a planned transportation system; that community centers be developed with adequate highways, utilities and infrastructure, health, educational and recreational facilities; that the needs of agriculture, aquaculture, industry and business be recognized for future growth; that residential areas be provided with healthy surrounding for family life; and the growth of the community be in accordance with the efficient and economical use of public funds.

ARTICLE 2 – MEMBERSHIP & TERMS OF OFFICE

- 2-1.** The Commission shall consist of nine (9) members who shall be citizens of the County. One half of the membership must be property owners within the County of Northampton.
- 2-2.** There will be **one (1) appointment from each of the six voting districts** and three (3) at-large appointments from the County, with each member being appointed by a majority vote of the Board of Supervisors.
- 2-3.** The initial appointments to the Planning Commission shall be staggered terms consisting of two members appointed for a term of one (1) year, two members appointed for a term of two (2) years; two members appointed for a term of three (3) years; and three members appointed for a term of four (4) years. Thereafter, each member shall be appointed for a term of four (4) years. No member shall serve more than two consecutive four (4) years terms.

ARTICLE 3 – VACANCIES & REMOVAL OF MEMBERS

- 3.1.** Vacancies on the Commission shall be filled for the unexpired term in the same manner as the original appointment was made.
- 3-2.** Any member of the Commission may be removed by the Board of Supervisors for malfeasance in office. Notwithstanding the foregoing provision, a member of the Commission may be removed from office by the Board of Supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. In either such event, a successor shall be appointed in accordance with 3-1 above.

ARTICLE 4 – OFFICERS OF THE COMMISSION, MEETINGS & ADOPTION OF BY-LAWS

- 4-1.** Officers of the Commission include a Chairman, Vice-Chairman, and Secretary who shall be elected by the membership of the Commission. The Chairman and the Vice-Chairman shall be elected from its own appointed membership but the secretary may be elected either from its own membership or a member of the administrative staff of the board.

- 4-2. The Chairman and Vice-Chairman shall be elected for terms of one year or until their successors are elected. Organization of Officers will occur at the first regular meeting after July 1 of each year.
- 4-3. Commission officers shall be eligible for re-election.
- 4-4. The Commission shall hold regular meetings on a schedule which will be determined by the membership; provided, however, that the Commission shall meet at least once every two months.
- 4-5. The Commission may also hold such special meetings as it may deem necessary, at such time and places as it may find convenient and in accordance with §15.2-2214 of the Code of Virginia of 1950, as amended.
- 4-6. Meetings of the Commission shall be open to the public; however, the Commission may hold closed session meetings in accordance with the Virginia Freedom of Information Act (Chapter 37 of the Code of Virginia of 1950, as amended).
- 4-7. A simple majority of the membership of the Commission shall constitute a quorum at all meetings of the Commission.
- 4-8. The Commission shall adopt By-Laws and such other rules of order as it deems necessary to govern its operations, pursuant to and consistent with the Constitution and the laws of the United States and the Commonwealth of Virginia.

ARTICLE 5 – COMPENSATION OF MEMBERS

- 5-1. All members of the Commission shall receive compensation, per meeting. The initial amount per meeting is \$25.00; this amount may be changed by resolution of the Board of Supervisors.
- 5-2. Any expenses for mileage and travel in the performance of their duties will be reimbursed to a Commissioner, if funds have been appropriated in the Commission budget and the expense is authorized by the County.

ARTICLE 6 – FUNCTIONS, POWERS & DUTIES

- 6-1. As prescribed by the Code of Virginia, at the date of this resolution and any future amendments thereto, the Commission is hereby granted the following powers and responsibilities:

- (a) The Commission shall prepare and recommend to the Board of Supervisors a comprehensive plan, and any amendments thereto, for the physical development of the county;
- (b) The Commission may make, or cause to be made, the official map of the county;
- (c) The Commission may, and at the direction of the Board of Supervisors shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the county for a period not to exceed the ensuing five-year period;
- (d) The Commission shall prepare and recommend to the Board of Supervisors the subdivision ordinance , or any amendments thereto, for the County;
- (e) The Commission may, and at the direction of the Board of Supervisors shall, prepare a proposed zoning ordinance including a map or maps showing the division of the county into districts and a text setting for the regulations applying in each district;
- (f) The Commission shall submit to the Board of Supervisors its recommendations on any amendments to the or re-enactment of the zoning ordinance for the county;
- (g) The Commission shall make recommendations and report at least annually to the Board of Supervisors concerning the operation of the Commission and the status of planning within the county;
- (h) The Commission shall, at the direction of the Board of Supervisors, prepare, public and distribute reports, ordinances and other material relating to its activities; and
- (i) The Commission shall, at the direction of the Board of Supervisors, or as otherwise required by law, assume other duties and responsibilities as allowed under law.

