

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 14th day of November, A.D., 2012, at 5:00 p.m.

Members Present: 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

Members Absent: Laura Belle Gordy, Chair

Others Present: Steven B. Miner, County Administrator

Shelia S. Goodman, Administrative Assistant

### **Call to Order**

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

### **Adoption of the Agenda**

Mr. Hart made a motion to adopt the Agenda. Ms. Major seconded the motion. The motion was unanimously approved with Mrs. Gordy absent.

### **Public Comments**

Vice Chair Mrs. Thornton read the rules governing conduct during the Public Comment period.

Mr. Irv "BK" Kurzbard handed out information to the Board and asked the County to accept the FEMA Grant to elevate houses as soon as possible.

Haywood Lee Kellam, Jr. asked the County to accept the FEMA Grant to elevate houses to prevent future flooding in homes.

### **Suspension of Rules**

Mr. Hart made a motion to suspend the rules. Mr. Crockett seconded the motion. The motion was approved with Mrs. Gordy absent.

A discussion ensued concerning reinstating the Federal program that reimburses the County for elevating houses in flood prone areas. Mr. Hart explained what had happened when the Federal Emergency Management Agency declined to pay the \$320,000 for work on a Crystal Beach house.

Mr. Hart made a motion to move forward with the FEMA Program for elevating houses and ask the County Attorney to follow up on all legal aspects, and the County Administrator follow up on administrative matters with staff and the financial aspects and

talk with David Fluhart, Building and Zoning Director, about the logistics and have the County Attorney bring it back to the December 19, 2012 Regular Monthly Meeting. Mr. Gray seconded the motion. The motion was approved with Mrs. Gordy absent.

### **Consideration of Minutes**

Mr. Hart made a motion to approve the Minutes of October 17, 2012 regular monthly meeting. Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

### **Billie M. Reed Resolution of Appreciation Plaque**

Mr. Wolff presented a Resolution of Appreciation to Dr. Billie Reed and stated it was an extreme pleasure and a distinct honor to present the resolution to Dr. Reed from the Accomack County Board of Supervisors.

#### **RESOLUTION OF COMMENDATION**

**WHEREAS**, Dr. Billie M. Reed, Retired Navy Commander, Retired Old Dominion University Professor of Engineering & Technology, prolific Community Volunteer, and life-long Space Enthusiast; and

**WHEREAS**, Dr. Reed conducted leading edge research in the economic benefits of commercializing access to Space in order to benefit the Commonwealth and the Nation economically and technologically; and

**WHEREAS**, he worked with Commonwealth officials to establish the Virginia Commercial Space Flight Authority, an independent Authority and political subdivision of the Commonwealth; and

**WHEREAS**, he also worked with the Commonwealth of Virginia and the State of Maryland to create a Memorandum of Understanding (MOU) to develop and operate a launch facility known today as the Mid-Atlantic Regional Spaceport (MARS); and

**WHEREAS**, Dr. Reed pursued and received Federal and Commonwealth environmental clearances and Corps of Engineers Construction Permits, which enabled development of MARS; and

**WHEREAS**, he applied for and maintains an FAA Commercial Space Launch License certified for orbital launches from MARS, granted even to this day only to one of four spaceports in the United States and secured for MARS science and military launches through NASA Goddard Flight Facility (GSFC) Wallops Flight Facility (WFF), as well as recurring cargo resupply missions to the International Space Station (ISS) through Orbital Sciences Corporation under a Commercial Space contract.

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Supervisors does hereby recognize and commend the distinguished and outstanding service of Dr. Billie M. Reed to the Commonwealth and to the Nation for the past twenty years that he has worked tirelessly to secure funding, negotiate contracts, design, build and operate two launch pads at the NASA GSFC Wallops Flight Facility (WFF) in Accomack County, Virginia. In addition to the tremendous construction dollars realized in recent years, his efforts will continue to provide numerous benefits to the local economy in job creation, tourism, and tax revenues; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution be spread upon the Minutes and be put upon a plaque to be presented to Dr. Billie M. Reed.

