

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 17th day of February, A.D., 2010.

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

Others Present: 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. Gray, after which the Pledge of Allegiance to the Flag was recited.

Adoption of Agenda

Amendments to the Agenda

The Chair requested the following amendment to the Agenda.

ADD

UNDER CONSENT AGENDA

- d. Consider scheduling a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning minor amendments to the Approved Conditions relating to the Conditional Use Permit previously approved for the Wal-Mart store near Onley, Virginia. The application involves a change to the originally approved accent color of the building and changes to signs (including an overall reduction in signage) for the Wal-Mart Supercenter which is currently under construction.

UNDER OLD BUSINESS

- d. Consider discussion related to the issue of the Star Transit route to Chincoteague

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

Public Comment

The Chair read the Rules governing the Public Comment Period.

The following persons addressed the Board concerning the FY-2011 budget:

Shirley Zamora
Bob Gresham

The following addressed the Board concerning sewer rates:

Frank Earman

Consideration of Minutes

Mrs. Mears made a motion to approve the Minutes of the January 13, 20, February 2, and 8, 2010, Meetings, with corrections. Mrs. Thornton seconded the motion. The motion passed unanimously.

Approval of Consent Agenda

Mr. Hart made a motion to approve the following items under the Consent Agenda. Mrs. Mears seconded the motion. The motion passed unanimously.

- a. The following Resolution supporting Northampton’s requested amendment to the Enterprise Zone

RESOLUTION

WHEREAS, the Counties of Accomack and Northampton constitute the Accomack-Northampton Enterprise Zone; and

WHEREAS, the County of Northampton deems it necessary to amend its boundaries of the Accomack-Northampton Enterprise Zone; and

WHEREAS, it is required that all participating jurisdictions approve any amendment to the boundary of the Enterprise Zone.

NOW, THEREFORE, BE IT RESOLVED, that the County of Accomack hereby approves the amendment to the Accomack-Northampton Enterprise Zone as petitioned by the County of Northampton.

Adopted this 17th day of February, 2010.

- b. The use of \$5,000 each to the Towns of Onley and Onancock from E. D. 7 District funds to assist with drainage issues
- c. The preparation of Resolutions of Commendation for:
 - i. Muriel Howard
 - ii. E. Bryan Turner

Highway Matters

Mr. Robert Isdell, Acting Residency Administrator, Virginia Department of Transportation (VDOT), reported on VDOT projects and activities, the upcoming Six-Year Plan, and responded to questions and comments.

Board members expressed appreciation to Mr. Isdell and his staff for the long, tiring hours spent doing snow removal during the recent snow events.

Accomack County Public Schools – Budget Presentation

Mr. W. Richard Bull, Division Superintendent, Accomack County Public Schools, presented the FY2111 School Board Budget and responded to questions.

2010 AccoMap Update

Tom Brockenbrough, GIS Coordinator, briefed the Board concerning an upgrade to the AccoMap Web Site, previewed the navigation process of the upgrade through a PowerPoint presentation and responded to questions.

2010 Enterprise Zone Amendment

Mr. Brockenbrough gave an overview of discrepancies between what the Virginia Department of Housing and Community Development (DHCD) shows as being in the Enterprise Zone and what the local records show. He related to recent meetings with DHCD to get the numbers in sync, and responded to questions. He added that a new Public Hearing would be required to accommodate any changes.

Treasurer's Report on Memorandum of Understanding for Collecting Delinquent Taxes

Treasurer Dana T. Bundick gave an overview of actions by her office in the collection of delinquent taxes as contained in the Memorandum of Understanding between the Accomack County Board of Supervisors and the Treasurer of Accomack County adopted January 6, 2010.

She noted the following:

- 171 DMV stops completed as of noon this date
- 75 Treasurer liens had been turned over to Him Elliott
- Has signed an agreement with an attorney in Arlington to address bankruptcy personal property collection issues and will be meeting with him on Friday, Feb. 19th
- Notices were placed in the February 15th paychecks alerting County, Social Services and School Board employees owing delinquent taxes of liens being placed against them by the end of March
- **State's Debt Setoff Program will be implemented in May**
- A report of the top 25 delinquent taxpayers will be released in March
- Listing of delinquent taxes will be provided in August in accordance with § 58.1-3921 of the Code of Virginia

Appointments

Eastern Shore Community Services Board

County Attorney Mark B. Taylor reported on recent meetings with Northampton County Bruce D. Jones and the attorney representing the Eastern Shore Community Services Board, gave an overview of the composition of the Board since its inception and responded to questions.