6-2. It shall be the duty of the Commission to promote the cooperation of the planning commissions of any incorporated areas within the county and coordination of the plans of such incorporated areas and the coordination of such plans with the county plan, and generally confer with and advise town councils, the County Administrator and the Board of Supervisors for the purposes of promoting coordinated and adjusted development of the county. The Commission shall, upon request, advise the Board of Supervisors with respect to public improvement programs.

ARTICLE 7 – DATE OF ORGANIZATION

7-1. This creation and organization of the Northampton County Planning Commission shall be effective on the 1st day of July, 2009.

Option B: establishes a 9-member commission, based upon two appointments from each of the

three magisterial districts and 3 at-large appointments.

**RESOLUTION FOR CREATION AND ESTABLISHMENT OF THE
NORTHAMPTON COUNTY PLANNING COMMISSION**

WHEREAS, Section 15.2-2210 of the Code of Virginia of 1950, as amended, authorizes Northampton County to create a local planning commission; and

WHEREAS, the Board of Supervisors is desirous of creating and establishing the composition and rules for a local planning commission; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Northampton County, Virginia to establish a Planning Commission, effective July 1, 2009, as prescribed below:

ARTICLE 1 – NAME, LOCATION, AUTHORITY & PURPOSE

- 1-5.** The name of this organization shall be the Northampton County Planning Commission, hereinafter called the “Commission”.
- 1-6.** The principal office of the Commission shall be in Eastville, Virginia.
- 1-7.** The Commission shall be a public body corporate and political with all the powers and duties granted to it by Chapter 22 of Title 15.2 of the Code of Virginia of 1950, as amended.
- 1-8.** The purpose of the Commission shall be to improve public health, safety, convenience and welfare of the citizens of Northampton County and to plan for the future development of the County that incorporates consideration for a planned transportation system; that community centers be developed with adequate highways, utilities and infrastructure, health, educational and recreational facilities; that the needs of agriculture, aquaculture, industry and business be recognized for future growth; that residential areas be provided with healthy surrounding for family life; and the growth of the community be in accordance with the efficient and economical use of public funds.

ARTICLE 2 – MEMBERSHIP & TERMS OF OFFICE

- 2-1.** The Commission shall consist of nine (9) members who shall be citizens of the County. One half of the membership must be property owners within the County of Northampton.
- 2-2.** There will be two (2) appointments from each of the three magisterial districts and three (3) at-large appointments from the County, with each member being appointed by a majority vote of the Board of Supervisors.

- 2-3. The initial appointments to the Planning Commission shall be staggered terms consisting of two members appointed for a term of one (1) year, two members appointed for a term of two (2) years; two members appointed for a term of three (3) years; and three members appointed for a term of four (4) years. Thereafter, each member shall be appointed for a term of four (4) years. No member shall serve more than two consecutive four (4) years terms.

ARTICLE 3 – VACANCIES & REMOVAL OF MEMBERS

- 3.1. Vacancies on the Commission shall be filled for the unexpired term in the same manner as the original appointment was made.
- 3-2. Any member of the Commission may be removed by the Board of Supervisors for malfeasance in office. Notwithstanding the foregoing provision, a member of the Commission may be removed from office by the Board of Supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. In either such event, a successor shall be appointed in accordance with 3-1 above.

ARTICLE 4 – OFFICERS OF THE COMMISSION, MEETINGS & ADOPTION OF BY-LAWS

- 4-1. Officers of the Commission include a Chairman, Vice-Chairman, and Secretary who shall be elected by the membership of the Commission. The Chairman and the Vice-Chairman shall be elected from its own appointed membership but the secretary may be elected either from its own membership or a member of the administrative staff of the board.
- 4-2. The Chairman and Vice-Chairman shall be elected for terms of one year or until their successors are elected. Organization of Officers will occur at the first regular meeting after July 1 of each year.
- 4-3. Commission officers shall be eligible for re-election.
- 4-4. The Commission shall hold regular meetings on a schedule which will be determined by the membership; provided, however, that the Commission shall meet at least once every two months.
- 4-5. The Commission may also hold such special meetings as it may deem necessary, at such time and places as it may find convenient and in accordance with §15.2-2214 of the Code of Virginia of 1950, as amended.
- 4-6. Meetings of the Commission shall be open to the public; however, the Commission may hold closed session meetings in accordance with the Virginia Freedom of Information Act (Chapter 37 of the Code of Virginia of 1950, as amended).

