

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION
MINUTES OF THE
April 19, 2010 MEETING
HELD AT THE ENTERPRISE BUILDING
ACCOMAC, VIRGINIA

COMMISSIONERS PRESENT:

John C. Gray	Accomack County
Donald L. Hart, Jr.	Accomack County
E. Philip McCaleb	Accomack County
Thomas E. Rienrth	Accomack County
Gwendolyn F. Turner	Accomack County
Roland Bailey	Northampton County
Rev. Charles J. Kellam	Northampton County
H. Spencer Murray	Northampton County
Willie Randall	Northampton County
Richard B. Tankard	Northampton County
John H. Tarr	Town of Chincoteague

COMMISSIONERS ABSENT:

Laura Belle Gordy	Accomack County
Grayson Chesser	Accomack County

OTHERS PRESENT:

Elaine Meil	Kat Edwards
Susan Haycox	David Annis
Melissa Matthews	Josie James
Ray Rosenberger	Nancy Rosenberger

1. Call to Order

Chairman Tankard called the meeting to order at 7:02 p.m.

2. Invocation

Chairman Tankard offered the Invocation.

3. Minutes of March 15, 2010 Meeting

The minutes of March 15, 2010 Meeting were presented.

Commissioner McCaleb moved to approve the Minutes of March 15, 2010 Meeting as presented. Seconded by Commissioner Hart, the motion carried by unanimous vote.

4. Employee Recognition

Community Development Coordinator Josie James and Director of Housing Development David Annis were recognized for twenty-five years of service. Each employee was presented a plaque by Chairman Tankard.

5. Bills Payable/Financial Statement

The April Bills Payable was presented. The current Financial Statement was also presented.

Commission approval of the Bills Payable and current Financial Statement was requested.

Commissioner Murray moved to approve the Bills Payable and current Financial Statement as presented. Seconded by Commissioner Bailey, the motion carried by unanimous vote.

6. March Financial Status Report

The report indicated that 67.67 percent of the FY 2010 Budget has been expended while 75 percent of the fiscal year has passed. If professional services are deleted, 72.98 percent has been expended.

Commission acceptance of this report was requested.

Commissioner McCaleb moved to accept the Financial Status Report. Seconded by Commissioner Turner, the motion carried by unanimous vote.

7. FY 2011 Budget Requests

Accomack County Board of Supervisors adopted their FY 2011 Budget with level funding to the A-NPDC programs as follows:

A-NPDC	\$63,123
Groundwater	\$19,721
ESVHA	\$ 9,215

Northampton County's Budget Committee continues to meet and review available revenues for FY 2011.

The Town of Chincoteague included level funding for the A-NPDC in its first draft FY 2011 Budget.

8. Financial Procedures Manual

In the past, the A-NPDC has not had written policies concerning financial procedures. Funding agencies are beginning to require that such policies be in place and be approved by the Board of Commissioners. Staff reviewed our financial policies currently in place and drafted the attached for consideration.

Commission approval of the attached Financial Procedures Manual was requested.

Commissioner Murray made a motion to add information on the Virginia Procurement Act to the Purchasing section and also to add specific taxes withheld from the employee's paychecks to the Payroll and Hiring section.

Commissioner Rienenrth moved to approve the Financial Procedures Manual as presented. Seconded by Commissioner Hart, the motion carried by unanimous vote.

9. Projects

General Fund Expenditures

<u>Project Element#</u>	<u>Project Description</u>
9970	<i>Capital Expenditures</i>
Project Manager:	Elaine Meil, ext 116

No activity.

3002 *Special Administrative Cost*
Project Manager: Elaine Meil, ext. 116

No activity.

Project Element# Project Description
3003 *Intergovernmental Coordination and Information*
Project Manager: Leslie Mason, ext. 100

Two applications were approved: Support Publication of the *Bay Journal* and EPA Region III Solid Waste Program. Two applications were submitted: Northampton County Culls Community Housing Rehabilitation Project and Mobile Data Terminal Project for the Town of Chincoteague.

3010 *Planning Assistance Activities*
Project Manager: Elaine Meil, ext. 116

Staff inspected William Hughes Apartments physical conditions.