Mrs. Thornton made a motion to appoint Gina Crockett as a non-governmental representative to the Eastern Shore Community Services Board for a three-year term, to

begin immediately and end December 31, 2013. Mr. McCaleb seconded the motion. The motion passed unanimously.

Economic Development Authority

A discussion took place regarding appointments to the Economic Development Authority.

Mrs. Thornton noted that Mr. Robert H. Conklin had expressed not wanting to be reappointed.

Discussion continued any by consensus, the Board decided to address appointments to this body following a Closed Meeting at the March 17, 2010, meeting.

County Attorney Mark B. Taylor noted that any person sitting whose term had expired could continue to serve until a successor is appointed.

Star Transit

Following comments, Mrs. Thornton made a motion to request the representatives of Virginia Transit to adhere to what has already been appropriated for the Star Transit bus service until July, 2010. Mr. Hart seconded the motion.

A discussion ensued with A-NTDC members, Mr. Wolff and Mr. Mallette offering comments and rider statistics.

Mrs. Thornton, for the record, restated her motion that since the County had appropriated approximately \$6,745 that the Star Transit service be continued until July, 1, 2010, the beginning of the new fiscal year.

The vote on the motion. Ayes: Mrs. Thornton, Mr. Gordy, Mr. Hart. Nays: Mr. Wolff, Mr. Chesser, Mr. Gray, Mrs. Mears, Mr. Mallette, Mr. McCaleb

Emergency Ordinance

Following comments of explanation by County Attorney Mark B. Taylor, Mr. McCaleb made a motion to adopt the following Emergency Ordinance. Mr. Mallette 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 May 21, 2008, established a Central Absentee Ballot Precinct at the Accomack County Administration Building for use in all elections in Accomack County; 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 Accomack County in all elections, with the exception of town elections; and

WHEREAS, the Accomack County Board of Supervisors finds that an emergency exists, inasmuch as designation of a Central Absentee Precinct must be timely made to accommodate town elections on May 4, 2010.

NOW, THEREFORE, BE IT ENACTED as an Emergency Ordinance of Accomack County, that the Accomack County Ordinance enacted May 21, 2008, 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, *with the exception of any town elections.*

AND BE IT FURTHER RESOLVED, that advertisement of this Ordinance Amendment for public hearing, in anticipation of re-enactment of the same, within sixty days of emergency enactment, is hereby directed.

(Ord. 2/21/01; 5/21/08)

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

This Ordinance is effective immediately.

County Attorney's Report

County Attorney Mark B. Taylor updated the Board on various legislative issues and responded to questions.

Budget Work Session

Discussion took place regarding when to schedule the next budget work session.

Finance Director Michael T. Mason reviewed dates with the Board concerning the advertisement of the budget.

By consensus, the Board set February 22, 2010, at 5:00PM as its next budget work session.

Board of Supervisors Comment Period

Mr. Chesser and Mrs. Mears stated that they were hopeful that the Virginia Transit Authority would complete the tasks set forth before them concerning Star Transit.

Mr. McCaleb questioned expenditure related to leachate pumping and hourly rate for the Wallops Research Park Project Manager.

Budget and Appropriation Items

Mr. Hart made a motion to approve the following budget and appropriation items.

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

FISCAL YEAR 2010

Grants, Etc.

Increase Revenues

From the Commonwealth	\$ 3,500
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Increase Expenditures

Planning	\$ 3,500
Blue-Green Infrastructure Grant amendment	

Increase Revenues

From the Commonwealth	\$ 3,960
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Decrease Fund Balance

From Grant Matching Reserve	\$ 990
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Increase Expenditures

Airport	\$ 4,950
Grant award for obstruction tree removal	

<i>From Contingencies (\$84,803 remaining in operating contingency as of 02-09-10)</i>

Decrease Expenditures

Contingencies	\$ 40,000
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Increase Expenditures

Treasurer	\$ 40,000
Additional funding to increase delinquent tax collection efforts per Memorandum of Understanding	

Other

Increase Revenues

Miscellaneous Recoveries	\$ 4,971
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Increase Expenditures

Building & Grounds	\$ 4,971
Insurance settlement for damaged boiler	

Increase Revenues

Miscellaneous Recoveries	\$ 14,888
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Increase Expenditures

Fire Training	\$ 14,888
Fire training expenditure reimbursements from various	

Fire & Rescue Companies

Payables

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

Adjournment

Mr. Hart made a motion to adjourn to February 22, 2010, at 5:00PM in the Board Chambers for a Budget work session. Mrs. Mears seconded the motion. The motion passed unanimously. The meeting adjourned at 7:55PM

Chair