

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 2nd day of September, A.D., 2009.

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

Others Present: Steven B. Miner, County Administrator
Yvonne N. Pennell, Administrative Assistant
Mark B. Taylor, County Attorney

Call to Order

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

Adoption of Agenda

The Chair requested the following changes to the Agenda.

REMOVE

Item 9 – Highway Matters

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

Chair's Comments

The Chair commented on the following items:

- a. Float barge
- b. Star Transit
- c. Tourism Commission
- d. Wal-Mart
- e. Ribbon Cutting Ceremonies –
 - i. International Auto Service in Deep Creek
 - ii. Work Force Training Center

Public Participation

The following person expressed opposition to a County Public Service Authority and the Painter Convenience Center:
Robert Gresham

Consideration of Minutes

Mrs. Mears made a motion to approve the Minutes of the July 1 and July 15, 2009 meetings, abstaining from the vote on the July 15 Minutes due to her absence from that

meeting. Mr. Wolff seconded the motion. The motion for the Minutes of the July 1, 2009 meeting passed unanimously.

The vote for the Minutes of the July 15, 2009 meeting: Ayes: Mr. Mallette; Mrs. Gordy; Mrs. Thornton; Mr. Wolff; Mr. Chesser; Mr. Gray; Mr. Hart; and Mr. McCaleb. Abstain: Mrs. Mears.

Approval of Consent Agenda

Mrs. Thornton made a motion to approve the Consent Agenda. Mrs. Gordy seconded the motion. The motion passed unanimously.

- a. Approved the award of IFB #624 for Airport Security Perimeter Fence (Phase III) for the construction of Phase III of the Airport's security perimeter fence to Hurricane Fence Company in the amount of 61,953 subject to final approval of funds from the Department of Aviation. Local match funds for this project are available and have been budgeted and appropriated.
- b. Approved the following Proclamation proclaiming September 14 – 18, 2009 as Constitution Week and Thursday, September 17, 2009, as Constitution Day in the County of Accomack

PROCLAMATION
Proclaiming September 14 – 18, 2009
as
Constitution Week

WHEREAS, We the People did ordain and establish a Constitution for the United States of America to secure the blessings of liberty for ourselves and our posterity; and

WHEREAS, it is important that all citizens fully understand the provisions, principles, and meaning of the Constitution so they can support, preserve, and defend it against encroachment; and

WHEREAS, the Bicentennial of the Constitution provides a historic opportunity for all Americans to learn about and to reflect upon the rights and privileges of citizenship and its responsibilities; and

WHEREAS, the President and the Congress of the United States have designated the week of September 14 – 18, 2009, as Constitution Week; and

WHEREAS, the people of the County of Accomack do enjoy the blessings of liberty, the guarantees of the Bill of Rights, equal protection of the law under the Constitution, and the freedoms derived from it:

NOW THEREFORE BE IT PROCLAIMED, that the County of Accomack in cooperation with the Commission on the Bicentennial of the United States Constitution, do hereby proclaim the week of September 14–18, 2009, as Constitution Week, and September 17, 2009, as Constitution Day, and invite every citizen and institution to join in the national commemoration.

- c. Approved drainage projects for C10 & C11 Watersheds in E.D. 2, E.D. 6, and E.D. 7

Eastern Shore Rural Health System

Nancy J. Stern, Chief Executive Officer of Eastern Shore Rural Health System (ESRHS), provided an update on the new Onley Community Health Center, and responded to questions from the Board.

By consensus, the Board agreed to consider real estate tax-exempt status for ESRHS and Riverside Shore Memorial hospital during the FY-2010/2011 budget process.

Director of Planning

County Director of Planning James M. McGowan addressed the following items:

1. The Planning Commission change of monthly meeting dates as follows:
 - a) Regular Meeting on the second Wednesday of each month at Metompink Elementary School in Parksley;
 - b) Work Sessions on the fourth Tuesday of each month in the Board Chambers in Accomack; and
2. Scheduling a Joint Public Hearing with the Planning Commission to receive public input on the draft amendments to the Accomack County Zoning District Ordinance in accordance with the Comprehensive Plan and the Board's Strategic Plan:
 1. Rural Residential
 2. Village Residential

Following discussion, the Board directed Mr. McGowan to request potential dates from Planning Commission for a work session with the Board prior to scheduling the Joint Public Hearing, and to bring the dates back to the Board at Sept. 16, 2009 meeting.

Employee Brainstorming Program

Consultant Dan Hillman presented a status report on the Employee Brainstorming Program, and responded to questions from the Board.

Board of Supervisor's Comment Period

Mr. McCaleb commented that the person who sold the property for the Painter Convenience Center to the County had held an option to buy the property for five (5) years, and had exercised the option without prior knowledge of the County's interest in purchasing the property.

Mrs. Thornton expressed disapproval of the discrepancy in the seller's purchase price and the selling price to the County, saying that she would like to know who 'dropped the ball' in researching the property and the County paying a disproportionately inflated price.

Mrs. Thornton also asked County Attorney Mark Taylor about what she felt was unethical behavior of some Board members in revealing matters discussed in Closed Session.

Mrs. Gordy stated that in her opinion the Board as a group had 'dropped the ball' in paying the asking price for the Painter Convenience Center property.

Mr. Mallette expressed satisfaction with the Painter Convenience Center overall, despite the questions surrounding the price paid.

Closed Meeting

Mr. Wolff 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) (5) concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Hart made a motion, seconded by Mr. Wolff, to reconvene in Open Meeting and to Certify by roll call vote, pursuant to Section 2.2-3712 (D) of the Code of Virginia, that to the best of each member's knowledge the only matters heard, discussed, or considered during the Closed Meeting were (i) public business matters lawfully exempted from Open Meeting requirements under this chapter and (ii) such public business matters as were identified in the motion by which the Closed Meeting was convened.

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

Adjournment

Mrs. Thornton made a motion to adjourn the meeting at 7:28PM. Mrs. Mears seconded the motion.

Chair