- 4-7. A simple majority of the membership of the Commission shall constitute a quorum at all meetings of the Commission.
- 4-8. The Commission shall adopt By-Laws and such other rules of order as it deems necessary to govern its operations, pursuant to and consistent with the Constitution and the laws of the United States and the Commonwealth of Virginia.

ARTICLE 5 – COMPENSATION OF MEMBERS

- 5-1. All members of the Commission shall receive compensation, per meeting. The initial amount per meeting is \$25.00; this amount may be changed by resolution of the Board of Supervisors.
- 5-2. Any expenses for mileage and travel in the performance of their duties will be reimbursed to a Commissioner, if funds have been appropriated in the Commission budget and the expense is authorized by the County.

ARTICLE 6 – FUNCTIONS, POWERS & DUTIES

6-1. As prescribed by the Code of Virginia, at the date of this resolution and any future amendments thereto, the Commission is hereby granted the following powers and responsibilities:

- (a) The Commission shall prepare and recommend to the Board of Supervisors a comprehensive plan, and any amendments thereto, for the physical development of the county;
- (b) The Commission may make, or cause to be made, the official map of the county;
- (c) The Commission may, and at the direction of the Board of Supervisors shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the county for a period not to exceed the ensuing five-year period;
- (d) The Commission shall prepare and recommend to the Board of Supervisors the subdivision ordinance , or any amendments thereto, for the County;
- (e) The Commission may, and at the direction of the Board of Supervisors shall, prepare a proposed zoning ordinance including a map or maps showing the division of the county into districts and a text setting for the regulations applying in each district;
- (f) The Commission shall submit to the Board of Supervisors its recommendations on any amendments to the or re-enactment of the zoning ordinance for the county;

(g) The Commission shall make recommendations and report at least annually to the Board of Supervisors concerning the operation of the Commission and the status of planning within the county;

(h) The Commission shall, at the direction of the Board of Supervisors, prepare, public and distribute reports, ordinances and other material relating to its activities; and

(i) The Commission shall, at the direction of the Board of Supervisors, or as otherwise required by law, assume other duties and responsibilities as allowed under law.

6-2. It shall be the duty of the Commission to promote the cooperation of the planning commissions of any incorporated areas within the county and coordination of the plans of such incorporated areas and the coordination of such plans with the county plan, and generally confer with and advise town councils, the County Administrator and the Board of Supervisors for the purposes of promoting coordinated and adjusted development of the county. The Commission shall, upon request, advise the Board of Supervisors with respect to public improvement programs.

ARTICLE 7 – DATE OF ORGANIZATION

7-1. This creation and organization of the Northampton County Planning Commission shall be effective on the 1st day of July, 2009.

Option C: establishes a 9-member Joint local planning commission, with the appointment methodology providing one appointment for each municipality who would join and the remaining appointments to be made by the County based upon the magisterial districts. This resolution would need to be tightened up based upon the positions of the five incorporated towns if they are wishing to participate in a new Joint local planning commission.

RESOLUTION FOR CREATION AND ESTABLISHMENT OF THE NORTHAMPTON COUNTY **JOINT LOCAL PLANNING COMMISSION**

WHEREAS, Section 15.2-2219 of the Code of Virginia of 1950, as amended, authorizes Northampton County and the municipalities located within the boundaries of said Northampton County to provide by agreement for the creation of a joint local planning commission for said County and municipalities; and

WHEREAS, the Board of Supervisors of Northampton County and the Town of the municipality(ies) of _____ are desirous of creating and establishing the composition and rules for a joint local planning commission and have mutually agreed to provide for the creation and operation of the Northampton County Joint Local Planning Commission; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Northampton County, Virginia and the Town Council of the municipality(ies) of _____ to establish a Joint Local Planning Commission, effective July 1, 2009, as prescribed below:

