

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 17th day of September, 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  
Yvonne N. Pennell, Administrative Assistant  
Mark B. Taylor, County Attorney

**Closed Meeting.**

Mrs. Thornton made a motion that the Board go into closed meeting for the following purposes pursuant to Section 2.2-3711 of the Code of Virginia of 1950, as amended. Mrs. Gordy seconded the motion. The motion passed unanimously.

1. Pursuant to subsection (A) (1) for discussion of a specific public officers, being specifically the Board Personnel Committee report on the County Administrator and County Attorney performance evaluations.
2. Pursuant to §2.2-3711(A) (3) of the Code of Virginia of 1950, as amended, 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:

*Solid Waste facilities*

**Open Meeting**

The Chair declared the meeting open to the public.

**Certification of Closed Meeting**

On a motion by Mr. Hart and seconded by Mr. Mallette, a roll call vote was taken 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**

### **Call to Order**

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

### **Adoption of Agenda**

County Attorney Mark Taylor requested the following amendment to the Agenda:

Add under Consent Agenda Item 8g – Consider authorization for the Public Works Department to expend an amount not to exceed \$2,500 from E. D. 2 District Funds to complete a structure location confirmation by a Licensed Surveyor and to perform removal of blighted structures previously approved for removal pursuant to the Accomack County Drug Blight Ordinance.

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

### **Public Participation**

The Chair read the rules governing Public Participation.

The following person expressed support of the proposed Atlantic Protection Area Ordinance and encouraged the adoption of the Model Virginia Stormwater Ordinance:

Tony Picardi

The following person expressed opposition to the proposed Atlantic Protection Area Ordinance:

Maria Paccioretti

The following person read a statement opposing the proposed Chesapeake/Atlantic Protection Area Ordinance:

James Frese

*The times we live in right now do not need explanation. Nationally, state-wise, and county-wise the situation and outlooks are bleak, almost beyond description. We County citizens are drowning in regulations, property taxes, fees, inflation, and stagnant incomes, not to mention the unfunded mandates of the federal, state, and now the county governments. In this county, business is declining, with far too many closures – this county. There is a lack of meaningful jobs, there is a population loss, excessive taxes, spending beyond our ability to pay for the increases in County expenditures and bloat. And the recent downzoning – five-acre building lots – carries with it a depression of land values. Some of the other policies of the Board can only be called anti-growth and anti-business. To-wit: a gigantic increase in the Planning Department; ditto in the Building and Zoning Department; creation of a quarter-of-a-million dollar Legal Department; almost three million dollars in the greenbox locations; and the PSA attempt of unknown obligations – which I will admit, fortunately you have appointed a committee to investigate. And now you, the Board, wants to impose more unnecessary, ineffective, unfair, inappropriate, and draconian bayside regulations on the seaside. Rather than go on and on, let me just say, "Please stop the cycle now." Thank you.*

The following person read a statement of a request for information under the Freedom of Information Act:

Toni Trepanier

*What I'm doing tonight, firsthand, (I have two points.) is I'm actually some information under the Freedom of Information Act, the first being copies of any and all documents and e-mails to and from and between any of the aforementioned parties and that is, Chairman Wolff, all the members of the Accomack County Board of Supervisors, Steve Miner-County Administrator, Mark Taylor-County Attorney, and Larry Forbes-Economic Development Director. These copies of documents and e-mails to and from and between any of these any of parties with a relationship to the appointment and installation of George W. Parker to the IDA/EDA as it relates to his financial disclosure statement, a copy of which is attached hereto (I've given you that.) Number 2: Copies of all individual financial disclosure statements of all presently sitting members of the IDA/EDA and proof that each member has complied with the standards for such filings and the documents are time- and date-stamped, notarized, and that the appointed member has been sworn in. Number 3: Copies of the tapes of all the public meetings of the IDA/EDA Meetings, from January 1, 2008 through September 2008, and 4: Copies of the financial disclosure statements of all the Supervisors filed in January 2008 and proof that each Supervisor has complied with the standards for such filings and the documents are time-date-stamped, notarized, and that each elected Supervisor has been sworn in. That's the end of my disclosure, and a copy of the documents are attached to it.*

Ms. Trepanier followed the reading of the statement with comments in opposition to the proposed Chesapeake/Atlantic Protection Area Ordinance.

