

ACCOMACK-NORTHAMPTON PLANNING DISTRICT COMMISSION
MINUTES OF THE
November 21, 2022 Meeting
ENTERPRISE BUILDING
ACCOMAC, VIRGINIA

COMMISSIONERS PRESENT:

Harrison Phillips	Accomack County
C. Reneta Major	Accomack County
Rev. Charles J. Kellam	Northampton County
Arthur Leonard	Town of Chincoteague
Vanessa Johnson	Accomack County
Gwendolyn F. Turner	Accomack County
Robert Crockett	Accomack County
Betsy Mapp	Northampton County
John Coker	Northampton County
Donna Smith	Accomack County

COMMISSIONERS ABSENT:

Vacant	Northampton County
L. Dixon Leatherbury	Northampton County
Donald L. Hart, Jr.	Accomack County

OTHERS PRESENT:

Elaine Meil	Sandy Taylor
Anne Doyle	Eric Luchanksy

1. Call to Order

The November 21, 2022 meeting of the Accomack-Northampton Planning District Commission (A-NPDC) was called to order by Chairman Phillips at 7:03 p.m.

2. Invocation

Commissioner Kellam offered the Invocation.

3. Minutes of the September 19, 2022 Meeting

The Minutes of the September 19, 2022 meeting were presented. Commissioner Hart moved to approve the minutes as presented. Seconded by Commissioner Major, the motion was carried by

unanimous vote. Commissioner Coker abstained whereas he was absent during the September meeting.

4. Public Participation

There was no public participation.

5. Financial Status Report

The report indicated that 28.83 percent of the FY 2023 Budget has been expended while 33.3 percent of the fiscal year has passed. Commission acceptance of this report was requested.

Commissioner Crockett moved to approve the financial report. Seconded by Commissioner Johnson, the motion was carried by unanimous vote.

6. Financial Statement / Bills Payable

The Financial Statement, including the current Bills Payable were presented. Commission approval of the Financial Statement was requested.

Commissioner Johnson moved to approve the Financial Statement and Bills Payable. Seconded by Commissioner Kellam, the motion was carried by unanimous vote.

7. FY 2022 Audit

The FY 2022 Audit was presented.

The Budget Committee met prior to the Commission Meeting to review the FY 2022 Draft Audit prepared by Dunham & Aukamp, PLC. The Budget Committee members are Commissioners Phillips, Kellam, and Mapp. Commissioners were welcomed to attend.

The following were noted:

- Management Discussion and Analysis (MDA) was included on pages 4-6. Additional explanations could be added by the Commission to the MDA if deemed appropriate.
- There were no findings or questioned costs.
- Audit Page 49 summarizes Budget to Actual.

Pending Budget Committee recommendations, acceptance of the FY 2022 Audit as prepared by Dunham & Aukamp, PLC was requested.

Commissioner Crockett moved to approve the FY 2022 Audit. Seconded by Commissioner Mapp, the motion was carried by unanimous vote.

8. FY 2024 Budget Requests

In the past, both Accomack and Northampton Counties have required that fiscal year Budget Requests be submitted in December or early January.

For FY 2023 Accomack County (\$70,703), Northampton County (\$35,352) and the Town of Chincoteague (\$7,000) approved level funding as follows:

Accomack	Northampton	Chincoteague
General - \$65,036	General - \$32,518	General - \$7,000
Greenworks - \$5,667	Greenworks - \$2,834	

In addition to level funding, Accomack and Northampton Counties allocated \$5,000 each for the Eastern Shore Regional Navigable Waterways Committee.

For FY 2024 staff requested the following:

Accomack	Northampton	Chincoteague
General - \$65,036	General - \$32,518	General - \$7,000
Greenworks - \$5,667	Greenworks - \$2,834	

- Staff recommends requesting the same amount of previously granted Greenworks funds as Housing Plan Support funds. These funds would be used to support the housing plan and work towards goals and recommendation of the plan.

Commission guidance concerning FY 2024 Budget Requests to the localities was requested.

