

VIRGINIA: At a Regular Monthly Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 19<sup>th</sup> day of June, A.D., 2013.

Members Present: Donald L. Hart, Jr., Chair  
Wanda J. Thornton  
Ron S. Wolff  
Grayson Chesser  
John Charles "Jack" Gray, Vice Chair  
Kay W. Lewis  
Robert D. Crockett  
Laura Belle Gordy  
C. Reneta Major

Others Present: Steven B. Miner, County Administrator  
Mark B. Taylor, County Attorney  
Shelia Goodman, Administrative Assistant

### **Call to Order**

The meeting was called to order by the Chair. The invocation was given by Ms. C. Reneta Major and the Pledge of Allegiance to the Flag was recited.

### **Adoption of the Agenda**

Mr. Hart stated there were two (2) changes to the Agenda. The first was to move 5.2 Watch for Children Sign under New Business for discussion and to remove 11.3 Bid Award –Bid #665 Greenbackville Harbor Improvements from the Agenda. Mr. Wolff made a motion to approve the Agenda with the changes. Ms. Lewis seconded the motion. The motion was unanimously approved.

### **Public Comments**

No one spoke.

### **Minutes**

Mr. Wolff made a motion to approve the minutes of May 1, 2013 and May 15, 2013. Ms. Major seconded the motion. The motion was unanimously approved.

### **Resolution Recognizing the 2013 Valedictorian at Chincoteague High School**

Mrs. Thornton read and presented a plaque to Ms. Sarah Cathey, the Valedictorian of the Chincoteague High School Class of 2013.

#### **A RESOLUTION TO RECOGNIZE THE 2013 VALEDICTORIAN AT CHINCOTEAGUE HIGH SCHOOL**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

**WHEREAS**, Sarah Cathey has been named the Valedictorian for the Chincoteague High School Class of 2013, has received the National Rural Electric Cooperative Association (NRECA) Award, was selected to represent the regional co-op at the National Youth Tour in Washington, DC, was selected as a sole representative for the State of Virginia on the Youth leadership Council with meetings in Washington, DC and New Orleans, Louisiana; was Class

President for four (4) years, YMCA Model General Assembly, and has served as Captain of the Scholastic Bowl, Environthon, and Volleyball Team; and

**WHEREAS**, she has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

**WHEREAS**, she has participated in numerous school activities, such as: Hi-Y/Government, Forensics, BETA Club, Volleyball, Theater, Scholastic Bowl, Environthon, Concert and Marching Band, Softball and Basketball; and

**WHEREAS**, she has been actively involved in the community by playing music annually at the American Legion for Veterans for 4 years, helps with the local cemetery clean-ups, served dinners for the Volunteer Fire Department/Ladies Auxiliary for the past 3 years, helps with Vacation Bible School, Oyster Festival, Chili-Chowder Cook-Off Volunteer, and active in her Church Youth Group; and

**WHEREAS**, she has earned a Grade Point Average of 4.2222 and will be attending the University of Virginia in the fall majoring in Engineering; now

**THEREFORE IT BE RESOLVED** that the Accomack County Board of Supervisors recognizes Sarah Cathey for academic achievement and congratulates her on her selection as Valedictorian of the Chincoteague High School Class of 2013; and

**BE IT FURTHER RESOLVED**, that we wish her continued success in achieving her career goals.

#### **Resolution Recognizing the 2013 Valedictorian at Arcadia High School**

Mr. Gray read and presented a plaque to Ms. Megan Renee Miles, the Valedictorian of the Arcadia High School Class of 2013.

#### **A RESOLUTION TO RECOGNIZE THE 2013 VALEDICTORIAN AT ARCADIA HIGH SCHOOL**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

**WHEREAS**, Megan Renee Miles has been named the Valedictorian for the Arcadia High School Class of 2013, has attended Arcadia High School for grades nine through twelve, has maintained four (4) years on the Honor Roll, was awarded the McDonald's Scholarship; and

**WHEREAS**, she has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

**WHEREAS**, she has worked part time for the past two (2) years at St. Paul's on the Shore Daycare and was in the BETA Club; and

**WHEREAS**, she has earned a Grade Point Average of 4.1818 and will be attending the University of Maryland Eastern Shore in the fall, where she will major in Biology with an intent to attend the Physician Assistant Post Graduate Program; now

**THEREFORE BE IT RESOLVED** that the Accomack County Board of Supervisors wishes to recognize Megan Renee Miles for academic achievement and congratulates her on her selection as Valedictorian of the Arcadia High School Class of 2013; and

**BE IT FURTHER RESOLVED** that we wish her continued success in achieving her career goals.

#### **Resolution Recognizing the 2013 Valedictorian at Nandua High School**

Mr. Robert Crockett presented a plaque to Mr. Dustin Adrian Wessells the Valedictorian of Nandua High School for the Class of 2013.

