

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION  
MINUTES OF THE  
July 18, 2011 MEETING  
HELD AT THE ENTERPRISE BUILDING  
ACCOMAC, VIRGINIA

COMMISSIONERS PRESENT:

|                        |                    |
|------------------------|--------------------|
| Robert Crockett        | Accomack County    |
| Laura Belle Gordy      | Accomack County    |
| John C. Gray           | Accomack County    |
| Sandra Hart Mears      | Accomack County    |
| Thomas E. Rienrth      | Accomack County    |
| Gwendolyn F. Turner    | Accomack County    |
| Roland Bailey          | Northampton County |
| Rev. Charles J. Kellam | Northampton County |
| Willie Randall         | Northampton County |

COMMISSIONERS ABSENT:

|                     |                      |
|---------------------|----------------------|
| Donald L. Hart, Jr. | Accomack County      |
| H. Spencer Murray   | Northampton County   |
| Richard B. Tankard  | Northampton County   |
| John H. Tarr        | Town of Chincoteague |

OTHERS PRESENT:

|                  |             |
|------------------|-------------|
| Elaine Meil      | David Annis |
| Susan Haycox     | Kat Edwards |
| Melissa Matthews |             |

1. Call to Order

Chairman Kellam called the meeting to order at 7:00 p.m.

2. Invocation

Commissioner Rienrth offered the Invocation.

3. Minutes of June 20, 2011 Meeting

The minutes of June 20, 2011 Meeting were presented.

Commissioner Crockett moved to approve the Minutes of June 20, 2011 Meeting as presented. Seconded by Commissioner Turner, the motion carried by unanimous vote.

4. Bills Payable/Financial Statement

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

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

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

5. June Financial Status Report

The report indicated that 89.00 percent of the FY 2011 Budget has been expended while 100 percent of the fiscal year has passed. If professional services are deleted, 99.03 percent has been expended.

Commission acceptance of this report was requested.

Please note that year-end entries may still be in order and will be reflected as part of the FY 2011 financial audit.

Commissioner Gordy moved to accept the Financial Status Report as presented. Seconded by Commissioner Randall, the motion carried by unanimous vote.

6. FY 2011 Budget Amendments

Adoption of the following FY 2011 budget amendment was requested:

|    |  |                     |
|----|--|---------------------|
| 1. | 366301 HPRP Stimulus Grant Rapid Rehousing | \$120,000.00        |
|    | Direct Client Services                     | + 34,764.74         |
|    |  | <u>\$154,764.74</u> |

ITEM 1 represents the amendment to complete FY 2011 activities for HPRP by increasing the direct client services budget. Note that 100% of the additional funds will be allocated from the DHCD approved budget for the project.

The requested amendment will be reflected on the final budget and audit for FY 2011.

Commissioner Gordy moved to adopt the FY 2011 Budget Amendment as presented. Seconded by Commissioner Mears, the motion carried by unanimous vote.

7. Personnel Policies Amendment

August Commission meetings have typically been canceled and the By-Laws state:

“In the event that the Commission cancels the August regular monthly meeting in order to attend the Virginia Local Government Officials Conference sponsored by the Virginia Association of Counties, each member of the Commission shall be paid a salary of \$35.00 regardless of absence from this meeting.”

Commission guidance was requested.

Commissioner Crockett suggested the by-laws be changed to state if no meeting is held, then no one should be paid a salary. The Board asked that we do hold an August meeting, and that Executive Director Meil bring back the proposed change to the By-Laws to the next meeting for an official vote.

8. Contracts

Line of Credit Agreement with BB&T Bank - Total \$75,000

Authority for the Executive Director to execute the agreement to renew the Line of Credit with BB&T Bank for one year is requested.

The A-NPDC established the line of credit with BB&T Bank several years ago in conjunction with the operating account for cash flow purposes. The rate is based upon Wall Street Journal Prime + .50% with a minimum of 3.75%. The line of credit has not been utilized for over 2 years, but staff recommends continuation of the line in case an emergency arises.

Commissioner Randall moved to renew the Line of Credit with BB&T as presented. Seconded by Commissioner Crockett, the motion carried by unanimous vote.

