

“Initial” Draft Accomack County Board of Supervisors Minutes of April 18, 2012

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 18th day of April , A.D., 2012, at 5:00 p.m.

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

Members Absent: Donald L. Hart, Jr.

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

Call to Order

The meeting was called to order by the Chair and opened with a prayer by the Reverend Broad, after which the Pledge of Allegiance to the Flag was recited.

Adoption of the Agenda

Ms. Major made a motion to adopt the Agenda. Mr. Crockett seconded the motion. The motion carried.

Public Comments

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

Mrs. Shirley Zamora gave an Amen to Reverend Broad’s comment on his prayer. Mrs. Zamora stated she felt very angry on the way the Public Hearing had been advertised and the Board changed the entire mechanism. She continued and stated the board had taken a tax that was for the fire areas and locked it into the general fund and did not allow any discussion.

Mr. Mark Baumgartener spoke on behalf of the Atlantic Town Center and stated the County could use Economic Development and could grow the tax base. Mr. Baumgartener asked the Board of Supervisors for feedback as to what they wanted and what they did not want so the County could continue to grow.

Pastor Barbara Cousar from Horntown Friendship United Methodist Church spoke in favor of the Atlantic Town Center and stated the Town Center needs to know what they can do to work together with the Board of Supervisors on how to get the Atlantic Town Center passed.

Consideration of Minutes

Mr. Wolff made a motion to approve the Minutes of March 12, 2012, March 21, 2012, March 27, 2012, and April 4, 2012. Mrs. Lewis seconded the motion. The motion was carried.

Consent Agenda

Mr. Crockett made a motion to approve the Consent Agenda and Ms. Major seconded the motion. The motion carried.

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

- 4.2 Melfa Industrial Park Lights and Electric Bill
- 4.3 Lee Ruark Safety Award Plaque Language Approval
- 4.4 Request to VDOT to investigate potential Rural Additions Project
- 4.5 Line of Duty Act (LODA) Resolution

RESOLUTION

Irrevocable Election not to Participate in Line of Duty Act Fund

WHEREAS, pursuant to Item 258 of the Appropriations Act, paragraph B, the Virginia General Assembly has established the Line of duty Act Fund (the "Fund") for the payment of benefits prescribed by and administered under the Line of Duty Act (Va. Code Section 9.1-400 et seq.); and

WHEREAS, for purposes of administration of the Fund, a political subdivision with covered employees (including volunteers pursuant to paragraph B2 of Item 258 of the Appropriations Act) may make an irrevocable election on or before July 1, 2012, to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and

WHEREAS, it is the intent of the County of Accomack to make this irrevocable election to be a non-participating employer with respect to the Fund:

NOW, THEREFORE, IT IS HEREBY RESOLVED that the County of Accomack hereby elects to be deemed a non-participating employer fully responsible for self-funding all benefits relating to its past and present covered employees under the Line of Duty Act from its own funds; and it is further

RESOLVED that the following entities,

- COUNTY OF ACCOMACK
- ATLANTIC VOLUNTEER FIRE & RESCUE
- BLOXOM VOLUNTEER FIRE COMPANY
- GREENBACKVILLE VOLUNTEER FIRE DEPARTMENT
- MELFA VOLUNTEER FIRE & RESCUE
- NEW CHURCH VOLUNTEER FIRE & RESCUE
- OAK HALL RESCUE
- ONANCOCK VOLUNTEER FIRE DEPARTMENT
- ONLEY VOLUNTEER FIRE & RESCUE
- PAINTER VOLUNTEER VOLUNTEER FIRE COMPANY
- PARKSLEY VOLUNTEER FIRE COMPANY
- SAXIS VOLUNTEER FIRE COMPANY
- TANGIER VOLUNTEER FIRE DEPARTMENT
- TASLEY VOLUNTEER FIRE & RESCUE

WACHAPREAGUE VOLUNTEER FIRE COMPANY

to the best of the knowledge of the County of Accomack, constitute the population of its past and present covered employees under the Line of Duty Act, and it is further