## **Consent Agenda**

Mr. Hart made a motion to approve the Consent Agenda. Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

- 5.2 Proposed Fiscal Year 2014 Budget Call and Budget Calendar from Mike Mason Finance Director
- 5.3 Contract Award- IFB 651 Tract-Type Loader to Alban Tractor for a 2013 Caterpillar 963D in the amount of \$282,864 plus \$28,250 for an extended five-year or 10,000 hour warranty. Total amount of award is \$301,114.
- 5.5 Contract Award IFB 642 Leachate Treatment Plant Spray Irrigation to low bidder Branscome Inc. in the final negotiated amount of \$385,795.31 for the construction of the North Landfill Leachate Treatment Plan Spray Irrigation Facility.
- 5.6 Surplus Baler Equipment to approve recommendation from the Department of Public Works by Stewart Hall to surplus a Lindemann RAM-II Baler, US Wire Tie Model 340 and a Dover Conveyor.
- 5.7 Convenience Center Schedule for December 26, 2012 to approve the opening of Tasley and Makemie Park on Wednesday, December 26, 2012.
- 5.8 Request for School Bus Stop Sign located at 22199 Sawyer Drive in Greenbush and the Board pass a resolution requesting VDOT investigate the matter as required by VDOT.
- 5.9 Contract Award #649 to be awarded to TMI Truck & Equipment, in the amounts for a Dump Truck for \$157,750 and a Road Truck for \$113,950

## **Eastern Shore Public Library Project Update**

Carol Vincent appeared before the Board and introduced the six (6) Library Board Members, Callette Nelson, Foundation Board, and Friends of the Library. She gave a presentation and update on the Public Library proposed 33,000 square foot building, design of the building, and location of the new building in Onley costing \$8 million. She told the Board that the Library Board hopes to raise between \$1.5 million and \$2 million and they have applied for grants and was given land (5 plus acres) by Shore Bank and plans to ask Accomack and Northampton Counties for an unspecified amount of funds. Mrs. Vincent responded to questions and comments from the Board.

## **Riverside Shore Memorial Hospital Update**

Mr. Zager gave an update on the Riverside Shore Memorial Hospital (RSMH) Project. He told the Board RSMH was planning on breaking ground for its new facility in Onley in the spring and expected to have the new hospital completed in less than two (2) years.

Mr. Zager gave an update on his new title, Vice President for Strategic Development that would start on January 1, 2013. He also advised that RSMH is

operating \$2 million in the red and that \$6 million was written off for services rendered to uninsured patients which have increased from 30% to 50% in collections. Mr. Zager told the Board RSMH downsized its staff by four positions within the past week. He also spoke on the economy and stated once the new hospital started being constructed it would develop jobs for laboring positions and that would help the economy grow. Mr. Zager responded to questions from the Board.

### **Appointments**

#### **Accomack County Fire and Rescue Commission**

Mr. Hart made a motion to reappoint Mr. Crockett as the representative of the Accomack County Board of Supervisors to serve on the Accomack County Fire and Rescue Commission for a one year term. Mr. Wolff seconded the motion. The motion was approved with Mrs. Gordy absent.

Mr. Hart made a motion to reappoint Mr. K. W. Ainsworth to serve as a member at large on the Accomack County Fire and Rescue Commission for a one year term. Mr. Wolff seconded the motion. The motion was approved with Mrs. Gordy absent.

#### **Two Non-Core Members of Chesapeake Bay ASAP Policy Board**

Mr. Crockett recommended not take any action on the two non-core members of the Chesapeake Bay ASAP Policy Board. He said he would contact the Attorney for the Chesapeake Bay ASAP and bring it back to the Board at the December 19, 2012 meeting.

#### **24-Hour Backfill Staffing Policy**

C. Ray Pruitt told the Board the purpose of the 24-hour backfill staffing policy was to establish guidelines for staffing placement of the 24-hour backfill position and the scope of the guidelines apply to the 24-hour backfill position. He continued and stated the priority of the 24-hour backfill position is to fill the vacancy created by leave of a 24-hour staff member.

