

At a regular monthly meeting of the Accomack County Board of Supervisors, held on the 15th day of August 2018, in the Accomack County Board of Supervisors Chambers, Room 104, in Accomac, Virginia at 5:00 p.m.

1. Opening of Meeting

1.1. Call to Order

MEMBERS PRESENT AND ABSENT

Board of Supervisors 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
Laura Belle Gordy
C. Reneta Major

Board of Supervisors Absent:

n/a

Others Present:

Michael T. Mason, County Administrator
Cela J. Burge, County Attorney
Ms. Jessica Taylor, Administrative Assistant

There being a quorum, Chairman Crockett called the meeting to order at 5:00 p.m.

1.2. Invocation

The invocation was given by Ms. Major.

1.3. Pledge of Allegiance

1.4. Adoption of Agenda

Mr. Mason requested that the Board amend the agenda to include items:

1. Resolution to request that VDOT support the establishment of Time of Day Speed Limits for Warrior Drive / Route 716.
2. Resolution of Commendation for the Reverend Richard A. Holland, Pastor of Jerusalem Baptist Church, Temperanceville, Virginia.
3. Add Delegate Rob Bloxom to Report of Public Officials.

On a motion made by Mr. Wolff and seconded by Mr. Tarr, the Accomack County Board of Supervisors voted to adopt the agenda as amended.

2. Public Comment Period

2.1. Mrs. Burge read the Public Comment rules.

Chairman Crockett opened the floor for the public comment period.

1. Matt Cormons – Dennis Drive, Parksley, VA

Mr. Cormons requested additional information on VDOT's Pollinator Habitat Program. Mr. Crockett expressed that his questions would need to be directed to VDOT to respond at their pleasure. Mr. Isdell stated that he would speak with Mr. Cormons after the meeting.

Chairman Crockett closed the Public Comment Period.

3. Minutes

3.1 June 20, 2018

On a motion made by Mr. Hart and seconded by Mr. Phillips, the Accomack County Board of Supervisors voted to approve the June 20, 2018 meeting minutes as presented.

3.2 July 18, 2018

On a motion made by Mr. Hart and seconded by Mr. Phillips, the Accomack County Board of Supervisors voted to approve the July 18, 2018 meeting minutes as presented.

3.3 August 2, 2018

On a motion made by Mr. Hart and seconded by Mr. Phillips, the Accomack County Board of Supervisors voted to approve the August 2, 2018 meeting minutes as presented.

4. Recognitions

There were no recognitions.

5. Consent Agenda

5.1 Approval of Consent Agenda

On a motion made by Mr. Phillips and seconded by Mr. Muhly, the Accomack County Board of Supervisors voted to approve the following items from the Consent Agenda:

5.2 Request to Schedule Public Hearing on Accomack Properties Rezoning Application

5.3 Request to Schedule Public Hearing on Accomack Properties, Inc. Conditional Use Permit Application

5.4 Request for Speed Study on Drummondtown Road in the vicinity of Daughtery Road and the Town of Accomac

5.5 Request for VDOT to Evaluate Flood Concerns at the Entrance of Schooner Bay Development in Onancock

5.6 Horntown Agricultural Forestal District - Review of District

5.7 Request to extend the length of Agricultural-Forestal Districts from 4 years to 10 years

5.8 Consider Contract Renewal for Cellular Voice and Data Services (Corrected)

5.9 AMENDED: Resolution to Request the VDOT support the Establishment of Time of Day Speed Limits for Warrior Drive / Route 716

5.10 AMENDED: Consider Resolution for Jerusalem Baptist Church

6. Report of Public Officials

7.1 Chris Isdell, VDOT - Status Report & Pollinator Program

Mr. Isdell provided updates on the following projects:

- Redwood Road is in the Secondary Plan with a cost estimate of \$9.5 million. In the meantime, VDOT has and will continue to trim brush along the road, reconstruct the ditch line, and complete surface repairs.
- Tyson Crossover study was completed, with assistance in funding from Tyson, a stoplight will be installed. A traffic engineer is currently working to complete the report by the end of August.
- Bobtown Road project is in the queue, he expects to have an update in September;
- Kenzie Drive, after review of accidents that occurred between June 2015 thru May 2018, all nine crashes occurred in the Northbound lane and during inclement conditions;
- Fooks Lane suggested that the Supervisors visit the site as the work is nearing completion, noting that speed limit signs still need to be posted.
- Route 695 (New Temperanceville Road/Saxis Road) and Route 13/175 (Chincoteague Road) were the successful Smart Scale projects within Accomack County.
- A public hearing was not required for the stoplight at the Accomack County Industrial Park.
- Pollinator Program – Mr. Isdell first expressed that contributions to the Pollinator Program are based on available funds. Ideal areas for the plantings would be at welcome centers or roadway medians where visibility is not negatively impacted. The plants chosen for this program are based on the local pollinators. He expressed that financial and resources are a statewide concern for maintenance.

