

VIRGINIA: At a Regular Monthly Meeting of the Board of Supervisors for the County of Accomack held in the Board of Supervisors Chamber in Accomac, Virginia on the 16th day of May, A.D., 2018 at 5:00 p.m.

Members Present: Robert D. Crockett, Chair
Donald L. Hart, Jr., Vice Chair
William J. "Billy" Tarr
Ron S. Wolff
Grayson C. Chesser
Harrison W. Phillips, III
Paul E. J. Muhly
C. Reneta Major
Member Absent: Laura Belle Gordy
Others Present: Michael Mason, County Administrator
Cela J. Burge, County Attorney
Shelia West, Administrative Assistant

Call to Order

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

Adoption of the Agenda

Mr. Hart made a motion to adopt the Agenda. Ms. Major seconded the motion. The motion to adopt the Agenda was approved with Mrs. Gordy absent.

Minutes

Mr. Hart made a motion to approve the minutes of the April 18, 2018 meeting. Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

Public Comment

County Attorney Cela Burge read the rules governing conduct during the public comment period.

The following persons spoke/submitted written comments during the Public Comment period:

- 1) Cara Burton, Director, Eastern Shore Public Library, Accomac, VA – informed members that the “GOATS” Genealogy and History Organization of the Eastern Shore of Virginia would be having a conference on June 20 – 23, 2018. She also informed members that the Town of Parksley now has a self-guided walking tour that gives a history of the town that was organized by Mr. Arthur K. Fisher and Dr. Brooks Barnes and others.

Recognitions

Proclamation Proclaiming May 22 through May 26, 2017 as National Safe Boating Week

Mr. Hart made a motion to adopt the following Proclamation Proclaiming May 19th through May 25th, 2017 as National Safe Boating Week and presented the National Safe Boating Week Proclamation to the Coast Guard Auxiliary Flotilla 12-02 Painter and Flotilla 12-06 Chincoteague and read same into the record. Mr. Tarr seconded the motion. The motion was approved with Mrs. Gordy absent.

**PROCLAMATION
PROCLAIMING
MAY 19 THROUGH MAY 25, 2018
as
NATIONAL SAFE BOATING WEEK**

Recreational boating is fun and enjoyable, and we are fortunate that we have sufficient resources to accommodate the wide variety of pleasure boating demands. However, our waterways can become crowded at times and be a place of chaos and confusion. While being a marvelous source of recreation, boating, to the unprepared, can be a risky sport. Not knowing or obeying the Navigation Rules or the nautical “Rules of the Road,” drinking alcohol or taking drugs while operating a boat, or choosing not to wear your life jacket when doing so is clearly NOT the smart thing to do, are all examples of human error or a lack of proper judgment. One particular behavior that can reduce the number of boaters who lose their lives by drowning each year by approximately 80% is the wearing of a life jacket. It is a simple task that has the potential to reduce terrible loss in lives.

Whereas, on average, 800 people die each year in boating-related accidents in the U.S.; nearly 70% of these are fatalities caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment, or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets; and

Whereas, modern life jackets are more comfortable, more attractive, and more wearable than styles of years past and deserve a fresh look by today's boating public; and

Whereas, U.S. Coast Guard Auxiliary Flotilla 12-02 Painter and Flotilla
12-06

Chincoteague provides safe boating instruction for persons of all ages in order to prevent boating accidents and to teach rescue and survival techniques in case one does occur; now

Therefore, we, the Accomack County Board of Supervisors, do hereby support the goals of the North American Safe Boating Campaign and proclaim May 19 - 25, 2018, as National Safe Boating Week and the start of the year-round effort to promote safe boating. And we encourage all boaters to wear their life jackets, boat responsibly, and enroll in a safe boating class.

In Witness Whereof, the Accomack County Board of Supervisors, urge all those who boat to "Boat Smart. Boat Safe. Wear it." and practice safe boating habits.

Staff Introductions

Ms. Kathy Carmody, Chief Human Resources Officer, introduced Mr. Colby West and noted it was his first day as a County employee in the Assessor's Office as a full time Appraiser. She offered a brief bio of Mr. West's educational background and experience in property management.

Members congratulated and welcomed Mr. West as a County employee.

Consent Agenda

Chairman Crockett noted that Agenda - Item 5.7 would be removed from the Consent Agenda and placed under New Business – Item 12.6.

Ms. Major made a motion to approve the following items on the Consent Agenda with the exception of Item 5.7. Mr. Wolff seconded the motion. The motion was approved with Mrs. Gordy absent.

