

VIRGINIA: At a Regular Monthly Meeting of the Board of Supervisors for the County of Accomack held in the Board of Supervisors Chamber in Accomac, Virginia on the 20th day of July, A.D., 2016 at 5:00 p.m.

Members Present: Ron S. Wolff, Chair
Robert D. Crockett, Vice Chair
William J. "Billy" Tarr
Grayson C. Chesser
Harrison W. Phillips, III
Paul E. J. Muhly
Laura Belle Gordy
Donald L. Hart, Jr.
C. Reneta Major

Others Present: Steven B. Miner, County Administrator
Cela J. Burge, County Attorney
Michael Mason, Finance Director
Shelia West, Administrative Assistant

Call to Order

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

Adoption of the Agenda

County Administrator Steven Miner recommended that Item No. 5.5 on the Consent Agenda be removed and be moved forward to a future meeting date.

Ms. Major made a motion to adopt the Agenda, as amended. Mrs. Gordy seconded the motion. The motion was unanimously approved.

Public Comment

County Administrator Steven Miner read the rules governing conduct during the public comment period.

Comment(s) were offered by the following:

Phil Hickman – Post Office Box 310 – Horntown, VA – As a resident in the northern area of the County (closest to Wallops Flight Facility) requested that the Board consider removing Item No. 5.4

under Consent Agenda “Letter of Support for Restricted Area Airspace Environmental Assessment” to allow for public discussion so that residents from the northern part of the County might be better informed.

Minutes

Mr. Hart made a motion to approve the minutes of the June 15, 2016 meeting. Mr. Crockett seconded the motion. The motion was unanimously approved.

Consent Agenda

Removal of 5.4

Mr. Chesser made a motion that 5.4 “Consider Letter of Support for Restricted Area Airspace Environmental Assessment” be removed from the Consent Agenda for public discussion. Mr. Phillips seconded the motion.

Mr. Wolff stated that according to “Robert’s Rules of Order” if the item is taken off the Consent Agenda, it would be placed on the agenda under “New Business” for discussion.

Mr. Wolff made a motion to postpone discussion until the Board’s next regular meeting based on a lack of information and in order to allow representatives from NASA to be present. Mr. Tarr seconded the motion.

Mr. Chesser removed the motion to remove 5.4 from the Consent Agenda.

The vote on Mr. Wolff’s motion was unanimously approved.

Removal of 5.6

Ms. Major requested that 5.6 “Consider Accepting Community Corrections Grant and approving associated Memorandums of Understanding with Chesapeake Bay ASAP regarding Grant Services and Case Management System Software Maintenance” be removed from the agenda for discussion.

Mr. Hart made a motion to approve the remaining items under the Consent Agenda. Mr. Crockett seconded the motion. The motion was unanimously approved.

5.2 Certification of Abstract of Votes of the June 14, 2016 Primary Election for Member of Representatives

ABSTRACT of VOTES

Cast in ACCOMACK COUNTY, VIRGINIA
at the 2016 June Republican Primary Election held on June 14, 2016 for,

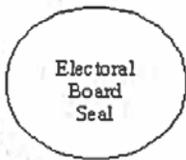
NAMES OF CANDIDATES ON THE BALLOT

Scott W. Taylor – Republican	677
J. Randy Forbes - Republican	531
C. Pat Cardwell IV - Republican	57
Total Write-In votes [From Write-Ins Certifications]Valid Write-Ins+ Invalid Write ins =Total Write In Votes]	0
Total Number of Overvotes for Office	0

We, the undersigned Electoral Board, upon examination of the official records deposited with the Clerk of the Circuit Court of the election held on June 14, 2016, do hereby certify that the above is a true and correct Abstract of Votes cast at said election for the Member House of Representatives.

Scott W. Taylor - Republican

Given under our hands this 15th day of June, 2016



[Signature], Chairman
[Signature], Vice Chairman
[Signature], Secretary
[Signature], Secretary, Electoral Board

- 5.3** Approval of use of up to \$4,000 of Election District 6 Project Funds for wetlands permitting and associated work related to the Tangier Ballfield completion.
- 5.7** Authorize development of a Resolution honoring the Honorable Jack Tarr, former Mayor of Chincoteague for presentation at a later time.
- 5.8** Authorize development of a Resolution honoring Grace Cormons, Developer of SPARK, a family literacy program for presentation at a later time.