Mr. Pruitt said in the event there was no vacancy, the 24-hour backfill position will be placed in designated stations that meet the following criteria:

- 1) The station must forward a letter to the Department of Public Safety requesting additional staffing
- 2) High call volume
- 3) High population density
- 4) High accessibility to other stations

- 5) Turn around time
- 6) Director discretion

Mr. Pruitt responded to questions from the Board. A discussion ensued concerning the staffing at the stations.

Ms. Lewis made a motion to approve the Staffing Policy 24-Hour Backfill Staffing.

Mr. Wolff seconded the motion. The motion was approved with Mrs. Gordy absent.

### **Tax Payment Website Demo**

Mike Mason, Finance Director, gave an Overview of the County's "Soon-To-Be Live" Tax Payment Website. Mr. Mason told the Board the project was to provide taxpayers the convenience of using a secure internet website to pay Personal Property and Real Estate taxes, answer taxpayer inquiries currently handled by staff via phone, fax, or counter service, enhance County efficiency by having a daily payment file received and uploaded into the County's tax software to mark records paid thereby eliminating the manual approach used today, and to reduce current credit card transaction fees.

Mr. Mason wanted the Board to be aware the County will be going live in late December or early January and showed the Board a demo on the website features and showed them what it was capable of doing. Mr. Mason responded to questions from the Board.

### **Recess**

By consensus, the Board recess until 7:30 p.m.

### **Call to Order**

The Vice Chair called the meeting back to order.

### **Contained Fin-Fish Raising Zoning Ordinance Amendment Public Hearing to Chapter 106, Zoning, Article X General Provisions, Section 106-240, to establish zoning regulations applicable to fin-fish growing, processing and/or packing operations in Accomack County Virginia**

The Vice Chair read the Public Hearing Rules.

The Vice Chair opened the public hearing to afford interested persons the opportunity to be heard or to present written comment concerning a proposed amendment to contained fin-fish raising zoning ordinance amendment.

Mr. Rich Morrison, Planning and Community Development Director gave an update on the proposed fin-fish amendment ordinance. He stated a significant amount of time had been spent mainly on two (2) topics: (1) the size and scale of the fin-fish operation/facility, and (2) the size, scale, and impact of accessory fin-fish processing. He

told the Board the Planning Commission determined that a Conditional Use Permit should be required for large scale fin-fish producers and large scale accessory processors. Mr. Morrison said a Conditional Use Permit is proposed for operations that produce 1,000,000 pounds or more of whole fin-fish per year or process 500,000 pounds or more of whole fin-fish per year. He continued and told the Board a separate zoning ordinance amendment will be required to establish a Conditional Use Permit for large scale fin-fish operators/facilities and large scale accessory processors in the Agricultural District. Mr. Morrison responded to questions from the Board.

Ms. Deborah Barber spoke in opposition to the Fin-Fish Ordinance Amendment and presented comments and gave a list of questions that needed to be answered.

The Vice Chair closed the Public Hearing.

Mr. Chesser made a motion to adopt the following amendment to Chapter 106, Zoning, of the Code of the County of Accomack, Virginia. Ms. Lewis seconded the motion. The motion was approved with Mrs. Gordy absent.

#### Sec. 106-240. – 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, and/or composters.

*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 fully-contained waste storage sites, outdoor storage, settling ponds, and composters. 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. 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.

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.

(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, or as amended.