- 5.1 - Approval of Resolution endorsing the Eastern Shore Juneteenth Festival.
- 5.3 - Approved request from VDOT for tipping fee waiver, Fooks Lane Project.
- 5.4 - Approved MOU between Accomack County and Department of Social Services for funding of Children's Services Act Coordinator (Attached as -Consent Agenda- Item A).
- 5.5 – Approved revisions to County Procurement Policy (Attached as Item B).
- 5.6 –Approved an amendment to the County's Fund Balance Policy (Attached as Consent Agenda -Item C).
- 5.8–Approved Accomack County Parks and Recreation 2018 Summer Program Grant Submittal.
- 5.9 – Approved Fourth Amendment to Tower Lease Agreement with Cellco Partnership (d/b/a Verizon Wireless (Attached as Consent Agenda -Item D).
- 5.10 – Approved Memorandum of Understanding regarding New Library Project (Attached as Consent Agenda- Item E)

Report from Public Officials

Annual ESVA Tourism Economy Presentation

Ms. Kerry Allison, Executive Director, ESVA Tourism Commission gave a PowerPoint Presentation regarding the Eastern Shore of Virginia Tourism Commission 2018 Annual Report and gave a brief overview on the following:

- 2016 Economic Impact of Tourism
- 2017 Marketing Program Results
- Content Marketing Platform
- Search Engine Rankings
- Website Visits
- Social Media Channel Growth
- Tourism Guide Requests
- Digital Advertising
- Guide Requests
- Marketing Program
- Email Program
- 2018 Outlook & Priorities

Ms. Allison informed members that they were getting more involved in regional strategic development and was spending more time with A-N Planning District Commission to keep them more informed about the ongoing activity with tourism. She continued discussion regarding related matters.

Appointments

Library Project Steering Committee

Mr. Phillips made a motion to appoint Mr. Paul Muhly as the Accomack County representative on the Library Steering Committee. Mr. Chesser seconded the motion. The motion was approved with Mrs. Gordy absent.

Social Services Board

Ms. Major, as Chair of the Social Services Board, informed members that Nicolette Baker Hickman had resigned from the Social Services Board effective immediately even though her term would expire on June 30, 2018. She stated that she wanted to apprise Mr. Wolff and Mr. Chesser because it was a Magisterial District appointment from Districts 2&3.

Smart Beginnings Eastern Shore

Ms. Major gave a brief introduction of the program for Smart Beginnings Eastern Shore regarding the Kids Count Initiative. She introduced Dr. Linda Schulz, Ph.D., who chairs the Smart Beginnings Eastern Shore and Ms. Roberta Newman, Consulting Coordinator and Coordinator of KIDS COUNT FORUM. She relinquished the floor to Dr. Schulz and Ms. Newman for the presentation.

Dr. Linda Schulz gave an overview of the mission and initiatives of Smart Beginnings Eastern Shore. She briefed members regarding the composition of the Leadership Council, which included 33 members and informed members that they only had one paid staff person that worked part time. She stated that the program was dependent upon financial support from the local community, with funding from local civic groups, businesses, foundations, individuals and the United Way.

She informed members that the newest initiative is the Kids Count – Child Well Being on the Eastern Shore Forum, for which they were requesting support from the Board. She recognized Ms. Roberta Newman to provide an overview of the program.

Ms. Newman, Consulting Coordinator for Smart Beginnings Eastern Shore and Coordinator of the 2018 KIDS COUNT ON THE EASTERN SHORE FORUM gave an overview of the forum and requested \$2500 from the Board to support the Shore-wide event promoting the well-being of children and youth in Accomack and Northampton Counties. She informed members that the 2018 KIDS COUNTY FORUM would be held on Wednesday, June 13 (free of charge) from 8:30 am – 3:00 p.m. at the Eastern Shore Community College Workforce Development Center. She stated that the program focus would be on four areas critical to child well-being consisting of: 1) Education, 2) Health, 3) Family and Community, and 4) Economics and apprised members of various presentations that would be included.

Ms. Newman attached a copy of the flyer, which provided a phone number at the Eastern Shore Community College to pre-register.

She noted that they were seeking additional funding support from a variety of different sources and again requested that Accomack County consider providing funding in the amount of \$2500.

Ms. Major offered comments regarding the amount of the funding request for \$2500 stating that her understanding was the request would be for \$250. She inquired about the request made to Northampton County and their response. A discussion continued regarding same.

Dr. Schulz responded that the same request for \$2500 had been made of Northampton but they had tabled the matter until their next meeting but had received positive feedback from them in support of the forum.

Ms. Major noted her support of the KIDS COUNT forum and again noted her misunderstanding of the amount being requested. A discussion continued.