The following person spoke in opposition to the proposed Chesapeake/Atlantic Protection Area Ordinance:

Attorney Mark Baumgardner

The following person read a statement in support of the proposed Chesapeake/Atlantic Protection Area Ordinance:

Susan Mastell

### **Chair's Comments**

The Chair stated that the ED 3 Regular Monthly Meeting had gone very well, adding that the cost of the septic tank filter referred to by Ms. Trepanier was found to be under \$30.

The Chair reported that the Accomack County School Board had submitted a request of agenda items and suggested dates, in response to the Board's inquiry for scheduling a joint meeting. Staff was directed to check the dates for conflicting meetings, and to check the availability of the meeting room.

The Chair reported that the Financial Committee held first of two meetings in September. He listed several Goals and Objectives set by the Committee.

### **Consideration of Minutes**

Mr. McCaleb made a motion to approve the Minutes of the April 16, May 1, May 14, May 21, and June 18, 2008, meetings, with corrections. Mrs. Mears seconded the motion. Ayes: Mr. Chesser, Mrs. Mears, Mr. Gray, Mrs. Gordy, Mr. Hart, and Mr. McCaleb. Nays: Mr. Mallette. Mr. Mallette stated that he would not vote to approve Minutes until the Minutes being

considered were of the previous month's meeting. Abstain: Mrs. Thornton. Mrs. Thornton explained that she had received the Minutes the day of the Meeting and had not had an opportunity to read them.

### **Consent Agenda**

Mrs. Thornton made a motion to approve Items under the Consent Agenda, with Item g added, per Mr. Taylor's request. Mrs. Mears seconded the motion. The motion passed unanimously.

- a. Approved the renewal of the contract with Eastern Shore Printers for printing services for the final two-year period of November 1, 2008 – October 31, 2010 in accordance with the terms and conditions of IFB #561
- b. Scheduled a Public Hearing for 7:30 pm on Wednesday, October 15, 2008, to receive public comment on the Rezoning of Tax Parcels 42-2-A and 42-2-A1 located on Route 695, Temperanceville Road, from Agricultural to Residential
- c. Scheduled a Public Hearing for 7:30 pm on Wednesday, October 15, 2008, to receive public comment on the request of Emmett Taylor to remove Tax Parcel 42-2-A from the Atlantic Agricultural and Forestal District
- d. Scheduled a Public Hearing on Wednesday, October 15, 2008 at 7:30 pm in the Cafetorium of Metompkin Elementary School, 24501 Parksley Road, Parksley Virginia, to afford interested persons the opportunity to be heard or to present written comments concerning the following Resolution to abandon Route 831, Yorktown Drive from the Secondary System of State Highways pursuant to §33.1-150, Code of Virginia, as amended.

### **RESOLUTION OF THE BOARD OF SUPERVISORS OF ACCOMACK COUNTY, VIRGINIA FOR ABANDONMENT OF ROAD**

The Board of Supervisors of Accomack County, Virginia, in regular meeting on the \_\_\_\_\_ day of \_\_\_\_\_, 2008, adopted the following:

#### **RESOLUTION**

WHEREAS, no public necessity exists for the continuance as a public secondary road; and

WHEREAS, maintenance of State Route 831, Yorktown Drive, by the Commonwealth of Virginia is no longer necessary or appropriate; and

WHEREAS, a public notice was given as prescribed under Section 33.1-151, Code of Virginia, announcing a public hearing to receive comments concerning discontinuance of the road described herein from the Secondary System of State Highways, and

WHEREAS, the Commissioner of the Virginia Department of Transportation was provided the prescribed notice of this Board's intent to abandon the subject road, and

WHEREAS, upon such public hearing and consideration of all evidence presented, this Board is satisfied that no public necessity exists for the continuance of Yorktown Drive (Route 831), and hereby deems that road, being the entirety of Yorktown Drive (Route 831), no longer necessary as a part of the Secondary System of State Highways.

NOW, THEREFORE, BE IT RESOLVED, this Board abandons the above described road and removes it from the Secondary System of State Highways, pursuant to Section 33.1-151, Code of Virginia.

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

- e. Approved the preparation of a Resolution of Recognition for James Frese
- f. Approved drainage projects for E.D. 2, 3 ,5
- g. Approved the use of up to \$2,500 from E. D. 2 district funds to complete a structure location confirmation by a licensed surveyor and to perform removal of blighted structures as provided for in the Accomack County Drug Blight Ordinance

### **Highway Matters**

#### **Monthly Report**

Mr. Timothy Holloway, Acting Resident Administrator, Virginia Department of Transportation (VDOT), responded to questions and comments from the Board.