RESOLVED that, as a non-participating employer, the County of Accomack agrees that it will be responsible for, and reimburse the State Comptroller for, all Line of Duty Act benefit payments (relating to existing, pending or prospective claims) approved and made by the State comptroller on behalf of the County of Accomack on or after July 1, 2010, and it is further

RESOLVED that, as a non-participating employer, the County of Accomack agrees that it will reimburse the State Comptroller an amount representing reasonable costs incurred and associated, directly and indirectly, with the administration, management and investment of the Fund; and it is further

RESOLVED that the County of Accomack shall reimburse the State Comptroller on no more than a monthly basis from documentation provided to it from the State Comptroller.

Adopted in _____, Virginia this _____, _____.

Authorized Signature - Title

4.6 Consider Setting a Public Hearing on the Draft Residential Zoning Ordinance Amendment

4.7 Consider Setting a Public Hearing on the Draft General Business Ordinance Amendment

4.8 Consider Setting a Public Hearing on Zoning Ordinance Amendment to Section 106-239 of the Zoning Ordinance

4.9 VJCCCA Plan for FY2013 and FY2014 Resolution

VIRGINIA JUVENILE COMMUNITY CRIME CONTROL (VJCCCA)

RESOLUTION

Be it resolved that Accomack County will participate in the Virginia Juvenile Community Crime Control Act and accept funds appropriate for the purpose set forth in this Act until it notifies the Department of Juvenile Justice, in writing, that it no longer wishes to participate.

Be it further resolved that the County of Northampton will combine with the governing body of Accomack County as it pertains to participation in the Virginia Juvenile Community Crime Control Act and funds appropriated for the purpose set forth in this Act until it notifies the Department of Juvenile Justice, in writing, that it no longer wishes to participate. Accomack County will act as fiscal agent for these localities.

Be it further resolved that the Accomack County Administrator is hereby authorized to execute a local plan on behalf of the County of Accomack.

Steven B. Miner, Accomack County Administrator

Date

Katherine H. Nunez, Northampton County Administrator

Date

Report of Public Officials

Receive Update from VDOT on Secondary Six Year Plan (SSYP)

Mr. Tony Gibson, District Program Manager, Virginia Department of Transportation gave an update on the Secondary Six Year Plan 2013 – 2018 and responded to questions presented by the Board of Supervisors. A discussion ensued on the unpaved road priority list and estimated allocations. Ms. Major made a motion to advertise for a Public Hearing on the Highway Six Year Plan at the May 16, 2012 meeting. Mr. Crockett seconded the motion. The motion carried.

Appointments

Accomack County Fire and Rescue Commission

Mr. Chesser made a motion to appoint Mr. Robert Crockett to the Accomack County Fire and Rescue Commission to replace Mr. Jack Gray who has resigned commencing immediately. Mr. Wolff seconded the motion. The motion carried.

Captain's Cove/Greenbackville Mosquito Control District

Mr. Wolff made a motion to appoint Mr. Timothy Getek to the Captain's Cove Greenbackville Mosquito Control District to fill the unexpired term of Mr. Michael O'Donnell who has resigned commencing immediately and expiring on June 30, 2014. Mrs. Lewis seconded the motion. The motion carried.

Eastern Shore Area Agency on Aging/Community Action Agency

Mr. Gray made a motion to reappoint Mrs. Patsy J. Selby to the Eastern Shore Area Agency on Aging/Community Action Agency commencing on March 31, 2012 and expiring on March 31, 2016. Mrs. Thornton seconded the motion. The motion carried.

Economic Development Authority

Mrs. Lewis made a motion to appoint Mr. Wesley Edwards to the Economic Development Authority to fill the unexpired term of Mrs. Mary Jester who has resigned commencing immediately and expiring on February 18, 2015. Mrs. Thornton seconded the motion. The motion carried 7-1 with Mr. Chesser voting no and Mr. Hart was absent.

