

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Cafetorium of Metompkin Elementary School in Parksley on the 21st day of May, A.D., 2008.

Members Present: Ron S. Wolff, Chair  
Steve D. Mallette, Vice Chair  
Wanda J. Thornton  
Grayson Chesser  
Sandra Hart Mears  
John Charles "Jack" Gray  
Laura Belle Gordy  
Donald L. Hart, Jr.  
E. Philip McCaleb

Others Present: Steven B. Miner, County Administrator  
Linda Martin Warner, Assistant County Administrator  
Yvonne N. Pennell, Administrative Assistant

### **Closed Meeting**

Mark Taylor, County Attorney, requested a motion that the Board go into closed meeting for the following:

1. Pursuant to subsection (A) (7) for discussion with legal counsel regarding pending litigation where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.
2. Pursuant to subsection (A) (3) for the purpose of discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, regarding:
  - (1) Southern Convenience Center
3. Pursuant to subsection (A) (1) for discussion of a specific assignment of possible appointments to a Public Service Authority.
4. Pursuant to subsection (A) (29) for discussion of terms of a public contract in connection with County's anticipated reduction in force where discussion in open session would adversely affect the bargaining position or negotiating strategy of the governing body.

Mr. Jim Frese offered a Point of Order and requested to make a brief statement. By consensus, the Board allowed Mr. Frese to speak. Mr. Frese read the following statement.

*I am addressing the Board tonight to request that the Board discuss all legal matters relating to **In Re: Accomack County Supervisors' Order of Levy for the Imposition of Real Property Taxes for Fiscal Year 2009** in the Public Session. I spoke with the County Attorney today, who insisted that the Board was entitled to private consultation with Counsel regarding this matter. I disagree. This appeal was filed on behalf of the people – that's all the people, of Accomack County. It is not filed against the Board of Supervisors. Any discussion that our elected officials have about this matter involves the peoples' business. We are entitled to know what advice the County Attorney gives regarding our appeal. We are also entitled to know what our elected officials have to say about this appeal. That advice is given using the taxpayers' money. I therefore respectfully request that all discussion regarding the peoples' appeal to be conducted in Public Session. I further*

*request that this statement be made a part of the public record of this date. Thank you very much – and I have copies for all of you.*

Mr. McCaleb made a motion that the Board go into closed meeting for the above-referenced purposes pursuant to Section 2.2-3711 of the Code of Virginia of 1950, as amended. Mr. Mallette seconded the motion. Ayes: Mr. Chesser, Mr. Gray, Mrs. Mears, Mr. Mallette, Mrs. Gordy, Mr. Hart, and Mr. McCaleb. Nay: Mrs. Thornton.

### **Open Meeting**

The Chair declared the meeting open to the public.

### **Call to Order**

The meeting was called to order by the Chair and with a prayer by Rev. Broad, after which the Pledge of Allegiance to the Flag was recited.

### **Certification of Closed Meeting**

On a motion by Mr. Mallette and seconded by Mrs. Mears, a roll call vote was taken pursuant to Section 2.2-3712 (D) of the Code of Virginia immediately after reconvening in Open Meeting, at which time each member certified by his vote that the only matters discussed during the Closed Meeting were (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.

Aye:	Mrs. Thornton	Mrs. Mears	Mrs. Gordy
	Mr. Wolff	Mr. Gray	Mr. Hart
	Mr. Chesser	Mr. Mallette	Mr. McCaleb

### **Public Session**

#### **Adoption of Agenda**

Mrs. Gordy made a motion to adopt the Agenda as amended. Mr. Hart seconded the motion. The motion passed unanimously.

#### **Public Participation**

The Chair read the rules governing Public Participation.

The following person expressed objection to the Board members' health insurance coverage:

Kay Lewis, representing the citizens' group Hear Our Voices

The following person expressed objection to the appeal process for the recent tax assessments:

Wayne Wills, representing the citizens' group Hear Our Voices

The following person addressed the Board's procedures for motions and voting:

Maria Paccioretti

The following person asked the Board to request a VDOT Traffic Study/Speed Study in the village of Assawoman:

Sue Boggs, Assawoman United Methodist Church  
Emily Brothers

The following person expressed appreciation for the Board's support of the Draft Comprehensive Plan; for the Eastern Shore Tourism Commission; and for the County Attorney:

Lois Cooper

The following person reiterated the request presented prior to the closed meeting of this date and objection to the violation of the court-ordered stay on levying taxes:

James Frese – Read these comments to the Board.