ARTICLE 1 – NAME, LOCATION, AUTHORITY & PURPOSE

- 1-9. The name of this organization shall be the Northampton County Joint Local Planning Commission, hereinafter called the “Commission”.
- 1-10. The principal office of the Commission shall be in Eastville, Virginia.
- 1-11. The Commission shall be a public body corporate and political with all the powers and duties granted to it by Chapter 22 of Title 15.2 of the Code of Virginia of 1950, as amended.
- 1-12. The purpose of the Commission shall be to improve public health, safety, convenience and welfare of the citizens of Northampton County and to plan for the future development of the County that incorporates consideration for a planned transportation system; that community centers be developed with adequate highways, utilities and infrastructure, health, educational and recreational facilities; that the needs of agriculture, aquaculture, industry and business be recognized for future growth; that residential areas be provided with healthy surrounding for family life; and the growth of the community be in accordance with the efficient and economical use of public funds.

ARTICLE 2 – MEMBERSHIP & TERMS OF OFFICE

- 2-1. Commission members shall be appointed by the respective governing bodies of those political subdivisions which are parties to this Agreement, provided, however, that members shall be qualified by knowledge and experience to make decisions on questions of community growth and development and provided further, however, that at least a majority of the Commission’s members shall be property owners in the County of Northampton.
- 2-1. The Commission shall consist of nine (9) members who shall be citizens of the County.
- 2-2. Each participating municipality shall appoint one member to the Commission who shall be a resident of the respective town which he is appointed to represent; Northampton County shall appoint the remaining members as follows: two (2) appointments from each of the three (3) magisterial districts and any remaining appointments may be at-large appointments
- 2-3. The initial appointments to the Planning Commission shall be staggered terms consisting as follows:
 - (a) Each municipality appointment shall be appointed for a term of four (4) years;

(b) The Northampton County appointments shall be apportioned with two members appointed for a term of one (1) year, two members appointed for a term of two (2) years; and two members appointed for a term of three (3) years; if Northampton County appoints more than six members, then the additional appointment shall be for a term of four (4) years.

(c) Thereafter, each member shall be appointed for a term of four (4) years. No member shall serve more than two consecutive four (4) years terms.

2-4. Each member of the Commission shall have one equal vote in all matters before the Commission.

ARTICLE 3 – VACANCIES & REMOVAL OF MEMBERS

3.1. Vacancies on the Commission shall be filled for the unexpired term in the same manner as the original appointment was made.

3-2. Any member of the Commission may be removed by the Board of Supervisors for malfeasance in office. Notwithstanding the foregoing provision, a member of the Commission may be removed from office by the Board of Supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. In either such event, a successor shall be appointed in accordance with 3-1 above.

ARTICLE 4 – OFFICERS OF THE COMMISSION, MEETINGS & ADOPTION OF BY-LAWS

4-1. Officers of the Commission include a Chairman, Vice-Chairman, and Secretary who shall be elected by the membership of the Commission. The Chairman and the Vice-Chairman shall be elected from its own appointed membership but the secretary may be elected either from its own membership or a member of the administrative staff of the board.

4-2. The Chairman and Vice-Chairman shall be elected for terms of one year or until their successors are elected. Organization of Officers will occur at the first regular meeting after July 1 of each year.

4-3. Commission officers shall be eligible for re-election.

4-4. The Commission shall hold regular meetings on a schedule which will be determined by the membership; provided, however, that the Commission shall meet at least once every two months.

4-5. The Commission may also hold such special meetings as it may deem necessary, at such time and places as it may find convenient and in accordance with §15.2-2214 of the Code

of Virginia of 1950, as amended.

- 4-6. Meetings of the Commission shall be open to the public; however, the Commission may hold closed session meetings in accordance with the Virginia Freedom of Information Act (Chapter 37 of the Code of Virginia of 1950, as amended).
- 4-7. A simple majority of the membership of the Commission shall constitute a quorum at all meetings of the Commission.
- 4-8. The Commission shall adopt By-Laws and such other rules of order as it deems necessary to govern its operations, pursuant to and consistent with the Constitution and the laws of the United States and the Commonwealth of Virginia.