**A RESOLUTION TO RECOGNIZE THE 2013 VALEDICTORIAN AT NANDUA  
HIGH SCHOOL**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

**WHEREAS**, Dustin Adrian Wessells has been named the Valedictorian for the Nandua High School Class of 2013, has received the Bailey Tiffany Scholarship from the University of Virginia for approximately \$52,000 over four years, has won the HC & Carrie Watson Scholarship for \$550, the Discus Award for \$2,500, the Daryl & Drew Campbell Memorial Scholarship for \$500, the Hampton Sydney Allen Honors Scholarship for \$120,000 over four years, the 2012 William & Mary Leadership Award, was named as an "Early College Scholar", and was awarded the Virginian Pilot Ledger Star Achievement Team Award; and

**WHEREAS**, he has exemplified high academic performance, positive social interaction and exemplary character that sets an example for his peers to emulate; and

**WHEREAS**, he has participated in numerous school activities, such as the Governor's School for Life Sciences and Medicine, was on the Soccer Team, the Scholastic Bowl Team for four years, and served as Captain for the past two years; and

**WHEREAS**, he has earned a Grade Point Average of 4.12 and will be attending the University of Virginia majoring in the Pre-Med program in the fall; now

**THEREFORE BE IT RESOLVED** that the Accomack County Board of Supervisors wishes to recognize Dustin Adrian Wessells for academic achievement and congratulates him on his selection as Valedictorian of the Nandua High School Class of 2013; and

**BE IT FURTHER RESOLVED** that we wish him continued success in achieving his career goals.

**Resolution for Tangier Combined School Valedictorian**

Mr. Hart stated the Resolution for Tangier Combined School had already been presented to Ms. Mariah Taylor Crockett.

**A RESOLUTION TO RECOGNIZE THE 2013 VALEDICTORIAN AT TANGIER COMBINED  
SCHOOL**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

**WHEREAS**, Mariah Taylor Crockett has been named the Valedictorian for the Tangier Combined School Class of 2013; and

**WHEREAS**, Miss Crockett has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

**WHEREAS**, she has participated in numerous school activities, such as Hi-Y since 8<sup>th</sup> grade and served as the Club's Secretary, and participated in the Club's Model General Assembly; and

**WHEREAS**, she has been actively involved in the community and is involved with her church activities; and

**WHEREAS**, she has earned a Grade Point Average of 3.96 and will be attending Old Dominion University in the fall majoring in business; now

**THEREFORE IT BE RESOLVED** that the Accomack County Board of Supervisors wishes to recognize Mariah Taylor Crockett for academic achievement and congratulates her on her selection as Valedictorian of the Tangier Combined School Class of 2013; and

**BE IT FURTHER RESOLVED** that we wish her continued success in achieving her career goals.

### **Consent Agenda**

Mr. Wolff made a motion to approve the following items under the Consent Agenda. Ms. Major seconded the motion. The motion was unanimously approved.

#### **5.2 Watch for Children Sign – Northside Road, Onancock**

Mr. Miner gave a brief update to the Board of Supervisors of the VDOT rules on the Watch for Children Signs. He stated the County was solely responsible for the purchase, installation, and maintenance of the sign and must pay all associated costs.

Mr. Wolff said it appeared the State has taken the first step to force localities to maintain all roads within the Commonwealth.

Mr. Wolff made a motion to send a letter to State Representatives informing them of the Board's displeasure of the States lack of responsibility to maintain the roads. Mr. Crockett seconded the motion. A discussion ensued concerning what the maintenance cost would be. Mr. Wolff restated his motion to include to tone down the letter but to relay the Boards feelings and concerns about the unfunded mandates. The motion, as restated, was unanimously approved.