Commissioner Crockett moved to approve the FY 2024 Budget Requests. Seconded by Commissioner Major, the motion was carried by unanimous vote.

9. Projects

Informational Items

3003 - Intergovernmental Coordination and Information

A. Doyle

The regional legislative priorities meeting with Senator Lewis and Delegate Bloxom was held on Thursday, November 10th, at 2:00pm in the airport conference room. The Eastern Shore's proposed priorities for the FY 2023 General Assembly session were shared and discussed among the Counties, Chincoteague and the Planning District Commission.

Director of Planning Report

Below is a comprehensive list of Planning Department projects, should you wish to contact the project manager for more information.

3220 - EDA-Economic Development Planning

A. Doyle

3325 - EDA-Disaster Economic Recovery Response, Planning & Implementation

A. Doyle

3589 - VDEM Hazard Mitigation Plan 2022

A. Mills

3008 - USDA Wachapreague Hotel and Sewer Study	A. Mills
3401 - VDOT Rural Transportation Planning - SPR	A. Mills
3580 - VDEQ Chesapeake Bay Phase III WIP Technical Assistance	J. Steelman
3568 - VDEQ VCZMP 306 Ecotourism Resiliency	J. Steelman
3526 - VCZMP Technical Assistance & Resiliency Planning	J. Steelman
3571 - A-N Ground Water Committee Projects	K. Singleton
3583 - GreenWorks Committee	K. Singleton
3334 - Agricultural Study	K. Singleton
3587 - Navigable Waterways Committee	J. Steelman
3764 - Town of Parksley Downtown Revitalization	A. Doyle
3556 - FY20 VA Port Authority Project: Quinby	J. Steelman
3557 - FY20 VA Port Authority Dredging Project: Kings Creek Phase 1	J. Steelman
3576 - FY21 VA Port Authority Dredging Project: Wachapreague Phase 1A	J. Steelman
3578 - FY21 VA Port Authority Dredging Project: Folly Creek Phase 1A	J. Steelman
3577 - FY21 VA Port Authority Dredging Project: Red Bank Creek Phase 1A	J. Steelman
3559 - FY21 VA Port Authority Dredging Project: Hungars Creek Phase 1A	J. Steelman
3579 - FY21 VA Port Authority Dredging Project: Nassawadox Creek Phase 1A	J. Steelman
3351 - FY22 VA Port Authority Dredging Project: Kings Creek Phase 2	J. Steelman
3352 - FY22 VA Port Authority Dredging Project: Folly Creek Phase 1B	J. Steelman
3355 - FY22 VA Port Authority Dredging Project: Red Bank Creek Phase 1B	J. Steelman
3353 - FY22 VA Port Authority Dredging Project: Nassawadox Creek Phase 1B	J. Steelman

3220, 3325

Economic Development and Economic Recovery

Anne Doyle
ext. 115

PDC staff continues to collaborate with Economic Development Committee Chair Patrick Tompkins and workforce development partners, including ESCC, ODU, the Chambers of Commerce, the Virginia Employment Commission, and the Virginia Department of Labor and Industry. ESCC is moving forward with submission of a grant application to the College Partnership Laboratory School Fund, established by the Virginia Department of Education. If awarded, funds will be used to support planning and implementation activity for a Lab School, in which ESCC will partner with the Northampton and Accomack County school divisions. ESCC's goal is to enhance the ability of schools and the community college to provide a curriculum in science, technology, IT, and math that prepares students for the aerospace industry. In addition, the collaboration group is continuing work to support STEM educational opportunities, youth apprenticeships, and associated high paying, local jobs. With this in mind, the Eastern Shore of Virginia Community Foundation sought A-NPDC's support to submit a grant application to PepsiCo for STEM education expansion on the Eastern Shore.