ARTICLE 5 – COMPENSATION OF MEMBERS

- 5-1. All members of the Commission shall receive compensation, per meeting. The initial amount per meeting is \$25.00; this amount shall not exceed \$50.00 for any member in any one calendar month.
- 5-2. Expenses of the Commission incident to a special project of a municipality shall be borne by the municipality which is to benefit from that special project.
- 5-2. Any expenses for mileage and travel in the performance of their duties will be reimbursed to a Commissioner, if funds have been appropriated in the Commission budget and the expense is authorized by the County and the respective municipality. Each municipality shall pay 100% of the total salary and expense of its commissioner. The County shall initially pay the salary and expenses of the Commission for the fiscal year and shall issue an accounting at the close of the fiscal year to each member municipalities and bill the respective municipalities for their share of the total expenses for the Commission, including any special projects. Amounts due the County by reason thereof shall be payable within thirty (30) days of the billing date. Failure of the municipality(ies) to reimburse the County timely is grounds for dissolution of the Agreement by providing the required notice as outlined in Article 7.

ARTICLE 6 – FUNCTIONS, POWERS & DUTIES

6-1. As prescribed by the Code of Virginia, at the date of this resolution and any future amendments thereto, the Commission is hereby granted the following powers and responsibilities:

- (a) The Commission shall prepare and recommend to the Board of Supervisors a comprehensive plan, and any amendments thereto, for the physical development of the county;
- (b) The Commission may make, or cause to be made, the official map of the county;

(c) The Commission may, and at the direction of the Board of Supervisors shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the county for a period not to exceed the ensuing five-year period;

(d) The Commission shall prepare and recommend to the Board of Supervisors the subdivision ordinance , or any amendments thereto, for the County;

(e) The Commission may, and at the direction of the Board of Supervisors shall, prepare a proposed zoning ordinance including a map or maps showing the division of the county into districts and a text setting for the regulations applying in each district;

(f) The Commission shall submit to the Board of Supervisors its recommendations on any amendments to the or re-enactment of the zoning ordinance for the county;

(g) The Commission shall make recommendations and report at least annually to the Board of Supervisors concerning the operation of the Commission and the status of planning within the county;

(h) The Commission shall, at the direction of the Board of Supervisors, prepare, public and distribute reports, ordinances and other material relating to its activities; and

(i) The Commission shall, at the direction of the Board of Supervisors, or as otherwise required by law, assume other duties and responsibilities as allowed under law.

6-2. It shall be the duty of the Commission to promote the cooperation of the planning commissions of any incorporated areas within the county and coordination of the plans of such incorporated areas and the coordination of such plans with the county plan, and generally confer with and advise town councils, the County Administrator and the Board of Supervisors for the purposes of promoting coordinated and adjusted development of the county. The Commission shall, upon request, advise the Board of Supervisors with respect to public improvement programs.

ARTICLE 7 – ADDITION OR WITHDRAWAL OF MEMBERS

7-1. Any governmental subdivision within Northampton County which is not a party to this Agreement at the effective date thereof may hereafter join the Commission provided that such governmental subdivision is eligible for membership and that it adopts and executes this agreement. The appointment for that new member shall follow one of the two methods described below:

(a) If there is on the Commission at the time that a new municipality joins the Commission a person who is a resident in that municipality, then that person shall become the representative of that municipality and at the conclusion of his current term, subsequent appointments to that position will be made by the governing body of that municipality.

(b) If there is on the Commission at the time that a new municipality joins the Commission no person who is a resident in that municipality, then at the conclusion of the earliest term to expire of a person from the same magisterial district in which the municipality is located, that position shall be filled for the next subsequent term by the governing body of that municipality, which said person shall become the representative of that municipality.

7-2. Any governmental subdivision may withdraw from the Commission by submitting to the Commission in writing, at least thirty (30) days before the end of the Commission's then current fiscal year, a notice of intent to withdraw. Such withdrawal shall become effective either sixty days later from the date of notice of intent to withdraw or at the conclusion of the current fiscal year, whichever occurs first.

7-3. The withdrawal of any governmental subdivision will cause an immediate accounting of expenses, as identified in Article 5, for the withdrawing member's Commission representative and a bill will be issued for reimbursement to the County for these expenses to the withdrawing governmental subdivision.

ARTICLE 8 – AMENDMENTS

8-1. This Agreement may be amended, supplemented or superseded only by concurring resolutions of all member governmental subdivisions.

