

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 17th day of October, 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
Donald L. Hart, Jr.
C. Reneta Major
Others Present: Steven B. Miner, County Administrator
Mark B. Taylor, County Attorney
Shelia S. Goodman, Administrative Assistant

Call to Order

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

Adoption of the Agenda

Mr. Crockett made a motion to adopt the Agenda. Ms. Major seconded the motion. The motion was unanimously approved.

Public Comments

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

Mr. Earl Schrag spoke on the Wetlands Board attendance and the cancellation of the meetings because of the lack of a quorum and the environmental impacts on the citizens when the meetings were cancelled. He demanded the Supervisors remedy the situation so it would not continue to happen. The Board explained they wanted to appoint T. Lee Byrd to the Wetlands Board, but were waiting for advice from the State Attorney General because Mr. Byrd also serves on the Onancock Town Council

Mr. Michael Morgan spoke on the personal property tax on aircraft asking the taxes to be reduced.

Consideration of Minutes

Mr. Hart made a motion to approve the Minutes of September 19, 2012 Regular Monthly Meeting. Mr. Wolff seconded the motion. The motion was unanimously approved.

Consent Agenda

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

5.2 Proposed Holiday Schedule.

Thanksgiving

Wednesday, November 21 – Offices closing at noon

Thursday, November 22

Friday, November 23

Christmas

Monday, December 24

Tuesday, December 25

New Year's

Monday, December 31

Tuesday, January 1

5.3 Authorizing the Chair or Vice Chair to be the voting delegates for the VACo Annual Business Meeting and if the Chair or Vice Chair was not present the County Administrator would be the voting delegate.

5.4 Schedule a Public Hearing on the proposed Contained Fin-Fish Raising Zoning Ordinance Amendment on November 14, 2112 at 7:30 pm. in the Board of Supervisors Chambers.

Sec. 106-239. – Fin Fish

(a) *Intent.* It is the intent of this article to provide all residents of the county benefit from the orderly and responsible growth of the aquaculture industry, and particularly, the confined raising of fin-fish species.

(b) *Definitions.* For the purpose of this section, the following words, terms and phrases shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Adjacent properties means adjacent properties shall be defined as those properties which are either (a) contiguous, or (b) separated only by a street or road.

Confined fin-fish operation means an agricultural operation using recirculating aquaculture system within a structure for the production of fin-fish of any species grown for commercial purposes. When applicable this definition also includes associated fully-contained waste storage sites, ~~incinerators, disposal pits,~~ **and/or** composters, ~~and/or waste processing units.~~

Existing dwelling or business mean a structure, designed for residential or commercial use which is completed or in the process of being completed on the date a complete application for a confined fin-fish operation permit is received by the zoning administrator.

Processing, waste storage, and related activities mean those uses, activities, and structures that may be part of a confined fin-fish operation, which are accessory components of a confined fin-fish operation, including, ~~but not limited to~~ fully-contained waste storage sites, ~~incinerators, disposal pits,~~ outdoor storage, settling ponds, **and** composters, ~~and fully contained waste processing units.~~ **Other similar uses require a Conditional Use Permit.**

Recirculating aquaculture system means any system used for the rearing of fin-fish where 90% or more of system water is recycled on a daily basis.

(c) *Zoning permit required.* Zoning approval shall be obtained from the zoning administrator for all proposed fin-fish operations before any construction begins. To obtain a zoning permit, the owner or agent for the owner shall submit a site plan in accordance with Sec. 106-226, drawn to scale and in sufficient detail to show that the proposed confined fin-fish operation meets all applicable requirements of this section, to the zoning administrator for approval. The site plan shall show the size of the parcel, the location and size of existing and proposed buildings and structures on the parcel, the location of proposed entrances and access roads, the location of adjacent zoning district or incorporated town boundaries, and the location of any streams, ditches, or other water bodies on or adjacent to the property. The site plan shall also include a written statement by which the applicant certifies to the zoning administrator that the confined fin-fish operation shown on the site plan meets all applicable setback requirements of this ordinance and that the site plan is a complete and accurate depiction of the confined fin-fish operation as it is to be located on the parcel. The submittal shall also include any applicable applications made to or permits issued from the Department of Environmental Quality.

