

VIRGINIA: At A Regular Monthly Meeting of the Board of Supervisors for the County of Accomack held in the Board of Supervisors Chambers in Accomac, Virginia on the 15<sup>th</sup> Day of January, A.D., 2014.

Members Present: John Charles "Jack" Gray, Chair  
C. Reneta Major, Vice-Chair  
Ron S. Wolff  
Grayson Chesser  
Kay W. Lewis  
Laura Belle, Gordy  
Robert D. Crockett

Members Absent: Wanda J. Thornton  
Donald L. Hart, Jr.

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 and opened with a prayer by Mr. Wolff, after which the Pledge of Allegiance to the Flag was recited.

### **Adoption of the Agenda**

Mr. Crockett made a motion to adopt the Agenda with the change of moving Britt McMillian to the third item under Public Officials. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton, Mrs. Gordy, and Mr. Hart absent.

### **Public Comments**

County Attorney Mark B. Taylor read the rules governing conduct during the Public Comment period.

Mr. Tony C. Picardi, Belle Haven handed out remarks on Tourism and Economic Development and stated the new library should be a top priority project.

Mr. Frank Hall, Onancock, offered comments about County priorities and asked the Board to support the new library.

### **Minutes**

Mr. Wolff made a motion to approve the December 5, and December 18, 2013 Minutes. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton, Mrs. Gordy, and Mr. Hart absent.

### **Paramedic Recognition**

Mr. Jeff Terwilliger, Director of Public Safety, presented recognition as a certified Emergency Medical Technician-Paramedic to Ms. Ashley Northam. He told the Board it

was the highest degree to which EMS providers can aspire. He continued and stated this achievement has taken Ms. Ashley Northam in excess of 650 hours of lecture, 250+ hours of clinical time, 250+ hours of ambulance ride time, countless written and practical exams, as well as, completion of regional oral boards. He said this certification typically takes an employee over 2 years to complete from the Basic EMT level, and this was a milestone achievement.

### **Consent Agenda**

Mr. Wolff made motion to approve the following items under the Consent Agenda. Mrs. Lewis seconded the motion. The motion was unanimously approved with Mrs. Thornton absent.

5.2 Contract Award – RFP 265 Aviation Fuel – Awarded to Awful Corporation to supply aviation fuel and related services for Accomack County Airport for an initial contract period of two (2) years with an option to renew for two (2) additional two-year periods.

5.3 Resolution of Support for Town of Saxis Shoreline Protection Grant Application

### **RESOLUTION OF SUPPORT**

**WHEREAS**, considerable flooding and property damage occurred in the Town of Saxis and surrounding areas during Hurricane Sandy;

**WHEREAS**, the Town of Saxis has been, for many years, seeking ways to protect its residents and property from flooding during storm events; and

**WHEREAS**, a Saxis shoreline protection system concept has been developed to help protect the Town from flooding during storm events; and

**WHEREAS**, a number of agencies and organizations such as The Nature Conservancy, Virginia Institute of Marine Sciences (VIMS), Accomack-Northampton Planning District Commission (ANPDC), Army Corps of Engineers, Accomack County, Virginia Marine Resources Commission (VMRC), have indicated their intent to support the Town to develop and implement a shoreline protection project.

**WHEREAS**, grant funds from the National Fish and Wildlife Foundation (NFWF) may be available to develop and construct the Town of Saxis shoreline protection system; and

**WHEREAS**, VIMS and the ANPDC are willing to prepare and submit a grant application for the Saxis shoreline protection project;

**NOW, THEREFORE, BE IT RESOLVED**, that the Accomack County Board of Supervisors does hereby express its support for the Town of Saxis to develop and construct a shoreline protection project; and

**BE IT FURTHER RESOLVED** that the Board of Supervisors supports the pursuit of NFWF funds through the Hurricane Sandy Coastal Resiliency Grant Program.

### **Wallops Research Park Leadership (WRP) Council-Wallops Research Park Project Update**

Mr. Tom Young, Chair of the Wallops Research Park Leadership Council, gave a status report of activities at the WRP. He told the Board the development consisted of three (3) phases; reviews, funding, and approvals and that phase was complete. He said the second phase associated with design and building was well on

their way and that the third phase was related to developing management, marketing, and business plans.