Mr. Crockett made a motion to postpone any action until the Board hears back from the staff. Mr. Wolff seconded the motion. The motion was unanimously approved.

#### **5.4 Request for Traffic Study at Intersection of Wayside Drive (T614) and Cosby Street ((T1204) in the Town of Painter**

Ms. Major made a motion to have a traffic study done by the Virginia Department of Transportation at the intersection on Wayside Drive and Cosby Street in the Town of Painter to determine the appropriate signage for the intersection. Mr. Hart seconded the motion. The motion was unanimously approved.

### **Eastern Shore Early Childhood Coalition**

A presentation was given by Ms. Roberta Newman, Coordinator of the Eastern Shore Early Childhood Coalition. She spoke on behalf of the Child Center Resolution and asked the Board to consider and approve the Resolution.

Ms. Newman told the Board the Eastern Shore Childhood Coalition was organized to create and implement a strategic planning process, increase community support for school readiness, advocate for local and state level policies that support

quality early childhood education and leverage resources for improving services to your children.

Ms. Major made a motion to adopt the Resolution for A Child Friendly Community. Mrs. Thornton seconded the motion. A discussion ensued. The motion was unanimously approved.

### **Discussion Related to Tourism**

Mr. Miner briefed the Board on revamping the Joint Resolution and the language adopted by both Counties and change the way the formula for 2/3 – 1/3. He said the recent proposal to amend the Northampton Tax Code relative to the dedication of revenues to the Tourism Commission had raised questions regarding the appropriate level of support from Accomack County Government. He said some have claimed that Accomack County should be paying more, pointing to the original joint resolution's agreed upon 1/3 – 2/3 funding split between the Counties.

**Brief History** - He told the Board the original joint resolution showed that funding was to be based on a submitted budget by the Commission and that Accomack was to pay a 2/3 share and that Northampton was to pay a 1/3 share. He said there was no provision governing the mechanism by which it was to be coordinated and there was no provision that indicated that increases in payment by one county would require the other county to increase its contributions.

**Amendments** - Mr. Miner said that recently (though the 1/3 – 2/3 language was not removed) both counties moved to amend the original reflecting a changed reality for funding. He said in December of 2009 the Northampton Board adopted an amendment first proposed by the Commission. It then provided that either county giving 51% more than the other county would enable the appointment of an additional, or 4<sup>th</sup>, member to the Commission making a total of 7 members, if that level of funding was provided. This amendment clearly linked the number of eligible appointees by either County to its funding effort and recognized the end of the former 1/3 – 2/3 split. (the language did not say 51% of the total budget, but speaks to 51% more funding than the other county provides).

Mr. Miner further stated the clear intent of this language is two-fold:

1. It recognized the reality that funding for the Tourism Commission by the two counties had changed from the former 1/3 – 2/3 split,

2. Funding the tourism became incentivized to the extent that should either county wish to appoint the majority of the Board, it would be required to fund 51% more than the other county.

Mr. Miner told the Board the identical proposal was also considered by the Accomack County Board around the same time; however, the Board did not pass the amendment at that time. The language was never repealed by the Northampton Board, and in December of 2011 the Accomack County Board again considered and passed the amendment (with a slight change relating to the type of contributions which count toward the 51% number). At this time, then, the original joint resolution which formed the Tourism Commission had been amended by both bodies on the matter of contributions and membership.

Mr. Miner stated both Administrators have previously suggested that a completely new resolution would be helpful, as the existing resolution has been amended numerous times.

A discussion ensued.

Mr. Hart suggested the two county administrators and Northampton Board of Supervisors Chair Willie Randall start the dialogue countywide about all the issues and asked Mr. Miner to set up a meeting date. The Board concurred with Mr. Hart's suggestion.

#### **Accomack-Northampton Planning District Commission**

Mr. Gray made a motion to reappoint Gwendolyn Turner to the Accomack-Northampton Planning District Commission for a one year term commencing on July 1, 2013 and expiring on June 30, 2014. Ms. Lewis seconded the motion. The motion was unanimously approved.

Mrs. Gordy made a motion to reappoint Thomas E. Rienerth to the Accomack-Northampton Planning District Commission for a one year term commencing on July 1, 2013 and expiring on June 30, 2014. Mr. Crockett seconded the motion. The motion was unanimously approved.