*I am addressing the Board tonight to request that the Board discuss all legal matters relating to **In Re: Accomack County Supervisors' Order of Levy for the Imposition of Real Property Taxes for Fiscal Year 2009** in the Public Session. I spoke with the County Attorney today, who insisted that the Board was entitled to private consultation with Counsel regarding this matter. I disagree. This appeal was filed on behalf of the people – all the people, of Accomack County. It is not filed against the Board of Supervisors. Any discussions that our elected officials have about this matter involves the peoples' business. We are entitled to know what advice the County Attorney gives regarding our appeal. We are also entitled to know what our elected officials have to say about this appeal. The advice is being given using the taxpayers' money. I therefore respectfully request that all discussion regarding the peoples' appeal to be conducted in Public Session. I further request that the Board state its position with regard to the current tax bills that have been sent to County residents. As you know, this appeal operates as a stay of the County Tax Order. Are County residents to pay these tax bills? And if they do pay these bills and the County cashes their checks, isn't the County violating the stay? Who in the County will be held in contempt by the Court for this violation? Does the County intend to do the right thing and rescind this unlawful Tax Order and issue new bills based on the prior assessment? The Public is entitled to straight answers from County officials. The Board should not waste taxpayer money fighting this appeal against the people of the County when you know that this reassessment was not done properly. Proof of this is that seven Supervisors apparently requested reductions of their "reassessments." I further request that this statement be made a part of the public record for this date. Thank you very much – and I have a copy for everybody here, without the part about the seven Supervisors.*

The following person voiced opposition to the Eastern Shore Public Service Authority (PSA) as presented:

Wesley Edwards

The following person voiced opposition to the Eastern Shore Public Service Authority (PSA) following recent School Board budget cuts:

Bob Gresham

## Chair's Comments

The Chair reported that Delegate Lynwood Lewis was the guest speaker at the E. D. 2 Regular Monthly Meeting, with approximately 38 residents in attendance. Delegate Lewis reported on the State's budget situation and transportation funding issues.

## Consent Agenda

Mrs. Thornton requested that the following item be removed from the Consent Agenda to be discussed separately.

- ix. Consider award of RFP #211 for Engineering Services for Site Plan Reviews

The Chair requested that the following item be removed from the Consent Agenda to be discussed separately.

- xiii. Consider recognizing the 50th Anniversary of Oak Hall Rescue, Inc.

Mrs. Thornton made a motion to approve the Consent Agenda as amended. Mr. Mallette seconded the motion. The motion passed unanimously.

- a. Approved scheduling Public Hearings at 7:30 p.m. on June 18, 2008, in the Cafetorium of Metompkin Elementary School to receive public comment concerning:
  - i. The abandonment of Route 841, a .10 mile of Route 840 (Cutler Lane), previously abandoned
  - ii. Granting of an easement to A & N Electric for underground wire on property on Airport Drive, Melfa, VA
  - iii. Authorization to advertise Public Hearing to establish the salary of Board members for FY 2009
  - iv. Authorization to advertise Public Hearing regarding Ordinance to Amend Code adding "Fire Lanes"
  - v. Authorization to advertise for amendment to County Code relative to Consumer Utility Tax
  - vi. Authorization to advertise for amendment to County Code regarding deleting Nursing Home Commission and Eastern Shore of Virginia Economic Development Commission (sometimes referred to as Accomack-Northampton Economic Development Commission)
- b. Approved the following Resolution in favor of petitioning the Commerce Department for relief to the working watermen of the State of Virginia

## **RESOLUTION IN FAVOR OF PETITIONING THE COMMERCE DEPARTMENT FOR RELIEF TO THE WORKING WATERMEN OF THE STATE OF VIRGINIA**

WHEREAS, the Virginia Marine Resource Commission adopted restrictions on the crabbing industry, including an end to the winter dredge; and

WHEREAS, this move will put dredgers and their crews and local working watermen, who depend on this industry for their livelihood, out of work for months, especially the watermen of Accomack County, Virginia; and

WHEREAS, the Accomack County Board of Supervisors is in full favor of said Petition by the Governor of the State of Virginia to the Commerce Department and would like to declare there support thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that they are in full support of a Petition by the Governor of the State of Virginia to the Commerce Department for financial relief under the Magnuson-Stevens Fishery Conservation and Management Act.