Mr. Bill Remington, Project Manager, told the Board the design and building activity was moving along extremely well; that the process was 95% complete, had been reviewed all the drawings to date and the submittals for approval will be submitted this week, and that the bidding document was being reviewed and would be sent out by February 15, 2014.

Mr. Bob Roop from Timmons Group explained that the infrastructure for the roads and water sewer. He stated the infrastructure would be complete by September and the taxiway would be complete by December 2014 and expect occupants to be in place as early as September. He distributed copies of the schedule to the Board. He responded to questions from the Board.

Ms. Carolyn Massey explained they were in the development process of a marketing plan and said they were speaking with a college professor to help develop the plan. In addition to business related to the aerospace Ms. Massey explained there would also be a study about the change of the shoreline from Long Island New York to Virginia Beach conducted from Wallops. Ms. Massey responded to questions from the Board.

#### **Artisan Center of Virginia**

Ms. Sherry Smith from the Artisans Center of Virginia gave a presentation to the Board of Supervisors about benefits of creating artisans trails on the Eastern Shore. She told the Board the background of the artisans trails. She informed the board with the development of literature and the Internet would draw visitors and promote local businesses and tourism to the Eastern Shore. Ms. Smith stated with a minimum investment to be part of this program would be \$15,000 and an anonymous donation of \$10,000 had been received. She asked the Board to support the Artisan Trails.

*Mrs. Gordy arrived at 6:02p.m.*

Mr. Chesser made a motion to support the Artisan Trail. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

#### **Groundwater Supply Protection and Management**

Mr. Britt McMillian, Technical Advisor to the Eastern Shore of Virginia Groundwater Committee, told Board of Supervisors the Groundwater Committee was a bi-County Committee that was established by Accomack and Northampton County about

25 years ago and the purpose of the Groundwater Committee is the protection and preservation of the groundwater resource on the Eastern Shore. He continued and said the Protection and Preservation Plan has been the guiding document for the Committee. Mr. McMillian continued his presentation and stated the Committee had done a comprehensive review of the original plan and based on the review they had established a new plan which was a sustainability approach from today as well as for future use.

Mr. McMillian asked the Board of Supervisors to approve The Eastern Shore of Virginia Groundwater Supply Protection and Management Plan as presented. Mr. Wolff made a motion to approve the Resolution as presented. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

### **A RESOLUTION APPROVING THE EASTERN SHORE OF VIRGINIA GROUND WATER SUPPLY PROTECTION AND MANAGEMENT PLAN**

**WHEREAS**, the County of Accomack and the County of Northampton established the Eastern Shore of Virginia Ground Water Committee to assist local governments and residents of the Eastern Shore in understanding, protecting and managing ground water resources, to prepare a ground water resources protection and management plan, to serve as an educational and informational resource to local governments and residents of the Eastern Shore, and to initiate special studies concerning the protection and management of the Eastern Shore ground water resource; and

**WHEREAS**, the Eastern Shore of Virginia Ground Water Committee first adopted the Eastern Shore of Virginia Ground Water Supply Protection and Management Plan on May 5, 1992; and

**WHEREAS**, the Eastern Shore of Virginia Ground Water Committee updated the Eastern Shore of Virginia Ground Water Supply Protection and Management Plan and approve the plan on October 15, 2013.

**NOW, THEREFORE BE IT RESOLVED** that the Board of Supervisors of Accomack County hereby approves the Eastern Shore of Virginia Ground Water Supply Protection and Management Plan as it pertains to Accomack County and its Towns. Approval of this regional plan indicates support for and general agreement with the regional planning approach, but does not indicate approval or disapproval of conclusions and recommendations presented in the plan as they pertain to other localities.

**BE IT FURTHER RESOLVED** that the Board of Supervisors of Accomack County intends that the Eastern Shore of Virginia Ground Water Supply Protection and Management Plan shall be overseen by the Eastern Shore of Virginia Ground Water Committee and revised to reflect changes as relevant data becomes available. **PASSED AND APPROVED** by the Board of Supervisors of Accomack County at a meeting held on January 15, 2014.