#### **Wallops Flight Facility Office of Public Affairs**

Keith A. Kohler, Director of the Wallops Flight Facility Office of Public Affairs and Dr. John Campbell, Director of Wallops Flight Facility and Suborbital and Special Orbital Projects Directorate, were present to explain the failed rocket launch from the Wallops Flight Facility on August 22, 2008. Mr. Kohler and County Director of Public Safety Jason Loftus responded to comments from the Board.

#### **Treasurer's Report**

County Treasurer Dana Bundick responded to questions and comments from the Board. The Board asked Mrs. Bundick to investigate insurance coverage for the bank accounts.

#### **Accomack County Public Schools**

W. Richard Bull, Division Superintendent, Accomack County Public Schools, summarized his monthly report.

#### **Director of Planning**

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

Mrs. Thornton made a motion to authorize the Planning Director to give a presentation on the proposed Chesapeake/Atlantic Preservation Area Ordinance to the Captain's Cove Homeowner's Association. Mr. Wolff seconded the motion. The motion passed unanimously.

Mrs. Gordy made a motion to schedule a Public Hearing at 7:00 p.m. on Wednesday, November 12, 2008, in the Cafetorium of Metompkin Elementary School to afford interested persons the opportunity to be heard or to present written comments concerning the Draft Chesapeake / Atlantic Preservation Area Ordinance and Map. Mrs. Mears seconded the motion. Ayes: Mr. Wolff, Mr. Chesser, Mrs. Mears, Mr. Gray, Mr. Mallette, Mrs. Gordy, Mr. Hart, and Mr. McCaleb. Nays: Mrs. Thornton.

Discussion of the effects of the proposed Chesapeake/Atlantic Preservation Area Ordinance on Assateague Island and other federally owned lands.

Discussion was suspended at 7:30pm, and scheduled to resume immediately following the Public Hearings.

### **Public Hearings**

The Chair read the rules governing Public Hearings.

### **Thompson Rezoning Request**

County Land Use Planner Robert Testerman read the staff report concerning the request by Larry N. Thompson to rezone approximately 25 acres of land in the Temperanceville area from Agricultural to Residential. This property, Tax Parcel 41-A-123, is located on the south side of Route 695 (Saxis Road) approximately 0.8 miles west of U.S. Route 13 (Lankford Highway).

The Chair opened the Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Proposed Rezoning of approximately 25 acres of Tax Parcel 41-A-123 located on Saxis Road in the Temperanceville area from Agricultural to Residential.

The following person spoke in opposition to the Proposed Rezoning:  
Cecelia Baker

Revell Lewis, Attorney for the Applicant, addressed the Board concerning the Proposed Rezoning request, and responded to comments and questions from the Board.

The Chair closed the Public Hearing.

Mr. McCaleb made a motion to deny the Proposed Rezoning of approximately 25 acres of Tax Parcel 41-A-123 located on Saxis Road in the Temperanceville area from Agricultural to Residential. Mr. Chesser seconded the motion. Ayes: Mr. Wolff, Mr. Chesser, Mr. Gray, Mr. Mallette, Mrs. Gordy, Mr. Hart, and Mr. McCaleb. Nays: Mrs. Thornton and Mrs. Mears.

**Ordinance to Amend Chapter 94, Utilities, Article 2, Pumping and Hauling of Sewage Under Certain Circumstances**

Mr. Taylor explained the Proposed Ordinance to Amend Chapter 94, Utilities, Article 2, Pumping and Hauling of Sewage Under Certain Circumstances.

The Chair opened the Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Proposed Amendment to Chapter 94, Utilities, Article 2, Pumping and Hauling of Sewage Under Certain Circumstances.

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

Mrs. Thornton made a motion to approve the Proposed Amendment to Chapter 94, Utilities, Article 2, Pumping and Hauling of Sewage Under Certain Circumstances. Mrs. Mears seconded the motion. The motion passed unanimously.

**ACCOMACK COUNTY, VIRGINIA, ORDINANCE TO AMEND  
CHAPTER 94, UTILITIES, ARTICLE 2, PUMPING AND HAULING OF  
SEWAGE UNDER CERTAIN CIRCUMSTANCES**

**CHAPTER 94 - UTILITIES**

**ARTICLE 2. PUMPING AND HAULING OF SEWAGE  
UNDER CERTAIN CIRCUMSTANCES.**

**Sec. 94-2. Pumping and hauling of sewage under certain circumstances.**

(a) The county administrator of Accomack County, Virginia, is hereby authorized to enter into contracts and agreements containing such terms and conditions as he deems appropriate to execute such other documents as may be necessary to permit the permanent pumping and hauling of sewage on a case-by-case basis by a private contractor holding a valid sewage hauling permit in the circumstances and under the conditions set out in subsections 94-2(b) through (f), below.