#### **Eastern Shore Community College Board**

Mrs. Gordy made a motion to reappoint Lisa W. Lewis to the Eastern Shore Community College Board for a four year term commencing on July 1, 2013 and expiring on June 30, 2017. Mr. Crockett seconded the motion. The motion was unanimously approved.

The Board postponed the reappoint of Terry A. Ewell until it was determined which district she resided in.

The Board postponed the appointment to fill Robert Turner's (who is not eligible for reappointment) successor until next month's meeting.

Mr. Wolff made a motion to reappoint Joyce L. Falkinburg to the Eastern Shore Community College Board for a four year term commencing on July 1, 2013 and expiring on June 30, 2017. Mrs. Thornton seconded the motion. The motion was unanimously approved.

#### **Eastern Shore Community Services Board**

Ms. Major made a motion to remove Mr. Berran Rogers from the Eastern Shore Community Services Board and to postpone appointing anyone until next month's meeting. Mr. Hart seconded the motion. The motion was unanimously approved.

#### **Eastern Shore of Virginia Ground Water Committee**

Mrs. Thornton made a motion to reappoint J. Wesley Jeffries to the Eastern Shore of Virginia Ground Water Committee for a three year term commencing on July 1, 2013 and expiring on June 30, 2016. Mr. Crockett seconded the motion. The motion was unanimously approved.

#### **Parks and Recreation Advisory Commission**

The reappointment of Thomas Harmon to the Parks and Recreation Advisory Commission was postponed.

Mr. Hart made a motion to reappoint Tony Washington to the Parks and Recreation Advisory Commission for a four year term commencing on July 1, 2013 and expiring on June 30, 2017. Ms. Major seconded the motion. The motion was unanimously approved.

Mr. Wolff made a motion to reappoint Gary Miller to the Parks and Recreation Advisory Commission for a four year term commencing on July 1, 2013 and expiring on June 30, 2017. Mrs. Thornton seconded the motion. The motion was unanimously approved.

#### **Accomack County Solid Waste Committee**

Mr. Wolff made a motion to appoint Marilyn Carol Ailes to the Solid Waste Committee to fill the unexpired term of Frank Moore, who has resigned, commencing immediately and expiring on June 30, 2015. Mr. Crockett seconded the motion. The motion was unanimously approved.

Mr. Crockett made a motion to appoint Jenny O'Neill to serve on the Solid Waste Committee for a three year term commencing immediately and expiring on June 30, 2016. Mr. Wolff seconded the motion. The motion was unanimously approved.

#### **Quinby Boat Harbor Committee**

Mr. Hart made a motion to reappoint Mark Wallace to the Quinby Boat Harbor Committee for a four year term commencing on July 1, 2013 and expiring on June 30, 2017. Ms. Major seconded the motion. The motion was unanimously approved.

#### **Wetlands Board**

Mrs. Thornton made a motion to reappoint Gene Wayne Taylor to the Wetlands Board for a five year term commencing on July 1, 2013 and expiring on June 30, 2018. Mr. Wolff seconded the motion. The motion was unanimously approved.

The Board postponed appointing an Alternate Member to the Wetlands Board.

#### **Attendance Report Discussion**

Mrs. Thornton stated she and Ms. Lewis had recommended the Board receive an attendance report yearly concerning the attendance of commissions, committees, and boards and stated she was concerned about some of the attendance. Mrs. Thornton stated she wants to see an attendance report of all the commission, committees, and boards.

Ms. Lewis stated she agreed with Mrs. Thornton. She stated the Board was not receiving the reports monthly.

Mr. Miner stated the plan was to post all the attendance reports on the County Website, but would check on it to see if it was publicly accessible. A discussion ensued. Mr. Miner explained the policy to the Board of attending the meetings.

#### **Bid Award – Bid #663 Fire Training Center, Burn Building Addition**

Mr. Crockett made a motion to approve bid award to the low bidder, GGI Builders, Inc. T/A Gills Gilkerson, in the amount of \$529,412 and the use of \$34,640 in contingencies to address the project budget shortfall bases on bid opening. Ms. Major seconded the motion. The motion was unanimously approved.