Mr. Mason informed the Board that pollinator plants had been planted at the Sawmill Park, but were accidentally mowed. Discussion ensued related to posting signs with information about the program and requesting that the School Board consider having the plantings at their facilities. Discussion ensued.

Mr. Wolff complimented VDOT on the resurfacing on Fleming Road.

Chairman Crockett informed the Board that he and Mr. Isdell had met and discussed roads on Tangier. He stated that Mr. Isdell believed he had found a code that would allow VDOT to take over the roads on Tangier Island due to the population.

7.2 Robert Bloxom, Delegate

Mr. Bloxom informed the Board that he would be speaking as a member of the Economic Development Authority (EDA), not as Delegate. He continued to express his and the EDA's concern with the current tax rates as they believe it to be a stumbling block to bringing businesses to the Industrial Park. He noted that recently an aircraft was lost to Delaware due to lower tax rates.

Mr. Phillips suggested that if the County was to lower the tax rates, it should be tried while the runway is undergoing rehabilitation.

Chairman Crockett expressed that while the concern is valid, the County must take the position that a normal family must pay the same tax rate as a citizen that is able to afford a plane that costs millions: why would the person that can afford a plane receive a tax break, but not the normal family? He strongly expressed that he could not support a wealthy person paying little to no tax, but a family paying taxes.

Mr. Bloxom responded that middle school math teaches that life is not fair, but he would like to promote business. He requested that the County consider at least being competitive as tax rates are the main reason people do not choose the County Airport.

7. Items removed from Consent Agenda

No items were removed from the Consent Agenda.

8. Committee Reports

There were no committee reports.

9. Old Business

9.1 Consider approving the acceptance of FAA & VDOA grants associated with the Airport Runway 3/21 and Runway Lighting Rehabilitation Project and authorizing the County Administrator to execute related grant agreements

Mr. Hall and Mr. Mason explained that Agenda Items 9.1, 9.2, 11.2, and 11.3 were all related to the same Airport Project.

On a motion made by Mr. Hart and seconded by Ms. Major, the Accomack County Board of Supervisors voted to accept the FAA & VDOA grants by authorizing

County Administrator, Michael T. Mason, to execute the Grant Agreement when it is received.

9.2 Consider a Temporary Reduction in Airport Hangar Rent due to the Runway being unavailable to pilots due to the Runway and Runway Lighting Rehab Project

Mr. Hall requested that the Board approve the reduction as a gesture of good will and customer service. Staffing at the Airport will be reduced during the rehabilitation; therefore, some loss of revenue from the loss of fuel sale will be offset.

On motion made by Mr. Phillips and seconded by Mr. Wolff, the Accomack County Board of Supervisors voted to approve a 10% reduction in rent for the 60 day runway closure, in order to retain long standing customers who will be inconvenienced during this phase of construction.

10. Appointments

10.1 August Appointments

A. An appointment for the Eastern Shore of Virginia Resource Conservation and Development Council was continued until the September meeting.

10.2 July Attendance Report

There was no discussion on this matter.

11. Public Hearing (6:30)

11.1 Public Hearing Rules were read by Mrs. Burge.

11.2 Public Hearing on a proposed Amendment to the County Budget needed to initiate the County Airport Runway and Lighting Rehabilitation Project

Mr. Mason explained that because the budget amendment associated with this project totals \$4,240,000 which exceeds 1% of the County's currently adopted budget, the Code of Virginia § 15.2-2507 required a public hearing to be advertised and held prior to adoption.

Chairman Crockett opened and closed the Public Hearing as no one signed up or requested to speak.

On a motion made by Ms. Major and seconded by Mr. Phillips, the Accomack County Board of Supervisors voted to approve the following resolution that budgets and appropriates \$4,240,000 in funds for the Airport Runway and Runway Lighting Rehabilitation Project.