3401

VDOT - Rural Transportation Planning

Ashley Mills
Ext. 127

Staff attended the Eastern Shore Rail Trail Foundation and Accomack Northampton Transportation District Commission meetings on November 1st and held the Eastern Shore Rail Trail Work Group meeting on November 3rd. Staff continues working with VDOT and the Eastern Shore Rail Trail Foundation on the

Cape Charles segment of the Eastern Shore Rail Trail in determining solutions for cutting costs and funding the remaining trail segments. Staff assisted the Town of Melfa in submitting an application for a new technical assistance program titled “Ready, Set, Go!” as part of the Transportation Alternatives Program

30081

Wachapreague - USDA and DEQ

Ashley Mills
Ext. 127

On behalf of the Town of Wachapreague, staff submitted two applications to the Virginia Department of Environmental Quality for installation of a new public sewer system, including an application for the \$2.4 million General Assembly allocation, and an application for the remaining \$1.2 million needed to successfully complete the project using HRSD’s design-build contractor.

3589

Hazard Mitigation Plan - VDEM

Ashley Mills
Ext. 127

The Town of Onley voted to adopt the 2021 Eastern Shore of Virginia Hazard Mitigation Plan during the November 7th Town Council meeting. Staff is waiting for an update from the Town of Hallwood; all other jurisdictions have adopted the Plan and are in good standing until April of 2027. Staff continues to work toward project close out.

**3351, 3352,
3353, 3355, 3587**

VA Port Authority Dredging Projects & ESRNWC

Jessica Steelman
Ext. 114

The Selection Committee met to identify channel limits, volumes, and design budgets for Folly Creek, Red Bank Creek, & Nassawadox Creek. The Kings Creek dredge project RFP is anticipated to be posted to the eVA (electronic VA procurement site) and the ES Post early 2023, for a dredging period of July 1 - December 31, 2023, respecting the time-of-year (TOY) restrictions.

3764

Town of Parksley Downtown Revitalization

Anne Doyle
Ext. 115

The final completion inspection of the Town Center/Bandshell and Alleyway phase of the project has taken place with several minor, punch list items and project demobilization remaining. The Town has approved its 2021 Audit Report and submission of this report will bring Parksley back into compliance with the Virginia Department of Housing and Community Development (DHCD) so that grant reimbursement can resume. DHCD has made suggestions for expending the remaining facade funds and plans to share this information with town leadership.

3571

A-N Ground Water Committee Projects

Kellen Singleton
Ext. 129

The Ground Water Committee welcomed Ann Hayward Walker as its newest addition. She brings 40 years of experience in coastal planning, project management, and disaster resilience to the Committee.

Advisors and staff continue to finalize its comprehensive well program and water supply plan. The USGS presented an assessment of historical salinity (chloride) monitoring and summarized results from an electromagnetic induction logging study. GWC Advisor continues assessing groundwater monitoring drilling and supplemental monitoring techniques including the potential enhancement of saltwater intrusion tools and modeling as well as identify future locations for well testing. Staff and leadership presented to the Committee an initial draft of the *Captain's Cove Ground Water and Residential Water Supply Report* for review and subsequent issuing. The Committee continues to stress the importance of surficial aquifer utilization for new or expanded withdrawal use when feasible.

3583

GreenWorks Committee

Kellen Singleton
Ext. 129

At the last GreenWorks Committee meeting, April 2022, the Committee unanimously passed a motion to dissolve the Committee. Staff is determining next steps that aligns with the original GreenWorks Committee MOU

3334

Agricultural Study

Kellen Singleton
Ext. 129

A Community Flood Preparedness Fund (CFPF) request for funding was approved by the Department of Conservation and Recreation (DCR) for a flood prevention and protection study to address the impacts of climate change on crop planning and production on agriculture on the Eastern Shore. Staff has finalized a Sponsored Research Agreement with Virginia Tech. The comprehensive study will run to August 2023 with scheduled quarterly updates from the Principle Investigator to Staff and Technical Advisors.

Director of Housing Services Report

Below is a comprehensive list of Housing Service Department projects, should you wish to contact the project manager for more information. Details about the featured projects follow the list.

