

Virginia: At a Recessed Meeting of the Board of Supervisors for the County of Accomack held in the cafeteria at Metompkin Elementary School on the 4th of “April, A. D., 2012.

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

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

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.

Public Hearing – Ordinance to Amend Chapter 42, Fire Prevention and

County Attorney Mark Taylor read the Public Hearing rules.

The Chair opened the Public Hearing.

Public Comment on Proposal for the Flat Tax Rate

The following person(s) spoke in favor of the proposed flat tax and thanked the Board for voting in favor of Option 4:

Jody Bagwell - Accomack County Fire and Rescue Commission Chairman spoke on the majority vote from the Accomack County Fire and Rescue Commission ‘s recommendation on Option 4 Fire Tax. Mr. Bagwell stated he would like the recommendation clarified that it was not a unanimous vote it was a majority vote.

Anna Pruitt Parks spoke on behalf of the Tangier Volunteer Fire Company/Station 21 stating they were in support of Option 4 and thanked the board for voting in favor of Option 4. Mrs. Parks stated she wanted to give Station 21’s last three years of Financial Income and Expenditures to the board.

Freddie Matthews applauded the Board of Supervisors for their decision in support of Option 4 to unite Accomack County.

Ricky Taylor thanked the Board of Supervisors for their support on the Fire Tax issue.

Henry Nicholson thanked the Board for their support on the Fire Tax Option 4.

Jimmy Rowley talked on the redistricting and stated that the problem was not created by anyone fire company, it was because of the redistricting. He told the Board he would like for them to support option 4 and solve the problem and they would never have to address redistricting again.

Mike Truitt stated he would like to go on record stating if the County would like to have Onancock Volunteer Fire Company books audited they would be open at anytime so an audit could be done. Mr. Truitt stated the only boundaries that should be drawn when it comes to fire departments would response.

The following persons spoke in opposition to the proposed flat tax rate:

Denise Bowden stated Chincoteague Volunteer Fire Company raised their money by holding carnivals, dinner auctions and raised their own money for Chincoteague Volunteer Fire Department and did not have to ask the taxpayers for any money because of the old fashion way of raising funds.

Jim Frese urged the Board of Supervisors to withhold and postpone any action on the fire tax until a complete audit going back three of four years would be done on each and every fire company in the County.

Leonard Jester asked the Board of Supervisors not to vote in favor of the Fire Tax until everything was satisfied.

Chairman Gordy closed the Public Hearing.

County Attorney Mark Taylor

Mr. Taylor stated the Virginia Code expressly enables cities and counties to create and establish fire and rescue zones for districts and it did not give such authority to towns. Mr. Taylor stated Accomack County Fire Districts 2, 4, and 5 were created by Ordinances adopted in May of 1980 and District 3 was created by an Ordinance adopted in November 1982. Mr. Taylor stated he had been hand delivered yesterday from Jon Poulson a written agreement between the Town of Chincoteague and the Chincoteague Volunteer Fire Company concerning the provision of Fire and Rescue Services in the town and the agreement was signed on April 3, 2012. He continued and stated the Chincoteague Agreement makes no provision for service provided in the Town through for mutual aid dispatched from the mainland. Mr. Taylor stated the Chincoteague Agreement maybe a good model because the agreement gives the community confidence that the company services would continue and gives the company confidence the community support will continue. Mr. Taylor further stated as far as he had been able to discover Accomack County does not have such an agreement for the volunteer company or volunteer squad that serves the County. Mr. Taylor stated he would like to suggest the mainland volunteers trust the Accomack County Board of Supervisors to continue to support them. Mr. Taylor recommended that the Board of Supervisors would not take any action on the proposed amendment to the Accomack County Code (Chapter 42, Fire Prevention and Protection, Article III, Fire and Rescue Districts. He continued and stated Mike Mason, Finance Director had a revised resolution to adopt the FY2013 Budget from calendar year 2012 tax rates.

Mr. Taylor recommended to the Board of Supervisors they adopt the resolution to adopt the FY2013 Budget from the calendar year 2102 tax rates.

Mr. Crockett made a motion to adopt the resolution. Mr. Wolff seconded the motion.

Mr. Crockett called for the question and Mrs. Thornton objected because she said she was going to speak. Chairman Gordy polled the Board to see who was in favor of calling for the question.

Aye: Mr. Chesser, Mr. Gray, Mr. Wolff, Mr. Crockett, Mrs. Gordy, Ms. Lewis.

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

A discussion ensued. Mrs. Thornton asked several questions to County Attorney Mark Taylor and Mr. Taylor responded to questions. Mrs. Thornton stated Mr. Taylor works for the full board as a whole and should not exclude certain board members. Mr. Taylor responded and said he had not excluded any board members from any materials that he did not give to the full board.

