

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 15th day of October, A.D., 2014 at 5:00 p.m..

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

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

Call to Order

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

Adoption of the Agenda

Mr. Hart made a motion to adopt the Agenda. Mr. Wolff seconded the motion. The motion was unanimously approved.

Public Comments

The County Attorney read the rules governing conduct during the Public Comment period.

Mr. Mark Baumgartner -Virginia Beach – Atlantic Town Center Attorney

Mr. Baumgartner spoke on the conditional rezoning request that was denied by the Planning Commission and he felt it was not fair to the applicant because it was not supported by facts.

Minutes

Mr. Hart made a motion to approve the Minutes of the September 17, 2014 meetings. Ms. Major seconded the motion. The motion was unanimously approved.

Consent Agenda

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

5.2 To authorize County Staff to proceed with proposed revisions, obtain necessary permits, and re-bid the construction project for the Grangeville Solid Waste Convenience Center Plant,

- 5.3 The following holiday schedule for employees:
Thanksgiving - November 26, 2014 closing at noon, November 27, and November 28
Christmas - December 24, 2014 closing at noon, December 25, and December 26
New Years - January 1 and 2, 2015,
- 5.4 The renewal of the contract for Legal Advertising to the Eastern Shore News for the period of November 1, 2014-October 31, 2015 in accordance with the renewal terms of RFP 260,
- 5.5 The contract renewal for Arcadis/Malcom Pirnie to provide engineering services for the landfill for the term of October 17, 2014-October 16, 2015 in accordance with the terms and conditions of RFP250,
- 5.6 To schedule a Public Hearing on November 19, 2014 at 7:30p.m. in the Board of Supervisors Chambers to receive public comment concerning the Atlantic Town Center Development Corporation's conditional rezoning request,
- 5.7 To schedule a Public Hearing on November 19, 2014 at 7:30p.m. in the Board of Supervisors Chambers to receive public comment concerning the Town Center Utility Facility Conditional Use Permit Amendment request,
- 5.8 To schedule Public Hearing on November 19, 2014 at 7:30p.m. in the Board of Supervisors Chambers to receive public comment concerning the Modest Town Agricultural and Forestal District,
- 5.9 To schedule a Public Hearing on November 19, 2014 at 7:30p.m. in the Board of Supervisors Chambers to receive public comment concerning a proposed amendment to Chapter 38, Environment, Stormwater Management, Section 38-87, Definitions to address Stormwater Management Appeals Board of the Code of the County of Accomack, VA,
- 5.10 To schedule a Public Hearing on November 19, 2014 at 7:30p.m. in the Board of Supervisors Chambers Ordinance to receive public comment concerning a proposed amendment to Chapter 102, Waterways, Article IV, Boat Harbors, Ramps and Docks, Section 102.33, to add Saxis Boat Dock of the Code of the County of Accomack, VA,
- 5.11 The following Resolution of Recognition for Eastern Shore Family YMCA

RESOLUTION OF RECOGNITION

WHEREAS, the mission of the Eastern Shore Family YMCA is to build strong kids, strong families, and strong communities; and

WHEREAS, the Eastern Shore Family YMCA opened its doors to the Eastern Shore community on November 14, 1999; and

WHEREAS, on November 1, 2014, at 11:00 a. m. at the Eastern Shore Family YMCA facility in Onley, VA, special activities have been planned to celebrate the occasion of this anniversary of 15 years of service to the community:

NOW, THEREFORE, BE IT RESOLVED, that the Accomack County Board of Supervisors join in this expression of its pride and appreciation for 15 years of service to the community to enhance youth development, healthy living, and social responsibility and extend best wishes for many more successful years in the future; and

BE IT FURTHER RESOLVED that this Resolution be spread upon the Minutes of this meeting and a copy presented to the Eastern Shore Family YMCA.

Virginia Department of Transportation (VDOT) Update

Mr. Chris Isdell, Accomac Residency Administrator, Virginia Department of Transportation (VDOT) gave an update on maintenance forces throughout Accomack County focusing on mowing operations, surface treating of secondary roadways, repairing of potholes, completion of ice and snow control inspections. He said the final contract for the primary mowing on Lankford Highway and other primary routes was scheduled to start in lower Northampton County on October 27th and work north. He commented on the Adaptive Traffic Signal Systems that had been approved in the Accomac and Onley area and explained the operation of same.

Mr. Isdell gave an update on the Route 175 Bridge Speed Study and the report resulted in changing the speed limit from 25mph to 40mph though that portion to the draw bridge. He stated the Route 609 Church Road Project was moving forward and would be going out on bid on February 15, 2015; Route 709 Horntown Road Project was also moving forward and would go out for bid on April 15, 2015. He continued and told the Board that the turn lane at the Route 13 and 175 intersections had been extended and would be completed by December and informed the Board the requests for construction estimates on Woodland and Oakland Drives would be started as soon as possible.

