

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 4th day of November, 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
Donald L. Hart, Jr.
John Charles "Jack" Gray

Member Absent: 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.

MOVE

Closed Meeting to the Item 6(a)

ADD

Item 7g. – Consider Letter of Support for the Eastern Shore Agricultural Experiment Station

Item 10 b. – Consider discussion of the Car Float Financing

Item 10 c. – Consider status of Star Transit

Item 16 – Adjourn to 7:00PM November 12, 2009, at Metompkin Elementary School for a Joint Meeting with the Accomack County Planning Commission for discussion of the Planned Unit Development (PUD) Ordinance

Mrs. Gordy made a motion to adopt the Agenda as amended. Mr. Wolff seconded the motion. The motion passed unanimously with Mrs. Mears and Mr. McCaleb absent.

Chair's Comments

The Chair commented on the following items:

- a. Wal-Mart Site Meeting
- b. County Health Department CDC Obesity Prevention Grant Application
- c. Aerospace Journalist Media Tour, Thursday November 5 at 2:00PM at NASA-Wallops Island

- d. Chair and Vice Chair meeting with Hear Our Voices (HOV) Thursday
November 5 at 7:00PM in the Board Chambers

Public Comments

The following person expressed objections to the recent Reassessment of Real Estate, the Appeals Process, and the Board of Equalization:

Mike Meyers

Mrs. Mears entered the meeting at 5:13PM

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. Thornton seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

1. Pursuant to subsection (A) (3) concerning 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.

Wallops Research Park property

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

Approval of the Consent Agenda

Mr. Hart made a motion to approve the Consent Agenda as presented. Mrs. Thornton seconded the motion. The motion passed unanimously with Mr. Gray absent.

- a. Corrections to the Minutes of September 29 and October 6, 2009
- b. Issuing the FY-2011 Budget Call
- c. Sending a request to the Department of Transportation to install recently received Storm Ready Community signs along Route 13 at the north and south entrances into the County

- d. The use of E. D. 2 district funds for design and permitting of a tide control structure near West Ridge Road, Tangier
- e. Requesting VDOT to install “Watch for Children” sign near 16011 Big Road in Bloxom, VA
- f. Requesting VDOT to conduct a speed study near 16011 Big Road in Bloxom, VA
- g. Sending a Letter of Support for the Eastern Shore Agricultural Experiment Station

NACo Prescription Assistance Program

Mrs. Mears reported that using the NACo Prescription Assistance Program had saved participating Accomack County citizens approximately \$145,000. Mr. Hart stated that less than twenty percent of County residents utilize the service.

Department of Economic and Community Development

County Director of Planning James McGowan introduced County Environmental Planner Norman Pitt. Mr. Pitt provided a summary of the recent Stormwater Management discussion with Wal-Mart representatives, and responded to comments and questions.

Continuance of Public Hearing

Mr. Hart made a motion to continue the Public Hearing concerning the intention of the Board to sell certain real estate owned by Accomack County to the November 18, 2009, meeting. Mrs. Gordy seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

Car Float Financing

The Chair reported on discussion by the Accomack-Northampton Transportation Commission (A-NTDC) concerning the status of the Car Float and State funding for repairs needed to put the Car Float back in service.

Discussion followed.

Star Transit

The Chair reported that the A-NTDC had voted to retain Virginia Rail Transit to operate Star Transit for the FY2010.

Discussion followed.

Requirement for Payment of Real Estate Taxes Prior to Issuance of County Permits

County Attorney Mark Taylor described the provision in the Code of Virginia Section 15.2-2286 *Permitted Provisions in Zoning Ordinances* for requiring payment of Real Estate Taxes Prior to issuance of county permits.

Mrs. Thornton made a motion to direct staff to draft a Resolution to Initiate an Amendment to the Zoning Ordinance for the Requirement Payment of Real Estate Taxes Prior to Issuance of County Permits, as provided in the Code of Virginia Section 15.2-2286. Mr. Wolff seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

County Administrator's Report

County Administrator reported that Todd Christensen from the Department of Housing and Community Development was hosting a meeting beginning at 10:00AM on Friday November 6, 2009, at the Shore Financial Center in Onley, with representatives of Eastern Shore County and Town governments concerning water and sewer issues.

Mr. Miner stated that a Special Meeting Notice be prepared to avoid the appearance of an illegal meeting of Board members.

