

VIRGINIA: At a Regular Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 16th day of February, A.D., 2011.

Members Present: Donald L. Hart, Jr., Chair  
Laura Belle Gordy, Vice Chair  
Wanda J. Thornton  
Ron S. Wolff  
Grayson Chesser  
Sandra Hart Mears  
John Charles "Jack" Gray  
Robert Crockett

Others Present: Steven B. Miner, County Administrator  
Yvonne N. Pennell, Administrative Assistant  
Mark B. Taylor, County Attorney

### **Call to Order**

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

### **Comments from the Chair**

The Chair announced that E. Philip McCaleb, District 9 Supervisor, had resigned his seat on the Board for health reasons. To be considered for appointment to the vacant seat, individuals residing in District 9 must submit an application by 5:00PM, February 25, 2011. The Board will meet in the General District Courtroom on March 3, 2011 to consider action on or tabling of filling the vacant seat.

### **Adoption of the Agenda**

The Chair requested the following amendment to the Agenda.

Add to Item 8 a. – Appointments:  
Regional Jail Committee;  
Accomack-Northampton Transportation District Commission (A-NTDC),  
Accomack-Northampton Planning District Commission (A-NPDC); and  
Regional Groundwater Committee

Mrs. Thornton made a motion to approve the Agenda as amended. Mr. Wolff seconded the motion. The motion passed unanimously.

### **Introduction of New Planning Commissioner**

Mr. Wolff introduced Ms. Toni Trepanier, the new Planning Commissioner representing Chincoteague.

## **Public Comment**

The Chair read the Rules governing conduct during the Public Comment Period.

The following person addressed the Board concerning the need for fiscal responsibility in the FY-2012 Budget:

Robert Gresham

## **Consent Agenda**

Mr. Wolff made a motion to approve the following items under the Consent Agenda.

Mrs. Mears seconded the motion. The motion passed unanimously.

- a. The use of \$8,000 from E. D. 1 District Funds to the Town of Chincoteague to assist with drainage projects
- b. The use of \$8,500 from E. D. 2 District Funds to perform maintenance dredging within 25' of Hammocks Boat Ramp
- c. The renewal of contracts with Draper Aden Associates and Olver, Inc. for engineering services related to solid waste activities, in accordance with renewal and other terms/conditions of RFP 219. Task orders for work will be negotiated and issued based on funding budgeted for the work. The renewal period for Draper Aden Associates is April 21, 2011 - April 20, 2010 and Olver, Inc. is February 24, 2011 - February 23, 2012. This is the final renewal available on this contract.

## **Financial Report**

Finance Director Michael Mason presented the Financial Report for the first half of FY-2011, July 1 – December 31, 2010, and responded to questions.

## **American Red Cross**

John C. Culp, Executive Director, of the Lower Shore (of Maryland) Chapter of the American Red Cross, delivered a presentation related to Charter of the Eastern Shore of Virginia Chapter, newly added as to the responsibilities of the Lower Shore Chapter Red Cross, to provide services lost to Accomack and Northampton counties following the revocation of the Eastern Shore Chapter of the Red Cross in 2008. Mr. Culp presented a Red Cross flag to the Board, and asked that it be flown during March, National American Red Cross Month.

## **Appointments**

### **Economic Development Authority**

Mrs. Thornton made a motion to reappoint Mary C. Jester to the Economic Development Authority, for a new four-year term, the term to begin February 18, 2011 and end on February 18, 2015. Mrs. Gordy seconded the motion. The motion passed unanimously.

### **Harborton Public Facilities Committee**

Mr. Hart made a motion to reappoint Ralph Jenkins to the Harborton Public Facilities Committee for a new four-year term, the term to begin immediately and end on December 31, 2014. Mrs. Thornton seconded the motion. The motion passed unanimously.