### **Eastern Shore of Virginia Tourism Commission**

The new Eastern Shore Tourism of Virginia Executive Director, Ms. Kerry Allison, appeared before the Board and stated she was proud to be on board and that the Eastern Shore Tourism Committee had done a great job since 2010 with 348,000 visits to the Welcome Center at the north end of the Chesapeake Bay Bridge Tunnel. She explained approximately 20% of those that visited resulted in an overnight stay on the

Eastern Shore and 80% of travelers made plans from online sites. She told the Board of Supervisors she was looking forward to working with the Board.

### **Stormwater Phase II Grant Award**

Environmental Program Manager Norman Pitt gave an update on the DEQ Grant Approval for the Virginia Locality Stormwater Program Development Phase II Grant Application that was applied for in July 2013 and stated it was for the development of a Stormwater Ordinance and related implementation items. He told the Board the grant had been approved in the amount of \$67,345 and it was a dollar-for-dollar match. The grant funds were as follows:

- County staff (Norman Pitt and R. Morrison)
- County Attorney staff time
- County two part-time positions (Brittany Brown and Tyrone Upshur)
- ANPDC staff time (Curt Smith)
- Board allocated office equipment and supplies for the two part-time employees

He asked the Board to accept the grant award and direct staff to return two signed original copies to the Department of Environmental Quality as required by the Grant.

Mr. Wolff made a motion to accept the grant and have staff return two signed original copies to the Department of Environmental Quality. Ms. Major seconded the motion. The motion was unanimously approved with Ms. Thornton and Mr. Hart absent.

### **Agricultural Assessment Plan Updates**

Environmental Program Manager Norman Pitt gave an update on the Agricultural Assessment Plan and an Update on the Corrective Action Agreement. He said with the new information obtained from Eastern Shore Soil & Water Conservation District of approved funding to conduct Agricultural Assessment to be performed by Water Stewardship, Inc., a subcontractor, the staff recommends approval to submit to the Department of Environmental Quality, and if approved. it would put the County in total compliance with correction action approval. Mr. Chesser asked the County Attorney to explain the Corrective Action Plan and his concerns about the plan.

Ms. Major made a motion that staff recommendation upon Department of Environmental Quality and Soil and Water Conservation for the Board of Supervisors to proceed with the revised plan. Ms. Lewis seconded the motion. A discussion ensued. The motion passed unanimously with Mrs. Thornton and Mr. Hart absent.

## PLAN FOR AGRICULTURAL ASSESSMENTS IN ACCOMACK COUNTY

(ONLY TO AFFECT ACTIVE AGRICULTURAL FARM LANDS WEST OF US ROUTE 13 )