ARTICLE 9 – DATE OF ORGANIZATION

9-1. This creation and organization of the Northampton County Joint Local Planning Commission shall be effective on the 1st day of July, 2009.

Following discussion by the Board, motion was made by Mr. Tankard that the Board instruct the County Administrator to notify the member jurisdictions of the Northampton County Joint Local Planning Commission that the County will be withdrawing, effective June 30, 2009. All members were present and voted "yes". The motion was unanimously passed.

Motion was made by Mr. Burden that the Board create a new planning commission by adopting the Resolution known as Option A as shown above and as set out below. All members were present and voted "yes." The motion was unanimously passed. Said Resolution as

adopted is as follows:

**RESOLUTION FOR CREATION AND ESTABLISHMENT OF THE
NORTHAMPTON COUNTY PLANNING COMMISSION**

WHEREAS, Section 15.2-2210 of the Code of Virginia of 1950, as amended, authorizes Northampton County to create a local planning commission; and

WHEREAS, the Board of Supervisors is desirous of creating and establishing the composition and rules for a local planning commission; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Northampton County, Virginia to establish a Planning Commission, effective July 1, 2009, as prescribed below:

ARTICLE 1 – NAME, LOCATION, AUTHORITY & PURPOSE

- 1-13.** The name of this organization shall be the Northampton County Planning Commission, hereinafter called the “Commission”.
- 1-14.** The principal office of the Commission shall be in Eastville, Virginia.
- 1-15.** The Commission shall be a public body corporate and political with all the powers and duties granted to it by Chapter 22 of Title 15.2 of the Code of Virginia of 1950, as amended.
- 1-16.** The purpose of the Commission shall be to improve public health, safety, convenience and welfare of the citizens of Northampton County and to plan for the future development of the County that incorporates consideration for a planned transportation system; that community centers be developed with adequate highways, utilities and infrastructure, health, educational and recreational facilities; that the needs of agriculture, aquaculture, industry and business be recognized for future growth; that residential areas be provided with healthy surrounding for family life; and the growth of the community be in accordance with the efficient and economical use of public funds.

ARTICLE 2 – MEMBERSHIP & TERMS OF OFFICE

- 2-1.** The Commission shall consist of nine (9) members who shall be citizens of the County. One half of the membership must be property owners within the County of Northampton.
- 2-2.** There will be **one (1) appointment from each of the six voting districts** and three (3) at-large appointments from the County, with each member being appointed by a majority vote of the Board of Supervisors.
- 2-3.** The initial appointments to the Planning Commission shall be staggered terms consisting of two members appointed for a term of one (1) year, two members appointed for a term of two (2) years; two members appointed for a term of three (3) years; and three members

appointed for a term of four (4) years. Thereafter, each member shall be appointed for a term of four (4) years. No member shall serve more than two consecutive four (4) years terms.

ARTICLE 3 – VACANCIES & REMOVAL OF MEMBERS

- 3.1. Vacancies on the Commission shall be filled for the unexpired term in the same manner as the original appointment was made.
- 3.2. Any member of the Commission may be removed by the Board of Supervisors for malfeasance in office. Notwithstanding the foregoing provision, a member of the Commission may be removed from office by the Board of Supervisors without limitation in the event that the Commission member is absent from any three consecutive meetings of the Commission, or is absent from any four meetings of the Commission within any 12-month period. In either such event, a successor shall be appointed in accordance with 3-1 above.

ARTICLE 4 – OFFICERS OF THE COMMISSION, MEETINGS & ADOPTION OF BY-LAWS

- 4-1. Officers of the Commission include a Chairman, Vice-Chairman, and Secretary who shall be elected by the membership of the Commission. The Chairman and the Vice-Chairman shall be elected from its own appointed membership but the secretary may be elected either from its own membership or a member of the administrative staff of the board.
- 4-2. The Chairman and Vice-Chairman shall be elected for terms of one year or until their successors are elected. Organization of Officers will occur at the first regular meeting after July 1 of each year.
- 4-3. Commission officers shall be eligible for re-election.
- 4-4. The Commission shall hold regular meetings on a schedule which will be determined by the membership; provided, however, that the Commission shall meet at least once every two months.
- 4-5. The Commission may also hold such special meetings as it may deem necessary, at such time and places as it may find convenient and in accordance with §15.2-2214 of the Code of Virginia of 1950, as amended.
- 4-6. Meetings of the Commission shall be open to the public; however, the Commission may hold closed session meetings in accordance with the Virginia Freedom of Information Act (Chapter 37 of the Code of Virginia of 1950, as amended).
- 4-7. A simple majority of the membership of the Commission shall constitute a quorum at all meetings of the Commission.

