

VIRGINIA:

At a recessed 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 28th day of April, 2009, at 5:00 p.m.

Present:

Jeff Walker, Chairman

H. Spencer Murray, Vice Chairman

Laurence J. Trala

Dave Burden

Richard Tankard

William A. Hughes

The meeting was called to order by the Chairman.

The Chairman recognized a member of the public, Mr. Tim Dixon, who wished to address the Board. Mr. Dixon said that he was an adjacent property owner to the parcel which the County was considering purchasing for establishment of a waste collection center in District 1 near Cheapside. Speaking on behalf of himself as well as another adjacent property owner, he said that the proposed site was not an appropriate location for the waste collection center.

County Administrator's Report:

(A) The County Administrator provided the following memorandum for the Board's information:

**MEMORANDUM**

**TO:** Board of Supervisors  
**FROM:** Katie H. Nunez, County Administrator  
**DATE:** April 23, 2009  
**RE:** Discussion of Preliminary Draft FY2010 Budget

While the Board of Supervisors Budget Subcommittee is still working with staff to finalize the FY2010 Budget for the Board's consideration, I wanted to provide you a status report on the development and submission of the budgets from each of the County departments and the manner in which I am considering each departmental request as we work to present a balanced budget for review and discussion. The budget document included in the Board packet is still a draft working budget and is not fully balanced (see Page 7 to see status of General Fund) but represents the current effort to reduce our budget to meet available revenue without a tax increase.

Please note in the column marked 2010 Departmental Requests for the General Fund budget only (Pages 1 -7), we did not have the school requested budget at the time that we moved the budget process forward from Departmental Request to County Admin Recommended – we had placed the transfer to the school fund at the same level as this year's funding. When you add in the School's 2010 Requested Budget to the General Fund via a Transfer from the General Fund to the School Fund, it is an increase of \$1,259,035. Therefore, the actual general fund expenditure total under the 2010 Departmental Requests is \$24,401,469, which would place the deficit at \$1,751,087.

The budget process started with the mandate that each department submit a budget reflecting a 10% reduction from the FY09 budget. It was a difficult process, especially in the departments that are 90% or greater personnel costs. This process was extremely valuable in determining departmental priorities from the department head perspective and allowed me to examine their budget in a more effective manner to get us to a very streamlined budget. While I did not sustain this approach in the County Admin Recommended column (a flat 10% cut across each department), this information allowed me to make cuts across all levels at varying amounts while still preserving our core services. 98% of all departments have been reduced from this year's budget.

Below is a list of the major actions taken to date to attempt to balance the budget, the items that are still outstanding for further review and refinement or for discussion at the budget subcommittee for direction. While the **general fund** is not balanced yet, the current deficit is down substantially based upon the items below.

1. In terms of the County contribution to the School, I have imposed a 5% reduction based upon the FY09 local contribution to the School. This is the same position that I took with Social Services. This is a reduction of \$423,531 from the FY09 amount. When you compare this position (of not only starting from a base of the FY09 local contribution but also imposing a 5% reduction to that contribution) to the school's requested local contribution for FY2010, the difference is \$1,537,679.
2. This budget eliminates the Merchant's Capital Tax. This is a revenue loss of \$92,520
3. This budget transitions the Sheriff's vehicle request from a straight purchase (which is how he submits it in his budget request) to a lease arrangement, which provides for a \$75,000 reduction in the Sheriff's budget.

4. This budget reflects the current absence of Technology Funds for the Clerk of Courts, as indicated by the State Compensation Board. This means that we have pulled the Technology Funds from State Revenue as well as any expenses/personnel that had been in the Clerk of Court's budget.
5. This budget holds the line on the County contribution towards health insurance that was established in the FY09 budget. Even though we will be experiencing an increase in our health insurance premiums, the increase will reside solely with the employees.
6. This budget does not contain any increases (no COLAs, no merit increases) for any of the staff. There is funding contained in the Merit Increase line item to address merit increases that will continue through the rest of this fiscal year to provide the proper funding levels based upon any actions on merit increases in the FY09 budget in each respective department.
7. We have vetted the fuel, electric, postage and phone accounts and budgeted amounts based upon historic usage. During the last 18 months, we have been making substantial changes in our billing rates as well as usage in these various utility accounts. These account for approximately \$88,000 in savings in next year's budget (phone - \$30,000 savings; postage - \$600 increase; fuel - \$16,800 savings; electric - \$41,700 savings).
8. This budget does contain two new funding items: A) \$7,000 for Volunteer Firefighter Incentive Program (under Fire Prevention); and B) \$80,000 for Economic Development (under General, Economic Development). **These two items have not been discussed at the budget subcommittee level yet.**
9. Finance Director Glenda Miller and I have not finished vetting one area of the budget at this time: the regional agencies that are funded by Accomack and Northampton via a ratio or funding formula. Ms. Miller will be getting the updated list of Accomack funding for the regional agencies and will update our budget accordingly.
10. With the proposed elimination of the Merchant's Capital, it is assumed that there will be the introduction of a Business License program. There are no funds currently included in the revenue projections for a Business License program. **This has not been reviewed by the budget subcommittee yet.**
11. We have received the final list from Commissioner of Revenue Anne Sayers regarding applications filed for Land Use. Ms. Miller and I believe that the amount budgeted for Land Use Exemptions (\$1,600,000) could be reduced by \$150,000 based upon the filings. **We have not implemented this in the budget – would like to discuss further with the committee. Additionally, we need to discuss the Land Use program as a whole regarding future direction.**