Zoning permits for confined fin-fish operations shall expire one year after the date of issuance unless substantial construction of the approved facilities has actually commenced, and is progressing toward completion in accordance with the approved site plan.

(d) *Posting of permit.* A copy of the zoning permit for approved confined fin-fish operations shall be posted at the entrance to the property in a location that is clearly visible from the roadway.

(e) *Setback verification.* The permittee shall contact the county prior to beginning construction on a confined fin-fish operation to arrange for an on-site verification of the required minimum setbacks specified within this article.

(f) *Minimum standards.*

(1) *Lot size.* The minimum lot size for confined fin-fish operations shall be five acres.

(2) *Setbacks.* A recirculating aquaculture system shall be subject to the yard regulations set forth in Section 106-58 (Agriculture). The minimum setbacks shall apply to a confined fin-fish operation where processing, waste storage and related activities (as defined by this section) occur:

a. Three hundred feet from any existing dwelling on any adjacent property.

b. Three hundred feet from any existing business on any adjacent property.

c. Two hundred feet from any property line(s).

~~d. Two hundred feet from the center of US Route 13, measured from the center of the northbound or southbound lanes, whichever is closer. One hundred twenty five feet from the center of state or county maintained roads, other than US Route 13.~~

~~e d.~~ **Five** hundred feet from incorporated towns or residential zoning district boundaries, subdivisions of ten or more

lots, and mobile home parks or travel trailer parks with ten or more units.

f e. Building and structure heights shall be in conformance with Section 106-59 (Agriculture).

(g) *Zoning districts.* Confined fin-fish operations **producing less than 1,000,000 pounds per year of whole fish or the processing of less than 500,000 pounds of whole fish per year** are allowed by right in the Agricultural Zoning District **or as otherwise permitted by the zoning ordinance. Confined fin-fish operations producing 1,000,000 pounds or more per year of whole fish or the processing of 500,000 pounds or more of whole fish per year will require a Conditional Use Permit in the Agricultural Zoning District or as otherwise permitted by the zoning ordinance.** ~~Confined fin-fish operations are not allowed in other zoning districts.~~

(h) *Environment.* Confined fin-fish operations shall be conducted in accord **with** current best management practices without the use of unapproved pharmaceuticals, preventative antibiotics administered in the absence of infection, or growth hormones. The County recognizes Best Management Practices for Flow-Through, Net-Pen, Recirculating and Pond Aquaculture Systems and the American Fisheries Society Fish Culture Section's Guide to Using Drugs, Biologics and Other Chemicals in Aquaculture, February 2011, ~~as current best management practices at the time of the adoption of this ordinance or as amended.~~

5.5 Contract Award – IFB 647 Refuse Trailers (2) with Unloader Floor and tarping system to Hale Trailer Brake & Wheel, Inc. in the total amount of \$140,500 for the transfer of the refuse from the South Landfill to the North Landfill starting January 1, 2013.

5.6 Contract Award – IFB 643R (Rebid) – North Landfill Access Road Extension Project be awarded to the low bidder, Brittingham Bulldozing & Excavating, Inc. in the negotiated amount of \$259,950; the deductions totaling \$19,000 having been agreed upon by the contractor, engineers, and County staff.

5.7 Contract Award – RFP 260 Advertising Services for the provision of advertising services for the period of November 1, 2012 to October 31, 2013 with options to renew for three (3) additional one-year terms to the Eastern Shore News. Departments shall have the discretion to advertise using multiple sources if warranted for employment and other non-legal ads.

5.8 New Cingular Wireless/AT&T Mobility Corporation Second Tower Lease Amendment and approve Second Amendment to the AT&T/New Cingular Wireless Lease Agreement allowing the company to modify and add equipment on the Mappsville Tower at an increased rate of \$500 per month subject to all tower modifications being made as indicated by the MRA Structural Analysis dated July 9, 2012 and authorize the County Administrator to execute the Lease Amendment.