Mr. Crockett told the Board he was the one that contacted Mr. Taylor and Mr. Taylor did not phone him. Mr. Crockett stated was he not supposed to contact the County Attorney when he has a legal question.

Ms. Lewis commented on the fact the board affords her and has never received to her knowledge a call from any board member to discuss any kind of an issue and she continued by saying that it bothered her. Ms. Lewis made comments concerning conversations she had spoken with on the streets saying 99% of the people are saying the imposing fire tax on Chincoteague is not right. Ms. Lewis commented on the embarrassment that was shown by some board members.

A RESOLUTION TO ADOPT THE FISCAL YEAR 2013 BUDGET AND THE TAX RATES FOR CALENDAR YEAR 2012

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and control the County's Fiscal Plan for fiscal year 2013; and

WHEREAS, it is the responsibility for the Accomack County Board of Supervisors to set the tax rates for calendar year 2012; and

WHEREAS, the Accomack Board of Supervisors has received, reviewed and adjusted the County Administrator's Proposed Budget for fiscal year 2013; and

WHEREAS, a brief synopsis of the recommended budget and notice of public hearing was advertised in the March 17th 2012 edition of the Eastern Shore News in accordance with Section 15.2-2506 of the Code of Virginia, 1950 as amended; and

WHEREAS, the Accomack County Board of Supervisors has received comments on the advertised budget and advertised tax rates from citizens of Accomack County at a Public Hearing held March 27, 2012; and

WHEREAS, it is the intent of the Board of Supervisors that departments and agencies shall adhere to the budgeted funds in accordance with department budgets presented by the County Administrator and adjusted by the Accomack County Board of Supervisors; and

RESOLVED, by the Accomack Board of Supervisors this 4th day of April, 2012, that the following tax rates and personal property tax relief rates for Calendar Year 2012 be, and are hereby, approved as set forth below; and

BE IT FURTHER RESOLVED that the fee for water and sewer in the central Accomac area, consisting of approximately 10 customers, be increased to \$32.52 as recommended in the County's latest rate study effective July 1, 2012; and

BE IT FURTHER RESOLVED that the following budgets be, and are hereby, approved and appropriated effective July 1, 2012 as set forth below; and

BE IT FURTHER RESOLVED, that the local tax supported expenditures of the County School Board’s overall budget of \$44,404,098 shall not exceed \$15,994,506 of local funds; and

BE IT FURTHER RESOLVED that the appropriations designated for capital projects and active grants shall not lapse at the end of the fiscal year but shall remain appropriations until the completion of the project or grant or until the Accomack Board of Supervisors changes or eliminates the appropriation; and

BE IT FURTHER RESOLVED that the additional appropriations are hereby authorized for the *Law Library Fund, Court Security Fee Fund, Drug Seizures Fund, Hazardous Materials Response Fund, and Captains Cove/Greenbackville Mosquito Control Fund* equal to the total fund balance at June 30, 2012 for each individual fund.

CALENDAR YEAR 2012 TAX RATES AND PERSONAL PROPERTY TAX RELIEF

General Tax Rates (apply to all areas of the County):

Real Estate, Mobile Homes and Renewable Energy Equipment-For general County purposes.....	\$0.380 per \$100 of assessed valuation
Real Estate, Mobile Homes and Renewable Energy Equipment-For the retirement of school debt.....	\$0.090 per \$100 of assessed valuation
Personal Property and Machinery & Tools -For general County purposes.....	\$3.53 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For the retirement of school debt.....	\$0.10 per \$100 of assessed valuation

District Tax Rates (apply to select districts of the County only)

Real Estate, Mobile Homes & Renewable Energy Equipment -For emergency medical services in Atlantic, Metomkin, Lee and Pungoteague Districts.....	\$0.06 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For emergency medical services in Atlantic, Metomkin, Lee and Pungoteague Districts.....	\$0.09 per \$100 of assessed valuation
Real Estate-For mosquito control services in Greenbackville and Captains Cove Mosquito Control District.....	\$0.02 per \$100 of assessed valuation

Personal Property Tax Relief

Personal use vehicles valued at \$1000 or less.....	100% relief of tax
All other personal use vehicles (Relief applies to the first \$20,000 of value only).....	49% relief of tax

FISCAL YEAR 2013 BUDGET & APPROPRIATIONS

ALL COUNTY FUNDS

Estimated Revenues & Other Sources:	
General property taxes	\$ 28,043,550
Other local taxes	6,855,538
Permits, privilege fees, and licenses	312,194
Fines and forfeitures	75,000
Revenue from use of money & property	356,558
Charges for services	3,120,368
Miscellaneous revenue	106,974
Recovered costs	106,552
Commonwealth aid	8,814,625
Federal aid	2,153,202
Total Revenues	49,944,561
From General Fund Undesignated Fund Balance	3,675,568
From Consolidated EMS Fund Balance	180,174
From Special Revenue Funds Fund Balance Balances	34,550
From Landfill Closure Reserve	4,119,892
From School Debt Service Fund Fund Balances	384,955
Total Other Sources	8,395,139
Total Revenues and Other Sources	\$ 58,339,700
Appropriations:	
General Fund	\$ 34,086,493
Virginia Public Assistance Fund	4,080,800
Comprehensive Youth Services Fund	1,386,450
Law Library Fund	7,000
Consolidated EMS Fund	2,179,829