The Clerk of the Board is directed to send a copy of this Resolution to the Honorable Timothy Kaine, Governor of Virginia.

- c. Approved the following Resolution to recommend initiation of Virginia Association of Counties action towards amendment of the Constitution of Virginia

**RESOLUTION TO RECOMMEND INITIATION OF VACO ACTION TOWARDS AMENDMENT OF THE CONSTITUTION OF VIRGINIA**

**WHEREAS**, the Board of Supervisors finds, in the 2008 Virginia General Assembly, further indication of continuing deterioration of intergovernmental relations and cooperation between the state and local levels; and

**WHEREAS**, the Board of Supervisors finds that such deterioration is reflected in House of Delegate's proposed education spending cuts, wherein the House of Delegates considers abandoning a well-established methodology for state funding of K-12 education by interposing selective and apparently arbitrary budget cuts with no notice to localities; and

**WHEREAS**, the Board of Supervisors finds that such deterioration is reflected in the House of Delegate's proposal that the Commonwealth unilaterally and without notice to localities significantly increase its share of excess fees collected by Virginia's Circuit Court Clerks; and

**WHEREAS**, the Board of Supervisors further finds that fundamental changes in the government of the Commonwealth of Virginia appear desirable – if not essential – to adjust intergovernmental relationships at the state and local levels for the good of the people and to secure a brighter future for our Commonwealth; and

**WHEREAS**, the Board of Supervisors belongs to and participates in the Virginia Association of Counties with the expectation that such organization shall diligently pursue its mission of promoting the interests of counties *in better serving the people of the Commonwealth of Virginia*; and

**WHEREAS**, the Board of Supervisors finds that financing of capital improvements for Virginia's public schools at the state level would provide the benefit of savings achieved by economy of scale to all of the people of the Commonwealth of Virginia; and

**WHEREAS**, the Board of Supervisors finds that all of the people of the Commonwealth, and particularly all payers of state and local taxes, would benefit materially from advance notification of the anticipated costs of legislation proposed in the General Assembly, whether such be direct costs to taxpayers or costs to localities that may be expected to be funded by payers of local taxes; and

**WHEREAS**, the Board of Supervisors finds that the Virginia Association of Counties is uniquely positioned and empowered to facilitate, either directly or through a

VACo-sponsored non-profit corporation, the promotion of “grass-roots” efforts to bring forward changes in Virginia governance through citizen petitions to the General Assembly for the initiation of Constitutional amendments to require state financing of capital expenditures for school construction and to require advance notice to the people of the Commonwealth of the costs of all new legislation proposed in the General Assembly.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors of Accomack County calls upon the Virginia Association of Counties to embrace, initiate and support a “grass-roots” effort towards citizen petitions calling for the General Assembly to initiate amendments to the Constitution of Virginia to (1) enable the Commonwealth of Virginia to benefit from economies of scale by financing of capital improvements for Virginia’s public schools at the state level and (2) provide the citizens of the Commonwealth with advance notification of both the direct and indirect local citizen costs of legislation considered by the General Assembly.

**AND, BE IT RESOLVED** that the Board of Supervisors of Accomack County directs that this Resolution be presented to the Virginia Association of Counties, and that copies of this Resolution be promptly forwarded to all member counties of the Virginia Association of Counties for their consideration.  
County Administrator and Clerk to the Board

- d. Approved maintenance issues related to the Social Services building
- e. Approved donation of roll-off truck to the Town of Tangier
- f. Approved preparation of a Letter of Commendation for Cody Halliday for his heroic actions in saving the lives of his family during a recent fire
- g. Approved Contract Renewal of RFP #188 with Commercial Risk Consultants, Inc. for the provision of insurance consultant services

#### **Award of RFP #211 for Engineering Services for Site Plan Reviews**

Mrs. Thornton questioned the need for awarding a contract for Site Plan Review.

James McGowan, County Director of Planning, explained that the number of plans submitted at any given time, plans for large projects, or plans for Economic Development projects could exceed the capability of the limited staff in the Department of Planning. Mr. McGowan then responded to comments and questions from the Board.