5.9 Accept USDA Grant for Police Vehicle and the following Grant terms and conditions and approval of resolution:

The conditions referred to in the first paragraph of this letter are as follows:

1. Organizational Documents - We have reviewed the documents creating your County and have found them acceptable.
2. Audit Requirements- Audited financial statements shall be submitted on an annual basis in accordance with the Government Auditing Standards (GAS), General Accepted Accounting Principles (GAAP), and the Generally Accepted Government Auditing Standards (GAGAS) issued by the Comptroller General of the United States, 1994 revision, and any subsequent revisions.

Audits performed in accordance with OMB Circular A-133, "Audits of States, Local Governments, and Non-profit Organizations," are based upon the amount of Federal financial assistance expended during a borrower's fiscal year from a Federal source. **Recipients expending Federal financial assistance over \$750,000 are required to have an OMB Circular A-133 audit. Recipients expending less than \$750,000 in Federal financial assistance are required to submit financial statements, either GAAS, GAGAS, or management reports, based upon loan balances and prevailing Federal regulations.**

Also, RD Instruction 1942-A outlines the requirements for management reports which must be submitted to Rural Development.

3. Insurance and Bonding Requirements - Prior to closing, you must acquire the following insurance and bond coverage:
 - a. Liability and Property Damage Insurance - The project will be reviewed for liability and property damage needs, and amounts will be established accordingly. The amount of coverage will be determined by the Borrower in conjunction with a representative of Rural Development.
 - b. Workers' Compensation- In accordance with appropriate State Laws.

(Multiple Advances)
 - c. Position Fidelity Bond Coverage - You must provide evidence of adequate fidelity bond coverage for all persons who have access to funds by closing. Coverage may be provided either for all individual positions or persons, or through "blanket" coverage providing protection for all appropriate employees and/or officials. Form RD 440-24, Position Fidelity Schedule Bond, may be used for this purpose. We encourage you to have your attorney and/or insurance provider review proposed types and amounts of coverage, including any deductible provisions.
 - d. National Flood Insurance - In addition to meeting the requirements for the type of assistance requested, the following requirements must be met for financial assistance for acquisition in designated special flood or mudslide prone areas:
 1. If flood insurance is available, you must purchase a flood insurance policy at the time of closing.
 2. Applicants whose buildings, machinery, or equipment are to be located

in an area which has been notified as having special flood or mudslide prone areas will not receive financial assistance where flood insurance is not available.

- e. Real Property Insurance - You must obtain real property insurance (fire and extended coverage) on all above ground structures to include machinery and equipment housed therein, in an amount equal to the insurable value thereof.
4. Procurement - You may proceed to acquire the proposed vehicle and equipment by competitive negotiation. You must develop a Request for Proposal (RFP) and specifications. Rural Development must review and give prior approval to the specifications and RFP before soliciting for offers.

Following the receipt of offers, Rural Development must be provided with the following:

- a. Summary of all offers
 - b. Copy of the successful offer
 - c. Narrative summary of all negotiations
 - d. Copy of notice to all unsuccessful offers
 - e. Copy of resolution of tentative award
5. Code of conduct - Owners shall adopt and maintain a written code or standards of conduct which shall govern the performance of their officers, employees, or agents engaged in the award and administration of contracts supported by Rural Development funds. No employee, officer, or agent of the owner shall participate in the selection, award, or administration of a contract supported by Rural Development funds if a conflict of interest, real or apparent, would be involved.
6. Other Funds - Prior to advertisement or soliciting for bids, you must provide evidence showing the availability of the other funds.
7. Disbursement of Rural Development Grant Funds – Rural Development grant funds will be advanced as they are needed in the amount necessary to cover Rural Development's proportionate share of obligations due and payable by Accomack County. Interest earned on grant funds in excess of \$100 per year will be submitted to Rural Development at least quarterly as required in 7 CFR 3016.
8. Community Facilities Grant (CFG) - You will be required to execute Form RD 3570-3, Agreement for Administrative Requirements for Community Facility Grants, at the time of grant closing.

CFG assistance is subject to the interest of the United States Government in the market value of the property attributable to the Federal participation in this project provided by 7 CFR, parts 3015, 2016, or 3019 et seq as subsequently modified.

CFG assistance is subject to the provisions of Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 and the regulations issued thereto. This covenant is in effect for as long as the property continues to be used for the same or similar purpose for which the financial assistance was extended or for as long as the grantee owns it, whichever is longer.

9. Agency Forms - You will be required to execute certain Agency forms in order to obtain financial assistance from Rural Development. By Resolution, these forms must be adopted and properly executed, and minutes showing the adoption must be provided.