(b) No agreement or contract permitting the pumping and hauling of sewage shall be entered into by a county administrator except in connection with: (1) real property owned by churches and used for religious purposes, (2) real property occupied and used for human residency, (3) real property used in the operation of a small business. In the case of a sSmall businesses allowed to use pump and haul as a wastewater disposal method under this section, shall be limited to not more than fifteen (15 employees fixtures shall be limited to one toilet and one hand sink.

(c) No agreement or contract permitting the pumping and hauling of sewage shall be entered into by the county administrator except in connection with property which does not have practical access to a central sewage system, and cannot otherwise obtain an Accomack County health department permit for a septic system using a subsurface drain field.

(d) No agreement or contract permitting the pumping and hauling of sewage shall be entered into by the county administrator except upon execution of a bond in favor of Accomack County, by the owner of the property from which the sewage is to be pumped and hauled, in the amount of \$5,000.00 guaranteeing the payment of the private contractor, and indemnifying Accomack County, Virginia, for any liability it may incur in connection with or as a result of entering into the agreement or contract.

(e) Every agreement entered into by the county administrator pursuant to this section shall provide the agreement shall terminate upon willful violation of health department regulations in connection with the pumping and hauling by the beneficiary of the permit, or upon the failure to provide or renew the bond

provided for in subsection (d) of this section, or in the event the property is made subject to the agreement is continuously unoccupied for a full month or more, or upon central sewage treatment or a septic system using a subsurface drain field becoming available.

(f) Every agreement entered into by the county administrator with a homeowner or owner of a small business pursuant to this section shall also terminate upon the change of ownership of the real property. Additionally, every agreement entered into by the county administrator with the owner of a small business being acquired by a different owner shall terminate. In the event of a change of ownership of a home or a small business, the new owner shall be required to renegotiate a new contract pursuant to subsections 94-2(a) through (d) herein. (Code 1982, § 22.5(1)--(5); Ord. of 4-16-97, § 1--6)

### **Proposed Ordinance to Create the Wallops Research Park Service District**

County Administrator Steve Miner provided an overview of the history of the Wallops Research Park.

County Director of Economic Development stated that the goal was to create the Wallops Research Park Service District with governance. He introduced the members of the Organization and Technical Teams that had collaborated on the Service District and the Governance Document.

Wallops Research Park Project Manager Amy Bull offered a PowerPoint presentation on the Wallops Research Park Service District.

Executive Director of the Marine Science Consortium Amber Parker reported that the Consortium was in full support of and partnership with NASA, the Wallops Flight Facility, the Wallops Research Park, and urged the approval of the Wallops Research Park Service District.

Director of Management and Operations for the Wallops Flight Facility Caroline Massey expressed appreciation for the continued cooperation between NASA, the Wallops Flight Facility, and Accomack County, and asked the Board to approve the creation of the Wallops Flight Facility Service District.

Mr. Forbes responded to questions from the Board.

The Chair opened the Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Proposed Ordinance to Create the Wallops Research Park Service District (Tax Parcels 28-1-A1, 28-1-A2, 28-1-A2A, 28-1-A3, 28-1-A3A, 28-1-B, 28-2-C, 28-2-D, 28-2-D1, 28-2-D2, 28-A-75 (part)).

The following person spoke in support of the Proposed Service District:

Tommy Clark  
Nick Olmsted

The Chair closed the Public Hearing.

Mr. Hart made a motion to approve the Proposed Ordinance to Create the Wallops Research Park Service District. Mr. Wolff seconded the motion. Ayes: Mr. Wolff, Mrs. Thornton, Mr. Chesser, Mrs. Mears, Mr. Gray, Mr. Mallette, Mrs. Gordy, and Mr. Hart. Abstain: Mr. McCaleb.

### **Recess**

On a consensus of the Board, the Chair declared a five-minute recess.

### **Discussion Proposed Chesapeake/Atlantic Preservation Area Ordinance (cont'd)**

Mr. Mallette made a motion that staff be directed to send correspondence to the U.S. Department of Fish and Wildlife, the National Park Service, and NASA asking if the agency had objections to the County adopting seaside water quality protection regulations, stating that it was the County's position that the agency had sovereign immunity, and requesting that each agency provide written comment on the status of the proposal. Mr. Chesser seconded the motion.