Ms. Major made a motion to donate \$1,000 to KIDS COUNT FORUM contingent upon Northampton County providing matching funds. Mr. Hart seconded the motion. The motion was approved with Mrs. Gordy absent.

Dr. Shulz noted that the check should be written to Smart Beginnings Eastern Shore.

Report on the “Atlantic Fury”

As Emergency Services Director, Mr. Hart recognized and offered expressions of gratitude to C. Ray Pruitt, Public Safety Director, staff and all the agencies that participated in the national-level exercise lead by FEMA for hurricane preparation. He told members that it was an exercise that FEMA gave in the worst-case scenario of a Category 4 hurricane with the County in the northeast quadrant and briefed members regarding same. He relinquished the floor to C. Ray Pruitt.

On behalf of the Accomack County Emergency Management, Mr. C. Ray Pruitt, gave an overview of the Atlantic Fury EOC Exercise conducted by FEMA on Monday, May 7, 2018. He explained the various scenarios that were given depicting a Category 4 hurricane with a 15ft. tidal surge with 25 inches of rain and 125 mile per hour winds. He stated that the exercise gave an insight into many situations which could further prepare the county for the upcoming hurricane season.

He offered expressions of gratitude for all the agencies that participated.

Tire Recycling Contract & Scheduling of Public Hearing on Increasing the Tipping Fee on Car and Small Truck Tires

Mr. Stewart Hall, Deputy Administrator, Public Works & Facilities, gave a brief overview of the item, which related to the waste tires received at the landfill.

He informed members that three (3) bids had been received and stated that the low bid was significantly higher than the previous contract. He stated that staff was recommending that the Board approve the new contract with the vendor Auston Transfer and Processing and that a Public Hearing be scheduled for the June 20, 2018 meeting to consider a tipping fee increase to adjust for the car and small truck tires from \$1.14 to \$2.00 per tire. He noted that it had been about a decade since the fee had been increased. A brief discussion continued.

Mr. Tarr made a motion to award the contract to Auston Transfer and Processing for the term of one (1) year with the option to renew for three (3) additional one-year terms if mutually agreeable to both parties. Ms. Major seconded the motion. There was discussion and Mr. Hall responded to questions. The motion passed with Mrs. Gordy absent.

Mr. Phillips made a motion to schedule a Public Hearing on June 20, 2018 at 6:30 p.m. to consider increasing the tipping fee on car/small truck tires from \$1.14 to \$2.00 per tire. Mr. Wolff seconded the motion. The motion passed with Mrs. Gordy absent.

FY18 3rd Quarter Summary Financial Report

County Administrator Michael Mason advised members that a full report was provided in their packet and gave highlights of the information provided. He informed members that overall, major revenues were down .4% for the first 9 months of fiscal year as compared to last year; however, the current year estimate calls for a 1.2% decrease in major revenues so only a .4% increase means revenues are performing better than expected. He discussed other related matters.

Mr. Mason responded to an inquiry regarding DMV stops on delinquent personal property taxes. He stated that the procedure had not been done in the past 12 months but he

had been communicating with the Treasurer and it has been targeted to begin in July or August. A discussion continued.

Chairman Crockett suggested that Mr. Muhly, Liaison to the Treasurer's Office, and the County Administrator meet with Mrs. Bundick.

Tasley and Grangeville Convenience Centers Paving and Site Work

Mr. Hart made a motion to award the contract IFB #707 to R. H. Contracting in the negotiated amount of \$246,671 and to use General Fund Budget Contingency in the amount of \$30,000 to cover the funding shortfall. Ms. Major seconded the motion.

There was a brief discussion with Mr. Stewart Hall responding to an inquiry regarding the negotiated amount and other related matters.

The motion passed with Mrs. Gordy absent.

Award of Contract for General District Court HVAC Renovations

Mr. Stewart Hall, Deputy Administrator, Public Works & Facilities, gave a brief overview of the only bid that was received for IFB #704 for General District Court HVAC renovations. He apprised members that the negotiated amount that had been reduced from \$217,264 to \$211,567.

Mr. Phillips made a motion to award contract IFB #704 to the sole bidder, Piedmont Service Group, in the negotiated amount of \$211,567. Ms. Major seconded the motion. The motion passed with Mrs. Gordy absent.