Mr. Isdell handed out maps that showed 10 potential crossovers that had been identified that could be removed from Lankford Highway, but funding was not available. He told the Board the traffic engineers recommended that a flexible delineator post be installed until a funding source could become available and responded to questions.

Mr. Wolff made a motion to support VDOT's efforts to temporarily close the crossovers with flexible delineators, and when the funding becomes available, to permanently close the crossovers. Ms. Major seconded the motion. The motion was unanimously approved.

A discussion ensued regarding the old Six Year Plan project list and Mr. Hart requested a copy of same. Mr. Miner briefed the Board on plans for staffing for the Six Year Plan project and a discussion ensued.

Update - 2014 Revisions to Eastern Shore of Virginia Bicycle Plan

Susan Simon, Economic Development Coordinator, gave an update on the 2014 revisions to the Eastern Shore of Virginia Bicycle Plan, public interests/comments and requested the Board to adopt the 2014 Bicycle Plan as presented.

Mr. Crockett made a motion to approve and adopt the Eastern Shore of Virginia 2014 Bicycle Plan with the revisions for Accomack County. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Crockett and Mrs. Lewis recognized Saxis Town Mayor, Denise Drewer.

Report of Committee to Study Appointments

Mrs. Thornton and Mrs. Lewis gave a report regarding Board appointed bodies. Mrs. Lewis stated they had met and said changes had been made since the last report. She said their recommendations would be voted on at the November meeting; that the main change that would be recommended was that all boards, commissions, and committees have term limits because it would provide fresh ideas to the each of the bodies. Mrs. Thornton and Mrs. Lewis recommended two terms would be the longest time a person could serve.

A discussion took place concerning attendance.

Eastern Shore Community Policy and Management Team for At-Risk Youth & Families

Ms. Major made a motion to appoint Mr. John Charles “Jack” Gray, as a Board representative, to the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families beginning immediately to replace her as she had resigned. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Ms. Major made a motion to appoint Dr. David Matson, as a Department of Health Representative, to the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families beginning immediately. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Ms. Major made a motion to appoint Dr. Kregg Cuellar, as a School Division Representative, to the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families beginning immediately. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Ms. Major made a motion to appoint Mrs. Lisa Sedjat, Community Services Board Representative, to the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families beginning immediately. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Board of Trustees of the Eastern Shore Public Library

Mr. Hart made a motion to appoint Mrs. Shelia Walker to the Board of Trustees of the Eastern Shore Public Library beginning immediately and ending June 30, 2016 to replace Susan Vreeland who had resigned. Ms. Major seconded the motion. The motion was unanimously approved.

Social Services Board

Mr. Wolff made a motion to appoint Ms. Nicholette Alysia Baker as a member to the Social Services Board for a 4-year term beginning immediately and ending June 30, 2018. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Mrs. Thornton recognized Delegate Robert Bloxom and thanked him for attending the Board Meeting.

County Administrator's Report

Dr. Steve Miner told the Board he would be meeting with the Town of Onancock on Friday, October 17, 2014, concerning the Board of Supervisors' proposal previously approved and sent to the Town.

He gave a brief update on the Perdue matter and stated Mrs. Leslie Savage, Commissioner of the Revenue, had resolved the issue. He said the money had been owed to Perdue and the question now was how the money should be refunded and in what manner. He said in the past Perdue indicated a willingness to consider setting a credit to offset taxes they would owe the County. A discussion ensued.

Mr. Crockett stated he appreciated the Finance Department putting together a frequently asked questions and answers list concerning the Library referendum funding which was included in the packets that had been sent to the Board in Dr. Miner's report and that he had provided copies to the media.

Mr. Miner said that Building and Zoning Director David Fluhart had announced his retirement; that a retirement party was being planned, and invited the Board to attend on November 14th.

A discussion ensued concerning exit interviews.

County Attorney's Report

County Attorney Mark Taylor reported on the changes to the Conflict of Interest Act which was enacted by the General Assembly and stated the filing point for Conflict of Interest, Statement of Economic Interest and Financial Disclosure and Real Estate

Disclosures was changed from January 15th of every year to December 15th this year. He informed the Board another change in personal interest had been changed from \$10,000 to \$5,000 and changes in some of the definitions such as immediate family.

Board of Supervisors Comments

Mrs. Thornton commented on the Pine Bark Beetle on Chincoteague. Mr. Miner told the Board Public Works Director Stewart Hall would be accepting the waste and would be keeping track of the amount coming into the landfill and asked the Board to consider a fee waiver on the emergency situation.

Mr. Crockett made a motion to accept the recommendation regarding the waiver of fees for disposal and burning of the trees that would be brought from Chincoteague to the northern landfill related to Pine Bark Beetle. Mr. Wolff seconded the motion. The motion was unanimously approved.