5.9 Authorization for Public Hearing to advertise a public hearing to be held at the November 14, 2012 meeting concerning a request from ANEC for a utility easement at the Painter Convenience Center Property.

5.10 Authorize County Administrator to execute Resolution for Haz-mat Grant 2010 Funds.

Public Officials

Update from Robbie Lewis, Area Forester

Mr. Robbie Lewis, Area Forester, Department of Forestry, gave an update on what the Department of Forestry had been doing in the past year and spoke on the issue of the Pine Bark Beetle on Chincoteague and responded to questions from the Board.

David Schulte, Executive Director of the Eastern Shore of Virginia Tourism Commission Presentation

Mr. David, Schulte, Executive Director of the Eastern Shore of Virginia Tourism Commission provided handouts to the Board and gave an update on the activities of the Tourism Commission and the recent work the Eastern Shore of Virginia Tourism Commission had been doing.

Presentation from Mr. Lou Hinds, Joe McCauley and Edward Maillet Concerning U.S. Fish and Wildlife Services

Mr. Lou Hinds introduced Joe McCauley whom he stated was a friend, colleague and regional lead for the development of the Comprehensive Conservation Plan for the Town of Chincoteague and the Wallops Island National Wildlife Refuge, and Edward Maillet, Senior Economist of the U. S. Fish and Wildlife Service, appeared before the Board and presented information on the economic value of the Chincoteague Wildlife Refuge. A power point presentation was given by Mr. Edward Maillet and Economist for the Fish and Wildlife Services and he summarized the baseline economic analysis and responded to questions from the Board. An update was given to the Board concerning the invasive Nutria that had been sighted and could destroy wetlands and responded to questions from the Board.

Letter of Recognition – Grafton Baptist Church

Ms. Major made a motion to have Mr. Miner prepare a letter from the Board of Supervisors to send to the people from Grafton Baptist Church who came to do rehabilitation to different homes for the elderly people and thank them for coming to Accomack County. Mr. Hart seconded the motion. The motion was approved.

Mr. Wolff asked Mr. Miner the status on the Billie Reed Recognition. Mr. Miner stated he had forgotten to put it back on the Agenda for this month, but would put it on the Agenda for the November meeting.

Appointments

Planning Commission

Mrs. Thornton made a motion to appoint Spyridon Papadopoulos to the Planning Commission to fill the unexpired term of Toni Trepanier (who had deceased) effective immediately and expiring on December 31, 2014. Mr. Crockett seconded the motion. The motion was approved.

Wetlands Board

Mr. Crockett made a motion to appoint T. Lee Byrd to the Wetlands Board to replace Mr. George T. Parker who did not wish to continue to serve. The term is effective immediately and expires on June 30, 2017. Mr. Wolff seconded the motion. The motion was approved.

Mrs. Thornton made a motion to appoint Gene Wayne Taylor to the Wetlands Board to replace Ms. Lee Merrill who resigned. The term is effective immediately and expires on June 30, 2013. Mr. Wolff seconded the motion. The motion was approved.

Mr. Hart stated he and Ms. Major had a possible member that would serve on the Wetlands Board but would have to discuss it first with them.

Baylor Ground Committee

Mr. Gray made a motion to appoint Robert Bloxom, Jr. to the Baylor Ground Committee. Mrs. Thornton seconded the motion. The motion was approved.

Mr. Hart made a motion to appoint Mr. Randy Lewis, Sr. to the Baylor Ground Committee. Mrs. Thornton seconded the motion. The motion was approved.

Ms. Major made a motion to appoint Mr. Gregory Stratton to the Baylor Ground Committee. Mr. Hart seconded the motion. The motion was approved.

Mr. Wolff made a motion to appoint Mr. Ken Schultz to the Baylor Ground Committee. Mrs. Thornton seconded the motion. The motion was approved.