GENERAL DESCRIPTION OF THE TASKS	DEPARTMENT IN CHARGE OF TASK	TIME FRAME
<p>DEVELOP AN AGREEMENT WITH THE LOCAL SWCD FOR CONDUCT OF REQUIRED AGRICULTURAL ASSESSMENTS UNDER NFWF GRANT</p> <ul style="list-style-type: none"> <li>• Secure written confirmation from DEQ that agricultural assessments performed by Water Stewardship Inc. under NFWF Grant will meet the CBPA regulation requirements. (Attached.)</li> <li>• Develop a procedure for annual reporting and delivery of required confidentiality waivers &amp; agricultural assessments by the District to Accomack County. (See attached grant documents.)</li> </ul>	<p>Environmental Program Manager (Norman B. Pitt)</p> <p>ESSWCD (Carmie Savage &amp; Cole Charnock)</p> <p>County Attorney (Mark Taylor)</p>	<p>From VSWCB Approval of this Plan thru 05/2014</p>
<p style="text-align: center;">IDENTIFY ACTIVE AGRICULTURAL LAND</p> <ul style="list-style-type: none"> <li>• Give ESSWCD Accomack GIS data.</li> <li>• GIS Zoning Map data to locate active agricultural farm lands using aerial imagery.</li> <li>• Working with the local Soil &amp; Water Conservation District, identify and prioritize active agricultural lands found within the CBPA area targeting those lands that do not have a recorded history in DCR's BMP Cost Share Tracking Program.</li> <li>• Develop a database and shape file system for importing and exporting of collected field data, such as RPA delineation points.</li> </ul>	<p>Accomack GIS Coordinator (Tom Brockenbrough)</p> <p>ESSWCD (Carmie Savage &amp; Cole Charnock)</p> <p>Environmental Program Manager (Norman B. Pitt)</p>	<p>From VSWCB Approval of this Plan thru 09/2015</p>
<p style="text-align: center;">BEGIN NOTIFYING PROPERTY OWNERS OF AGRICULTURAL ASSESSMENT REQUIREMENTS</p> <ul style="list-style-type: none"> <li>• Develop a procedure to mail notices of required agricultural assessments to be performed under NFWF grant to property owners in two Bayside Magisterial Districts annually. Notification costs will be covered by the District with NFWF grant funds.</li> </ul>	<p>Environmental Program Manager (Norman B. Pitt)</p> <p>ESSWCD (Carmie Savage &amp; Cole Charnock)</p>	<p>03/2014 thru 03/2023</p>
<p style="text-align: center;">PERFORM ASSESSMENTS AND PROVIDE DELIVERABLES TO COUNTY</p> <ul style="list-style-type: none"> <li>• ESSWCD indicates that 10 to 15 Assessments will be completed in Accomack County within the time specified by the grant.</li> <li>• Assessments shall be performed by Water Stewardship, Inc.</li> <li>• Assessments shall be under supervision and control of ESSWCD.</li> <li>• ESSWCD warrants compliance with VSWCB and CBPA requirements.</li> </ul>	<p>ESSWCD Carmie Savage &amp; Cole Charnock)</p>	<p>03/2014 thru 12/20</p>
<p style="text-align: center;">DEVELOP COMPLIANCE HELPS (Subject To Funding)</p> <ul style="list-style-type: none"> <li>• Develop a diagram to educate landowners in avoiding encroachment within the (RPA) Resource Protection Area. (Subject to funding.)</li> <li>• Develop a local guide showing simple, low-cost, and natural BMPs &amp; strategies for compliance with the state manual. (Subject to funding.)</li> </ul>	<p>Environmental Program Manager (Norman B. Pitt)</p> <p>ESSWCD (Carmie Savage &amp; Cole Charnock)</p>	<p>03/2014 thru 01/2016</p>
<p>Definitions:</p> <ul style="list-style-type: none"> <li>• DCR- Department of Conservation &amp; Recreation</li> <li>• DEQ- Department of Environmental Quality</li> <li>• CBPA- Chesapeake Bay Preservation Act</li> <li>• RPA- Resource Protection Area</li> <li>• ESSWCD – Eastern Shore Soil &amp; Water Conservation District</li> <li>• VSWCB – Virginia Soil &amp; Water Conservation Board</li> </ul>		

### **Initial FY15 Budget Development Meeting Dates**

Finance Director, Mike Mason presented the Fiscal Year 2015 Budget Calendar to the Board.

Mr. Crockett made a motion to set the date of February 10<sup>th</sup> at 5:00p.m. for County Administrator, Steve Miner to present the proposed FY15 budget. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

Mr. Crockett made a motion to set aside February 12<sup>th</sup> and 13<sup>th</sup> at 5:00p.m. to hear budget requests from departments. Mr. Chesser seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

### **New Saxis LLC Rezoning Public Hearing**

The County Attorney read the rules governing conduct during Public Hearings.

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning conditionally rezone property from Agricultural to Industrial as requested by New Saxis, LLC.

No public comments were offered and the Chair closed the Public Hearing.