10. System for Award Management (SAM) As the recipient, you must maintain the currency of your information in SAM.gov until (a) you submit the final financial report required under this award and (b) all funds under this award have been disbursed or cancelled, whichever is later. This requires that you review and update your information at least annually after the initial registration and more frequently if required by changes in your information or another award term. Recipients can register online at www.sam.gov.

Under Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), no handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving financial assistance from Rural Development.

As a recipient of Federal financial assistance, you must be in compliance, and continue to comply, with Title VI of the Civil Rights Act of 1964 and the Rural Development regulations promulgated by this Act. Your signature on Form RD 400-4, Assurance Agreement, is your commitment to comply with these Federal laws and regulations, as well as your agreement to maintain records and data to verify your compliance. The data you must provide depends on the type of project financed with Rural Development funds, and guidance will be provided to you by Rural Development. Your compliance is monitored through compliance reviews conducted by Agency personnel. The first compliance review will be conducted prior to, or concurrent with, closing, with subsequent compliance reviews if/when needed.

If all parties agree the bids received are acceptable and it is determined that adequate funds are available to cover the total costs and that all the administrative conditions of grant approval have been satisfied, closing instructions will be issued. The closing instructions, a copy of which will be forwarded to you, will set forth any further requirements that must be met before the grant can be closed. **GRANT CLOSING WILL NOT BE SCHEDULED UNTIL CLOSING INSTRUCTIONS ARE RECEIVED FROM RURAL DEVELOPMENT.** When all parties agree that the closing requirements can be met, a mutually acceptable date for the closing will be scheduled.

The Debt Collection Improvement Act (DCIA) of 1996 requires that all Federal payments be made by Electronic Funds Transfer/Automated Clearing House (EFT/ACH). Borrowers receiving payments by EFT will have funds directly deposited to a specified account at a financial institution with funds being available to the recipient on the date of payment. The borrower should complete Form SF-3881, Electronic Funds Transfer Payment Enrollment Form, for each account where funds will be electronically received. The completed form(s) must be received by Rural Development at least thirty (30) days prior to the first advance of funds.

As a recipient of Federal financial assistance, you must comply with all applicable federal, state, and local statutes, ordinances, regulations, and codes. The major portion of existing Rural Development rules and regulations which must be met are included in RD Instruction 1942-A and 1942-C and RD Instruction 3570-B. No modifications or waiver of any portion of these regulations is authorized. Such regulations shall govern regardless of any misinterpretation, omission, misunderstanding, or statements made by any Rural Development employee. The most critical requirements of the instructions have been highlighted or clarified in this letter.

The applicant contribution shall be considered as first funds expended. After providing for all authorized cost, any remaining Rural Development funds will be refunded to Rural Development.

We believe the information herein clearly sets forth the action which must be taken; however, if you have any questions, please do not hesitate to contact my office.

Please complete and return the attached Form RD 1942-46, Letter of Intent to Meet Conditions, if you desire further consideration be given your application.

If the conditions set forth in this letter are not met within 6 months from the date hereof, Rural Development reserves the right to discontinue processing of the application.

Attachment No. 1
Letter of Conditions
For: Accomack County
Dated: 4/7/2016

PROJECT PLANNING FACTORS

The following estimates are to be used as a basis for project planning and must not be changed without prior approval of Rural Development:

PROJECT COSTS

Equipment	\$34,290
TOTAL	\$34,290

FUNDING

Rural Development Grant	\$12,000
Owner Contribution	22,290
TOTAL	\$34,290

OPERATING BUDGET- TYPICAL YEAR INCOME

Operating Income	\$36,573,304	
TOTAL INCOME	\$36,573,304	\$36,573,304
EXPENSES		
Operating Expenses	\$36,573,304	
TOTAL EXPENSES	\$36,573,304	\$36,573,304
BALANCE	\$0	

**RESOLUTION OF GOVERNING BODY
OF Accomack County**

The governing body of the County of Accomack, consisting of nine members, in a duly called meeting held on the 20th day of July, 2016, which a quorum was present RESOLVED as follows:

BE IT HEREBY RESOLVED that, in order to facilitate obtaining financial assistance from the United States of America, United States Department of Agriculture, Rural Development, (the Government) in the development of a **Police Car and Equipment Purchase** to serve the community, the governing body does hereby adopt and abide by the covenants contained in the agreements, documents, and forms required by the Government to be executed.

BE IT FURTHER RESOLVED that the County Administrator of the County of Accomack be authorized to execute on behalf of the Accomack County Board of Supervisors the above-referenced agreements and to execute such other documents including, but not limited to, debt instruments and security instruments as may be required in obtaining the said financial assistance.