Matthew Cormon's Dog Claim

Mr. Gray made a motion to reimbursement Mr. Matt Cormon \$400 for the feral dogs attacking and injuring his cow an urge Animal Control to continue trapping the feral an unvaccinated dogs. Mrs. Thornton seconded the motion. The motion was approved.

Rules and Procedures

Mrs. Thornton discussed the rules and procedures the Board of Supervisors had adopted at their January Organizational Meeting. She stated Mrs. Lewis and herself had not been made aware that the plan had changed until right before a motion had been made by Mr. Crockett and had been seconded and then called for the question without discussion. Mrs. Thornton stated a call for the question without discussion is not what the rules and procedures say or Robert's Rules of Order. Mrs. Thornton stated she had asked Mr. Gray how he found out and Mr. Gray said he had received a call from Mr. Chesser and Mr. Crockett and told him what it was about. Mrs. Thornton told the Board she had the motion were Mr. Miner and Mr. Crockett had been conversing with one another. A discussion ensued by other Board members.

County Administrator's Report

Mr. Miner gave an update on VRS Retirement. He stated the Governor had amended and signed HB1130 and returned it back to the Assembly. He continued by saying the most immediate impact appeared to be the County would be expected to pay the employees at least 5% raise and also to begin effective with payrolls beginning July 1, 2012 to withhold 5% of their pay and remit that to the state VRS system on their behalf and this would replace a like amount which is today paid by County directly to VRS on their behalf. Mr. Miner stated the Governor amended the bill so as to allow localities to do this over a 5 year period, much as the bill also allowed School Board to do.

Mike Mason, Finance Director and Darlene Burton, Purchasing Contract Manager gave an update on the health insurance increase of 18% which would equate to \$173,000 additional employer costs. Mrs. Burton gave an update on the different health insurance plans, premium costs, and proposals that had been received. Mrs. Burton responded to questions that were asked from the Board.

Mr. Wolff made motion to accept the proposal to extend the insurance to July 1, 2012. Mr. Gray seconded the motion. The motion was approved.

Mr. Wolff made to instruct staff to form a committee that would look into moving forward on the proposals that had been received. Ms. Major seconded the motion. The motion was approved.

Board of Supervisors Comments

Ms. Major apprised the audience on why Mr. Hart was not present at the meeting and stated was due to the fact Mr. Hart's brother had passed.

Mrs. Thornton extended her prayers to Mr. Hart and his family.

Mr. Crockett extended his prayers to Mr. Hart.

Mr. Wolff gave an update on his regular monthly meeting and stated the meeting was held at Captains Cove and Delegate Lewis was present at the meeting and thanked Delegate Lewis for attending the meeting. Mr. Wolff gave an update on the rocket that was put on the launch pad at Wallops. He continued by saying the glitches had been modified and stated the next time the rocket would be placed on the launch pad would be for a live engine fire test. Mr. Wolff gave an update on the two rockets that were being built and how they would be launched.

Mrs. Gordy stated she would like everyone remember the Hart family in their prayers.

Budget Items

**Budget and Appropriation Items
Fiscal year 2012**

Grants, etc.

Increase Revenues

Revenue from the Commonwealth \$33,993

Increase Expenditures

Payments to EMS Council
--"Four-For-Life" grant award received \$33,993

Increase Revenues

Revenue from the Commonwealth \$246

Increase Expenditures

SPCA \$246
--Proceeds from the sale of animal friendly license plates.

Increase Revenues

Revenue from the Commonwealth \$29,300

Increase Expenditures

Emergency Management \$29,300
--Citizen Emergency Response Team (CERT) training grant award.

Increase Revenues

Revenue from the Commonwealth \$32,000

Increase Expenditures

Emergency Management \$32,000
--Haz-Mat Team Equipment and Training grant award.