Mr. Mallette made a motion to award the contract for pre-qualification. Mr. Chesser seconded the motion. Ayes: Mr. Chesser, Mrs. Mears, Mr. Mallette, Mrs. Gordy, Mr. Hart, and Mr. McCaleb. Nay: Mrs. Thornton and Mr. Gray.

#### **Recognizing the 50th Anniversary of Oak Hall Rescue, Inc**

Mr. Chesser thanked the members of the Oak Hall Rescue Company for assistance and information provided to his questions concerning Emergency Medical Services in general.

Mr. Hart made a motion to approve the following acknowledgement to the Oak Hall Rescue Company for fifty years of service to the community. Mr. Chesser seconded the motion. The motion passed unanimously.

**1958 - 2008  
IN RECOGNITION  
of the  
50<sup>TH</sup> YEAR ANNIVERSARY  
of the  
OAK HALL RESCUE, INC.  
OAK HALL, VIRGINIA**

Acknowledged by the Accomack County Board of Supervisors at its meeting on May 21, 2008.

**Report of Blue Ribbon Water & Sewer Committee**

Mr. George McMath, Chairman of the Accomack County Blue Ribbon Water and Sewer Committee, provided an overview of the process of the study. Mr. McMath then presented a summary of the Committee's findings and conclusions included in the Committee's report to the Board, entitled A Study On Providing For The Water And Sewer Service Needs of Accomack County.

Mrs. Gordy made a motion to accept the Report of the Blue Ribbon Committee entitled A Study On Providing For The Water And Sewer Service Needs of Accomack County. Mrs. Thornton seconded the motion.

Discussion followed.

The motion passed unanimously.

**Highway Matters**

**VDOT's Traffic Signal Photo Enforcement Program**

Mr. Holloway reported the findings related to the Virginia Department of Transportation's traffic signal photo enforcement program (local Ordinance required for enforcement) and responded to comments and questions from the Board.

Mr. Wolff made a motion to request a Traffic and Speed Study in the village of Assawoman, from Route 679 to the Assawoman Post Office. Mr. Hart seconded the motion. The motion passed unanimously.

Mr. Wolff made a motion that Watch for Children signs be placed in the area of 23522 Saxis Road in Sanford. Mr. Hart seconded the motion. The motion passed unanimously.

Mr. Chesser made a motion to request a study to determine if the speed limit should be lowered along US Route 13 in the Town of Onley. Ms. Gordy seconded the motion. The motion passed unanimously.

### **Resolution of Recognition**

Mrs. Mears stated that she had hand-delivered the following Resolution of Recognition to Mr. James Behrmann.

### **RESOLUTION OF COMMENDATION**

**WHEREAS**, James E. Behrmann was a member of the Accomack County Wetlands Board from August 20, 2003 through February 25, 2008; and

**WHEREAS**, he has been a conscientious and devoted member of the Accomack County Wetlands Board and gave generously of his time and efforts:

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors does hereby recognize and commend the distinguished, faithful and outstanding service of James E. Behrmann to the Accomack County Wetlands Board and the citizens of the County of Accomack; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be spread upon the Minutes and be put upon a plaque to be presented to Mr. Behrmann.

### **Treasurer's Report**

Dana Bundick, County Treasurer, was not present.

### **Accomack County Public Schools**

W. Richard Bull, Division Superintendent, Accomack County Public Schools, reported that \$27,120 of the Board's \$455,770 appropriation for health insurance for School employees for Fiscal Year 2007/2008 had not been used and had been deducted from the appropriations.

Mr. Bull further reported that at the request of the Auditors, the School Division had submitted a Consolidated Appropriation Request to the County for all State and Federal Grants and Allotments. This document will require a Public Hearing.

Mr. Hart made a motion to schedule a Public Hearing at 7:30 p.m. on Wednesday, June 18, 2008, in the Cafetorium of Metompkin Elementary School to afford interested persons the opportunity to be heard or to present written comments concerning the School Board's Consolidated Appropriation Request to the County for all State and Federal Grants and Allotments. Mrs. Thornton seconded the motion. The motion passed unanimously.

### **Director of Planning**

James M. McGowan, Director of Planning, presented the monthly report and responded to questions from the Board.