3016 *Management Assistance Activities*
Project Manager: Elaine Meil, ext. 116

The Mary N. Smith planning grant application was prepared and submitted.

Community Development Projects

Project Element Project Description

3061 *Asset Management*
Project Manager: Melissa Matthews, ext 110

All Asset Management files are kept current. Deeds of Trust are recorded as received, and expired Deeds of Trust are released approximately twice a year. Staff works diligently to assure all properties have and maintain homeowner's insurance.

3201 *Rural Development-Parksley Sewer*
Project Manager: Barbara Schwenk, ext 115

Parksley has paid the A-NPDC for grant administration services. Closeout of the grant is imminent.

3320 *EDA-Economic Development Planning*
Project Manager: Barbara Schwenk, ext. 115

Planning for the next CEDS update, due in June, is underway. At the EDA conference in Philadelphia in March, emphasis was placed on formation of a CEDS committee that includes a broad cross-section of the non-elected civic and business community. More information will be provided as planning progresses.

3330 *EDA-Broadband Grant for ESVBA*
Project Manager: Barbara Schwenk, ext 115

This project consists of administrative tasks associated with the EDA award of \$2.3 million to the Eastern Shore of Virginia Broadband Authority. It will be ongoing until the fiber optic backbone is constructed and the grant is closed out. Purchase orders for electronics and telecommunications equipment as well as concrete “huts” and generators for them were approved by EDA, and all materials have been ordered. Construction of the fiber optic backbone from Chincoteague to the CBBT is 95% complete. Staff prepared the second drawdown for \$468,346 this month and has also completed the semi-annual financial and quarterly project reports. Construction is funded by \$2.3 million each from EDA and the Commonwealth of Virginia as a 50/50 match.

3333 *Town of Cape Charles-VCDBG
Broadband Admin.*
Project Manager: Barbara , ext. 115

The Management Team gave authority to Tom Bonadeo, Town Planner, to finalize the network design with ESVBA. Engineering drawings are being prepared, and a contract for construction has been executed with Lucas Underground. However, Lucas’s services may be used for the Parksley project first. This was a line item bid and contract, making it very flexible where the work will occur. It makes it possible for the ESVBA to direct the contractor anywhere on the Eastern Shore. The team met on February 16, reviewed the engineering plans, and discussed two potential locations for the community center with 20 computers.

3334 *Town of Parksley-VCDBG Broadband Admin.*

Project Manager: Kat Edwards, ext. 120

Pole surveys have been completed and submitted to ANEC on March 10. ESVBA is waiting on approval. Staff will be attending the ESVBA board meeting and provide an update at the PDC meeting.

3335 *Town of Onancock-VCDBG Broadband*

Project Manager: Kat Edwards, ext 120

Onancock has completed its business commitment surveys. The Town is going through the process of getting the dedicated CD required by DHCD to guarantee job creation obligations.

The next step is for the Town to review and approve the engineering agreement and negotiate an agreement with ESVBA for operation and maintenance.

3336 *Town of Chincoteague-VCDBG Broadband*

Project Manager: Kat Edwards, ext 120

Chincoteague has completed the majority of its precontract activities. The major items that remain are

- agreements with ESVBA for engineering services and operation and maintenance of the system
- business commitments and baseline employment count

The Town adopted all required documents for providing security for the grant requirements and collateral for an ESVBA loan.

3535 *Town of Tangier-VCDBG Health Clinic Project*

Project Manager: David Annis, ext. 126

DHCD conducted a compliance audit for the Tangier Project on the 16th, 17th, and 18th of March. The audit went well with the exception of some missing labor standards forms. The contractor has submitted most all of the missing forms since the audit. We can expect to receive the audit letter by the first of May. The contractor is still on schedule to complete the clinic by the end of June.

3401 *VDOT Rural Transportation Planning-
SPR*

Project Manager: Barbara Schwenk, ext 115

Staff and the Transportation Technical Advisory Committee continue to work with VDOT's consultants on the Rural Long Range Plan by providing data and feedback on drafts. In addition, the TTAC has begun looking for ways to update the ESVA Bicycle Plan and to find funding for sections of the bicycle trail. Also, the A-NPDC's website has been updated with a page on Transportation as required by the grant's work plan. Updates of this webpage will be ongoing.