Increase Revenues

Revenue from the Commonwealth \$2,326

Increase Expenditures

Fire Programs Fund \$2,326
--Fire Programs mini-grant award

Draft Accomack County Board of Supervisors Minutes of April 18, 2012

From Contingencies (Balance as of 4/4/12=\$75,960)

None

Other

Increase Expenditures

County Garage Recoveries \$33,000

Increase Expenditures

Solid Waste \$33,000

--Recovered cost from interdepartmental services.

Other

Decrease Expenditures

Solid Waste \$215,000

Increase Expenditures

Transfers to Landfill Fund \$215,000

Decrease Revenues

Landfill Tipping Fees \$215,000

--Reduce general fund FY13 waste disposal cost estimate based on Lower than expected waste volumes at convenience centers.

Note that the County pays tipping fees for waste disposal no different than private hauler. General fund savings to be transferred to the landfill fund to offset overall tipping fee revenue shortfall.

Increase Revenues

Recovered Costs-Volunteer Fire and Rescue Matching funds \$8,000

Increase Expenditures

Consolidated EMS Fund \$8,000

--Company share of Volunteer Service Bridge Project costs.

Decrease Expenditures

Debt Service-Wallops Research Park \$101,000

Increase Expenditures

Wallops Research Park \$101,000

--Preliminary engineering costs for development of the Wallops Research Park. Previously budgeted and appropriated debt service costs for the park will not be needed in FY13 therefore they can be repurposed to pay for initial project expenses.

Decrease Expenditures

Revenue Billing System (RBS) Project \$15,000

Increase Expenditures

Information Technology \$15,000

--Use a portion of remaining RBS Project funds to fund staff Augmentation services for the IT department.

(The following budgetary amendments require a public hearing in accordance with Section 15.2-2507 of the Code of Virginia)

Increase Revenues

From the Commonwealth \$150,000

Decrease Reserves

ATL Carry Funds \$350,000

Increase Expenditures

Fire Training Center \$350,000

--Burn Building Renovation Grant award.

Mr. Mason stated the eleven attached budget items were seeking approval. One of the budget items, was a grant award to upgrade the County burn building, totaled \$500,000, and therefore a public hearing was required in accordance with the Code of

Draft Accomack County Board of Supervisors Minutes of April 18, 2012

Virginia Section 15.2-2507 before this amendment could be adopted. He said by approving these items, the Board of Supervisors were amending the budget and appropriating the funds for all items below the \$500,000 threshold and authorizing staff to schedule a public hearing for the remaining items. He continued by saying not of the items require additional local funds to be appropriated and any future operational costs would be absorbed by existing appropriations.

Mr. Wolff made a motion to approved the budget. Mr. Crockett seconded the motion. The motion was passed.

Payables

Mr. Miner certified the payables.

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

Recess

The Chairman recessed the meeting at 6:33 p.m. for 10 minutes.

Call to Order

The Chair called the meeting back to order.

Closed Meeting

Mr. Wolff made a motion to go into Closed Meeting pursuant to §2.2-3711 of the Code of Virginia of 1950, as amended, pursuant to subsection (A) (3) and (5) for the following purpose (3) 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) 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. Mrs. Thornton seconded the motion. The motion passed unanimously.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Wolff made a motion to reconvene in Open Meeting, seconded by Mrs. Thornton, and to certify by roll call vote, pursuant to Section 2.2-3711 (3) of the Code of

Draft Accomack County Board of Supervisors Minutes of April 18, 2012

Virginia, that to the best of each member's knowledge the only matters heard, discussed, or considered during the Closed Meeting 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; the protection of the privacy of individuals in personal matters not related to public business and consultation with legal counsel employed or trained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel lawfully exempted from Opening Meeting requirements under this chapter as were identified in the motion by which the Closed Meeting was convened. Mrs. Lewis seconded the motion. The motion carried.

Roll Call

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

Absent: Mr. Hart

Adjournment

Mr. Wolff made a motion to adjourn the meeting and Mrs. Lewis seconded the motion. The motion carried. The meeting adjourned at 8:00 p.m.

Chair

Date