3661 - HUD-Housing Counseling Services	A. Wert
3662 - VHDA HCE Foreclosure/Housing Counseling	A. Wert
366250 - Homeless Solutions COC Activities	J. Hope
3360 - Regional Housing Plan	R. Williams

366250

Continuum of Care (CoC)

Russ Williams
Ext. 119

Community Partners of the Eastern Shore's General Membership met on November 9th. A presentation was given by the VA Department of Housing and Community Development (DHCD) on the Virginia Homeless Solutions Program. The HMIS committee has received materials and scheduled training for the Homeless Point-In-Time count. The PIT will be conducted on January 25, 2023. A-NPDC staff will be participating in the overnight canvas of the region.

3661
3668

***HUD Housing Counseling Services &
Virginia Housing HCE Foreclosure***

Andrea Wert
Ext. 124

23 clients are receiving homeownership counseling. One client has prequalified for a loan and is looking for a home. 17 clients are working to repair their credit and increase their savings. 5 additional clients have been referred to USDA for pre qualification. No clients are currently receiving counseling for foreclosure.

3662

Virginia Housing Counseling & Education

Andrea Wert
Ext. 124

Staff continues to conduct Financial Literacy, Rental Topics, and Fair Housing classes for new HCV recipients during intake briefings. These briefings are now being conducted once a month. Due to a lack of required partners in banking and real estate, staff has postponed plans for a New Home Ownership Certification class this Fall, and continues to recruit for those partnerships.

Director of Housing Development Report

Below please find a list of A-NPDC related Housing Development Department projects, should you wish to contact the project manager for more information. Details about featured projects follow the list.

300640 - Town of Onancock-Northeast Neighborhood	E. Luchansky
3665 - DEQ Septic Pump-Out Project	S. Matthews
3335 - Accomack County CDBG Planning Grant	E. Luchansky
3760 - Gospel Temple/Adams Crossing CDBG	E. Luchansky
300660 - Makemie Park Urgent Need Project	K. Singleton
300702 - Metompkin CDBG - Program Income	B. Herbert
3690 - Occhannock Neck Road Project	B. Herbert
3680 - Accomack County COVID CDBG Urgent Needs	E. Meil
- HMGP - DR-4001 & DR-4411	E. Luchansky
3823 - HMGP - DR-4291	E. Luchansky
4401 - Accomack County VA 4401-VA-016 Elevation/Acquisition Project	E. Luchansky

300640

Town of Onancock - Northeast Neighborhood

Eric Luchansky
Ext. 118

The contract has been sent out and signed by the town. A kick off meeting is scheduled for November 29th.

3760

Gospel Temple/Adams Crossing Neighborhood Revitalization CDBG

Eric Luchansky
Ext. 118

The project is complete. Staff has worked on closing out the grant.

300660

Makemie Park Urgent Need Project

Kellen Singleton
Ext. 129

A services contract with Boggs Water and Sewage, Inc was finalized September 7th. A pre-construction project meeting took place Wednesday, September 14th at 10:00AM. An official Notice to Proceed was issued to Boggs, Water and Sewage, Inc. on September 20th. Installations for eight septic treatment units have been inspected by the project engineer and are more than 90% complete.. Three units are currently in progress. An introductory meeting between DHCD and Makemie Park Project staff took place on October 27th. The Southeast Rural Community Assistance Project, Inc. (SERCAP) has been contacted to secure additional funding required to move forward with the five additional dwellings that require well work. Staff continue outreach efforts to Makemie Park residents and are in the process of planning a community meeting to inform residents of project progress and future septic maintenance requirements.

30070

Metompkin CDBG - Program Income

Bruce Herbert
Ext. 128

The remainder of the right of way will be completed by December first. The final inspection will be scheduled by the end of December.

3690

Occohannock Neck Road Project

Bruce Herbert
Ext. 128

All Health Department issues have been resolved and permit fees have been paid for the first two homes. Contacts for lots 3 and 4 have been delivered to the contractor for their signature. Construction will begin shortly after that. The 5 duplexes in Sunnyside Village are moving forward. MSA, Town Zoning, and staff are working on the site plan for the addition to the subdivision.

3823

Accomack County VA HMGP 4291-VA-009 Elevation Project

Eric Luchansky
Ext. 118

The second and third homes are near completion. The fourth and fifth homes are elevated and masonry has begun.