Mrs. Thornton made a motion to appoint Mr. Ernie Bowden to the Baylor Ground Committee. Mr. Crockett seconded the motion. The motion was approved.

Mr. Crockett made a motion to appoint Mr. Robert G. Turner to the Baylor Ground Committee. Mrs. Thornton seconded the motion. The motion was approved.

Mr. Chesser made a motion to appoint Mr. Don Porter to the Baylor Ground Committee. Mr. Wolff seconded the motion. The motion was approved.

Mrs. Gordy and Ms. Lewis told the Board they would appoint someone to serve on the Baylor Ground Committee at the November 14, 2012 meeting.

Joint Land Use Study Policy Steering Committee

Mr. Crockett made a motion to appoint Mrs. Thornton for District 1, Mr. Wolff for District 2, and Mr. Chesser for District 3 to serve on the Joint Land Use Study Policy Steering Committee. Ms. Major seconded the motion. The motion was approved.

County Administrators Report

Mr. Miner told the Board of Supervisors the Regular monthly of the Board would be on November 21, 2012 and that was one of the holidays the State was observing. A discussion ensued concerning dates to hold the monthly meeting.

Suspension of Rules

Mr. Hart made a motion to suspend the rules and hold the Regular Monthly Meeting on November 14, 2012 at 5:00 p.m. in the Board Chambers and to notify the press, public, and staff of the change. Mr. Wolff seconded the motion. The motion was approved.

Change of Meeting Day

Change of Meeting Day

Following a discussion on the holiday that the State was observing for a half day on November 21, 2012, Mr. Hart made a motion to adopt the following Resolution to change the date of the Board's regular meeting. Mr. Wolff seconded the motion. The motion passed unanimously.

**Accomack County
Board of Supervisors
Change of Meeting Day**

RESOLUTION

BE IT RESOLVED, that the Accomack County Board of Supervisors hold the regular November monthly meeting on Wednesday, November 14, 2012, at 5:00p.m. in the Board of Supervisors Chambers, in Accomack, VA.

Mr. Miner continued with his report and stated the Work Session with the Board and Wallops Research Park would be held on November 7, 2012 at 5:00 p.m. in the Board Chambers. Mr. Miner told the Board the appraisal for the Wallops site had been received and the appraisal was significantly lower than the previous appraisal. He also talked about the TPOF Grant and the Emergency Services Director Position. Mr. Miner

informed the Board the interviews went well and a round two would be held to select the Director.

County Attorney Report

Mr. Taylor told the Board VACo had released a summary on a number of the unfunded mandates and there were 331 unfunded mandates. Mr. Taylor stated he would get the report done and get a copy sent to the Board members.

Recess

The Board took a recess until 7:30 p.m for the Public Hearing.

Call to Order

Chairman Gordy called the meeting back to order.

Public Hearing

County Attorney read the Public Hearing Rules.

Proposed Amendment to the Accomack County Enterprise Zone

Tom Brockenbrough, GIS Coordinator, gave the Board an update on the Enterprise Zone. He told the Board the Department of Housing and Community Development was responsible for managing the state's Enterprise Zone Program. Mr. Brockenbrough said the current program was a joint program with Northampton County which expires on December 31, 2014 and that Accomack County's Enterprise Zone cannot exceed 6 square miles. He said several requests had been received to be incorporated into Accomack County's Enterprise Zone and that the locations were south of New Church, and in the incorporated towns of Onancock and Painter. Mr. Brockenbrough responded to questions from the Board.

The Chair opened the public hearing to afford interested persons the opportunity to be heard or to present written comment concerning a proposed amendment to the Accomack County Enterprise Zone to add part or all of the following Tax Parcels: 12-A-81C, 12-A-86, 85A2-A-89, 111A2-A-100, 111A2-A101, and 111A2-A-101A – which are primarily in the New Church, Onancock, and Painter areas. The Enterprise Zone designation does not change the zoning of the property; the designation may allow business capital improvements or job creation to qualify for the Enterprise Zone benefits.