### **Regional Jail Committee**

Mr. Wolff made a motion to appoint Mr. Crockett to the Regional Jail Committee to replace E. Philip McCaleb, who resigned. Mrs. Thornton seconded the motion. The motion passed unanimously.

### **Accomack-Northampton Transportation District Commission (A-NTDC)**

Mrs. Thornton made a motion to appoint Mr. Hart to the Accomack-Northampton Transportation District Commission (A-NTDC) to replace E. Philip McCaleb, who resigned. Mrs. Thornton seconded the motion. The motion passed unanimously.

### **Accomack-Northampton Planning District Commission (A-NPDC)**

Mrs. Gordy made a motion to appoint Mrs. Mears to the Accomack-Northampton Planning District Commission (A-NPDC) to replace E. Philip McCaleb, who resigned. Mr. Crockett seconded the motion. The motion passed unanimously.

### **Regional Groundwater Committee**

Mrs. Thornton made a motion to appoint Mr. Hart to the Regional Groundwater Committee to replace E. Philip McCaleb, who resigned. Mrs. Gordy seconded the motion. The motion passed unanimously.

### **Bloxom Volunteer Fire Department**

Mr. Jody Bagwell presented the Board with a request for the Bloxom Volunteer Fire Department to participate in the Diminished Funding Program for additional career personnel, and responded to questions.

### **Parksley Volunteer Fire Department**

Mr. Freddie Matthews presented the Board with a request for the Parksley Volunteer Fire Department to participate in the Diminished Funding Program for additional career personnel, and responded to questions.

### **Presentation of FY2012 Annual Fiscal Plan (Operating & Capital Budget)**

County Administrator Steven B. Miner, with the assistance of County Finance Director Michael Mason, presented and explained the FY2012 Annual Fiscal Plan work

papers, reviewed the summary of revenues, state funding issues, increased funding requests by departments, and responded to questions.

Mr. Mason gave an orientation of the work papers as contained on a CD the Board had received explaining how to navigate through the document.

A general discussion took place with Mr. Mason and Mr. Miner responding to questions.

### **County Attorney's Report**

The County Attorney addressed the Board concerning potential errors in the 2010 Census Reports for the county, and responded to comments.

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

Mr. Wolff reported that County staff, representatives from the Mid-Atlantic Regional Spaceport, and staff from the Wallops Research Park delivered a presentation about current and future projects on Wallops Island at the February E.D. 3 Monthly Constituent Meeting.

Mr. Crockett stated that he had attended the February meeting of the Economic Development Authority (EDA), and extended an invitation from the EDA to all Board members to attend the meetings.

Mrs. Thornton made a motion that the Board prepare Resolutions in honor of Mr. Steve Mallette and Mr. E. Phillip McCaleb for their service to the County. Mr. Wolff seconded the motion. The motion passed unanimously.

Mr. Chesser suggested that one of the Board members that voted to approve County funding of the BaySys taxiway bring the subject back to the Board for discussion and review, to bring closure to the issue.

Mr. Hart asked for an update on approval of funding for a resident Circuit Court Judge, as only such a judge can appoint replacement members to the Electoral Board, Wetlands Board, and Board of Zoning Appeals.

Mr. Hart inquired about the status of the referendum concerning Tax Relief for Disabled Veterans.

Mr. Hart asked if a date had been set for the Budget Meeting with the School Board. Discussion of scheduling budget meetings for all departments and agencies followed.

Mr. Crockett stated that he shared Mr. Chesser's concerns about the commitment to the BaySys taxiway at Wallops. Mr. Crockett requested that the BaySys taxiway be placed on the Agenda for the next Regular Board Meeting.

**Budget Items**

Mrs. Mears made a motion that the Board transfer funding from vacant position in the Extension Office to fund the request from Parksley Volunteer Fire Department for \$20,000 allotment not awarded in FY-2010, not from Contingencies as indicated in the Budget Items, and to approve the remaining Budget Items as amended. Mr. Crockett seconded the motion. The motion passed unanimously.