This month, staff also prepared the application for \$58,000 in SPR funds to continue work for this program in FY2011.

3521 *Town of Chincoteague T-21 Admin. –
second phase*

Project Manager: Kat Edwards, ext. 120

VDOT staff has commented on the 90% drawings for the project and the engineer has responded. Drawings that are close to 100% have been resubmitted for final review.

3523 *Town of Exmore, T-21 Enhancement
Phase IV & V*

Project Manager: Kat Edwards, ext. 120

The Town continues to work on securing necessary easements. They are negotiating with New Ravenna for additional land for the rain garden that will help control storm water.

3524 *County of Northampton T-21-
Enhancement #2*

Project Manager: Barbara Schwenk, ext. 115

The Northampton County Public Works Director has asked for another meeting to review how the aluminum bracing will be used for the signs. That meeting has been scheduled for April 16, and when the bracing design is accepted, the materials will be ordered. The three replacement signs and the median sign have not yet been delivered by Parksley Sign Company. It is expected that all signs will be mounted or remounted in May.

3525 *County of Northampton T-21-Bicycle Trail*

Project Manager: Barbara Schwenk, ext. 115

This project has now been turned over to the Eastern Shore of Virginia Wildlife Refuge assistant manager, Robert Leffel. Staff met with him in early April and turned over all files. Bob will complete the environmental forms needed by VDOT (his engineering firm can complete the erosion and sediment control plan portions). Construction is expected to begin later this spring.

Planning Projects

3531 *VDEM Flood Hazard Mitigation*

Project Manager: Curtis Smith, ext. 114

The Hazard Mitigation Committee has reformed and a Kick-off Meeting is scheduled for April 29, 2010. The Committee will revisit natural hazards identified in the existing plan and identify and analyze additional hazards for the update to the Eastern Shore Hazard Mitigation Plan.

3541 & 3551 *A-N CRMP Technical Assistance, FY 09—
1st Qtr, FY10 2nd – 4th Qtr*

Project Manager: Curtis Smith, ext. 114

Staff held a Ground Water Committee meeting on March 16. One Ground Water Withdrawal permit was reviewed. The next meeting is planned for April 20. Certified Planning Commissioner Training concluded March 31, 2010 with two A-NPDC Staff completing the training program. The CRMP Technical Assistance Program application for continued participation with this program has been submitted. The proposal for this year's CRMP special project included assistance for the Friends of Onancock School for completing grant applications and developing a master plan for the Onancock School property.

3571 *A-N Ground Water Committee Projects*

Project Manager: Curtis Smith, ext 114

The Ground Water Committee has researched and commented to the EPA on a proposed spray irrigation project at the North Accomack County Landfill. The Committee also commented in support of NASA's Shoreline Restoration and Infrastructure Protection Program at the Wallops Flight Facility. A public workshop focusing on the Eastern Shore's ground water system has been scheduled for June 2010. The Committee will hold two public workshops per year in spring and fall months.

3573 *Household Hazardous Waste Collection*
Project Manager: Curtis Smith

The Household Hazardous Waste Collection will be held in conjunction with the Mother Earth Day Celebration on May 8 at the Downtown Park in Chincoteague. Staff are currently collaborating with the Celebration organizers and will be advertising the Collection in local media outlets.

3591 *Town of Wachapreague-DCR Project-Park
Develop.*
Project Manager: John Aigner, ext. 118

The revised budget to include the abandonment of the two septic tanks on the property was approved by DCR. The tanks have been scheduled for pumping, crushing and filling. Town Council and the park committees have finalized the construction details for the gazebo and walkway. The Town has submitted a site plan and construction plans for the gazebo and walkway for zoning approval.

3592 *DEQ-Accomack County Water Supply
Plan*
Project Manager: Curtis Smith

The consultant to the Ground Water Committee has submitted a revised second draft of the Accomack Plan to DEQ. Final revisions are being made to the report and the report should be completed shortly.