County Administrator's Report

County Administrator Michael Mason gave a report on the following items:

Resiliency Adaptation Feasibility Tool (RAFT) Project Overview

Mr. Mason gave a brief overview of the Resiliency Adaptation Feasibility Tool (RAFT) Project. He informed members that it consisted of cooperating with a number of partners;

specifically ODU, William & Mary, UVA, Accomack and Northampton Counties and six (6) incorporated towns. He stated that the purpose of the RAFT was to increase the localities ability to respond to and deal with severe weather and protecting the vitality. He stated that some of the County's policies and practices were being reviewed to look at ways of becoming more resilient and we are awaiting the results.

He informed members that no local money was involved and that it was all grant funded.

Community Development Planning Grant Funding Availability

Mr. Mason reminded members about the prioritized list that had been approved in prior months of possible Community Development projects that would be pursued with the assistance of the A-N Planning District Commission through the SPARK PLUG program. He informed members that an additional \$30,000 had been received and there would be a facilitative meeting with a member of the State and various community leaders to assess their needs and issues.

Update on Development of School Division Contingency and Fund Balance Sharing Policy

Mr. Mason gave an update on the proposed "draft" development of a School Division Contingency and Fund Balance Sharing Policy with the County, which would govern how much contingency the School Board would be allowed to have. He stated that the matter would be brought before the Board at its June meeting for consideration.

Older American's Senior Extravaganza

Mr. Mason informed members that he had attended and spoken at the Older American's Senior Extravaganza that was held at the Chincoteague Community Center. He briefed

members regarding the number of persons in attendance and gave compliments on the fine job that had been done by the Parks and Recreation staff and others.

SawMill Park and Public Works Office Building Tours

Mr. Mason extended an invitation to members that would like to take a tour of the SawMill Park and the Public Works Office. He informed members that the Grand Opening of the park was slated for June 30th.

Mr. Wolff informed members that the Solid Waste Committee had the privilege of holding its meeting in the Public Works Office and offered positive comments regarding the interior of the building and the conference room chairs, noting his desire to have those types of chairs for the Board Chambers.

Vehicle Parking in Accomac

Mr. Mason informed members that because of the lack of parking space being problematic at times in Accomac, all County vehicles would be parked in the parking lot adjacent to Anita Johnson's law office and the School Board would be parking their vehicles at the former Accomac Primary School. He stated that more parking spaces would be available for citizens and customers doing business.

Financial Stress Test

Mr. Mason briefed members regarding the Financial Stress Test that is performed by the State every year on localities to determine if they are financially sound. He reported that the results were released and that Accomack County had passed.

School Board Carry Over Funds

Mr. Mason apprised members of the request from the School Board to appropriate their carry over funds from the prior year and that a Public Hearing be scheduled.

Mr. Wolff made a motion to advertise a Public Hearing. Mr. Phillips seconded the motion.

The motion was approved with Mrs. Gordy absent.

Recess

Chairman Crockett declared a 5-minute recess.

Call to Order

Chairman Crockett called the meeting to order.

Joint Public Hearing of the Board of Supervisors and Planning Commission

County Attorney Cela Burge read the rules governing conduct during Public Hearings.

Chairman Crockett informed those in attendance that a Joint Public Hearing of the Board of Supervisors and Accomack County Planning Commission was being held.

Chairman Crockett recognized Mr. Dave Lumgair, Chair, Accomack County Planning Commission to convene the Planning Commission meeting.

Call to Order

Members Present and Absent

Planning Commission Members Present:

Mr. David Lumgair, Jr., Chairman

Mr. Lynn Gayle

Mr. Brantley Onley

Mr. Leander Roberts, Jr.

Mrs. Angela Wingfield

Mr. Kelvin Pettit

Mr. James Arnold

Planning Commission Members Absent:

Mr. Roy Custis, Vice Chair

Mr. C. Robert Hickman

Others Present:

Mr. Rich Morrison, Deputy Administrator of Planning and Community Development

Ms. Jessica Taylor, Administrative Assistant

Ms. Amanda Paoletti, Assistant Planner

Mrs. Katie Nunez, Deputy Director – Planning & Zoning

DETERMINATION OF A QUORUM

There being a quorum, Chairman Lumgair called the meeting to order at 6:30 p.m.

Chairman Crockett stated that the purpose of the Joint Public Hearing was to hear an application for a conditional use permit for a municipal well field for the Town of Chincoteague.

Chairman Crockett called the Public Hearing to order for a Joint Public Hearing of the Board of Supervisors and Planning Commission on the Town of Chincoteague Municipal Well Field Conditional Use Permit Application.

Chairman Crockett relinquished the floor to Planning Commission Chairman Lumgair.

Adoption of the Agenda

On a motion made by Mr. Roberts and seconded by Mr. Gayle, the Planning Commission voted to amend the agenda as presented.