#### **Bid Award – Bid #664 Southern Landfill Closure Construction**

Mr. Hall told the Board the bid came in at \$2, 237,599.30 and said it was \$1 Million under budget. Ms. Major made a motion to approve bid award to the low bidder, T&K Construction, LLC, in the amount of \$2,237,599.30. Mr. Wolff seconded the motion. A discussion ensued. The motion was unanimously approved.

### **Cooperative Extension Office Staffing Request**

Mr. Crockett made a motion to deny the request of an existing part-time Extension Service Technician position to be elevated to full-time status and get a breakdown of what the job entails. Mrs. Gordy seconded the motion. The motion was unanimously approved.

### **Compensation Issue**

County Attorney Mark Taylor stated the Accomack County Board of Supervisors annual salary was set at \$7000 in 1990 and had not been increased since that time. He continued and stated in 2000 the chair and the vice-chair have received annual salary supplements of \$1800 and \$1200 as provided for by the law, but the Supervisors base annual salary has remained unchanged, and stated it was very reasonable for the Supervisors to be granted the same 3% pay increase (on August 1, 2013) that had been granted to the county employees this year, but in order to do that an emergency ordinance must be adopted before the end of June 2013. He continued and told the Board it would have to go to Public Hearing next month.

Mr. Wolff made a motion to enact an Emergency Ordinance to receive a 3% increase to the Board of Supervisors on August 1, 2013, and authorize to advertise to hold a public hearing for the next month's meeting on July 17, 2013. Mr. Gray seconded the motion. A discussion ensued. Mr. Wolff amended the motion to change it to a 5% increase. Mr. Gray seconded the amendment. The motion failed 4-5.

Ayes: Mr. Wolff, Mr. Gray, Ms. Lewis, Mrs. Gordy

Nays: Mrs. Thornton, Mr. Chesser, Mr. Crockett, Ms. Major, Mr. Hart

Mr. Wolff made a motion to enact an Emergency Ordinance to receive a 3% increase to the Board of Supervisors on August 1, 2013 and authorize to advertise for public hearing for the next month's meeting of July 17, 2013. Ms. Lewis seconded the motion. The motion was approved. 7-2

### **ORDINANCE OF THE BOARD OF SUPERVISORS OF ACCOMACK COUNTY, VIRGINIA PERTAINING TO SUPERVISORS' SALARIES**

The Board of Supervisors of Accomack County, Virginia, in regular meeting on the 19th day of June, 2013, adopted the following:

#### **ORDINANCE**

WHEREAS, pursuant to the Virginia Code the Board of Supervisors is authorized to establish salaries for its members; and

WHEREAS, in accordance with the time constraints prescribed under Virginia Code § 15.2-1414.3, the Board desires to adopt this Ordinance as an emergency ordinance pursuant to Virginia Code § 15.2-1427 and direct advertisement of a public hearing on the re-adoption of this Ordinance at the Board's July meeting; and

WHEREAS, the Accomack County Board of Supervisors' annual salary was set at \$7,000.00 on May 16, 1990 and has remained at that level for 23 years; and

WHEREAS, according to the U. S. Bureau of Labor Statistics, the Supervisors' \$7,000.00 salary has lost more than forty percent (40%) of its buying power since 1990; and

WHEREAS, the Accomack County Board of Supervisors has fixed additional sums of \$1,800.00 and \$1,200.00 to be paid annually to the Chair and the Vice-Chair of the Board, respectively, since the year 2000; and

WHEREAS, Virginia Code § 15.2-1414.3.2 expressly enables Supervisors' salaries to be adjusted in any year by an inflation factor not to exceed five percent (5%); and

WHEREAS, the Board of Supervisors has granted all Accomack County employees a three percent (3%) raise in salary, effective on August 1, 2013; and

WHEREAS, the Board finds that it is fair, equitable and reasonable to raise the Supervisors' salaries by three percent (3%), effective on August 1, 2013.

NOW, THEREFORE, BE IT ORDAINED, that the annual salary of the Board of Supervisors for Accomack County, Virginia, shall be increased by three percent (3%) effective August 1, 2013, with the additional sums paid to the Chair and Vice-Chair continuing in effect. This enactment is made on an emergency basis this day, and directed to be advertised for public hearing and consideration of re-enactment on July 17, 2013.