RESOLUTION TO AMEND THE FISCAL YEAR 2019 ACCOMACK COUNTY BUDGET AND APPROPRIATE FUNDS FOR THE ACCOMACK AIRPORT RUNWAY AND RUNWAY LIGHTING REHABILITATION

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and maintain the budget for Accomack County; 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, the County expects to accept a FAA grant agreement in September 2018 that will provide \$3,816,000 or 90% of the funds needed to initiate the Runway 3/21 and Runway Lighting Rehabilitation project; and,

WHEREAS, the remainder of project funding will be derived from a DOAV grant (\$339,200/8%) and County funds already set aside for this project (\$84,800/2%) for a total project cost of \$4,240,000.

WHEREAS, funding for this project is not incorporated into the County's FY19 budget nor has any funding been appropriated for it; and,

WHEREAS, On May 26, 2018, an advertisement for Invitation For Bid #709 (Runway 3-21 Rehabilitation and Lighting Replacement) was placed in the Eastern Shore News and over 200 contractors and subcontractors contacted to announce the issuance of this request for bids; and,

WHEREAS, Award of IFB #709 cannot take place until the County's budget is amended and funds appropriated for this project; and,

WHEREAS, the *Code of Virginia* § 15.2-2507 requires any proposed budget amendment that exceeds one percent of the total expenditures shown in the currently adopted County budget be accomplished by publishing a notice of a meeting and a public hearing once in a newspaper having general circulation in that locality at least seven days prior to the meeting date: and,

WHEREAS, on August 8, 2018, a public hearing notice was advertised in the Eastern Shore News on this proposed \$4,240,000 amendment to the County's FY19 Budget; and,

WHEREAS, on August 15, 2018, a public hearing was held on this proposed amendment to the County FY19 Budget; therefore,

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

Requesting Department	Purpose	Funding Source	Total
Airport	To recognize the expected award of a FAA grant to be used for rehabilitating the County airport runway and lighting.	Federal Government	\$ 3,816,000
Airport	To recognize the expected award of a VDOA grant to be used for rehabilitating the County airport runway and lighting.	Commonwealth of Virginia	\$ 339,200
Airport	To use local funds previously set aside in the FY19 County budget to satisfy the local share of the	FY19 Capital Funding awarded to the Airport	\$ 84,800
Total			\$ 4,240,000

Robert D. Crockett
Chairman, Board of Supervisors

ATTEST:

Michael T. Mason, CPA
Clerk to the Board

Adopted by the Board of Supervisors of Accomack County, Virginia, this 15th day of August 2018.

11.3 Consider Awarding IFB #709 to the sole bidder, Branscome, Inc., for rehab of the County Airport Runway & Runway Lighting

Chairman Crockett opened and closed the Public Hearing as no one signed up or requested to speak.

On a motion made by Mr. Phillips and seconded by Mr. Wolff, the Accomack County Board of Supervisors voted to Award IFB #709 (Runway 3-21 Rehabilitation and Lighting Replacement) to the low/sole bidder, Branscome Inc., in the amount of \$3,844,470.

12. New Business

12.1 Receive Plan of Finance for the County's \$2 million Contribution to the Construction of the New Library

Mr. Courtney Edward Rogers, a financial advisor with Davenport & Company LLC gave a presentation to the Board, reviewing the Plan of Finance, with a tentative schedule, that produces the County's \$2 million contribution to the Eastern Shore Public Library in Parksley. Discussion ensued related to financing options.

Mrs. Burge reminded the Board that the County had not yet received the Deed of Gift for the library.

Mr. Muhly questioned the financial health of the County; Mr. Rogers responded that the County had very good financial health.

Chairman Crockett thanked Mr. Rogers for his presentation.

Following the presentation, Mr. Hart was excused from the meeting to attend a VACo meeting in Fredericksburg.

12.2 Receive briefing on Eastern Shore of Virginia Broadband Authority (ESVBA) Bond Application

Mr. Mason introduced Mr. Robert Bridgham, Executive Director, of Eastern Shore Broadband Authority.