9. Projects

General Fund Expenditures

Project Element#    Project Description  
9970                    *Capital Expenditures*  
Project Manager:    Elaine Meil, ext 116

No activity.

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

Invoices are being paid as they are received for items that cannot be directly charged to the programs through the indirect rate. These include items like Commissioner travel, certain Attorney fees and certain staff development items.

3003                    *Intergovernmental Coordination and Information*  
Project Manager:    Brenette Hinmon, ext. 100

No activity this month

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

The Chesapeake Bay TMDL work is ongoing. A-NPDC staff are acting as a point of contact for the Department of Conservation and Recreation and county staff.

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

Project closeout and compliance reviews were held for West Fairview.

Community Development Projects

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.

Project Element#   Project Description  
301015                *Barrier Islands Center Museum*  
Project Manager:   Barbara Schwenk, ext. 115

The Barrier Islands Center asked for A-NPDC assistance to prepare an Invitation for Bid acceptable to VDOT for renovation/restoration of the African-American Almshouse. This month, staff drafted the IFB, conducted drawings review with the Northampton County Interim Building Official, communicated the changes needed to the architect, and sent the drawings onto VDOT. In May, VDOT requested a detailed cost estimate, which the architect supplied. VDOT has assigned the project to a staff member, and review results are expected sometime in July.

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

Meetings to update the CEDS were held on May 18 (Machipongo), and May 19 (Accomac). The Economic Development Committee reviewed the draft CEDS on June 2 and made revisions that have been incorporated into the updated CEDS document. Draft review is a separate agenda item. The CEDS was again reviewed by the Econ Dev Committee on July 5, which made further minor revisions. The final document will be sent on to EDA the week of July 11. EDA agreed to accept it a bit later than the deadline.

Economic Development Coordinator Schwenk requested the adoption of the CEDS. Commissioner Randall moved to adopt the CEDS. Seconded by Commissioner Mears, the motion carried by unanimous vote.

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. Closeout of the grant commenced on June 16. Final documents must be completed and sent to EDA within 90 days. (No change since June report.)

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

Construction of a portion of the network from Route 13 into the town (near Rayfields) is complete. The Community Center computers and workstations have been received and are now installed in the Cape Charles Christian School in the old Presbyterian church. The grant management team is now working on an operational plan for the center. The town now plans to move as many of the computers as possible to the library building to

replace outdated units there. This will ensure evening and weekend access that is not possible at the school. Except for connections across the harbor to the new wastewater treatment plant, all the fiber has been installed. ESVBA has an agreement with the pipe installers to come in behind them and plow in the conduit under Mason Avenue and across to the WWT plant. We expect the project to be complete in July. (No change since June report.)

3334 *Town of Parksley-VCDBG Broadband Admin.*  
Project Manager: Kat Edwards, ext. 120

Electronics have been ordered for the system. Installation will proceed in the next few weeks.

3335 *Town of Onancock-VCDBG Broadband*  
Project Manager: Kat Edwards, ext 120

Fiber installation is nearly complete in Onancock. Discussions are continuing on establishing a wireless network demonstration project.

3336 *Town of Chincoteague-VCDBG Broadband*  
Project Manager: Kat Edwards, ext 120

No construction activity. The management team has selected VecTech of Newport News to provide e commerce training to businesses as part of the broadband project.

3337 *CDBG-R Labor Standards For Broadband Authority*  
Project Manager: John Simpkins, ext. 119

Staff continues to review payroll and other documents that contractors are required to submit to the A-NPDC in order to determine their compliance with Davis-Bacon Labor Standards. Interviews of contractor employees for verification of payroll document information are ongoing.

3535 *Town of Tangier-VCDBG Health Clinic Project*  
Project Manager: David Annis, ext. 126

Staff is working with the Town and DHCD to determine what is required to document that the project has provided the promised benefits to LMI families, which will allow for the final close-out of the CDBG project.

3401                      *VDOT Rural Transportation Planning-SPR*  
Project Manager: Barbara Schwenk, ext 115

Additional extensive revisions to the 2035 Regional Rural Long Range Plan were provided to Parsons Group as developed by the Committee. Parsons expected to have the final draft report available for Commissioners July 18 meeting, but making the final version has taken longer than expected due to the numerous road segments the Transportation Committee identified as possibly inaccurate and in need of checking.