**Draft Revised Fire and Rescue Funding Accountability Policy**

Mr. Crockett made a motion to make the corrections in the policy to reflect the decisions the Board had already made concerning the policy of “housekeeping” chores that Mr. Mason has stated and adopt the following policy. Mr. Wolff seconded the motion. The motion was approved with Mrs. Thornton voting no, and Mrs. Gordy was absent.

|   |  |  |
|---|--|--|
|  | <b>GENERAL SUBJECT:</b>  |  |
|   | <i>a. Accountability of Public Funds</i>                             |  |
|   | <b>SPECIFIC SUBJECT:</b>   |  |
|   | <b>County Funds Disbursed to Volunteer Fire and Rescue Companies</b> |  |
| <b>POLICY NUMBER:</b>   | <b>NUMBER OF PAGES:</b>  |  |
| <b>501</b>  | <i>b. 4</i>  |  |
| <b>EFFECTIVE DATE:</b>  | <b>REVISED DATE:</b>   |  |
| <b>7/1/2012</b>   | <i>c. 11/14/12?</i>  |  |

**1. PURPOSE:**

A. The primary purpose of this policy is to provide assurance that County funds disbursed to volunteer fire and rescue companies are accounted for in a clear and transparent manner and are used only for the public good. This policy further defines what County funds can be used for, safeguarding requirements and reporting requirements.

**2. SCOPE:**

A. This policy only applies to County funds only and does not cover funds a volunteer company may receive from other sources such as from fund raising, insurance billing or charitable giving.  
 B. This policy excludes Aid to Locality (ATL) funding disbursed by the County which is covered by separate policy.

**3. DEFINITIONS:**

A. Appropriation – An amount authorized to be disbursed by the Board of Supervisors.  
 B. County funds – All local funds disbursed to Fire and/or Rescue companies by the County for the purpose of providing fire and rescue services excluding Aid to Locality Funding (ATL).  
 C. Desk Review – General review of submitted information for completeness and policy compliance.  
 D. Financial records - For purposes of this policy, financial records are defined as invoices, cancelled checks, bank statements or other documentation that supports a claimed expense was used for a permitted purpose.  
 E. Fiscal Year - July 1 to June 30.

- F. In-Kind Services – Services performed pro bono.
- G. Supporting Documentation – Original or Copies of invoices, cancelled checks, statements or any other documentation that supports an expenditure of funds.

**4. PROVISIONS:**

A. Source of County Funds

- i. The source of County funds disbursed to volunteer fire and rescue companies shall be determined by the Board of Supervisors.

B. Amount of Funds to be Appropriated

- i. .
- ii.
- iii. **As part of the annual budget process, the Finance department will prepare an estimate of the amount of funding available for appropriation for fire and/or rescue companies based on the following formula.**

|  |   |   |  |
|--|---|---|--|
| <p>The estimated amount of<br/>general tax collections<br/>derived from a real estate<br/>tax rate of 3.5 cents and<br/>personal property tax rate of<br/>5 cents.</p> | + | = | Total amount of<br>funding available for<br>appropriation. |
| A fixed sum of<br>\$259,500  |   |   |  |

- iv. **The actual appropriation for fire and/or rescue companies will be approved by the Board of Supervisors in conjunction with adoption of the County’s annual budget. Actual disbursements to each company are contingent on compliance with the provisions of the County’s Funding Agreement.**

C. Permitted Uses of County Funds

- i. The following categories represent permitted uses of County funds by volunteer fire and rescue companies.
  1. Fire Fighting Vehicles:
    - a. Acquisition costs associated with fire fighting vehicles including debt service costs (principal and interest)
    - b. Operational expenses associated with fire fighting vehicles including repairs, maintenance and fuel.
  2. Fire Fighting Equipment:
    - a. Acquisition costs associated with firefighting equipment including debt service costs.
    - b. Operational expenses associated with firefighting equipment including repairs, maintenance, supplies and fuel.
  3. Emergency Medical Service (EMS) Vehicles:
    - a. Acquisition costs associated with EMS vehicles including debt service costs.
    - b. Operational expenses associated with EMS vehicles including repairs, maintenance and fuel.
  4. EMS Equipment:
    - a. Acquisition costs associated with EMS equipment including debt service costs.
    - b. Operational expenses associated with EMS equipment including repairs, maintenance, supplies and fuel.
  5. Personal Protective Clothing & Equipment
  6. Training
  7. Facility construction, operation and maintenance
    - a. Only expenditures associated with facilities whose primary use is to house apparatus, provide training or conduct department meetings are permitted.
  8. Insurance:
    - a. Includes coverage for vehicles, primary facility, general liability, workers compensation, fidelity bonds etc.
  9. Volunteer stipends
  10. Public Fire Safety Education
  11. Miscellaneous expenditures incurred during the direct delivery of fire or rescue services.