### **Public Hearings**

The Chair read the rules governing Public Hearings.

**Accomack County, Virginia Ordinance Amendment to Chapter 34, Elections, Article III, Precincts; Polling Places**

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Proposed Accomack County, Virginia Ordinance Amendment to Chapter 34, Elections, Article III, Precincts; Polling Places.

No public comments were offered and the Chair closed the Public Hearing.

Mr. Hart made a motion to adopt the following amendment to Chapter 34, Elections, Article III, Precincts; Polling Places. Mr. McCaleb seconded the motion. The motion passed unanimously.

**ACCOMACK COUNTY, VIRGINIA, ORDINANCE AMENDMENT TO**

**CHAPTER 34, ELECTIONS, ARTICLE III,  
PRECINCTS; POLLING PLACES**

**CHAPTER 34 – ELECTIONS**

**ARTICLE III. PRECINCTS; POLLING PLACES**

**WHEREAS**, The Accomack County Board of Supervisors, by Ordinance enacted February 21, 2001, established a Central Absentee Ballot Precinct at the Accomack County Administration Building for use only in November general elections; and

**WHEREAS**, The Accomack County Board of Supervisors finds that the welfare and convenience of Accomack County residents and compliance with Virginia law requires that Accomack County designate a Central Absentee Precinct for use in all elections in Accomack County; and

**WHEREAS**, the Accomack County Board of Supervisors finds that an emergency exists, inasmuch as designation of a Central Absentee Precinct must be made prior to April 9, 2008, in order for such precinct to qualify for use in the June 10, 2008 Primary Election.

**NOW, THEREFORE, BE IT ENACTED** as an Emergency Ordinance of Accomack County, that the Accomack County Ordinance enacted February 21, 2001, amending Accomack County Code Section 34-67, is hereby further amended, as follows:

**Section 2.**

Pursuant to the provisions of the Code of Virginia, Article 3, §24.2-305 et seq. (2000 Repl. Vol.), the local governing body of Accomack County authorizes the establishment of the Central Absentee Ballot Precinct Place to be located in the Board of Supervisors Room in the Accomack County Administration Building located as 23296 Courthouse Avenue, Accomack, Virginia. The Central Absentee Ballot Precinct Place shall be used for all elections in Accomack County.

(Ord. § 2/21/01)

**State law references:** Virginia Code § 24.2-712, as amended.

**Accomack County, Virginia, Ordinance Amendment to Chapter 42, Fire Prevention and Protection, Article II, Open Burning**

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Proposed Accomack County, Virginia, Ordinance Amendment to Chapter 42, Fire Prevention and Protection, Article II, Open Burning.

No public comments were offered and the Chair closed the Public Hearing.

Mr. Mallette made a motion to adopt the following amendment to Chapter 42, Fire Prevention and Protection, Article II, Open Burning. Mr. McCaleb seconded the motion. The motion passed unanimously.

**ACCOMACK COUNTY, VIRGINIA, ORDINANCE AMENDMENT TO  
CHAPTER 42, FIRE PREVENTION AND PROTECTION, ARTICLE II,  
OPEN BURNING**

**CHAPTER 42 – FIRE PREVENTION AND PROTECTION**

**ARTICLE II. OPEN BURNING**

WHEREAS, The Accomack County Board of Supervisors, by Ordinance enacted November 15, 2006, established penalties for violations of Chapter 42, Fire Prevention and Protection; and

WHEREAS, The Accomack County Board of Supervisors finds that Section 42-50 and Section 42-54 relating to penalties for violation of said Code section are in conflict; and

WHEREAS, the Accomack County Board of Supervisors finds that an emergency exists, inasmuch as a correction stating the penalty for violation must be made immediately.

NOW, THEREFORE, BE IT ENACTED as an Emergency Ordinance of Accomack County, that the Accomack County Ordinance enacted November 15, 2006, amending Accomack County Code Section 42-54, is hereby further amended, as follows:

**~~Section 42-54. Penalty for violation of article.~~**

~~—Pursuant to the Code of Virginia, § 15.2-1429, any person violating this article shall be guilty of a class 4 misdemeanor.~~

~~(Ord. of 11-15-2006)~~

**Accomack County Building and Fire Code Board of Appeals - Appointment**

Mr. Wolff made a motion to appoint Mr. Wilbur Bowden to the Accomack County Building and Fire Code Board of Appeals the term to begin immediately and end March 31, 2011. Mr. Chesser seconded the motion. The motion passed unanimously.