Mr. Bridgham reviewed the ESVBA's upcoming phases:

Towns that are expected to received service by the end of 2018, serving 25% of the Shore:

- | | | |
|----------------|--|-----------------|
| ➤ Exmore | | ➤ Onancock |
| ➤ Belle Haven | | ➤ Cape Charles |
| ➤ Cheriton | | ➤ Parksley |
| ➤ Wachapreague |  | ➤ Nocks Landing |

The ESVBA's next phase is to build-out every incorporated town on the Eastern Shore (including Tangier), another 33%, and then expanding its existing footprint outside of the towns to reach 'necks', adding another 12 % coverage.

He explained that at that point, the ESVBA networks would cumulatively provide access to nearly 70% of the residents on the Shore. In order to do this, it would require ESVBA to use some of its capital reserves as well as issue an estimated \$5 million in debt. The ESVBA has applied to the Virginia Resources Authority (VRA) for the issuance of a 10-year, \$5 million bond. Through the VRA bonding process, the VRA may request a support agreement be approved by each participating County that will obligate each County for a portion of the ESVBA's debt should ever a default occur.

Discussion ensued related:

- ESVBA's ability to work with ANEC in which Mr. Bridgham informed the Board that ANEC was not interested.
- Mr. Muhly inquired about ESVBA's service in the Industrial Park. Mr. Bridgham stated that he had spoken with Mrs. Haxter and broadband is available for purchase by businesses within the Industrial Park.
- Mr. Chesser suggested the idea of a 'buy-back' program for those that live off of the main roads and interested in purchasing the services.

Supervisor Crockett expressed the Board's support of the ESVBA's expansion plan.

13. County Administrator's Report

13.1 Reschedule November Board of Supervisors Meeting

On a motion made by Mr. Wolff and seconded by Mr. Muhly, the Accomack County Board of Supervisors voted to reschedule its November meeting to November 14, 2018 at 5:00 p.m. due to the Thanksgiving holiday schedule.

13.2 Discuss Format of Meeting Minutes

Mr. Mason pointed out a few improvements to the Board's meeting minutes that have been implemented at the suggestion of Ms. Taylor.

13.3 Status Report on Queen Sound Boat Ramp

Mr. Mason reported that Public Works staff worked quickly to complete a temporary fix to the boat ramp and that additional funding would be needed for a permanent repair.

13.4 Status Report on South Transfer Station

On August 3rd, the weigh scale was struck by lightning and a new scale was being installed earlier in the day; Techs were working to complete the restoration of services this evening.

14. County Attorney's Report

Mrs. Burge reported that she had received the executed settlement from the Hacks Neck case and was working to complete the dismissal order. The next step includes completing a proper survey of the property and recording it with the land records, to be followed by developing a proper parking area.

15. Board of Supervisors Comment Period

A. Mr. Muhly – Requested a list of delinquent tax payers within the County.

- Mr. Muhly asked the Board to join him in congratulating Ms. Taylor on her engagement to Deputy C. Hargis as by their next meeting she would be Mrs. Hargis.

B. Mr. Chesser – provided an update on the RAFT workshop that he attended, stating that it was very interesting.

- Mr. Chesser also expressed that he was very bothered by the comment to 'outlaw industrial poultry' posted by Mr. Kerry Allison, Director of Tourism, at the recent Economic Meeting with Governor Northam, noting that words out of the mouth are like bullets out of a gun. Once you shoot them off you can't take them back. Mr. Chesser stated that her comment showed an alarming lack of knowledge on the Eastern Shore economy and how it works. He expressed that while she may be a wonderful person, her comments were callous, insensitive, and a slap in the face to the minorities and poultry industry employees. Mr. Chesser again expressed his anger and disappointment saying that without the poultry industry, Accomack County would not have the Riverside Hospital or Wal-Mart.

Chairman Crockett and Mr. Wolff also explained their displeasure with Ms. Allison's comments and the Tourism Commission's response to the matter.

On a motion made by Chairman Crockett and seconded by Mr. Wolff, the Accomack County Board of Supervisor's voted to direct County Administrator and staff to explore other options outside of the Tourism Commission, to include reaching out to the Eastern Shore Chamber of Commerce and Chincoteague Chamber of Commerce.

C. Mr. Wolff – Reported that he had attended an event at the NASA Visitor Center and students were able to communicate with astronauts at the Space Station directly.

- He also announced that he had attended a WRA meeting and was assured that no job cuts were being made at the Wallops facility.