Ayes: Mr. Chesser, Mr. Wolff, Mr. Gray, Ms. Lewis, Mrs. Gordy, Ms. Major, Mr. Hart

Nays: Mrs. Thornton, Mr. Crockett

### **County Administrator's Report**

Mr. Miner stated he had received a letter from Mrs. Judy S. Lyttle from VACo Board of Directors, Region 1, wishing to schedule a Region 1 meeting, but requested a location and time.

Mr. Hart made a motion to send a letter to Mrs. Lyttle requesting the meeting be held on the Eastern Shore. Ms. Major seconded the motion. The motion was unanimously approved.

Mr. Miner informed the Board of Supervisors the Coast Guard was seeking comments for disestablishment of Virginia Inside Passage. The Board voiced concerns about the Coast Guard's plan to remove navigation aids along Virginia's Inside Passage. Mrs. Thornton offered to follow up and get information to Mr. Miner so he could send the information to the Board of Supervisors. Mrs. Thornton told the Board she would get all the comments the people send in and give it to them as well.

A discussion ensued on the channel markers being removed (cut off) and felt it was unsafe for safe boating. Mr. Wolff stated a letter should be written to the Federal representatives.

### **County Attorney's Report**

Mr. Taylor told the Board the Virginia Soil and Water Conservation Board was in the process of amending and re-issuing the General Permit for Discharges of Stormwater from Construction Activities. He informed the Board the new regulations may have a big impact on Accomack County in terms of requiring County staff to perform more inspections than in the past. Mr. Taylor gave a copy of the February 11, 2013 version of the proposed new regulations. He asked the Board to review them and authorize a letter to be sent to the Virginia Soil and Water Conservation Board with Accomack comments on Construction General Permit Regulations.

Mr. Crockett made a motion to send a letter to DEQ, Lynwood Lewis and Ralph Northam. Mrs. Lewis seconded the motion. The motion passed 8-1. Mrs. Thornton abstained.

### **Board of Supervisor's Comment Period**

Mrs. Thornton stated a work session needs to be held in September concerning the Stormwater Ordinance. She told the Board she would provide the information to them prior to the meeting.

Mr. Wolff told the Board he held his monthly meeting and thanked the Director of Public Safety for attending the meeting and stated Mr. Terwilliger was very informative.

Mr. Wolff stated he and Mr. Crockett had been asked by the Chair to look at the evaluations for Mr. Miner and Mr. Taylor. He told the Board if they have questions or comments write them down and get them either to him or Mr. Crockett.

Mr. Chesser thanked Chris Isdell and VDOT for the work on Horntown Road and he appreciated Mr. Isdell for explaining what was happening very well and made the people feel a lot better, and the community appreciated it being explained to them what was going to happen.

Mrs. Gordy thanked the staff for the new microphones and stated she had worked with Jeff Terwilliger and he was wonderful and wanted C. Ray Pruitt to tell him.

Mr. Hart thanked VDOT, the railroad and the State for the crossing at Route 180 going to Wachapreague advising it had been repaired and stated they did a great job.

## **Recess**

By consensus, Mr. Hart recessed the meeting for dinner at 7:00 p.m. until 7:30 p.m.

## **Call to Order**

Chairman Hart called the meeting back to order at 7:35 p.m.

## **Public Hearing**

County Attorney Mark Taylor read the Public Hearing Rules.

### **Emmett Taylor Conditional Use Permit to Allow A 19 Acre Borrow Pit To Be Placed On His Property Off Of Taylor Farm Road On Tax Parcel 42-A-76**

Mr. Hart opened the Public Hearing to afford interested persons the opportunity to be heard or to present written comment concerning the requested Conditional Use Permit, to allow for a 19 acre borrow pit on tax parcel 42-A-76.

No one from the public spoke on the issue.

Mr. Hart closed the Public Hearing.

Mr. Wolff made a motion to approve the Condition Use Permit Request made by Emmett Taylor to allow for a 19 acre borrow pit on tax parcel 42-A-76 with the following conditions as recommended by the Planning Commission. Mr. Chesser seconded the motion. The motion was unanimously approved.