D. Prohibited Uses of County Funds

- i. County funds cannot be used for:
  - 1. Fund raising or social activities.
  - 2. To make charitable donations.
  - 3. To reimburse for in-kind services.
  - 4. For any expense that is not conducive to providing public fire and rescue services.

E. Basis for Disbursing County Funds

- i. Payments to volunteer fire and rescue companies will be disbursed in advance of expenditures.

F. Disbursement Schedule

- i. The County will disburse funding to volunteer fire and rescue companies in two installments during the fiscal year providing all County required financial reports and supporting documentation is received in a timely manner and in good order.
  - 1. Disbursement #1 (July)**
    - a. In July, the County will remit to each County volunteer fire and rescue company their pro rata share of any general tax revenues designated for volunteer fire and rescue companies collected by the Accomack County Treasurer from the preceding February 1 to May 31.
  - 2. Disbursement #2 (February)**
    - a. In February, The County will remit to each County volunteer fire and rescue company their pro rata share of any general tax revenues designated for volunteer fire and rescue companies collected by the Accomack County Treasurer from the preceding June 1 to January 31 plus any additional fixed sums appropriated by the Board of Supervisors..

G. Safeguarding of County Funds

- i. County funds must be deposited in an account with a financial institution/bank that is insured by the FDIC (Federal Deposit Insurance Corporation).
- ii. Total County funds deposited in any one financial institution/bank cannot exceed the FDIC insurance limit currently at \$250,000 per depositor per bank.
- iii. County funds may be invested only in the following secure investments:
  - 1. Certificates of Deposits covered entirely by FDIC insurance.
  - 2. United States Treasury obligations (bill, notes and bonds) or U.S. agency obligations that are fully guaranteed by the US government.
- iv. All Companies must purchase and maintain a blanket fidelity bond in the amount of not less than \$100,000.

H. Reporting Requirements

- i. All companies receiving County funds are required to complete an annual financial report.
- ii. Reporting requirements are limited to County funds only. No reporting of other funds received by the Company is required (i.e. insurance revenue, private contributions, etc.).
- iii. The format of the annual financial report will be dictated solely by the County.
- iv. The Annual Financial Report must be:
  - a. Prepared for the period 7/1 to 6/30.
  - b. Prepared using the cash basis of accounting.
  - c. Accompanied by supporting documentation including invoices, statements, etc. Copies of documentation are acceptable. There is no need to submit original documentation.
  - d. Certified by the company president.
  - e. Submitted to the Accomack County Department of Public Safety by 9/30 at the following address: 24420 Lankford Highway, Post Office Box 102, Tasley, VA 23441.

- v. **Failure to submit the annual financial report will result in the withholding of future Company funding.**
  - vi. The Department of Public Safety will notify Companies upon receipt of the annual financial report.
- I. Carryover of unused appropriations
- i. Companies are permitted to retain all unused County funds.
- J. Compliance Review
- i. The Department of Public Safety is responsible for performing a “desk review” of financial reports submitted by Companies. Those determined to be in compliance with this policy will be forwarded to the Central Accounting office. Those judged not in compliance will be returned back to the company for revision.
- K. Appeals Process
- i. Disputes between the County and a company over compliance with this policy may be appealed at the company’s request. A request for an appeal must be made in writing to the Department of Public Safety within 60 days of the event giving rise to the dispute. Upon written receipt of the appeal request, the Department of Public Safety will schedule an appeal hearing to take place no more than 30 days hence. The appeal will be heard by a three member panel consisting of the County Administrator, Fire Commission Chair and the Board of Supervisors Vice-Chairperson. Decisions made by the panel will be communicated in writing to the company within 14 days following the decision.
- L. Recordkeeping Requirements
- i. All canceled checks, bank statements, invoices or other supporting documentation associated with a use of County funds must be maintained for three years. This three year retention period begins on the first day of the fiscal year following the use of the funding. For example, documentation associated with expenditures of County funds for the fiscal year ending 6/30/11 must be maintained until with 6/30/14.
- M. Audit
- i. All financial records associated with the use of County funds are subject to audit or review by the County or its agent. Companies are required to make records available to the County or its agent within 30 days of notification.