This Resolution, along with a copy of the above-referenced documents, is hereby entered into the permanent minutes of the meetings of this Board.

County of Accomack
(ENTITY NAME)

By: Ron Wolff, Chairperson

Attest: _____

CERTIFICATION

I hereby certify that the above resolution was duly adopted by the Board of Supervisors of the County of Accomack in a duly assembled meeting on the 20th day of July 2016.

Secretary/Clerk

- 5.10** Approval of Third Amendment to the Tower Lease Agreement between the County of Accomack and CELLCO Partnership d/b/a Verizon Wireless as it provides for additional revenue for the County after each five year term and also includes an interference paragraph.

Item(s) Removed from Consent Agenda

- 5.6** Ms. Major referenced the award of the Community Corrections Grant to the County from the Department of Criminal Justice Services in the amount of \$90,869, and inquired about the status of a position that had become part-time being reinstated to its full capacity upon the County's acceptance of the grant.

County Administrator Steve Miner responded that the grant was awarded annually and upon conferring with Finance Director Mike Mason stated that it should be "business as usual". Mr. Miner informed members that he had recommended that the Director of Chesapeake Bay ASAP work closely with Mr. Mason to resolve any concerns.

Mr. Mason stated that the grant should fund the position and offered comments regarding matters relating to same. A discussion continued.

Mr. Crockett made a motion to accept the Community Corrections Grant. Mr. Phillips seconded the motion. The motion was unanimously approved.

Mr. Crockett made a motion to approve the associated Memorandums of Understanding with Chesapeake Bay ASAP regarding Grant Services and Case Management System Software Maintenance. Mr. Phillips seconded the motion. The motion was unanimously approved.

Report of Public Officials

Dr. David Matson, Health Director, Eastern Shore Health District, appeared before the Board and gave a PowerPoint presentation about the Zika Virus. He presented a detailed report on the following:

- status of virus
- documented cases and locations
- types of transmission and cycles
- guidance for personal prevention
- types of viruses and infections
- Eastern Shore principal concern
- current activity of virus
- social awareness and prevention
- educational outreach, testing and surveillance
- planning and preparation

Following the presentation, a discussion ensued and Dr. Matson responded to questions.

The Board offered comments of gratitude for Dr. Matson's appearance and presentation.

Committee Reports

Personnel Committee

Mr. Crockett gave a brief report concerning the Personnel Committee meeting that was held on Wednesday, July 13th, to discuss the issue of the Volunteer Fire and Rescue policy affecting the paid EMTs. He stated that he and the Board Chair had met with the County Attorney, Human Resources Director and two members of the Fire Commission, noting that tremendous progress had been made.

He informed members that staff had been directed to put together a "draft" policy that would be as liberal as possible for the paid EMTs to volunteer with only one restriction. The EMT would be allowed to volunteer at their own station but if they were working at another station and their shift ended at 4 p.m., they would be required to take a one (1) hour break from

the assigned County shift, remove the uniform/equipment and be allowed to volunteer as often as they wish. A discussion continued regarding same.

He told members that Mr. Bagwell and Mr. James, Fire Commission members, agreed to take the recommendations to the various fire stations and suggest they incorporate them into their by-laws.

Mr. Crockett stated upon the Personnel Committee receiving the “draft” from staff, they would review it, submit it to the Board as a “draft” for its input, which would then be provided to the Fire Commission as a “draft” for their input, and returned to the Board for its final action.

Following a discussion, it was the consensus of the Board that the “one (1) hour shift break” restriction should be applied across the board for all EMT volunteers.

Mr. Wolff noted that it was the suggestion of the Fire Commission members in attendance that volunteers should not hold office or be a voting member of the company to avoid any conflicts and that each company consider having it incorporated into their by-laws. A discussion continued.

Contract Award for North Landfill Expansion

Mr. Stewart Hall, Public Works Director, informed the Board that three (3) bids had been received for Bid #691 – North Landfill Expansion, Cell 6A with Triangle Grading and Paving, Inc., being the lowest bidder. He stated that the bid was \$1.5 million under the engineer’s estimate.

Mr. Crockett made a motion to accept and approve award of Bid #691 – Northern Landfill Expansion, Cell 6A, to Triangle Grading & Paving, Inc. in the amount of \$2,260,101.45. Ms. Major seconded the motion. The motion was unanimously approved.

Appointments

Eastern Shore Public Library Board

Mrs. Gordy made a motion to appoint Mr. Dennis Custis to the Eastern Shore Public Library Board for a four-year term to commence immediately and expire on June 30, 2020.