The revised Bicycle Plan was adopted by Northampton County at its June meeting, and staff will present the plan for adoption by Accomack County at its July 20 meeting.

3521                      *Town of Chincoteague T-21 Admin. –second phase*  
Project Manager: Kat Edwards, ext. 120

No new activity.

3523                      *Town of Exmore, T-21 Enhancement Phase IV & V*  
Project Manager: Kat Edwards, ext. 120

VDOT has requested that the Town provide a timeline within 30 days for moving forward with the project.

3524                      *County of Northampton T-21-Enhancement #2*  
Project Manager: Barbara Schwenk, ext. 115

The reimbursement procedure has been discussed with our VDOT representative, Steve Rowan, and forms were prepared and sent. We have since learned that not all the forms VDOT needs to release payment have been completed by the contractor. In particular, forms verifying compliance with EEO and Disadvantaged Business Enterprises still need to be provided. Staff is working with Sun Bay Contracting and its sub-contractor, Prestige Construction, to complete these requirements so that Northampton County can be reimbursed for its expenses. All forms were identified and sent onto Sun Bay Contracting. Staff is working with their Controller to ensure the forms are completed and sent to VDOT. Prestige Construction Company is also required to fill out the forms. As of July 11, the forms have not yet been received. Staff continues to follow up with Sun Bay, Prestige and ITD (Prestige's subcontractor) to obtain the forms necessary to satisfy VDOT's documentation needs. Sun Bay Contracting's president and CEO, Jo Gunther is now working on getting Prestige's payrolls for review so that she can sign off on the forms. We continue to be in contact with her, and Katie Nunez has also enlisted the CBBT's help in bringing this task to a conclusion. We have also apprised VDOT of our efforts and have asked that the grant be left open until this can be resolved.

## Planning Projects

3541 & 3551      *A-N VCZM Technical Assistance, FY 10—1st Qtr, FY09 2<sup>nd</sup> – 4<sup>th</sup> Qtr*  
Project Manager: Curtis Smith, ext. 114

Staff are coordinating with the NOAA Coastal Services Center to conduct a Flood Inundation Mapping Training for local GIS users on August 17-18 at ESCC. The training will provide both informational and hands-on experience and enhance our community's capability to prepare for future potential flood hazard mapping. Staff hosted the VCZM/Coastal PDC Meeting at the Eastern Shore of VA National Wildlife Refuge on July 7. Staff are currently considering project options for VCZM Competitive Grant funding. Applications are due August 12.

3571                      *A-N Ground Water Committee Projects*  
Project Manager: Curtis Smith, ext 114

The next Committee meeting is scheduled for August 16. The Committee will begin to discuss updating the Ground Water Supply Protection and Management Plan which was completed in 1992. The Committee held a public workshop on ground water quality on the Eastern Shore on June 16 at the ESVA Chamber of Commerce. The workshop was well attended by 30 people and generated great interest in the Committee.

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

The next collection will be held in April 2012 in Eastville in conjunction with the Arbor Day Festival that is put on by the ES Soil and Water Conservation District. Staff continues to field many phone calls from local residents interested in participating in the next collection.

3580                      *CBLAD Septic Pumpout Program*  
Project Manager: Curtis Smith

Closed.

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

Closed.

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

DEQ has approved the plan and staff are currently coordinating with localities to begin the public hearing process. Staff will be presenting the plan to all localities for adoption during August and September. Localities are required to adopt Water Supply Plans by November 2, 2011.

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

DEQ has approved the plan and staff are currently coordinating with localities to begin the public hearing process. Staff will be presenting the plan to all localities for adoption during August and September. Localities are required to adopt Water Supply Plans by November 2, 2011.

3595                      *VDEM Flood Hazard Mitigation*  
Project Manager: Curtis Smith, ext. 114

Staff held a Hazard Mitigation Planning Committee meeting on June 30 to begin review of all completed chapters with the intent of completing a first draft of the plan. A July Committee meeting is scheduled and will include representatives of VDEM who will assist localities in refining their respective mitigation strategies. Staff is currently meeting with localities involved with development of the plan on an individual basis to finalize locality chapters in the plan and develop town-specific mitigation strategies.