Ann Crabbe, Chief Operations Officer for Eastern Shore Rural Health gave a brief update on the new building located in New Church and said the facility would be opened by March if the weather permitted.

Donna Belote, President, Friends of Onancock School, spoke in favor of including the school in the Enterprise Zone.

The Chair closed the Public Hearing.

Mr. Crockett made a motion to approve the proposed amendment to the Accomack County Enterprise Zone and adopt the following resolution. Mr. Wolff seconded the motion. The motion was approved.

RESOLUTION

WHEREAS, Accomack County is applying for enterprise zone amendments jointly with Northampton County; and

WHEREAS, Accomack County is designated to act as program administrator:

NOW, THEREFORE, BE IT RESOLVED, that the County Administrator is authorized to submit all information needed to apply for enterprise zone amendments and to carry out all program administrative and reporting requirements on its behalf.

Done this 17th day of October, 2012.

A request by Shore Health Services, Inc., d/b/a Riverside Memorial Hospital to be granted a Conditional Use Permit allowing for the development of a hospital and a medical office building on a site approximately 55 acres in size located between Onancock, and Onley. The properties, Tax Parcels 93-A-94 and 93-A-96 are located on the south side of Route 179/Market Street and west of the intersection of Route 179/Market Street and Route 13/Lankford Highway

Rich Morrison gave a brief presentation on the location of the hospital and the request of the Conditional Use Permit. Mr. Morrison turned the meeting over to Riverside Memorial Hospital

Mr. Arch Marston of AES Engineering Consultants discussed items that had generated much discussion such as landscaping, pavement in the parking lot, channelized turn, the Opticom equipment, and the site plans of the proposed site.

Molly Trant, Corporate Counsel for Riverside, gave a brief presentation on the proposed hospital and talked about the entrance to the hospital and the exit and the traffic lights. She responded to questions from the Board.

The Chair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments regarding the following:

A request by Shore Health Service, Inc., d/b/a Riverside Memorial Hospital to be granted a Conditional Use Permit allowing for the development of a hospital and a medical office building on a site approximately 55 acres in size located between Onancock and Onley. These properties, Tax Parcels 93-A-94 and 93-A-96 are located on the south side of Route 179/Market Street and west of the intersection of Route 179/Market Street and Route 13/Lankford Highway.

Mr. Bedford Rogers from Concerned Citizens for Improvement spoke on the potential congestion in the area and threats to public safety concerning the location of the hospital. Mr. Rogers told the Board he would be willing to work as a volunteer for the Planning Commission, the Board of Supervisors, and the Administration at Riverside Shore Health Services if they would like to find an alternate site to locate the hospital.

Mr. David Engelhart, Zoning Administrator for the Town of Onley, spoke about the traffic pattern. He stated the Town of Onley was concerned with the channelized turn and the closeness to Washington Street and felt it was a potential life threatening problem.

Mrs. Billie Custis stated she hoped the Board of Supervisors would do whatever they could do to make sure VDOT monitors the traffic pattern because the Town of Onley has concerns concerning Washington Street and Coastal Blvd.

Mrs. Thornton had questions for Mr. Morrison concerning conversations she had held with him on what she thought was a serious situation of the level of service with VDOT. She continued and stated she did not know the level of service on the side roads had gone from a C to an F. Mr. Morrison responded to the questions regarding the level of service of C and F.

Mr. Dexter Williams, Professional Engineer spoke on the two (2) Traffic Studies that have had done on the area where the hospital would be located. He told the Board the first study was the 527 Study done at the VDOT Rules and he said VDOT's rules require rates of growth to be built in those studies. Mr. Dexter stated the second study was done when the County had concerns about the tourist season. He continued and told the Board that all the traffic lights in the area of the hospital were being replaced and the timing of the lights would be recalibrated and improvements would be noticed.