Mrs. Thornton offered a friendly amendment to the motion that the agencies be asked to include in the written comments a statement indicating whether or not the agency has a policy in effect to adopt more stringent environmental laws adopted by the County.

Mr. Mallette did not accept the friendly amendment.

Mr. Hart seconded Mrs. Thornton's amendment. Ayes: Mrs. Thornton, Mrs. Gordy, Mr. Hart. Nays: Mr. Wolff, Mr. Chesser, Mr. Gray, Mrs. Mears, Mr. Mallette, and Mr. McCaleb.

Mr. Mallette restated the original motion and Mrs. Thornton restated the friendly amendment. The motion passed unanimously.

### **Update from the Utility Cost Committee**

Mr. David Lumgair offered a PowerPoint Progress Report on the work of the Utility Cost Committee, centered on sewer service and associated rates, and responded to comments and questions from the Board.

### **Proposal for Conducting Annual Assessments of Real Property**

Consultant Dan Hillman of Cedar Grove Associates provided an overview of the background of the Proposal for Conducting Annual Assessments of Real Property.

County Real Estate Assessor Brent Hurdle offered a PowerPoint presentation that described the history of the creation and development of the County Real Estate Assessment Department and the Proposal for Conducting Annual Assessments of Real Property. Mr. Hurdle, Mr. Hillman, Mr. Miner, and Mr. Taylor responded to comments and questions from the Board.

Mr. Mallette made a motion to place a Resolution for the County to perform reassessments on a biennium basis placed on the Agenda for the October Meeting. Mr. Chesser seconded the motion. The motion passed unanimously.

Discussion of options for performing annual reassessments continued.

Mr. Mallette made a motion to reconsider the previously approved motion to have a Resolution for the County to perform reassessments on a biennium basis placed on the Agenda for the October Meeting. Mr. Hart seconded the motion. The motion passed unanimously.

Mr. Mallette made a motion to withdraw the previously approved motion to have a Resolution for the County to perform reassessments on a biennium basis placed on the Agenda for the October Meeting. Mr. Chesser seconded the motion. The motion passed unanimously.

### **Appointments**

#### **Eastern Shore Public Library Board**

Mr. Wolff made a motion to appoint Pamela S. Holley to the Eastern Shore Public Library Board to fill the unexpired term of Yvonne N. Pennell, who resigned. The term will begin immediately and end on June 30, 2012. Mrs. Mears seconded the motion. The motion passed unanimously.

#### **Economic Development Authority**

Mrs. Gordy made a motion to appoint Shirley A. Zamora to fill the unexpired term of Jerry Eller, who resigned. The term will begin immediately and end on February 18, 2012. Mr. Hart seconded the motion. The motion passed unanimously.

#### **Planning Commission**

Mrs. Thornton made a motion to appoint William L. Fallon to fill the unexpired term of James T. Frese, who resigned. The term will begin immediately and end on June 30, 2010. Mr. Hart seconded the motion. The motion passed unanimously.

**Resolution for Fire and Rescue Billing**

Mr. Taylor explained that the Fire and Rescue Companies had requested a resolution allowing for Fire and Rescue billing for Emergency Services.

Mrs. Mears made a motion to approve the Resolution for Fire and Rescue Billing as presented. Mr. Wolff seconded the motion. The motion passed unanimously.

**RESOLUTION**

**WHEREAS**, volunteer fire companies and rescue squads provide valuable services saving and protecting the lives and property of Accomack County citizens and visitors to our community; and

**WHEREAS**, volunteer fire companies and rescue squads of Accomack County have proposed programs for recovery of costs associated with the delivery of emergency medical services and fire rescue services utilizing services of one or more third party vendor(s) of choice with established relationships with insurers and thorough knowledge of the laws and regulations concerning billing and privacy issues;

**WHEREAS**, at its meeting of September 17, 2008, the Accomack County Board of Supervisors discussed this issue and finds that it is in the best interest of the citizens of the County to support and approve this program.

**NOW, THEREFORE, BE IT RESOLVED**, that the Accomack County Board of Supervisors does hereby approve and endorse the volunteer fire companies' and rescue squads' efforts, utilizing knowledgeable third party vendors, to recover costs associated with the delivery of emergency medical services and fire rescue services.

**Draft FY-2009 Planning Commission Work Plan**

Mr. Hart made a motion to approve the FY-2009 Planning Commission Work Plan as presented. Mrs. Mears seconded the motion. The motion passed unanimously.