### **Accomack-Northampton Regional Housing Authority – Appointment**

Mrs. Mears made a motion to appoint Mr. William T. Brown to the Accomack-Northampton Housing Authority to fill the unexpired term of Mr. William D. Sawyer, who has resigned, the term to begin immediately and expire June 30, 2011. Mr. Hart seconded the motion. The motion passed unanimously.

### **Eastern Shore Community College Board - Appointment**

Mrs. Thornton made a motion to appoint Mr. William Jones to the Eastern Shore Community College Board the term to begin July 1, 2008 and end on June 30, 2012. Mr. Hart seconded the motion. The motion passed unanimously.

### **Quinby Harbor Committee - Appointment**

Mr. Hart made a motion to reappoint Frank Janos and William Gleim to the Quinby Harbor Committee for a four-year term beginning immediately and ending June 30, 2012. Mrs. Thornton seconded the motion. The motion passed unanimously.

### **Social Services Board - Appointment**

Mrs. Mears made a motion to appoint Ms. Kay Lewis to the Social Services Board. Mr. Gray seconded the motion. Ayes: Mrs. Thornton, Mr. Chesser, Mrs. Mears, Mr. Gray, Mr. Mallette, Mrs. Gordy, and Mr. Hart. Nay: Mr. McCaleb.

### **Formation of a Public Service Authority and Appointment of Initial Board Members**

Discussion concerning the formation of a Public Service Authority and appointment of initial Board Members was tabled pending the Work Session scheduled for June 3, 2008.

### **County Administrator's Report**

Mr. Miner reported that the Accomack County Fire and Rescue Commission had voted unanimously to participate with the County in a Facilitator Process to resolve issues within individual Fire Departments and the overall emergency services throughout the County.

Mr. Miner responded to comments and questions from the Board on various ongoing projects and issues.

### **Treasurer's Report**

The Chair announced that Mrs. Bundick had entered the meeting and offered an opportunity to address the Board. Mrs. Bundick stated that the computer upgrades were underway in the Treasurer's Office and responded to questions from the Board.

### **County Attorney's Report**

Mr. Taylor explained the two advertising options for the Public Hearing concerning salaries.

Mr. Mallette made a motion that there be no salary increases for Board members.

Mrs. Mears seconded the motion. The motion passed unanimously.

Mr. Taylor responded to comments and questions from the Board.

### **Board of Supervisors Comment Period**

Mrs. Thornton made a motion to direct staff to prepare a Resolution of Recognition for Mrs. Donna West. Mr. Hart seconded the motion. The motion passed unanimously.

Mrs. Thornton made a motion to request the County Attorney to get an opinion from the Attorney General on the legalities of offering the health insurance to the Board of Supervisors in the current manner. Mr. Hart seconded the motion.

Rev. Broad, Board Parliamentarian, explained that Section 6, Paragraph 11A precludes any action being taken on items or issues presented during the Board Comment Period. Mr. Miner asked if a vote to suspend the rules to allow the motion would be in order; Rev. Broad stated it would.

Mrs. Thornton made a motion to suspend the rules for the current meeting only to allow a motion and vote on items presented during the Board Comment Period. Mr. Hart seconded the motion.

Discussion followed.

Ayes: Mrs. Thornton, Mrs. Mears, Mr. Gray, Mrs. Gordy, and Mr. Hart. Nays: Mr. Chesser, Mr. Mallette, Mr. McCaleb.

Following a Call for the Question, Mrs. Thornton restated her motion to request the County Attorney to get an opinion from the Attorney General on the legalities of offering the health insurance to the Board of Supervisors in the current manner. Mr. Hart seconded the motion. Ayes: Mrs. Thornton, Mr. Chesser, Mrs. Mears, Mr. Mallette, Mr. Gray, Mrs. Gordy, and Mr. Hart. Nay: Mr. McCaleb.

Mr. Mallette requested to have a discussion concerning waiving the administrative fees the County has been charging to County retirees for processing health insurance payments.