<b>FISCAL YEAR 2011</b>
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**Grants, Etc.**

None

<p><b>From Contingencies (As of 01/31/2011: \$195,576 Remaining in regular operating contingency/\$196,470 in Special contingencies)</b></p>
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**Decrease Contingency**

Operating Budget Contingency	\$ 20,000
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**Increase Expenditures**

Volunteer Fire and Rescue	\$ 20,000
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The **FY10** general fund contribution for Parksley Volunteer Fire Company was not disbursed in FY10 since Parksley was not in Compliance with Fire Services Commission rules dictating payment. Parksley VFC is not in compliance and seeks their FY10 contribution. The problem is that the FY10 appropriation Has lapsed and any remaining funding has become part of the County's undesignated fund balance. Contingencies will need to be utilized if this contribution is approved.

<b>Other</b>
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**Increase Revenue**

Public Service Real Estate Taxes (General fund portion only)	\$ 20,000
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**Decrease Expenditures**

Investment Income	\$ 34,000
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Building Permit Fees	\$ 60,000
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Erosion and Sediment Control Permits	\$ 7,000
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Revenue budget adjustments based on 2 <sup>nd</sup> quarter financial Performance	
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**Increase Reserves**

Contributions from Fire and Rescue Companies	\$ 21,000
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**Increase Expenditures**

Fire Training Services	\$ 21,000
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Pooled company training funds administered by the Public Safety Department	
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**Increase Revenue**

Miscellaneous Recoveries \$ 2,149

**Increase Expenditures**

Sheriff \$ 2,149

Insurance claim recovery

Mr. Crockett made a recommendation that the Board set the end of each Fiscal Year, June 30, as the deadline for Fire Departments to submit requests for the Yearly Allotments; that December 31 following the close be the deadline for Fire Departments to meet the criteria for receiving the Yearly Allotment; and failure to meet the criteria by December 31 would result in forfeiture of the funds, with the effective date of June 30, 2011. The Chair asked Mr. Crockett to draft the recommendation for presentation to the Board at the next Regular Meeting.

Discussion followed, with Director of Public Safety Jason Loftus responding.

**Payables**

Mr. Wolff made a motion to authorize the payment of invoices. Mrs. Mears seconded the motion. The motion passed unanimously.

**Recess**

By consensus of the board, the Chair called a five-minute recess.

**Call to Order**

The Chair called the meeting back to order.

**Closed Meeting**

Mr. Wolff made a motion that the Board go into closed meeting for the following purposes pursuant to Section 2.2-3711 of the Code of Virginia of 1950, as amended. Mrs. Thornton seconded the motion. The motion passed unanimously.

a. Pursuant to subsection (A) (1) for discussion of a personnel matter, related to the Broadband Authority;

b. Pursuant to subsection (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; and

c. Pursuant to subsection (A) (7) for consultation and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body.

**Open Session**

The Chair declared the meeting open to the public.

**Certification of Closed Meeting**

Mr. Wolff made a motion, seconded by Mrs. Thornton, to reconvene in Open Meeting and to Certify by roll call vote, pursuant to Section 2.2-3712 (D) 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 (i) public business matters lawfully exempted from Open Meeting requirements under this chapter and (ii) such public business matters as were identified in the motion by which the Closed Meeting was convened.

Aye:	Mrs. Thornton	Mrs. Mears	Mrs. Gordy
	Mr. Wolff	Mr. Gray	Mr. Hart
	Mr. Chesser	Mr. Crockett	

Nays: None

The Chair stated that Mr. Wesley Edwards had been in the Closed Meeting as a member of the Wallops Swap Committee, and had left the Closed Meeting at the conclusion of that discussion.

**Adjournment**

Mr. Wolff made a motion to adjourn until 5:00PM on February 23, 2011. Mrs. Thornton seconded the motion. The motion passed unanimously. The meeting adjourned at 10:15PM

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Chair