3593 *DEQ-Northampton County Water Supply
Plan*
Project Manager: Curtis Smith

Same as Project Element 3592.

3598 *DEQ Signs Project*
Project Manager: John Aigner, ext 118

Closed.

3599 *General Assembly-Northampton Southern
Rivers*
Project Manager: Curtis Smith

No activity.

A-NPDC Housing Projects

3621 *Virginia Lead Safe Homes Program*
Project Manager: John Simpkins, ext. 119

The formal letter detailing the results of the compliance review has not yet been received.

3622 *Virginia Lead Safe Homes PASS-
THROUGH*
Project Manager: John Simpkins, ext. 119

See above.

3625 *USDA Lead Clearance-Inspection*
Project Manager: John Simpkins, ext. 119

Closed.

3630 *Management Services for Regional Home
Maintenance*
Project Manager: Kat Edwards, ext. 120

No activity.

3661 *HUD-Housing Counseling Services*
Project Manager: Bobbie Jo Wert, ext. 125

Staff continues to counsel families needing assistance with those seeking help with resolving or preventing mortgage delinquency; seeking help in locating, securing, or maintaining residence in rental housing; and seeking shelter or services for the homeless or on the verge of homelessness. In most cases, families will obtain counseling in financial management that includes matters such as predatory lending and budget counseling issues.

3771 *Accomack-Metompkin VCDBG
Administration*

Project Manager: David Annis, ext. 126

DHCD conducted a compliance audit on the 16th, 17th, and 18th, of March. We expect to receive the audit letter by the end of the month. DHCD is reviewing our request for a budget revision that will allow us to complete the design of Finney Drive, and go forward with the street construction.

3772 *Accomack-Metompkin VCDBG Inspection*

Project Manager: David Annis, ext. 126

Staff continues its efforts to identify eligible households and owners who would like to participate in the Project.

3773 *Accomack-Metompkin VCDBG Housing
Spec.*

Project Manager: David Annis, ext. 126

See above.

3781 *Northampton-East Fairview VCDBG
Administration*

Project Manager: David Annis, ext 126

The improvements at Jackson Lane are now 85% complete. The Jackson Lane street drainage ditches still need to be connected to the reshaped ditches on Fisher's Court, and the top surface treatment of the street has not been applied. VDOT is gearing-up to begin the clearing portion of the planned improvements to Honeysuckle Lane.

4501 *Northampton-East Fairview VCDBG
Inspection*

Project Manager: David Annis, ext. 126

Responding to call-backs and request for warranty inspections from families who have received housing assistance.

4510 *Northampton-East Fairview VCDBG
Housing Spec.*

Project Manager: David Annis, ext. 126

Responding to call-backs and request for warranty work from families who have received housing assistance.

Culls Planning Grant

Project Manager: John Aigner, ext. 118

Planning grant activities have been completed. Payments for the Preliminary Engineering Report and title searches are being processed. The Culls Community Housing Rehabilitation Project CDBG application has been submitted. Announcements will be made in June as to which competitive grants will be funded.

3821 *Town of Tangier-FEMA Elevation Project*

Project Manager: John Aigner, ext. 118

Closed.

3822 *Northampton County-FEMA Elevation
Project*

Project Manager: John Aigner, ext. 118

Close out of the Northampton County 2004 Elevation Project is April 30, 2010. Final closeout paperwork was sent to the clients last month. All but one client has responded to the request. A new application for assistance to three Oyster properties was submitted to VDEM on March 31. These are the three properties that were a part of the current grant that closes out on April 30.

<u>Project Element#</u>	<u>Project Description</u>
3823	<i>Accomack County-FEMA Elevation Project</i>

Project Manager: John Aigner, ext. 118

The contractor has submitted paperwork for final payment on the Crystal Beach project. The owner still refuses to sign the deduct change order. The four houses in Wachapreague are substantially complete. The four houses in Saxis are substantially complete. Certificates of Occupancy will be issued shortly on these houses.