Mr. Crockett read excerpts from Mr. Morrison's report about the development of a good working relationship while working with Riverside. Mr. Crockett thanked

Riverside for the work they had done and asked Ms. Trant if she would characterize her experience while working with the Mr. Morrison and his staff and all the other staffs they have worked within the County. Ms. Trant responded by saying they had a great working relationship with Mr. Morrison and his staff while working through the problems. The hospital team concurred with Ms. Trant.

Mr. Hart asked questions concerning Route 179 left turn lane widening.

Mr. Wolff commented on the synchronizing of the lights to alleviate the problem on the traffic flow moving north.

Ms. Major asked Mr. Morrison what research or study had been done when a hospital had been placed within a setting of a shopping center and Mr. Morrison said he would think the studies had been done with urban amenities.

Ms. Lewis stated there was a sufficient increase in traffic that she had observed in the summer, but if synchronizing of the lights would stop the problem of traffic being congested she would not have a problem.

Mr. Gray made a comment on the subject of the Conditional Use Permit with the six (6) conditions and would hope staff would do everything they could if there would be a problem with any of the conditions to expedite the resolution of the problem as quick as possible so it would not delay the hospital people at all.

Chairman Gordy closed the Public Hearing.

Mr. Crockett made a motion to approve the issuance of a Conditional Use Permit for Riverside Shore Memorial Hospital as recommended with the following conditions. Mrs. Thornton seconded the motion. The motion was approve. 8-1 Mrs. Gordy abstained.

1. That the conditions placed on the conditional rezoning remain in effect.
2. That future site development (with the exception of accessory uses or structures as defined by the Accomack County Zoning Ordinance and approved by the Planning/Community Development Director) will require an amendment to the Conditional Use Permit/Plan. Accessory uses or structures (as accepted above) may not exceed the main hospital building in height and may only be located within the site's perimeter roadways.
3. That the traffic improvements shown on the Conditional Use Permit Plan, shown on the Route 179/Route 13 Intersection Striping Plan, and described in DRW Consultants' letter dated July 31, 2012 be constructed and become operational concurrent with the opening of the hospital and/or the medical office building; whichever occurs first.

4. That all other applicable Accomack County ordinances and regulations are complied with and that all necessary permits are obtained.
5. That the monitoring requested by the Virginia Department of Transportation (VDOT) in its letter dated August 3, 2012 is completed.
6. That the conditions set forth by the Virginia Department of Transportation (VDOT) in its letter dated August 3, 2012 and items 1-10 of the Riverside Shore Memorial Hospital Traffic Impact Analysis (revised on June 22, 2012) are satisfied.

Waiver of Tipping Fees Requests

Mr. Hart told the Board the Wachapreague situation request was his fault. He said he did not realize that a funding policy regarding district spending overrides a previous vote to automatically pay the charge and told the firefighters the tipping fee would be waived. Mr. Hart asked the Board if they would consider for one last time approval of the request.

Mr. Crockett made a motion to deny the tipping fee request for Wachapreague Volunteer Fire Company (Sean Fate) for disposing of carnival waste in the amount of \$234.30 and include a copy of the District Fund Policy when sending the letter denying the request. Mr. Gray seconded the motion. A discussion ensued. The motion was approved. 6-3 Nays: Mrs. Thornton, Ms. Lewis, Mrs. Gordy, Mr. Crockett, Mr. Chesser, and Ms. Major Ayes: Mr. Wolff, Mr. Gray, and Mr. Hart.

Ms. Lewis made a motion to deny the tipping fee request for the House of Prayer in Bloxom for Reverend Greg Duncan for disposing of debris resulting from a planned burn of a house located in a future parking area in the amount of \$200 - \$500 and send a copy of the District Fund Policy to Mr. Duncan when sending the letter. Mr. Crockett seconded the motion. The motion was approved. A discussion ensued. The motion passed.

Convenience Center Property

Public Works Director, Stewart Hall stated the Planning Commission on October 10, 2012 voted unanimously to approve the proposed convenience center location, as requested by the Department of Public works, subject to the following recommendations and responded to questions from the Board.