#### A-NPDC Housing Projects

300701                    *Accomack County CDBG- Mary N. Smith*  
Project Manager: David Annis, ext. 126

No further activity is expected.

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.

366109

*HUD-Housing Counseling Services-New Contract*

Project Manager: Kat Edwards, ext. 120

Staff will be applying for VHDA REACH funds to providing some support to the housing counseling and education program. The application is due July 19<sup>th</sup>.

Staff requests authority to sign the application for REACH funding.

Commissioner Rienerth moved to grant authority for staff to sign the application for REACH funding. Seconded by Commissioner Turner, the motion carried by unanimous vote.

3662

*VHDA Foreclosure Assistance (\$15,000)*

Project Manager: Patricia Connolly Grove, ext. 124

| <b>Pre-Purchase Counseling</b>                   | <b>Current Month:<br/>June</b> | <b>Cumulative<br/>Year 4</b> | <b>Total<br/>Cumulative</b> |
|--|--------------------------------|------------------------------|-----------------------------|
| # of orientations held                           | 0                              | 2                            | 17                          |
| Orientation attendees                            | 0                              | 17                           | 112                         |
| Client Intakes                                   | 2                              | 43                           | 176                         |
| Additional Counseling Sessions Held              | 4                              | 23                           | 142                         |
| # of final workshops held                        | 1                              | 4                            | 16                          |
| Mortgage submissions                             | 2                              | 10                           | 29                          |
| Mortgage closings                                | 0                              | 4                            | 16                          |
| Financing leveraged                              | \$0                            | \$366,109                    | \$ 1,563,990                |
| <b>Growing Your Money<br/>Financial Literacy</b> | <b>Current Month:<br/>June</b> | <b>Cumulative<br/>Year 4</b> | <b>Total<br/>Cumulative</b> |
| New GYM participants                             | 0                              | 75                           | 180                         |
| GYM graduates                                    | 4                              | 44                           | 85                          |
| <b>Default and Foreclosure<br/>Counseling</b>    | <b>Current Month:<br/>June</b> | <b>Cumulative<br/>Year 4</b> | <b>Total<br/>Cumulative</b> |
| Intake sessions                                  | 5                              | 44                           | 183                         |
| Additional Foreclosure Sessions                  | 11                             | 81                           | 320                         |
| Positive Foreclosure Prevention Outcomes         | 1                              | 15                           | 69                          |
| Homeowner Budget/Predatory lending Counseling    | 0                              | 25                           | 44                          |

366301                      *Homelessness Prevention, Rapid Rehousing*  
Project Manager: Bobbie Jo Wert, ext. 125

Applications are being accepted and processed for the program using a single application for both HPRP and the Homeless Intervention Program (HIP). Since September 21, 2010 over 302 applications have been received seeking financial assistance. To date, fifty (50) families have received HPRP financial assistance while thirty-seven (37) families of the 302 have been determined eligible for HIP financial assistance.

3701                              *Northampton, VCDBG, West Fairview Admin.*  
Project Manager: John Simpkins, ext. 119

All construction activities are complete for the West Fairview project. With the exception of one form, for which required information from DHCD has been requested but not yet received, close-out documents are completed. The final completion packet will be sent to Northampton County for forwarding to DHCD upon receipt of the requested information.

3702                              *Northampton, VCDBG, West Fairview Inspect.*  
Project Manager: John Simpkins, ext. 119

Inspections will take place as necessary during construction warranty period and as requested in connection with program income requests/expenditures.

3703                              *Northampton, VCDBG, West Fairview Housing Spec.*  
Project Manager: John Simpkins, ext. 119

Housing specialist activities will take place as necessary during construction warranty period and as requested in connection with program income requests/expenditures.

3763                              *Dept of Mines, Minerals & Energy-EECBG*  
Project Manager: John Aigner, ext. 118

Additional follow up has been done to try and resolve the request for additional classification. Certification of the payrolls will be completed once the new classification is received. Still no response from the Department of Energy.