**Accomack County Planning Commission**

**DRAFT FY 2009 WORK PLAN**

On July 16, 2008, the Board of Supervisors adopted the Accomack County Strategic Plan: 2008-2011. As requested by the County Administrator, on September 3, 2008, the Planning Commission approved the following prioritized Work Plan for submission to the Board for review and approval. The following tasks are based on the Accomack County Strategic Plan, and completion dates indicate staff completion of drafts and submission to the Planning Commission:

**TASK COMPLETION DATE**

- |  |               |
|--|---------------|
| 1. Draft Seaside Water Quality Ordinance and Map   | August 2008   |
| 2. Draft Rural Residential Zoning District   | October 2008  |
| 3. Draft Village Residential Zoning District, including mixed-use and multi-family housing.          | November 2008 |
| 4. Draft U.S. Route 13 Overlay District and Map, including signage, landscape buffers, and lighting. | December 2008 |
| 5. Draft FY 2010 Capital Improvement Plan  | December 2008 |

- |   |               |
|---|---------------|
| 6. Draft Agricultural Zoning District Amendment     | February 2009 |
| 7. Draft Planned Unit Development (PUD) Ordinance   | April 2009    |
| 8. Draft General Business Zoning District Amendment | June 2009     |

**FY 2010**

- |   |                |
|---|----------------|
| 9. Draft Industrial Zoning District Amendment   | September 2009 |
| 10. Draft Residential Zoning District Amendment | December 2009  |

**County Administrator's Report**

Mr. Miner informed Board of proposed placement of a corporate hangar at the Airport and a possible Airport Grant request.

**County Attorney's Report**

Mr. Taylor provided a Reassessment litigation briefing.

Discussion followed.

**Board of Supervisors Comment Period**

Mr. Chesser questioned the validity of the agreement among Board members concerning district appointment designation of some commission and committee appointments, as three sitting Board members were not party to the vote on that agreement.

Mrs. Mears expressed agreement with Mr. Chesser's statements concerning the district appointment designation.

Mrs. Gordy stated that she had received reports that the septic lagoons that were still being utilized, despite being closed by the Virginia Department of Health (VDH).

Mr. Taylor explained that VDH had offered the owners of the lagoons the option of cleaning the lagoons and lining them to bring them into compliance, and the owners had opted not to incur the costs associated with compliance. Mr. Taylor will investigate and report to the Board at the October Meeting.

Mrs. Gordy stated that she had asked for two months to have the Boundary Adjustment with the Town of Onley placed on the Agenda for Closed Session. Mr. Miner explained that the Closed Session time has been consumed with other matters, not allowing time for the matter, but would see that it was on the Agenda for the October Meeting.

Mrs. Thornton referred to the information sent to Board members by Pauline Milbourne of the Accomack County Extension Office describing the Community Action Poverty Simulator (CAPS), and challenged all Board members to attend.

By consensus, the Board agreed to Mr. Hart's request that the voting members of the Virginia Association of Counties (VACO) would remain as Chair, Vice-Chair, and County Administrator.

Mr. Hart stated that the agreement concerning district appointment designation would be reconsidered at the request of at least five Board members.

**Budget Items**

Mrs. Mears made a motion to approve the Budget Items. Mrs. Thornton seconded the motion. The motion passed unanimously.

***FISCAL YEAR 2009***

**Grants, Etc.**

**Increase Revenues**

From the Federal Government \$38,000

From the Commonwealth \$1,200

**Decrease Fund Balance**

Airport Grant Matching Reserve \$800

**Increase Expenditures**

Airport \$40,000

--T-Hangar Design grant award

**Increase Revenues**

From the Federal Government \$123,500

From the Commonwealth \$3,900

**Decrease Fund Balance**

Airport Grant Matching Reserve \$2,600

**Increase Expenditures**

Airport \$130,000

--Wetlands mitigation grant award

**Increase Revenues**

From the Commonwealth \$49,418

**Increase Expenditures**

Juvenile Probation \$49,418

--Virginia Juvenile Community Crime Control Act grant award

**From Contingencies (\$61,353 operating and \$417,930**

**Capital contingency unappropriated balances as of 9/8/08)**

**Decrease Expenditures**

Contingencies \$5,000

**Increase Expenditures**

Commissioner of Revenue \$5,000 \$5,000

--Temporary wages related to personal property billing

**Other**  
None

**Payables**

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

**Adjournment**

Mrs. Mears made a motion to adjourn. Mr. Hart seconded the motion. The motion passed unanimously. The meeting adjourned at 11:50 p.m.

---

Chair