### **Board of Supervisors Comment Period**

Mr. Hart asked what the status was on the Onancock Sewage Agreement and further stated it had been four (4) months and he had not seen anything in writing at this point of time. He stated he wanted Mr. Miner to monitor the window.

Mrs. Thornton told the Board she had attended an excellent meeting about the type of sewage that would have to be put in if the County did their own sewage. She stated the Groundwater Committee had gotten Tidewater to do a presentation and it was one of the best she had ever seen. Ms. Lewis agreed with Mrs. Thornton and said she did not understand why the entire Board was not present because she was very impressed with the knowledge she learned.

Mr. Crockett made a comment concerning the Attendance Report of the Accomack County Fire and Rescue Commission. He stated his first meeting was April 1 when the BOS appointed him to serve on the Commission and the Accomack County Fire and Rescue Commission did not hold meetings in June, July, or August, and he was out of town for the September Meeting. Mr. Crockett wanted the Board to know the reason why there were a lot of blanks in the attendance and he just wanted to clarify them.

Mr. Wolff thanked the Board for giving him the opportunity to present the Resolution to Dr. Billie Reed.

Ms. Lewis stated because Sanford and Saxis were located in her district she appreciated being asked and allowed to go and see the devastation in those areas. She informed the Board she was presently working with David Fluhart on the crab houses that had been washed away during the storm to find out what the procedures were and what the County needs to do to have the crab houses put back in place. Ms. Lewis also commented she would like to have a dumpster placed on Sanford to help the citizens remove the debris.

Mr. Chesser stated he was glad Ms. Lewis was working on the crab houses as it seemed on Saxis the number of crab houses were declining and offered to help if he was needed.

Mrs. Thornton told the Board she had spoken with the Army Corps of Engineers about Parker's Creek and has the survey that was done in 2005. She stated she assumed the Board wants to move forward and get a survey done at the mouth of Parker's Creek and the Board stated they did. Mrs. Thornton made comments concerning two (2) of the Convenience Centers opened the day after Christmas and she would like the dumpster on Chincoteague to be opened as well. Mr. Miner stated he would check on it with Stewart Hall. Mrs. Thornton also commented on the situation of the storm debris be extended from thirty (30) days to sixty (60) days or ninety (90) days if all the debris could not be removed within the sixty (60) days.

### **Suspension of the Rules**

Mr. Hart made a motion to suspend the rules and extend for an additional sixty (60) days for all the people with storm damage and if it was not a long enough time bring

it back to the BOS for another extension of another thirty (30) days. Ms. Lewis seconded the motion. The motion was approved with Mrs. Gordy absent.

**Payables**

Following certification by County Administrator Steve Miner, Mr. Wolff made a motion to approve the payables. Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

**Closed Meeting**

Vice Chair Mrs. Thornton read the rules for Closed Session.

Mr. Wolff made a motion to go into Closed Meeting 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. Crockett seconded the motion. The motion was approved with Mrs. Gordy absent.

**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 (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 (3). Ms. Major seconded the motion. The motion was approved with Mrs. Gordy absent.

**Roll Call**

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

Absent: Mrs. Gordy

Ms. Lewis made a motion to authorize staff to negotiate in the option for land as discussed in Closed Session that certain property for use as a potential recreation area and perhaps other uses. Mr. Wolff seconded the motion. The motion was approved with Mrs. Gordy absent.

**Adjournment**

Mr. Wolff made a motion to adjourn. Mrs. Lewis seconded the motion. The motion was approved with Mrs. Gordy absent. The meeting adjourned at 9:05 p.m.

---

Laura Belle Gordy, Chair

---

Date