New Business

A. CUP-2018-003: Town of Chincoteague Municipal Well

Joint Public Hearing with the Board of Supervisors on an application for a conditional use permit to install/drill up to four (4) wells (depth will be determined by State permitting agencies responsible for public water systems) and a 100 feet equipment shelter/pump house pursuant to Accomack County Code 106-54 (6) Public water and sewer facilities. The new wells will supply the Town of Chincoteague with public water, but not intended to expand the Town's water resources. These wells are intended to replace the existing wells that are currently located 1 mile north of this parcel. This 30-acre property is zoned Agricultural and located on Chincoteague Road, 1/4 mile East of Atlantic Road.

Mr. Morrison first took a moment to apologize to all adjoining property owners for a date error in the notification letter which led to multiple persons traveling to the Planning Commission meeting on May 9th instead of the joint hearing on May 16th. He then thanked each of those persons for receiving the information and their understanding of the error and staff's effort to correct it as quickly as possible.

Mr. Morrison gave a presentation to the Board of Supervisors reviewing the request received from the Town of Chincoteague and introduced Mr. Jon Poulson, Attorney representation for the Town of Chincoteague's application for questioning.

Mr. Morrison, Mr. Poulson, and Supervisors discussed:

- The distance between the current well location and the proposed is one mile.
- Department of Environmental Quality (DEQ) would handle mitigation with the applicant and be able to address the concern of neighboring wells.
- The well field is benign in the realm of Land Use.

Mr. Poulson requested that he be allotted 10 minutes of speaking time as an attorney. Mr. Poulson made the following points:

- This application and approval only allows the Town to move to State level for review, all mitigation and technical concerns would be discussed once the State has received the application and reviewed which would be an extensive review process; however, the Town has met all County Zoning Ordinance requirements;
- The proposed equipment shed would be approximately 100 square feet; and
- The property will continue to be used as farmland.

Mr. Jim West, Town Manager of Chincoteague discussed and reviewed the process the Town had followed to address the contamination and thanked NASA for its efforts and utilization of its land. He stated that the Town has heard citizen concerns and noted the plan presented is only conceptual as the Town is awaiting approval from the County prior to moving forward with its State application and investment. He also noted that continuing to utilize the wells at NASA would lead to other issues as it is only a short-term fix and the other option would be to use an expensive filtration system.

Mr. West responded to various questions regarding the request.

Chairman Lumgair opened the public comment period. The following persons spoke in favor of the application:

1. Jeremy Eggers, Chief of the Office of Communications, NASA, on behalf of Bill Wrobel
2. Nancy Matthews, owner of property

The following persons spoke in opposition of the application:

- | | |
|-------------------|--|
| 1. Arshun Leonard | 5. Michelle Walker |
| 2. Steve West | 6. Joe Beacon |
| 3. Kenneth Justis | 7. Eddie Savage |
| 4. David Walker | 8. Brian Cunningham (letter via email) |

These persons expressed their concern with land of details, wells, land disturbance, visual appearance, land value, traffic, and infringement of access.

Chairman Lumgair closed the public hearing.

Due to many citizens expressing concern on issues related to technical issues and mitigation, Mr. Morrison explained the DEQ process and explained that this matter would go to public hearing again through the State and those concerns would be able to be addressed at that time; stating that the Planning Commission and Board of Supervisors can only address the land use of the application.

On a motion made by Mr. Arnold and seconded by Mr. Gayle, the Accomack County Planning Commission recommends approval of CUP-2018-003 for a Conditional Use Permit for the Town of Chincoteague for Parcels 28-A-73B & 25-5-1 thru 6 pursuant to Accomack County Code Section 106-54(6) with the following conditions:

- 1. That substantial construction occurs within 30 months of the date of approval of the CUP.**
- 2. That once a final plan is developed for the location of the equipment/pump house, location of wells and water main that it be forwarded to the to the Accomack County Planning department.**
- 3. Maintain a 15 feet setback from right-of-way and easements located on the parcel.**

The Planning Commission finds that the CUP standards in Section 106-234 (2) are satisfied and that the issuance of the CUP is in general accord with the Comprehensive Plan of current adoption and moved to forward the application to the Accomack County Board of Supervisors for approval.

It was noted that Mr. Britt McMillian had also submitted a letter as the Technical Advisor to the Eastern Shore of Virginia Groundwater Committee as requested by the Town of Chincoteague (letter attached for record).

A discussion continued.