A letter was sent to VDEM requesting guidance on which of the remaining properties are approved to proceed. Cost over-runs have affected the budget negatively and high construction bids caused some of the properties to lose their positive cost-to-benefit ratio. There has been no response to the letter written to VDEM yet. Realistically, any houses not already under construction will probably not be started due to the fact that they have to be completed by July 31. If they are not, FEMA will not pay any of the costs towards them. Neither the County nor the contractor wants to take that risk.

On April 8, staff mediated the dispute between Debra Karnes and Henry Snyder; an agreement between both was reached completing and closing out this project, located on Tangier. Mr. Mark Taylor, Accomack County Attorney, was in attendance and wrote a final agreement based on the terms agreed upon and both parties signed. Staff immediately sent in the final request for draw down on the job. Final payment is expected to be delivered to Mr. Snyder on April 23.

Mr. Snyder also requested that additional change orders be submitted related to other completed project including one to demobilize his equipment from Tangier. Staff has submitted them to VDEM.

10. Executive Director's Report

A-NTDC Loan Request

The final documents have been sent for approval to the Accomack-Northampton Transportation District Commission, Accomack County and Northampton County.

Building Items

Building Mortgage

The amount received from the interest on the KMC property payoff is \$153,900. The Enterprise Building mortgage payoff as of April 30, 2010 is \$154,100.07. The remaining funds needed to pay off the building will come from the A-NDC checking account.

Approval to grant the A-NDC the necessary funds to pay off the Enterprise Building was requested.

Commissioner Hart moved to approve paying of the Enterprise Building and to begin putting all rent payments into a reserve fund for future use. Seconded by Commissioner Tarr, the motion carried by unanimous vote.

Building Maintenance Expenditures

The spreadsheet detailing all the maintenance activities that have been accomplished in the past fiscal year as well as the last months of FY09 is attached. The amount remaining from the approved amount granted to the A-NDC will be used to offset the expenses from the necessary upgrade of the sump pump and cabinetry to improve the appearance of the copier hallway.

Vehicle Strike

On March 18, 2010, a Post Office customer lost control of their vehicle and entered the PDC side garden striking an HVAC unit, an electrical box, the telephone ground and damaging or destroying several of the new plantings. The bricks of the building are also scrapped in one location. Staff is working with the vehicle owner's insurance company to repair the damages. Since that time, plaster on the front wall has popped out and needs repair. Staff cannot determine if the contact of the vehicle may have ultimately caused the damage or whether it is coincidence from the wet and rainy year.

HUD Sustainable Communities Planning

According to an Advanced Notice from U.S. Department of Housing and Urban Development (HUD), a new grant opportunity is going to be released in mid-April. HUD in partnership with the U.S. Department of Environmental Quality and the U.S. Department of Transportation are providing \$100 million in funds "to support multi-jurisdictional regional planning efforts that integrate housing, economic development and transportation decision-making in a manner that empowers jurisdictions to consider the interdependent challenges of economic growth, social equity and environmental impact."

Staff has reviewed the information and believes that the planning process would allow us to update the 8-year old Housing Plan and provide information on recent changes such as new crab rules, the Aquaculture Enhancement Zones, the new Chesapeake Bay TMDL information as well as determining if the work related to Middle Peninsula PDC's regulatory review of local water-related powers might be of interest to Accomack or Northampton Counties.

Staff believes that a consortium of the Accomack-Northampton PDC, Middle Peninsula PDC and Northern Neck PDC may present unique opportunities to find common ground that can then be articulated through the plan to state and federal government officials.

Approval to approach Middle Peninsula PDC and Northern Neck PDC to develop a consortium for this purpose as well as approval to apply for the funds was requested.

Commissioner Murray moved to allow staff to approach Middle Peninsula and Northern Neck PDC to develop a consortium. Seconded by Commissioner Rienerth, the motion carried by unanimous vote.

11. Public Participation

Mr. Rosenberger informed the Board that RC&D would be having a meeting on April 20, 2010.

12. Other Matters

No Other Matters were discussed at this time.

13. Adjournment

There being no further business brought before the Commission, Commissioner McCaleb moved to adjourn the meeting. Seconded by Commissioner Murray, the motion carried by unanimous vote.

Copy Teste:

Gwendolyn F. Turner
Chairman

Elaine K. N. Meil
Executive Director