1. This conditional use permit shall expire five (5) years from the date of approval by the Board of Supervisors unless work has commenced pursuant to the Site Plan.
2. After the Property is properly divided into two parcels, the 19,769 acre parcel shall be developed into a borrow pit, as described in the Conditional Use Permit Application, dated March 14, 2013
3. The Property shall be developed in accordance with all applicable local, state and federal laws and regulations.
4. The entrance location shall be located as indicated on the plat submitted March 14, 2013. The entrance shall be developed as a standard commercial entrance as instructed by VDOT, unless indicated otherwise by VDOT.
5. Prior to excavation, the owner or lessee of land containing borrow pit shall construct and maintain substantial fences with locking gates not less than six (6) feet in height at all points of access to the borrow pit with durable warning signs posted thereon not more than two hundred (200) feet apart bearing the words. DANGER and NO TRESPASSING in letters not less than six (6) inches in height, which shall be maintained by the owner or lessee so as to be clearly legible.
6. That once mining operations cease at the site, reclamation occur, in accordance with applicable state rules and regulations.

**Budget and Appropriation Items**

Mrs. Gordy made a motion to approve the budget and appropriation items. Ms. Major seconded the motion. The motion was unanimously approved.

**Budget and Appropriation Items**

**June 19, 2013 Board of Supervisors Meeting**

**Fiscal Year 2013**

**Grants**

**Increase Revenues**

From the Commonwealth \$34,209

**Increase Expenditures**

Emergency Medical Services \$34,209  
--Four-For-Life Program grant award.

**Other**

**Increase Revenues**

Insurance Recoveries \$7,307

**Increase Expenditures**

Sheriff \$7,307  
--Insurance claim recoveries

**Fiscal Year 2014**

**Grants**

**Increase Revenues**

From the Commonwealth \$64,000

**Increase Expenditures**

Public Safety/Fire Training Center \$64,000  
--Aid to Locality Funds Estimate for FY14

**Contingencies (Balance as of 7/1/13=\$192,820)**

**Decrease Contingencies**

Operating Contingency \$50,584

**Increase Expenditures**

Planning \$50,584  
--Hire two additional part-time positions to assist with new storm water regulations compliance. Each position would work approximately 20 Hours per week. This funding request includes all costs necessary to equip these positions including PCs, furniture, etc. Approval of these positions also authorizes amendment of the County's Schedule of Approved Full-Time Equivalents to reflect this addition.

**Decrease Contingencies**

Operation Contingency \$34,640

**Increase Expenditures**

Fire Training Center \$34,640  
--Burn Building Addition Project budget shortfall based on bid opening. Total cost of this project is estimated at \$589,640.

**Payables**

Mr. Miner certified the bills.

Mr. Crockett made a motion to approve the payables. Ms. Major seconded the motion. The motion was unanimously approved.

**Closed Meeting**

County Attorney Mark Taylor advised the Board they needed a motion to go into a closed meeting pursuant to Virginia Code §2.2-3711.A of the Code of Virginia of 1950, as amended, and more particularly under subsection A(3) for discussion and consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion in opening meeting would adversely affect the bargaining position or negotiating strategy of the public body; and subsection A(1) for discussion and consideration of prospective candidates for employment, the assignment, performance, and/or resignation of specific public officers, appointees, or employees of the public body.

Mrs. Thornton made a motion to go into Closed Meeting pursuant §2.2-3711.A (1) and (3) of the Code of Virginia of 1950, as amended. Mr. Wolff seconded the motion. The motion was unanimously approved.

**Open Session**

The Chair declared the meeting open to the public.

**Certification of Closed Meeting**

Mrs. Gordy made the motion to reconvene in Open Meeting and to certify by roll call vote, pursuant to Section 2.2-3711.A (1) and (3) of the Code of Virginia, 1950, as amended, 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 Opening Meeting requirements under this chapter and (ii) such public business matters as were identified in the motion by which the Closed Meeting was convened. Mr. Wolff seconded the motion. The motion was unanimously approved

**Roll Call**

Ayes: Mr. Chesser	Mrs. Thornton	Mr. Crockett
Ms. Lewis	Mr. Gray	Ms. Major
Mr. Wolff	Mr. Hart	Mrs. Gordy

**Adjournment**

Mr. Crockett made a motion to adjourn the meeting. Mr. Wolff seconded the motion. The motion was unanimously approved. The meeting adjourned at 8:38 p.m.

\_\_\_\_\_  
Donald L. Hart, Jr., Chair

\_\_\_\_\_  
Date