Chairman Crockett advised members of a letter that had been received on April 25, 2018 from the Eastern Shore Groundwater Committee signed by Elaine Meil, Executive Director, Accomack-Northampton Planning District Commission (and staff person on the Groundwater Committee) and read the following excerpt which stated, “in conclusion the Groundwater Committee supports the issuance of the conditional use permit for the use of the 30-acre parcel in District 2 to install and operate groundwater withdrawal wells to supply the Town of Chincoteague”.

Attorney Jon Poulson offered closing comments regarding the concerns of the adjacent

property owners and noted that the issues/concerns that had been offered would be reviewed by the Department of Environmental Quality (DEQ) and would be reviewed by their technical expertise and would make the determination of the number of wells allowed and allowed withdrawal of groundwater.

Chairman Lumgair closed the Planning Commission Public Hearing.

Chairman Crockett closed the Board of Supervisors Public Hearing.

Chairman Lumgair entertained deliberations from the Planning Commission.

The Planning Commission discussed the following with staff , the applicant and legal counsel:

- Confirmed that the current easements and right-of-ways would not be infringed by the permanent well as the test well has and Mr. Poulson confirmed that deeds and plats would be pulled to avoid that occurring;
- Chincoteague discussed with NASA and Fire Department how to handle crashes on this property and whether or not foam would be used;
- Cone of depression;
- Protection of right-of-way and easements on the property;
- Communication between the Town and adjoining property owners;
- Increase of traffic to site; Mr. West expressed that the traffic would be minimal and only to check the wells.

Mr. Morrison addressed concerns regarding the neighboring wells and read excerpts from DEQ's application form (Section 16) that referred to a mitigation plan. A discussion continued regarding same.

Chairman Lumgair stated that he had a proposal from the staff for a recommendation to the Board of Supervisors and read the following:

“The Accomack County Planning Commission recommends the approval of the CUP 2018-003 for a conditional use permit from the Town of Chincoteague for parcels 28-A-73B and 25-5-1 thru 6 pursuant to the Accomack County Code §106-54 (6) with the following conditions:

- 1)That substantial construction occurs within 30 months of the date of approval of this CUP.
- 2)That once a final plan is developed for the location of the equipment/pump house, location of wells and

- water main that it be forwarded to the Accomack County Planning Department.
- 3) That an additional 15 ft. setback shall be free in order to enable continued use.
 - 4) That the Town work cooperatively with adjacent property owners to minimize any impacts to their respective properties.

A discussion continued regarding whether or not fencing should be required.

Mr. Gayle made a motion to recommend the approval of the CUP with the additional 15 ft. right of way. Mrs. Wingfield seconded the motion. The motion was unanimously approved. Chairman Crockett thanked Chairman Lumgair and accepted the recommendation as reported to the Board.

Mr. Tarr stated that the wells are of utmost importance to the Town of Chincoteague, and the location of the proposed wells also are significant to the adjacent property owners. We have a recommendation from the Planning Commission and we have the input of property owners. Recognizing that final details of well construction and water usage are regulated and must be approved by DEQ and the Department of Health, we also would certainly expect the Town of Chincoteague to work cooperatively with adjacent property owners to minimize any impact that the construction and maintenance of the wells would have on their properties, if any.

Upon hearing the suggested recommendation for conditions from the Planning Commission, Mr. Tarr stated that the Board's motion would not recommend an additional 15 ft. right of way or that any fences be required.

Mr. Tarr made a motion to approve CUP 2018-003 for a Conditional Use Permit for the Town of Chincoteague for Parcels 28-A-738 & 25-5-1 thru 6 pursuant to Accomack County Code Section 106-54(6) subject to the following conditions and understanding:

- 1) That substantial construction occurs within 30 months of the date of approval of this CUP.
- 2) That once a final plan is developed for the location of the equipment/pump house, location of wells and water main that it be forwarded to the Accomack County Planning Department.
- 3) That the Town work cooperatively with adjacent property owners to minimize any impacts to their

respective properties.

Mr. Hart seconded the motion.

Ms. Major offered comments regarding adjacent property owners being notified during the mitigation process and inquired how they would be notified.

Attorney Burge responded to the inquiry and stated that the burden would rest with the Town of Chincoteague once the application is submitted to DEQ, as the permittee.

There was continued discussion regarding the wells and other related matters.

Chairman Crockett stated that according to staff the Town had met all the requirements according to what was set up in the County's ordinance and called for the question.

The motion to approve the CUP was approved with Mr. Gordy absent.

Chairman Lumgair adjourned the Planning Commission meeting.