Mr. Hart made a motion to direct staff to prepare a Resolution of Recognition of the 100th Anniversary of Mears Memorial United Methodist Church in Keller. Mrs. Thornton seconded the motion. The motion passed unanimously.

**Budget and Appropriation Items**

Mrs. Mears made a motion to approve the following budget and appropriation items. Mrs. Thornton seconded the motion. The motion passed unanimously.

<i>FISCAL YEAR 2008</i>
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<b>Grants, Etc.</b>
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<b>Increase Revenues</b>	
From the Commonwealth	\$ 5,000
<b>Increase Expenditures</b>	
Planning	\$ 5,000
Chesapeake Bay Nutrient Reduction Activities grant award	
<b>Increase Revenues</b>	
From the Commonwealth	\$ 4,950
<b>Increase Expenditures</b>	
Solid Waste	\$ 4,950
Abandoned Vehicle Program reimbursements	
<b>Increase Revenues</b>	
From the Commonwealth	\$110,923
<b>Increase Expenditures</b>	
EMS	\$110,923
State Homeland Security Program grant award	

<b>From Contingencies (\$21,355 Operating and \$69,070 Capital Contingency unappropriated balances as of 05/06/08)</b>
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<b>Decrease Contingencies</b>	
Capital Contingency	\$ 8,000
<b>Increase Expenditures</b>	
EMS	\$ 8,000

First Responder funding pursuant to the amendment by the By-laws of the Fire and Rescue Commission of 07/02/05

<b>Decrease Contingencies</b>	
Capital Contingency	\$ 15,000
<b>Increase Expenditures</b>	
Economic Development	\$ 15,000
Economic Impact Study performed by Salisbury University	

<b>Other</b>
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<b>Increase Revenues</b>	
Aviation Gasoline/Jet A Fuel Sales	\$108,546
<b>Increase Expenditures</b>	
Airport	\$108,546
Adjustment needed to reflect the higher cost of aviation Fuel purchased for resale	
<b>Increase Revenues</b>	
Insurance Recoveries	\$ 3,994

**Increase Expenditures**

Sheriff	\$ 300
Airport	\$ 3,694
Insurance reimbursements for lightning strike and vehicle damage	

**Increase Revenues**

Charges for Services	\$ 25,000
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**Increase Expenditures**

Health Department	\$ 25,000
Migrant health services pass-thru funds from Eastern Shore Rural Health Systems	

**Increase Revenues**

Miscellaneous Revenue	\$ 496
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**Increase Expenditures**

Animal Control Facility	\$ 496
Donations for animal care	

**Increase Revenues**

Miscellaneous Revenue	\$ 11,052
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**Increase Expenditures**

Sheriff	\$ 11,052
Charges for law enforcement services at school events, etc.	

**Increase Revenues**

Chief Magistrate (Mileage Account)	\$ 11,000
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**Increase Expenditures**

Chief Magistrate (Payroll Accounts)	\$ 11,000
The Code of Virginia §10.2-46.1 previously allowed County's to reimburse magistrates for mileage expenses incurred in performance of their duties. Accomack County Has historically done such however; effective June 30, 2008, Mileage reimbursements will no longer be permitted by the Code. Only fixed compensation supplements will be allowed. No additional funding is needed but this change must be adopted By June 30, 2008 if magistrate supplements are to continue.	

<i>FISCAL YEAR 2009</i>
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<b>From Contingencies (\$111,811 Operating and \$525,000 Capital Contingency unappropriated balances as of 05/06/08)</b>
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**Decrease Contingencies**

Operating Contingency	\$ 8,000
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**Increase Expenditures**

EMS	\$ 8,000
First Responder funding pursuant to the amendment by The Bi-laws of the Fire and Rescue Commission of 07/21/05	

**Payables**

Mrs. Thornton made a motion to authorize the payment of invoices. Mrs. Gordy seconded the motion. The motion passed unanimously.

**Adjournment**

A Work Session to discuss the report of the Blue Ribbon Committee was scheduled for Monday June 2, 2008, beginning at 5:00 p.m. in the Board Chambers in Accomac.

Mr. Hart made a motion to adjourn until 5:00 p.m. on June 2, 2008, in the Board Chambers in Accomac. Mr. Mallette seconded the motion. The motion passed unanimously. The meeting adjourned at 9:15 p.m.

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Chair