3771 *Accomack-Metompkin VCDBG Administration*  
Project Manager: David Annis, ext. 126

At the request of DHCD, revisions were made to a few of the final close-out documents and forwarded to the State. DHCD has agreed to allow the County to retain all of the project's program income in order to complete additional work within Metompkin. The work includes some minor housing repairs, the clearing of several piles of debris, and additional work to the streets requested by VDOT.

A community-wide clean up of trash and debris was complete as one of the last project activities. Residents of Metompkin gathered over 60 cubic yards of debris that was removed from the neighborhood during the first two weeks of June.

3772 *Accomack-Metompkin VCDBG Inspection*  
Project Manager: David Annis, ext. 126

Responding to request for call-backs and warranty issues.

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

Closed.

4501 *Northampton-East Fairview VCDBG  
Inspection*

Project Manager: David Annis, ext. 126

Closed.

4510 *Northampton-East Fairview VCDBG  
Housing Spec.*

Project Manager: David Annis, ext. 126

Closed.

3340                      *Northampton-Culls VCDBG Grant*  
Project Manager: John Aigner, ext. 118

Pre-contract activities have been completed. Procurement of the engineer has been completed. Preliminary survey work has been completed and the preliminary plans have been drawn. There is a meeting scheduled with VDOT this week to review and approve the preliminary plans. Applications for housing assistance are being solicited from the residents of the project area. The contract with DHCD should be forthcoming in the next week.

3822                      *Northampton County-FEMA Elevation Project*  
Project Manager: John Aigner, ext. 118

Project is closed out.

3823                      *Accomack County-FEMA Elevation Project*  
Project Manager: John Aigner, ext. 118

All paperwork has been forwarded to VDEM and FEMA for all homeowners except for the Colemans, who continued to refuse to execute the final paperwork. FEMA will require repayment of grant funds by the County. The deadline for that was May 12, 2011. There will be a letter from FEMA any day concerning the Coleman's repayment.

10. Executive Directors Report

A-NPDC Revolving Loan Fund

Nandua's embargo was lifted on June 30, 2011 and is officially back in service. Mr. Lemond has indicated it will take some time for traffic to build back up on the route but he will send the Commission photos of the barge in use.

Chesapeake Bay TMDL

An information session was held for county staff on June 23, 2011. Twenty-three persons attended. An informal group has formed to track updates and changes as the County's approach the October 1 deadline for their submittals for the Watershed Implementation Plan Phase II. Executive Director Meil gave a report to the Northampton County Board of Supervisors on July 12, 2011 and a report is scheduled for Accomack County on July 20, 2011 at their Board meeting.

### No Discharge Zone Legislation

The General Assembly in 2009 unanimously passed House Bill 1774 requiring the Department of Environmental Quality to pursue a No Discharge Zone in all tidal creeks of Virginia. It does not require it for the Chesapeake Bay. Currently a pilot program has been started on the Northern Neck. Draft applications for this federal designation are in various stages of the public comment period in Richmond County, Westmoreland, Northumberland and Lancaster. Once Northern Neck is complete it is expected that DEQ will select another region to continue the program. More information can be found at <http://www.deq.state.va.us/tmdl/ndz.html>

### Requests for Assistance

None Received

#### 11. Public Participation

No public participation occurred at this time.

#### 12. Closed Session

In order to discuss Personnel Matters, Commissioner Bailey moved that the Commission enter Closed Session according to Virginia Code 2.2-3711 for the purpose of:

Discussion, consideration or interviews of perspective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body;

Seconded by Commissioner Crockett, the motion carried by unanimous vote.

After Closed Session, the Chairman reconvened the meeting and said that the Commission had entered the closed session for those purposes as set out in paragraphs 3 and 7 of Section 2.2-3711 of the Code of Virginia of 1950, as amended. Upon being polled individually, each member confirmed that these were the only matters of discussion during the closed session.

#### 13. Other Matters

No other matters were discussed at this time.

14. Adjournment

There being no further business brought before the Commission, the meeting was adjourned.

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Reverend Charles J. Kellam  
Chairman

Copy Teste:

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Elaine K. N. Meil  
Executive Director