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In a related budget matter, the County Administrator reported that a moratorium has been put in place at the federal level, preventing placement of federal prisoners in the Eastern Shore Regional Jail. She projected a \$200,000 deficit in this fiscal year's budget as well as in excess of \$436,000 in FY 2010 if the moratorium is not lifted. Several modifications to the ICE contract language are currently being pursued.

(B) Continued discussion was held by the Board in regard to the Eastern Shore of Virginia Public Service Authority, currently dormant, as well as the possible formation of another PSA or related structure for water and wastewater services in the County. Mr. Murray suggested that the County Administrator appoint a 3-5 member committee to work with an engineering firm to conduct a needs assessment of County water and sewer needs. Mr. Tankard noted that such work was not on the Board's Goals Listing for this year although it was contained as a "long-term" item. The County Administrator indicated that she would attempt to get cost estimates for such a study and would also ask the ANPDC to see if they can find any grant funds which may be able to be used for such purpose.

(C) The Board considered a resolution to authorize purchase of certain property near Cheapside for the establishment of a waste collection center. Mr. Tim Dixon had referenced this matter earlier in the evening and Ms. Nunez noted that she has received other calls from residents of the area who were concerned about the placement of the center.

Motion was made by Mr. Tankard 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 DIRECTING PURCHASE OF PROPERTY FOR PUBLIC USE**

Whereas, there exists a public need and necessity for waste collection centers at locations within the County, to collect solid waste and prepare it for transport outside the County; and

Whereas, there exists a public need and necessity for a waste collection center for receipt, and preparation for transport out of the County, of solid waste to be constructed and located in the Cheapside area of Northampton County; and

Whereas, the County to fulfill this public need must acquire a suitable tract of land; and

Whereas, the County has identified a suitable parcel, designated on the tax map of the County as parcel 00098-((7))-00-003, said parcel being approximately 5.92 acres in area; and

Whereas, the County has determined what it believes to be just compensation for parcel, 00098-((7))-00-003, said amount being the value assigned to the property by the County; and

Whereas, the owner of that property, Geraldine Duhart, has agreed to sell the parcel for that sum as indicated by her signature on the contract attached hereto as Exhibit A.

NOW THEREFORE, BE IT RESOLVED that the Board of Supervisors of Northampton County shall purchase from Geraldine Duhart the real estate described above, for the sum of Fifty-nine Thousand Five Hundred and 00/100 Dollars.

Adopted this 28<sup>th</sup> day of April, 2009

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The Board received notification from the Purchase of Development Rights (PDR) Committee that two applications for potential purchase of development rights were submitted and reviewed. The PDR Committee was recommending to the Board that it move forward with the Nottingham Brothers application which ranked the highest. The Board concurred and agreed to move this application forward as funding becomes available.

(D) Matters Presented by the Board

It was noted that a meeting has been scheduled with representatives from Riverside Hospital to discuss the potential merger with Shore Memorial Hospital. Mr. Burden and Mr. Murray will be attending.

Closed Session

Motion was made by Mr. Murray that the Board enter Closed Session in accordance with

Section 2.2-3711 of the Code of Virginia of 1950, as amended:

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

*Appointments to Boards/Commissions*

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

*Waste Collection Centers*

(C) 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.

*ICE Contract*

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

After Closed Session, the Chairman reconvened the meeting and said that the Board had entered the closed session for those purposes as set out in paragraphs 1, 3 and 7 of Section 2.1-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each Board member confirmed that these were the only matters of discussion during the closed session.

It was the consensus of the Board to endorse Sheriff Robbins’ execution of the ICE Contract.

Motion was made by Mr. Murray that Mr. John Chubb be reappointed to the Northampton County Wetlands Board for a new term of office commencing July 1, 2009. All members were present and voted “yes.” The motion was unanimously passed.

Motion was made by Mr. Tankard that Dr. Garrison Brown be appointed to the Purchase of Development Rights Committee for a one year term of office commencing January 1, 2009 (replacement for Mr. Charles Tankard who did not wish to be reappointed). All members were

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

Recess:

Motion was made by Mr. Murray that the meeting be recessed until 9:00 a.m., Thursday, May 7, 2009 in the former circuit courtroom, 16404 Courthouse Road, Eastville, Virginia, in order to conduct a work session on the proposed Zoning Ordinance. All members were present and voted “yes.” The motion was unanimously passed.

The meeting was recessed.

\_\_\_\_\_CHAIRMAN

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