4401

Accomack County VA 4401-VA-016 Elevation/Acquisition Project

Eric Luchansky
Ext. 118

The appraisal company has appraised the two homes eligible for acquisition. One appraisal has been received. Staff is waiting for the results of the second home. A request for proposal for engineering services is currently being worked on.

10. Contracts

FY23 VRA/DCR Regional Community Needs Resilience Plan \$375,000

New grant awarded through VRA/DCR Community Flood Preparedness Fund for the development of a resiliency plan that addresses regional resilience needs and projects for near-future funding and implementation. This is a 36-month project with local match requirements waived.

Authorization to execute the agreement was requested.

Commissioner Crockett moved to approve the FY23 VRA/DCR Regional Community Needs Resilience Plan Contract. Seconded by Commissioner Major, the motion was carried by unanimous vote.

11. Request Commission Approval of the USDA Regional Food Business Centers Application

Agency/Grant Information

Not a grant, it is an application to establish a cooperative in the Delmarva of regional food centers. The program is through USDAs Agricultural Marketing Service. This lead organization is the *Eastern Shore Entrepreneurship Center, Inc.* in Easton. The five partner organizations are 1) the Delmarva Department of Agriculture, 2) the Upper Shore Regional Council, 3) the Mid Shore Regional Council, 4) the Tri-County Council of the Lower Shore, and 5) the Accomack-Northampton Planning District Commission.

Purpose

The Agricultural Marketing Service will award cooperative agreements to regionally based partners to support USDA's work on regional food supply chains. The Regional Food Centers will serve as the cornerstone of USDA's development of regional supply chains for small and mid-sized food and farm businesses with the goal of creating a more resilient, diverse and competitive food system. The coop would hire a Food System Specialist at each food center to improve access for farmers and for people. The specialist would be paid and managed by the Entrepreneurship Center, but would have office space here at the PDC. The food center (aggregation center) would support facility buildout to the tune of \$200 thousand as well as maintenance and rent.

Financial Impact to PDC

If awarded, the cooperative agreement would be for \$15M+ over a five year period. The 14 county area of Delmarva constitutes a high need area. The application would establish multiple aggregation sites and distribution to Mid-Atlantic markets, including Hampton Roads, Richmond, D.C., Philadelphia, and Wilmington. The PDC would receive approximately \$50,000 for community engagement and administration.

Approval was recommended.

Commissioner Coker moved to approve the USDA Regional Food Business Centers Application. Seconded by Commissioner Crockett, the motion was carried by unanimous vote.

12. Executive Director's Memo

DHCD Technical Assistance Visit Completed

DHCD completed a technical assistance visit on October 26-28 on Gospel Temple/Adams Crossing CDBG, Parksley Downtown CDBG, Makemie Park Urgent Needs CDBG and Accomack County Regional COVID19 Urgent Needs CDBG.

Gospel Temple/Adam's Crossing

DHCD is preparing the letter to complete close out activities by the end of December.

Regional COVID19 Urgent Needs

DHCD is preparing the letter to complete close out activities by the end of December.

Parksley Downtown

Currently the project contract runs through February 2023. One more extension is required to complete project activities and close out activities.

Makemie Park Urgent Needs

DHCD has selected Makemie Park as the same project for an upcoming statewide training event.

Staff has received email notification from DHCD that letters are forthcoming on the East Horntown Planning Grant and Holland Lane Planning Grant.

Virginia Port Authority Budget Item C-66.1

Section 408 and Regional Permit Processes

Delegate Bloxom has requested the Eastern Shore obtain a Categorical Permission for Section 408 Requests as well as any other categorical permissions and permits that would simplify and quicken dredging projects. In particular, he has requested that the work be done upfront to save time and funding in the future.

The Eastern Shore Navigable Waterways Committee Chairman weighed in on this issue in August. It appears that the Navigable Waterways Committee does not currently need the CP Section 408 or RP2 for their planned dredging priority projects. Staff has sought answers to some administrative questions from the Army Corps of Engineers. Staff needs guidance on whether or not to seek to obtain the funding to prepare the necessary permits and permissions.