Mr. Chesser made a motion to approve the conditionally rezone property from Agricultural to Industrial as requested by New Saxis LLC with the following proffers. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

The following proffers were as follows:

1. Upon approval of the rezoning request, uses permitted by right shall be limited to the following:
  - a) Antennas and towers up to 100 feet in height;
  - b) Assembly of any product from pre-manufactured components;
  - c) Blacksmith, welding, metal fabrication, and machine shops;
  - d) Contractors offices and contractor equipment yards (under cover)
  - e) Fire and rescue squad stations
  - f) Manufacture of electrical and electronic equipment and machines including parts and components;
  - g) Off-street parking, as required by chapter 106;
  - h) Repair, maintenance, and modification of aircraft and spacecraft;
  - i) Research and development establishments, including testing laboratories and prototype manufacturing;
  - j) Wholesale businesses and warehousing, except petroleum products, explosives, chemicals and similar products;
  - k) Accessory uses such as, but not limited to, child care facilities, office and administrative facilities, cafeterias, lunchrooms and snack shops, recreational facilities for employees, non-retail motor fuel facilities, company vehicle service facilities, central heating and power plants, and outside storage (not to exceed 20 percent of the total lot area);

- l) Up to 20 percent of the floor area of a manufacturing, processing, wholesaling, warehousing, or assembly business otherwise permitted in this district may be devoted to retail sales of products made or stored on the premises;
  - m) Utility distribution facilities,
2. Should the driveway and parking areas on the site be paved, where feasible, permeable pavement shall be used.
  3. The Owners and Developers agree to execute the other legal documents, which will bind them and any subsequent owner/developer of the subject Property, as identified on page 1 of these proffers, to these proffers.

### **Recess**

By consensus the meeting recessed at 7:35p.m.

### **Call to Order**

The Chair called the meeting back to order at 8:20p.m.

### **Recommendation from Other Post-Employment Benefit (OPEB) Committee**

Finance Director, Mike Mason gave a lengthy presentation to the Board about the post-employment health insurance often referred to as a retiree health insurance. It showed the current plan unsustainable due to the average County employee age. He said the cost of retiree health insurance would reach \$415,000 per year if nothing was done and that the employee committee recommendation was presented that would reduce the costs to approximately \$191,000 per year.

He recommended the Board defer any action on this issue until the Board begins budget deliberations. He said during budget development, staff recommends the Board decide:

- Whether changes to the current retiree health benefit plan are warranted
- What those changes are, if any and
- How to fund the plan benefits.

### **Economic Development Authority of Accomack County**

Mr. Wolff made a motion to reappoint Calvert H. Seybolt to the Economic Development Authority of Accomack County for a four-year term commencing on February 19, 2014 and expiring on February 18, 2018. Mr. Chesser seconded the motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

Mr. Crockett made a motion to reappoint Irene L. Davis to the Economic Development Authority for a four-year term commencing on February 19, 2014 and expiring on February 18, 2018. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.



### **Virginia Port Authority – Aid to Local Ports Grant**

Jeb Wilson asked the Board of Supervisors to authorize a grant application to the Virginia Port Authority for improvements to the Harborton barge wharf for \$250,000. He stated the local match would be \$75,000 and the total amount for the project is \$325,000. Mr. Wilson stated this could be considered during the budget process. Mr. Mason told the Board of Supervisors it was a very high priority on the Department of Public Works list and it would be better to apply for the grant now and get it approved and when the budget starts the funds could be set aside for this project if the Board would approve the request.

Ms. Major made a motion to authorize the grant application. Mr. Crockett seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

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

Mr. Miner told the Board of Supervisors he apologized for forgetting to let them know Mr. Hart might not be attending the Board meeting. He told the Board staff was working under the leadership of Mr. Chesser to set up a meeting with the Hunting/Landowners Committee and a tentative date had been set. He the meeting would be advertised for public comment and participation if citizens would like to do so.

He said he had received a letter from Nancy Stern, Chief Executive Officer of Eastern Shore Rural Health Systems, requesting a tax exempt status for Eastern Shore Rural Health System, Inc. and gave details.

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

County Attorney Mark B. Taylor acknowledged Fred Matthews and told the Board Mr. Matthews had incorporated Shore Transport Services and formed his Company to provide medical transport on the Eastern Shore and was in the process of working through gaining the necessary approval from the State Offices of Emergency Medical Services. He said he has been working with Mr. Matthews to see what, if anything, Accomack would have to do because the County was not required to have an Ordinance that requires people that provide this type of service, to have any franchise, permit, or approval from the Board of Supervisors.

Mrs. Lewis made a motion to acknowledge that Shore Transport Services, Inc. is incorporated and constituted to provide medical transport services in Accomack County.