- 4-8.** The Commission shall adopt By-Laws and such other rules of order as it deems necessary to govern its operations, pursuant to and consistent with the Constitution and the laws of the United States and the Commonwealth of Virginia.

ARTICLE 5 – COMPENSATION OF MEMBERS

- 5-1.** All members of the Commission shall receive compensation, per meeting. The initial amount per meeting is \$25.00; this amount may be changed by resolution of the Board of Supervisors.
- 5-2.** Any expenses for mileage and travel in the performance of their duties will be reimbursed to a Commissioner, if funds have been appropriated in the Commission budget and the expense is authorized by the County.

ARTICLE 6 – FUNCTIONS, POWERS & DUTIES

6-1. As prescribed by the Code of Virginia, at the date of this resolution and any future amendments thereto, the Commission is hereby granted the following powers and responsibilities:

- (a) The Commission shall prepare and recommend to the Board of Supervisors a comprehensive plan, and any amendments thereto, for the physical development of the county;
- (b) The Commission may make, or cause to be made, the official map of the county;
- (c) The Commission may, and at the direction of the Board of Supervisors shall, prepare and revise annually a capital improvement program based on the comprehensive plan of the county for a period not to exceed the ensuing five-year period;
- (d) The Commission shall prepare and recommend to the Board of Supervisors the subdivision ordinance, or any amendments thereto, for the County;
- (e) The Commission may, and at the direction of the Board of Supervisors shall, prepare a proposed zoning ordinance including a map or maps showing the division of the county into districts and a text setting for the regulations applying in each district;
- (f) The Commission shall submit to the Board of Supervisors its recommendations on any amendments to the or re-enactment of the zoning ordinance for the county;
- (g) The Commission shall make recommendations and report at least annually to the Board of Supervisors concerning the operation of the Commission and the status of planning within the county;
- (h) The Commission shall, at the direction of the Board of Supervisors, prepare, public and distribute reports, ordinances and other material relating to its activities; and

(i) The Commission shall, at the direction of the Board of Supervisors, or as otherwise required by law, assume other duties and responsibilities as allowed under law.

6-2. It shall be the duty of the Commission to promote the cooperation of the planning commissions of any incorporated areas within the county and coordination of the plans of such incorporated areas and the coordination of such plans with the county plan, and generally confer with and advise town councils, the County Administrator and the Board of Supervisors for the purposes of promoting coordinated and adjusted development of the county. The Commission shall, upon request, advise the Board of Supervisors with respect to public improvement programs.

ARTICLE 7 – DATE OF ORGANIZATION

7-1. This creation and organization of the Northampton County Planning Commission shall be effective on the 1st day of July, 2009.

(11) Matters Presented by the Board

Motion was made by Mr. Burden that Mr. Robert Stubbs be appointed to the Parks & Recreation Advisory Board for a term of office expiring December 31, 2011. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Burden that the Board adopt the following resolution requesting “Watch for Children” signs to be installed on Terry Lane in Willis Wharf. All members were present and voted “yes.” The motion was unanimously passed. Said resolution as adopted is set forth below:

RESOLUTION

BE IT RESOLVED, that the Northampton County Board of Supervisors hereby requests the Commissioner of the Virginia Department of Transportation or his representatives to provide, in accordance with Section 33.1-210 of the Code of Virginia, and install “**Watch for Children**” signs at the described location shown below.

Route 694, Terry Lane, Willis Wharf

The Northampton County Board of Supervisors also requests these signs should be paid

out of the secondary construction allocations allotted to Northampton County.

Motion was made by Mr. Tankard that the County Administrator be instructed to send a letter to the Army Corps of Engineers requesting O&M dredging of the Occohannock Creek entrance. All members were present and voted “yes.” The motion was unanimously passed.

Recess:

Motion was made by Mr. Trala that the meeting be recessed until 5:00 p.m., Tuesday, April 28, 2009 in order to conduct the regular monthly work session. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

_____ CHAIRMAN

_____ COUNTY ADMINISTRATOR