16. Budget and Appropriation Items

16.1 Consider Resolution that contains Fiscal Year 2018 and Fiscal Year 2019 budget amendments totaling \$463,522

On a motion made by Mr. Phillips and seconded by Mr. Tarr, the Accomack County Board of Supervisors voted to approve the following resolution that contains Fiscal Year 2018 and Fiscal Year 2019 budget amendments totaling \$463,522.

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 Year	Requesting Department	Fund/Function	Purpose	Funding Source	Total
FY18	Clerk	General Fund/Clerk of Circuit Court	To recognize equipment funding from the Compensation Board.	State Funds	\$ 20,799
FY18	Commissioner of Revenue	General Fund/Commissioner of Revenue	To recognize additional funding from the Compensation Board.	State Funds	\$ 2,639
FY18	Commonwealth's Attorney	General Fund/Commonwealth's Attorney	To recognize additional funding from the Compensation Board.	State Funds	\$ 8,235
FY18	Sheriff	General Fund/Law Enforcement	To recognize additional funding from the Compensation Board.	State Funds	\$ 54,036
FY18	Sheriff	General Fund/Corrections/Court Services/ Ordinance Enforcement/ Animal Control/Animal Facility	To allow transfer of budget funds between Sheriff Law Enforcement and various Sheriff Departments.	To Various Sheriff Departments	\$ (344,500)
FY18	Sheriff	General Fund/Corrections/Court Services/ Ordinance Enforcement/ Animal Control/Animal Facility	To allow transfer of budget funds between Sheriff Law Enforcement and various Sheriff Departments.	From Various Sheriff Departments	\$ 344,500
FY18	Treasurer	General Fund/Treasurer	To recognize the portion of attorney fees recovered from delinquent tax collection efforts which is above the amount originally budgeted. These funds repay the County for previous expenditure made.	Recovered Costs	\$ 1,557
FY18	Airport	Airport Enterprise Fund	To recognize the award of grant funding for Runway 21 turnaround environmental project.	State Funds	\$ 25,600

Fiscal Year	Requesting Department	Fund/Function	Purpose	Funding Source	Total
FY18	Airport	Airport Enterprise Fund	To recognize the award of grant funding for easement acquisition services for obstruction removal bridge loan project.	State Funds=\$54,400 Airport Capital Funds=\$13,600	\$ 68,000
FY18	Public Safety	Grants Fund/Public Safety	To recognize the award of grant funds for the Four for Life Program.	State Funds	\$ 35,818
FY18	Public Safety	Drug Seizure Fund/Public Safety	To recognize State drug forfeiture proceeds.	State Funds	\$ 53,774
FY18	Parks and Recreation	General Fund/Parks and Recreation	To recognize USDA Summer Grant 18/19 funding.	Federal Funds	\$ 89,611
FY19	Victim Witness	General Fund/Victim Witness	To recognize additional funding approved for the Victim Witness Grant.	Federal Funds	\$ 11,211
FY19	Courts	General Fund/Courts	To recognize receipt of Community Corrections Grant.	State Funds	\$ 92,242
Total					\$ 463,522

Robert D. Crockett
Chairman, Board of Supervisors

ATTEST:

Michael T. Mason, CPA
County Administrator

Adopted by the Board of Supervisors of Accomack County, Virginia, this 15th day of August 2018.

17. Payables

17.1 July Payables

Mr. Mason certified the August payables.

On a motion made by Ms. Major and seconded by Mr. Wolff, the Board of Supervisors voted to certify Mr. Mason to pay the August payables.

18. Closed Meeting

18.1 Closed Session Pursuant to Va. Code Section 2.2-3711.A.3. - Discussion regarding disposition/acquisition of real property.

On a motion made by Mr. Tarr and seconded by Mr. Phillips, the Board of Supervisors voted unanimously to enter into Closed Session pursuant to Virginia Code Section 2.2-3711.A.3 for the following purposes: 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, specifically related to the Wallops Research Park.

Chairman Crockett declared the meeting reopened to the public.

On a motion made by Mr. Tarr and seconded by Mr. Phillips, the Board of Supervisors voted unanimously by roll call vote, Mr. Hart absent, 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.

19. Adjournment

On a motion made by Mr. Wolff and seconded by Mr. Phillips, the Board of Supervisors voted to adjourn the meeting at 6:48 p.m.