Mr. Crockett seconded the motion. The motion was unanimously approved with Mrs.

Thornton and Mr. Hart absent.

Mr. Taylor handed out the following House Bill Resolutions under consideration in the Current General Assembly Session:

Mr. Crockett made a motion to approve the following House Bill 697. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Resolution of the Board of Supervisors of Accomack County  
In Support of House Bill 697 to Delay Local Implementation of  
Mandated Stormwater Management Programs Until July 1, 2015**

**WHEREAS**, the Commonwealth of Virginia has established mandatory Stormwater Management Programs through the enactment of Virginia Code Sec. 62.1-44.15:27, et seq. and the enabling of regulations administered and technical criteria prescribed by the Commonwealth pursuant thereto; and

**WHEREAS**, the Commonwealth's mandatory Stormwater Management Programs require implementation by Virginia localities by not later than July 1, 2014; and

**WHEREAS**, the Virginia Department of Environmental Quality has issued voluminous regulations prescribing mandatory elements of the Stormwater Management Programs and several additions and/or changes to such regulations throughout the past six months, making the task of local compliance inordinately complicated and burdensome; and

**WHEREAS**, numerous bills have been introduced in the 2014 General Assembly that would amend the Commonwealth's mandatory Stormwater Management Programs and require further changes to local ordinances prior to the mandated implementation, making local compliance even more complicated and uncertain; and

**WHEREAS**, Virginia Delegate Charles D. Poindexter has introduced House Bill 697 in the 2014 General Assembly to enact legislation to delay implementation of the Commonwealth's mandatory Stormwater Management Programs until July 1, 2015.

**NOW, THEREFORE, BE IT RESOLVED**, that the Accomack County Board of Supervisors hereby declares its support for House Bill 697 as introduced by Delegate Charles D. Poindexter in the 2014 General Assembly.

VOTING AYE: 7

VOTING NAY: 0

ABSTAINING: 0

ABSENT: 2

Mr. Wolff made a motion to approve the following House Bill 842. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Resolution of the Board of Supervisors of Accomack County  
In Support of House Bill 842 to Add Accomack County to the localities composing  
the Port of Virginia Economic and Infrastructure Development Zone**

**WHEREAS**, the Commonwealth of Virginia has designated a Port of Virginia Economic and Infrastructure Development Zone through the enactment of Virginia Code Sec. 62.1-132.3:2, et seq. to promote and support the development and expansion of businesses engaged in distribution, freight forwarding, freight handling, goods processing, manufacturing, warehousing, crossdocking, transloading, or wholesaling of goods exported and imported through designated localities; ship building and ship repair; dredging; marine construction; or offshore energy exploration or extraction; and

**WHEREAS** businesses locating or expanding in the designated Port of Virginia Economic and Infrastructure Development Zone and creating new jobs within such Zone may qualify for valuable grants; and

**WHEREAS** Accomack County is an attractive and appropriate location for the development and expansion of enterprises engaged in the lines of business identified in the Commonwealth of Virginia's designation of the Port of Virginia Economic and Infrastructure Development Zone; and

**WHEREAS** the Accomack County Board of Supervisors finds that it would be desirable and appropriate for Accomack County to be added to the localities composing the Port of Virginia Economic and Infrastructure Development Zone; and

**WHEREAS**, Virginia Delegate Lynwood W. Lewis, Jr. has introduced House Bill 842 in the 2014 General Assembly to enact legislation to add Accomack County to the Port of Virginia Economic and Infrastructure Development Zone.

**NOW, THEREFORE, BE IT RESOLVED**, that the Accomack County Board of Supervisors hereby declares its support for House Bill 842 as introduced by Delegate Lynwood W. Lewis, Jr. in the 2014 General Assembly.