Public Hearing on Accomack Secondary Six Year Plan for 2019-2024 (SSYP 19-24)

Chairman Crockett stated that the Public Hearing Rules applied that County Attorney Burge read earlier. Mr. Chris Isdell, Residency Administrator, VDOT Accomack Residency, presented a PowerPoint presentative and gave an overview of the Accomack Secondary Six Year Plan. He informed members of the reduced list of top priorities in each locality and the shelf list of other projects. He discussed the amount of funding that was anticipated over the next six (6) year for various projects.

He briefed members regarding the top priorities and projects and discussed funding for same.

In response to an inquiry, Mr. Isdell reported that the Saxis Causeway project is ongoing.

Mr. Isdell informed Mr. Wolff that he had responded to Tyson regarding their request regarding a traffic light.

Mr. Isdell explained the process for "Children at Play" signs and responded to other inquiries.

Chairman Crockett opened the Public Hearing comment period.

There were no public comments.

Chairman Crockett closed the Public Hearing.

Mr. Hart made a motion to approve the Accomack Secondary Six Year Plan for 2019-2024 (SSYP 19-24).

Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers of the Accomack County Board of Supervisors on the 16th day of May, 2018, the following Resolution was approved.

RESOLUTION APPROVING THE SIX-YEAR PLAN FOR SECONDARY ROAD SYSTEM CONSTRUCTION IN ACCOMACK COUNTY, VIRGINIA

WHEREAS, Section 33.2-364 of the 1950 Code of Virginia, as amended, provides the opportunity for each county to work with the Virginia Department of Transportation (VDOT) in developing a Six-Year Plan for Secondary Roads; and

WHEREAS, the Board of Supervisors had previously agreed to assist in the preparation of this Plan, in accordance with VDOT policies and procedures, and participated in a public hearing on the proposed Plan as well as the Construction Priority List on May 16, 2018, after duly advertised so that all citizens of the County had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List; and

WHEREAS, Chris Isdell, Resident Administrator with VDOT, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2018/2019 through 2023/2024) and the Construction Priority List (2018/2019) for Accomack County; and

WHEREAS, the Board of Supervisors has carefully weighed the comments of VDOT and Accomack County citizens as to the condition and importance of various secondary roads in the County; and

NOW, THEREFORE, BE IT RESOLVED, on this 16th day of May 2018, that the Accomack County Board of Supervisors hereby approves the attached Six-Year Plan for Secondary Roads (2018/2019 through 2023/2024) and the Construction Priority List (2018/2019) for Accomack County.

NOW, THEREFORE, BE IT FURTHER RESOLVED, on this 16th day of May 2018, that the Accomack County Board of Supervisors, for reference purposes only, considers Route 609-Redwood Road, to be a potential high priority road project for inclusion in a future Secondary Six Year should state funding become available for it.

A COPY –

TESTEE: _____
Michael T. Mason
Clerk of the Board

Public Hearing on School Board’s Request to amend the School Division FY18 Budget to recognize Federal and State grants and entitlement awarded

County Administrator Michael Mason informed members that the matter was a procedural issue and did not require any additional local funds.

Chairman Crockett opened the Public Hearing comment period.

There were no public comments.

Chairman Crockett closed the Public Hearing.

Mr. Wolff made a motion to approve the following Resolution to amend the School Division FY18 Budget to recognize Federal and State grants and entitlement awarded. Ms. Major seconded the motion.

**County of Accomack, Virginia
Proposed Amendment to Fiscal Year 2018 Budget**

A brief synopsis of the proposed amendments to the County of Accomack’s budget for Fiscal Year 2018 was ordered published by the Accomack County Board of Supervisors at a meeting held on April 18, 2018. A summary of the budget amendments is listed below. The amendments are published for informational and fiscal planning purposes only. A meeting and public hearing on these proposed amendments to the budget will be held on May 16, 2018 in the Board Chambers in Accomac at 6:30 P.M. Citizens have the right to submit oral or written statements on the proposed budget amendments. Any citizen having questions or needing special assistance for the disabled may contact the County Administrator's Office by calling 787-5700 or 824-5444.

School Fund			
<u>Source of funds:</u>		<u>Use of funds:</u>	
Federal Grants	\$ 4,212,671	Title I, Part A, Improving Basic Programs	\$ 2,128,074
State Grants	1,940,301	Title I, Part A, School Improvement	290,804
Other	<u>214,188</u>	Title I, Part C, Education of Migratory Children	226,678
Total	<u>\$ 6,367,160</u>	Title II, Part A, Teacher Quality	263,725
		Title III, Part A, Limited English Proficient	85,036
		Title IV, Student Support/Academic Achievement	48,067
		Title V, Rural and Low-Income School Program	88,279
		Special Education Flow Through	1,027,348
		Special Education Pre-School	32,995
		STEM Early Learning Through the Arts Project	75,000
		E-Rate	214,188
		K-3 Initiative	848,022
		SOL Web Base	814,299
		SOL Algebra Readiness	164,930
		Other	<u>59,715</u>
		Total	<u>\$ 6,367,160</u>

Closed Meeting

Mr. Tarr made a motion that the Board go into closed meeting pursuant to Sections 2.2-3711. (A.8) and (A.3), of the Code of Virginia of 1950, as amended, for the following purposes.