Eastern Shore Water Access Authority Act, PPEA Policy

Middle Peninsula has proposed to purchase a regional publicly-owned and operated dredge and have proposed this to VPA. Unlike the Middle Peninsula, Eastern Shore has enabling legislation specifically granting authority to complete regional dredging projects directly by establishment of the "Eastern Shore Water Access Authority Act."

However, after careful consideration and discussions, Eastern Shore staff proposed to VPA a public-private partnership Request for Proposal process that would support a selected private individual/company to own and operate a dredge with specific defined benefits for public dredging projects. This would require the adoption of a Public-Private Education Facilities and Infrastructure Act policy from eligible entities including a body politic such as A-NPDC. VPA has said both Middle Peninsula and Eastern Shore proposals do not meet the budgetary language.

While the joint resolution creating the Eastern Shore Regional Navigable Waterways Committee gives them authority to study and advise on such matters. The Code of Virginia does not grant authority to

create or complete the work or procurement needed to handle an Authority creation or Public-Private Partnership Request for Proposal process.

Prior to reengaging on this issue, staff is requesting the Commission consider the matter and give guidance.

Guidance was requested.

13. Closed Session

It is requested that the Commission move to enter Closed Session according to Section 2.2-3711 of the Code of Virginia of 1950, as amended, for the purpose of:

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

PURPOSE:
Personnel Performance

Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel. Nothing in this subdivision shall be construed to permit the closure of a meeting merely because an attorney representing the public body is in attendance or is consulted on a matter.

PURPOSE:
Consultation & Agreement

At the conclusion of any closed meeting, the public body holding such meeting shall immediately reconvene in an open meeting and shall take a roll call or other recorded vote to be included in the minutes of that body, certifying that to the best of each member's knowledge:

I certify (or The Commission certifies) that (i) only public business matters lawfully exempted from open meeting requirements under this chapter and (ii) only such public business matters as were identified in the motion by which the closed meeting was convened were heard, discussed or considered in the meeting by the public body.

Made by Commissioner Major, seconded by Commissioner Crockett the motion carried unanimously.

The following board members were present: Commissioner Phillips, Commissioner Major, Commissioner Kellam, Commissioner Mapp, Commissioner Leonard, Commissioner Jonhson, Commissioner Turner, Commissioner Coker, Commissioner Smith, and Commissioner Crockett and voted affirmative. Ms. Meil was also present.

After the closed session, the Chair reconvened the meeting. Motion was made by Commissioner Major, seconded by Commissioner Crockett that the Commission had entered the closed session for that purpose as set out in Section 2.2-3711 of the Code of Virginia of 1950 as amended. Roll call votes were taken, Commissioner Phillips, Commissioner Major, Commissioner Coker, Commissioner

Kellam, Commissioner Mapp, Commissioner Leonard, Commissioner Jonhson, Commissioner Turner, Commissioner Smith, and Commissioner Crockett and voted affirmative. Ms. Meil was also present.

The Executive Director Employment Agreement's latest term expires December 21, 2022. Commissioners approved of a three year contract effective December 1, 2022 at \$102,300. Commissioner Major moved to approve the three year term. Seconded by Commissioner Crockett, the motion was carried by unanimous vote.

14. Next Meeting

The following By-Laws Amendment to Article IV, Section 1, Regular Meetings, was approved in March 2011:

Regular monthly meetings of the Commission shall be held at 7:00 p.m. on the third Monday of each month, except January, February and December, at a place to be determined by the Commission. The regular January meeting will be held at 7:00 p.m. on the third Tuesday. No regular meetings will be held in February or December. The Commission may change the date and time of any regular meeting at any proper meeting and may adjourn any meeting from time to time or to another place.

Therefore, the next regular meeting is scheduled for Tuesday, January 17, 2022.

No action required at this time.

15. Chairman's Report

No report at this time.

16. Other Matters

No other matters were discussed at this time.

17. Adjournment

There being no further business brought before the Commission, Commissioner Leonard moved to adjourn the meeting. Seconded by Commissioner Mapp, the meeting was then adjourned.