VOTING AYE:	7
VOTING NAY:	0
ABSTAINING:	0
ABSENT:	2

Mr. Wolff made a motion to approve the following House Bill 844. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Resolution of the Board of Supervisors of Accomack County  
in Support of House Bill 844 to Enact Virginia Code Section 15.2-7400 through 15.2-7425 to establish an Eastern Shore Water Access Authority**

**WHEREAS**, water access is a vital community asset that is fundamental to our way of life and critical to our fishing, shell-fishing, crabbing, tourism and recreation here on the Eastern Shore; and

**WHEREAS**, Accomack and Northampton Counties may benefit from strategic cooperation in the development of a Water Access Authority to enhance and maintain public recreational and commercial water access on the Eastern Shore; and

**WHEREAS**, Virginia Delegate Lynwood Lewis has introduced House Bill 844 in the 2014 General Assembly to enact legislation to allow the formation of such an Eastern Shore Water Access Authority as therein described.

**NOW, THEREFORE, BE IT RESOLVED** that the Accomack County Board of Supervisors hereby declares its support for House Bill 844 as introduced by Delegate Lynwood Lewis in the 2014 General Assembly.

VOTING AYE: 7

VOTING NAY: 0

ABSTAINING: 0

ABSENT: 2

Mr. Crockett made a motion to approve the following House Bill 845. Mr. Wolff seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Resolution of the Board of Supervisors of Accomack County  
in Support of House Bill 845 to Enact Virginia Code Section 28.2-551.1. to  
Continue or Reestablish Historic Baylor Survey Lines**

**WHEREAS**, the Commonwealth of Virginia has made and continued surveys of the natural oyster beds, rocks, and shoals of the Commonwealth pursuant to Chapter 511 of the 1892 Acts of Assembly, known as the Baylor Survey; and

**WHEREAS**, the General Assembly has empowered the Virginia Marine Resources Commission to select and appoint surveyor(s) to survey or resurvey oyster planting grounds and to reestablish and permanently mark any line or lines of the Baylor Survey of natural oyster beds, rocks, and shoals; and

**WHEREAS**, in some instances private leaseholds granted by the Commonwealth of Virginia for the planting of oysters appear within the area of the Baylor survey identified as “Atlantic Coast Chart No. 25” of the “Public Oyster Grounds, State of Virginia, 1895”; and

**WHEREAS**, such private leaseholds granted by the Commonwealth have been held, worked, and substantially improved by Accomack County citizens in good faith for longer than twenty (20) years; and

**WHEREAS**, compelling leaseholders to vacate valuable oyster beds that they have maintained and improved in good faith for more than twenty (20) years pursuant to private leases issued by the Commonwealth of Virginia would work an undue and inequitable hardship upon them; and

**WHEREAS**, Virginia Delegate Lynwood Lewis has introduced House Bill 845 in the 2014 General Assembly to enact legislation to provide needed relief by enabling the Virginia Marine Resources Commission to reestablish the Baylor Survey lines so as to afford dignity to private leaseholds issued by the Commonwealth of Virginia as herein described.

**NOW, THEREFORE, BE IT RESOLVED** that the Accomack County Board of Supervisors hereby declares its support for House Bill 845 as introduced by Delegate Lynwood Lewis in the 2014 General Assembly.

VOTING AYE: 7

VOTING NAY: 0

ABSTAINING: 0

ABSENT: 2

Mr. Crockett made a motion to approve the following House Bill 846. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Resolution of the Board of Supervisors of Accomack County  
in Support of House Bill 846 to Enact Virginia Code Section 62.1-44.15:27 to  
Exempt the Island Towns of Chincoteague, Saxis  
and Tangier from Mandated Stormwater Management Programs**

**WHEREAS**, the Commonwealth of Virginia has established mandatory Stormwater Management Programs through the enactment of Virginia Code Sec. 62.1-44.15:27, et seq. and the enabling of regulations administered and technical criteria prescribed by the Commonwealth pursuant thereto; and

**WHEREAS**, the Commonwealth's Stormwater Management Program regulations and technical criteria have been developed to address stormwater quantity and quality management in a geophysical context that assumes available lateral range and vertical elevation in which to engineer, install and maintain stormwater management measures and/or improvements; and

**WHEREAS**, Accomack County contains the three (3) small, isolated, island towns of Saxis, Tangier, and Chincoteague that exist at or near sea level; and

**WHEREAS**, the limits of available space – both in terms of the lack of lateral space and the lack of elevation above sea level – found on these distinctive islands make them unsuitable for practical and cost-effective implementation of the Commonwealth's prescribed Stormwater Management Program; and

**WHEREAS**, Virginia Delegate Lynwood Lewis has introduced House Bill 846 in the 2014 General Assembly to enact legislation to provide needed relief by exempting the island towns of Chincoteague, Saxis, and Tangier from Virginia Code Sec. 62.1-44.15:27.