County Attorney's Report

County Attorney Mark Taylor reported the discovery that the Board had not approved Resolutions of Initiation concerning the Draft Village Residential, Draft Rural Residential, and Planned Unit Development Zoning District Amendments to the Zoning Ordinance, and responded to questions.

Mrs. Mears made a motion to adopt the following Resolution of Initiation for the Draft Village Residential, Draft Rural Residential, and Planned Unit Development Zoning District Amendments to the Zoning Ordinance. Mr. Hart seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

RESOLUTION OF INITIATION

MOTION: Mears

DATE: November 4, 2009

SECOND: Hart

ORD. NO. Chapter 106 ZONING

RE: INITIATE CONSIDERATION OF ZONING ORDINANCE AMENDMENTS TO ADD RURAL RESIDENTIAL, VILLAGE RESIDENTIAL, AND PLANNED UNIT DEVELOPMENT ZONING DISTRICT CLASSIFICATIONS

WHEREAS, the Board of Supervisors is authorized pursuant to §§ 15.2-2280 and §§ 15.2-2286 of the Code of Virginia to prepare, adopt, and amend a zoning ordinance to regulate future land development in Accomack County; and

WHEREAS, the Accomack County Board of Supervisors' adopted strategic plan calls for the creation of new zoning district classifications in Accomack County to accommodate residential growth in rural and village areas, and to accommodate planned unit development; and

WHEREAS, the public necessity, convenience, general welfare, and good zoning practice require that the Accomack County Zoning Ordinance should be amended to provide zoning district classifications to accommodate future residential development in rural and village areas and to enable the creation of planned unit development in Accomack County; and

NOW, THEREFORE, BE IT ORDAINED that the Board of Supervisors of Accomack County does hereby initiate consideration of amendments to the Accomack County Zoning Ordinance to add zoning district classifications for Rural Residential development, Village Residential development, and Planned Unit development.

Mr. Taylor distributed copies of and provided an overview of a Proposed Draft Amendment adding Regulations for Maintenance of Common Facilities to the Planned Unit Development Ordinance.

Mrs. Mears made a motion to direct staff to prepare a Resolution of Initiation for the Regulations for Maintenance of Common Facilities to be placed on the Consent Agenda for the Regular Meeting of November 18, 2009. Mr. Wolff seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

Mr. Taylor distributed copies of and reviewed proposed changes to the Biennial Real Estate Reassessments, Board of Equalization, and Appeals to the Circuit Court. Mr. Taylor, County Real Estate Assessor Brent Hurdle, and County Director of Finance Michael Mason responded to questions.

Budget and Appropriation Items

Mrs. Mears made a motion to approve the Budget Appropriation Items as presented. Mr. Hart seconded the motion. The motion passed unanimously with Mr. McCaleb absent.

FISCAL YEAR 2010

Grants, Etc.

Increase Revenues

From the Commonwealth \$16,591

Increase Expenditures

Litter Control \$16,591

--Litter Prevention Grant award

Increase Revenues

From the Commonwealth \$83,700

From Reserves

Airport Grant Match Reserve \$9,300

Increase Expenditures

Airport \$93,000

--DOA grant award for Phase III Fence Construction Project

Increase Revenues

From the Commonwealth \$10,385

From Reserves

Airport Grant Match Reserve \$2,597

Increase Expenditures

Airport \$12,982

--DOA grant award for T-Hangar/Apron crack sealing

From Contingencies (\$120,215 remaining in operating contingency 10/26/09)

None

Other

None

Board of Supervisor's Comment Period

Mrs. Mears reminded the Board and the public to pick up the NACo Prescription Discount Cards, available at the Accomack County Department of Social Services, Accomack County Health Department and various local pharmacies.

Mrs. Thornton expressed her appreciation of Mr. Hart's performance and representation of Accomack County during his year as VACo President.

Mrs. Gordy reported that former District 5 Supervisor Gregory Duncan had undergone additional back surgery.

The Chair commented on the successful teamwork of the Board, despite differences of opinion, and encouraged Board members to attend public functions as often as possible.

Adjournment

Mr. Wolff made a motion to adjourn until the Joint Meeting with the Accomack County Planning Commission at 7:30PM on November 12, 2009, at Metompkin Elementary School for discussion of the Draft Planned Unit Development Ordinance. Mrs. Mears

seconded the motion. The motion passed unanimously with Mr. McCaleb absent. The meeting adjourned at 8:05PM.

Chair