1. If allowed by the Virginia Department of Transportation (VDOT), the convenience center entrance should be located on Seaside Road/Route 600.
2. The woodlands currently located on the property should remain.

3. The southern portion of the property facing Wachapreague Road/Route 180 should be landscaped.

Mr. Hart made a motion to authorize Public Works Director Stewart Hall to move forward with the purchase of the land for the convenience center. Ms. Major seconded the motion. A discussion ensued. The motion was approved. 8-1 Ayes: Mr. Chesser, Mr. Wolff, Mr. Gray, Ms. Lewis, Mr. Crockett, Mrs. Gordy, Ms. Major, and Mr. Hart
Nays: Mrs. Thornton

Board of Supervisors Comment Period

Ms. Lewis stated she attended the Bloxom festival one night and sold tickets for them and enjoyed it. Ms. Lewis stated the Parks and Recreation Board had been working diligently towards finding property in Accomack County. She continued and stated they had look at fifteen (15) different parcels and every Friday morning a meeting would be held for several hours and was very pleased because goals had been met as well as the guidelines.

Mr. Wolff gave a brief update on the Mars Facility and the Orbital Project. He stated the first stage of the rocket had been on the pad for almost two (2) weeks and they were planning to do a fueling and a defueling of the rocket which would be followed by a hot fire test. Mr. Wolff said the projected date would be before Thanksgiving and hopefully would be launched before the end of the year.

Mrs. Thornton commented on the Wachapreague Dredging Project. Mrs. Thornton said she needed direction from the Board of Supervisors to proceed with trying to get the mouth of Parker's Creek dredged. Mrs. Thornton said she had spoken with Mr. Miner to see if he would contact the Department of Shellfish Sanitation and let the Board know before next Friday. It was the consensus of the Board to proceed.

Ms. Major asked Mr. Miner had he gotten a reply from VDOT concerning the overhead branches on Boggs Road and Mr. Miner responded to same.

Mr. Hart told the Board he had been contacted by VACo and was asked to run for the Treasure of Virginia Association of Counties (VACo) this year and he felt honored that he was asked again to run for Treasurer again because he had previously served (2) years and one (1) time as President. Mr. Hart asked Mr. Miner to write letters of support endorsing him and if the Board would consider doing a Resolution of support supporting

him. Mrs. Thornton made a motion to authorize Mr. Miner to write letters of support for Mr. Hart. Ms. Major seconded the motion passed 8-1. Mr. Hart abstained.

Payables

County Administrator, Steve Miner certified the payables.

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

Mr. Hart left the meeting at 9:28 p.m.

Closed Meeting

The County Attorney read the rules for Closed Session.

Supervisor Wolff made a motion to go into Closed Meeting pursuant to §2.2-3711.A of the Code of Virginia of 1950, as amended, pursuant to subsections for (1) 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; and pursuant to Code Section 2.2-2711.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.

Mr. Gray seconded the motion. The motion was approved.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Wolff made the motion to certify by roll call vote, pursuant to §§ 2.2-3711.A (1) and (3) of the Code of Virginia, that to the best of each member's knowledge the only matters heard, discussed, or considered during the Closed Meeting were discussion or consideration of the matters that were identified in the motion by which the Closed Meeting was convened, being Virginia Code §§ 2.2-3711.A (1) and (3). Ms. Lewis seconded the motion. The motion was unanimously approved.

Roll Call

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|-------|---------------|--------------|------------|----------|
| Ayes: | Mrs. Thornton | Mr. Gray | Nays: None | Absent: |
| | Mr. Wolff | Mrs. Gordy | | Mr. Hart |
| | Mr. Chesser | Mr. Crockett | | |
| | Ms. Lewis | Ms. Major | | |

Adjournment

Mr. Wolff made a motion to recess the Board of Supervisors meeting until November 7, 2012 at 5:00 p.m. in the Board Chambers for a Work Session with the Wallops Research Leadership Council. Mrs. Lewis seconded the motion. The motion was unanimously approved. The meeting adjourned at 10:00 p.m.

Chair

Date