**NOW, THEREFORE, BE IT RESOLVED**, that the Accomack County Board of Supervisors hereby declares its support for House Bill 846 as introduced by Delegate Lynwood Lewis in the 2014 General Assembly.

VOTING AYE: 7

VOTING NAY: 0

ABSTAINING: 0

ABSENT: 2

**Board of Supervisors Comment Period**

Mr. Wolff told the Board the successful Orbital Launch of the First Antares rocket contracted to go to the Space Station was very successful.

Mr. Chesser told the Board Mr. P. G. Ross, Acting Director of VIMS, contacted and discussed with him a grant they were pursuing to do geological mapping of the coastline (Assateague, Metompkin, Parramore Island in Accomack, and Cobb and Smith Island in Northampton County),. Mr. Chesser explained how the data would work in the future with the information that would be collected. It was the consensus of the Board for Mr. Miner to send a letter of support for a grant Mr. Ross was writing.

**Budget and Appropriation Items**

**RESOLUTION**

**BE IT RESOLVED** by the Board of Supervisors of Accomack County, Virginia, that the FY2014 County budget be amended by the amounts listed below and the same amounts appropriated for the purposes indicated.

<b>Fund</b>	<b>Department</b>	<b>Purpose</b>	<b>Funding Source</b>	<b>Amount</b>
General Fund	Emergency Management	To recognize award of a hazardous materials emergency preparedness planning grant from the Virginia Department of Emergency Management.	Federal Revenue	\$40,000
General Fund	Emergency Management	To recognize award of grant funds from the Virginia Department of Emergency Management for environmental response/health and safety equipment.	Federal Revenue	\$59,650
General Fund	Emergency Management	To recognize award of grant funds from the Virginia Department of Emergency Management for CERT program training and supplies.	Federal Revenue	\$12,396
General Fund	Litter Control	To recognize award of a grant from Virginia Department of Environmental Quality for the County's and Towns combined litter and recycling programs.	State Revenue	\$19,750
General Fund	External Agency-SPCA	To recognize receipt of funds from the sale of animal friendly plates by the Virginia Department of Motor Vehicles.	State Revenue	\$360
General Fund & Airport Fund	Sheriff's Office Airport	To accept insurance proceeds to cover the cost of vehicle repairs and other property damage.	Insurance Recoveries	\$4,552
General Fund	Community Corrections	To recognize the award of grant funds from the Department of Criminal Justice Services.	State Revenue	\$89,505
<b>Total</b>				<b>\$226,213</b>

Adopted by the Board of Supervisors of Accomack County, Virginia, this 15th day of January 2014.

Ms. Major made a motion to approve the Resolution. Mr. Crockett seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Payables**

Upon certification by the County Administrator, Ms. Major made a motion to approve the payables. Mr. Crockett seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

**Closed Meeting**

Mr. Wolff made a motion to go into closed pursuant to Virginia Code §2.2-3711 for the following purposes: Mrs. Lewis seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

1. Pursuant to Virginia Code §2.2-3711 to subsection (A) (3) for 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, and

5. Pursuant to subsection (A) (5) for discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business' or industry's interest in locating or expanding its facilities in the community.

### **Open Session**

The Chair declared the meeting open to the public.

### **Certification of Closed Meeting**

Mr. Wolff made the motion to reconvene in Open Meeting and to certify by roll call vote, pursuant to Section 2.2-3712(D) 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.

Mrs. Lewis seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

### **Roll Call**

Ayes: Mr. Chesser	Mrs. Gordy	Ms. Major
Ms. Lewis	Mr. Gray	
Mr. Wolff	Mr. Crockett	Nays: None

Absent: Mrs. Thornton, Mr. Hart

### **Adjournment**

Mr. Wolff made a motion to adjourn the meeting. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Thornton and Mr. Hart absent.

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John Charles "Jack" Gray, Chair

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Date