“Initial” Draft Accomack County Board of Supervisors Public Hearing of April 4, 2012

Consolidated Fire and Rescue Fund	1,560,000
Grennbackville/Captains Cove Mosquito Control Fund	50,327
Court Security Fee Fund	67,000
Drug Seizures Fund	2,000
Fire Programs Fund	41,250
Hazardous Materials Response Fund	13,000
Emergency 911 Fund	498,456
Rehabilitation Projects Fund	-
County Capital Projects Fund	2,515,000
School Debt Service Fund	4,148,588
Parks & Recreation Enterprise Fund	79,800
Landfill Enterprise Fund	6,668,607
Water & Sewer Enterprise Fund	194,776
Total Expenditures	<u>57,579,376</u>
Transfer to Rainy Day Reserve	<u>760,324</u>
Total Other Uses	<u>760,324</u>
Total Expenditures & Other Uses	<u>\$ 58,339,700</u>

Accomack County School Board

Estimated Revenues & Other Sources:	
Charges for services	\$ 650,000
Other Sources	412,776
Local government aid	15,994,506
Commonwealth aid	25,304,086
Federal aid	2,042,730
Total Revenues	<u>\$ 44,404,098</u>

Appropriations:	
School Operating Fund	\$ 41,851,098
School Food Services Fund	2,553,000
Total Expenditures	<u>\$ 44,404,098</u>

Accomack County Airport Commission

Estimated Revenues & Other Sources:	
Use of Revenue & Property	\$ 55,512
Charges for Services	355,370
Miscellaneous Revenue	1,100
Local Government Aid	156,957
Commonwealth Aid	3,080
Total Revenues	<u>\$ 572,019</u>

Appropriations:	
Operating Fund	\$ 544,159
Debt Service	27,860
Total Expenditures	<u>\$ 572,019</u>

Accomack County Economic Development Authority

Estimated Revenues & Other Sources	<u>\$ 7,760</u>
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Appropriations:	
Operating Fund	<u>\$ 7,760</u>

VOTING AYE:

VOTING NAY:

ABSTAINING:

ABSENT:

Witness this signature and seal.

I hereby certify that the foregoing is a true and correct copy of the Resolution approved at the _____, 2012, meeting of the Accomack County Board of Supervisors, Accomack County, Virginia.

A COPY TESTE:

Steven B. Miner, County Administrator
and Clerk to the Board

Date: _____

Mr. Hart asked if the motion that was made was the Budget Resolution to adopt the FY2013 Budget calendar year 2012 tax rate and no action on the fire district amendment that was proposed. The motion passed 7 to 2. Aye: Mr. Chesser, Mr. Wolff, Mr. Gray, Mrs. Gordy, Mr. Crockett, Mr. Hart, Ms. Major Nays: Mrs. Thornton, Ms. Lewis

Comments

County Administrator Steve Miner gave an update on Senate Bill 497 that had passed the House and Senate at the end of the General Assembly’s regular session. He stated the bill requires County Employees to pay the 5% required employee contribution to the Virginia Retirement System (VRS) and the County to provide a 5% salary increase to minimize the impact this has on an employee’s take home pay. Mr. Miner continued and stated this Bill 497 had been sent to the Governor does not know what the Governor will do with the Bill. Mr. Miner responded to questions that were asked by board members.

Mrs. Gordy comment and stated Chincoteague needs the County and the County needs Chincoteague. She stated she wishes for all to come together to be one big family as it should be.

Mayor Tarr stated the reason why the Chincoteague people and other Accomack County Taxpayers have issues with the Board of Supervisors was because of what went on at the Public Hearing this evening. He continued and stated a Public Hearing was held and advertised for a 2.5 tax increase for a fire tax and then when the meeting takes place and the Board changes the rules and does not let the public know what was happening and vote on a flat tax. Mayor Tarr stated it was not fair to the public. He said the Board of Supervisors needed to take it back to another Public Hearing.

Adjournment

“Initial” Draft Accomack County Board of Supervisors Public Hearing of April 4, 2012

Mr. Crockett made a motion to adjourn the meeting until Wednesday, April 18, 2012 at 7:00 p.m. in the Board of Supervisors Chambers. Mr. Wolff seconded the motion. The motion passed. The meeting adjourned at 7:55 p.m.

Chair

Date