Mr. Wolff commented on the Antares launch scheduled for the 24th and said it might be moved due to the impending hurricane that is supposed to hit Bermuda on the 27th or 29th.

Mr. Hart stated he had been encouraged by VACo to run for Treasurer again and it would be his 5th time and his 23rd straight year on the Budget Committee. He asked the Board consider writing a letter of endorsement for him.

Mr. Wolff made a motion to write a letter of endorsement for Mr. Hart as Treasurer of VACo. Mr. Crockett seconded the motion. The motion was unanimously approved.

Mr. Chesser commented on the Virginia Eastern Shorekeeper organization's recent remarks by Mr. Jay Ford regarding the proposed County wastewater treatment plan. He said that in a letter it had been stated that the proposed sewage disposal site would affect the quality of local groundwater and Mr. Chesser felt Mr. Ford's remarks created a credibility issue with the Virginia Eastern Shorekeeper's organization.

Mrs. Thornton expressed the same credibility issue, and said the state and local groundwater committees indicated that in-ground treated wastewater was safer than overboard into the Chesapeake Bay.

Mr. Chesser made a motion to have County Administrator Dr. Steve Miner write the letter expressing the County's concern about the misinformation of Mr. Ford and Virginia Eastern Shorekeeper organization. Mr. Hart seconded the motion.

A discussion ensued.

The motion, as stated, was unanimously approved.

Budget and Appropriation Items

Mr. Hart made a motion to approve the budget and appropriation items but to omit the FAA and DOA Grants for airport obstruction removal in the amount of \$1,125,250 until after the Public Hearing. Mr. Wolff seconded the motion. The motion was unanimously approved.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2015 County budget be amended by the amounts listed below and the same amounts appropriated for the purposes indicated.

Fund	Department	Purpose	Funding Source	Amount
General Fund	Contributions	To reduce the Eastern Shore RC&D Council's budget from \$10,183 to \$9,999 at the request of the Council.	n/a	\$ 184
General Fund	Sheriff	To recognize award of a federal justice assistance grant for bulletproof vests.	Federal Grant	\$ 4,890
Airport Fund	Airport	To recognize award of FAA and DOA Grants for airport obstruction removal.	Federal Aid = \$1,012,725 State aid = \$90,020 Airport Reserve = \$22,505	\$1,125,250
Total				\$1,130,324

John Charles "Jack" Gray
Chairman, Board of Supervisors

ATTEST:

Dr. Steven B. Miner
Clerk to the Board

Payables

Upon certification by the County Administrator, Mr. Wolff made a motion to approve the payables. Mr. Crockett seconded the motion. The motion was unanimously approved.

Closed Meeting

Mr. Wolff made a motion to go into Closed Meeting for pursuant Section 2.2.3711, subsection (A)(1) for the purpose of discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Wolff made the motion to reconvene in Opening 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 (1) public business matters lawfully exempted matters as were identified in the motion by which the Closed Meeting was convened. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Roll Call

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

Nays: None

Absent: 0

Recess

Mr. Wolff made a motion to recess until 7:30. Ms. Major seconded the motion. The motion was unanimously approved. The meeting recessed at 7:40p.m.

Call to Order

The Chair called the meeting back to order.

Proposed Amendment to County Budget to recognize award of FAA and DOAV Grants to remove airport obstructions

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning a proposed \$1.12M amendment to the County’s budget for the Airport Obstruction Removal Project and recognize award of FAA and DOAV Grants to remove airport obstructions.

No public comments were offered.

Mr. Crockett made a motion to waive the suspension of the rules. Ms. Major seconded the motion. The motion was unanimously approved.

The Chair closed the public hearing.

Mr. Wolff made a motion to approve the following amendment to the FY-15 Budget to recognize award of FAA, DOAV grants to remove airport obstructions. Mr. Hart seconded the motion. The motion was unanimously approved.

General Fund			
Source of funds:		Use of funds:	
Federal Aviation Administration Grant	\$ 1,012,725	Airport Obstruction Removal	\$ 1,125,250
Virginia Department of Aviation Grant	90,020	Total	<u>\$ 1,125,250</u>
Use of Airport Assigned Fund Balance	22,505		
Total	<u>\$ 1,125,250</u>		
Jack Gray		Steven B. Miner	
Chairperson, Accomack County Board of Supervisors		County Administrator	

Airport Obstruction Removal and Silviculture Plan

Mr. Hart made a motion to award IFB 672 Rebid to the low bidder J. Sanders Construction in the amount of \$922,250 for obstruction removal and silviculture plan at the Airport. Ms. Major seconded the motion. The motion was unanimously approved.

Adjournment

Mr. Wolff made a motion to adjourn. Ms. Lewis seconded the motion. The motion was unanimously approved. The meeting adjourned at 7:40p.m.

John Charles "Jack" Gray, Chair

Date