Mr. Phillips seconded the motion. The motion was approved with Mrs. Gordy absent.

1. For the purpose of consultation with legal counsel regarding specific legal matters/advice by such legal counsel.
2. For the purpose of discussion regarding disposition/acquisition of real property.

Open Session

The Chair declared the meeting open to the public.

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.

Ayes: Mr. Tarr	Mr. Wolff	Mr. Chesser	Nays: None
Mr. Muhly	Mr. Phillips	Mr. Crockett	Absent: Mrs. Gordy
Ms. Major	Mr. Hart		

Motion following Closed Meeting

Mr. Wolff made a motion to direct staff to begin negotiations with the property owners regarding the properties. Mr. Hart seconded the motion. The motion was approved with Mrs. Gordy absent.

County Attorney's Report

County Attorney Burge reported that she only the items that were before the Board in Closed Session and offered to respond to any questions/concerns if the Board had any.

Board of Supervisors Comment Period

Mr. Wolff reminded members of the rocket launch that would be at 5:04 a.m. Sunday morning.

Mr. Muhly encouraged members to use the Town of Parksley Walking Tour that had been distributed and to visit Parksley.

Resolution for Fiscal Year 2018 and Fiscal Year 2019 budget amendments totaling \$399,476

Mr. Hart made a motion to approve the following Resolution that contains Fiscal Year 2018 and 2019 budget amendments totaling \$399,476. Mr. Phillips seconded the motion. The motion was approved with Mrs. Gordy absent.

**RESOLUTION TO AMEND THE FISCAL YEAR 2018 AND 2019
ACCOMACK COUNTY GOVERNMENT BUDGETS**

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and maintain the budgets for Accomack County; and

WHEREAS, on April 5, 2017, the Board of Supervisors finalized the Accomack County Fiscal Year 2018 Budget; and

WHEREAS, on March 21, 2018, the Board of Supervisors finalized the Accomack County Fiscal Year 2019 Budget; and

WHEREAS, during the course of the fiscal year certain unanticipated events occur that compel amendments to the budget be made; and

WHEREAS, staff has reviewed the following requested budget amendments and recommends that they be approved; now, therefore,

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2018 and 2019 County budgets be amended by the amounts listed below and the amounts appropriated for the purposes indicated.

Fiscal	Requesting	Fund/ Function	Purpose	Funding Source	Total
FY18	Public Works	General Fund/Public	To provide funds for ancillary costs associated with Fooks Lane.	Contingencies	\$ 7,500
FY18	Social Services	Comprehensive Youth Services Act Fund/CSA	At the 2/21/18 Board of Supervisors meeting, the Board approved the creation of a "new" CSA Coordinator position. The position and related costs are to be shared by both Accomack and Northampton Counties on a 60/40 split.	Contingencies	\$ 30,000
FY18	Public Works	Co. Capital Prj Fund/Public	To cover the difference between the low bid and approved budget for the Tasley and Grangeville Convenience Center	Contingencies	\$ 30,000
FY18	Public Works	Co. Capital Prj Fund/Public	To recognize a Port of Virginia grant award for Greenbackville dock replacement and electrical work.	State Funds	\$ 300,000
FY18	Public Works	Co. Capital Prj Fund/Public	To transfer funds needed for the Public Works Office building project from remainder of rent savings from Buildings and Grounds and to capture shared costs for Buildings and Grounds and Parks & Rec.	FY18 departmental budgets (B&G and P&R)	\$ 20,400
FY19	Finance	School Board	To adjust deduction for 50% share of Sheriff School Resource Officer payroll and benefits used in the School Board's FY19 funding	Contingencies	\$ 11,576
Total					\$ 399,476

Payables

Upon certification by the County Administrator, Ms. Major made a motion to approve the May payables. Mr. Tarr seconded the motion. The motion was approved with Mrs. Gordy absent.

Adjournment

Mr. Wolff made a motion to adjourn the meeting. Mr. Phillips seconded the motion. The motion was unanimously approved. The meeting adjourned at 9:06 p.m.