Mr. Phillips seconded the motion. The motion was unanimously approved.

MOU with Commissioner of Revenue

Finance Director Michael Mason gave a Power Point Presentation and briefly explained the Memorandum of Understanding between the Board and the Commissioner of Revenue. He told members that it was one of the first for the County with employees of Constitutional Officers being accepted in the local governing body's personnel system, if approved by both parties. He informed members that he had spoken with other Constitutional offices and expected others would follow suit.

Mr. Mason read the brief summary of key points of the MOU which had been previously provided and discussed the three (3) primary reasons it was being recommended. There was discussion with Mr. Mason responding to questions.

Complimentary comments were offered regarding the appreciation for the Human Resources Director and the commitment to work that was being provided.

Mr. Crockett made a motion to approve the following Memorandum of Understanding. Ms. Major seconded the motion. The motion was unanimously approved:

MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF ACCOMACK, VIRGINIA AND THE COMMISSIONER OF REVENUE OF ACCOMACK COUNTY

This Memorandum of Understanding (the "Agreement") is made and entered into on the 20th day of July, 2016, by and between the County of Accomack, Virginia (the "County") and the Commissioner of Revenue of Accomack County (the "Commissioner of Revenue");

WHEREAS, the County and the Commissioner of Revenue desire to enter into an agreement setting forth their understanding with respect to compensation, benefits and personnel policies applicable to the employees of the Commissioner of Revenue;

NOW THEREFORE, the parties hereto covenant and agree as follows:

1. Employee Status. The County and Commissioner of Revenue agree that individuals employed by the Commissioner of Revenue are, and shall remain, appointees of the Commissioner of Revenue rather than employees of the County. Nothing in this policy shall alter or diminish the Commissioner of Revenue's duties and rights with respect to their employees under the Virginia Code, Title 15.2, Chapter 16, Article 5. The Commissioner of Revenue's employees shall not be covered by the County's grievance procedures.

2. Compensation of Employees of the Commissioner of Revenue. The County and Commissioner of Revenue agree that employees of the Commissioner of Revenue shall participate and be included in the County's pay plan and merit evaluation system making them eligible for future compensation increases offered by the Board of Supervisors. Future compensation increases offered by the Commonwealth of Virginia through the Compensation Board will not be passed automatically to the employees of the Commissioner of Revenue because the Commissioner of Revenue's employees will be covered by the County's pay plan and merit (aka performance) evaluation system. Notwithstanding the above, compensation for the employees of the Commissioner of Revenue will be no less than the compensation approved by the Compensation Board.

3. Benefits Afforded Employees of the Commissioner of Revenue. The County and Commissioner of Revenue agree that all benefits of employment, including but not limited to health insurance, annual and sick leave, insurance protection, retirement programs, participation in deferred compensation programs, and other benefits available to Accomack County employees will be available to the employees of the Commissioner of Revenue and governed by the personnel policies and procedures of Accomack County.

4. County Personnel System Applicability. Without diminishing the Commissioner of Revenue's authority to appoint, hire or discharge her employees, the Commissioner of Revenue agrees to follow the County's personnel policies in force during the period of this agreement, including those that require use of the County's employee performance evaluation system, except as otherwise required by law and except as specifically excluded by this section. The Commissioner of Revenue agrees to follow all such policies **except** the following:

- a) Standards of Conduct & Disciplinary Procedures (Policy 204.0)
- b) Layoff Policy (Policy 602.0)
- c) Grievance Procedure (Policy 701.0)

5. Limitations on Compensation and Benefits to the Commissioner of Revenue. The County and Commissioner of Revenue agree that only the Commissioner's employees will receive the compensation and benefits as set forth herein. Such compensation and benefits will be available to the Commissioner of Revenue only to the extent required by applicable

State law regarding group life, accident and health insurance. The County agrees to grant the Commissioner of Revenue the same percentage based cost of living salary increases afforded the Commissioner of Revenue's employees. The Commissioner of Revenue is not eligible for any performance based compensation increases.

6. County Human Resources Department Support. The County agrees to provide assistance and services to the Commissioner of Revenue through its Department of Human Resources. The Department of Human Resources will maintain all documents related to the employment of the employees of the Commissioner of Revenue except for documents related to payroll, which shall be maintained by the County's Finance Department. The Commissioner of Revenue will forward any such documentation to the appropriate County department in a timely fashion.

7. County Information Technology Systems. The County agrees to provide information technology services to the Commissioner of Revenue through its Information Technology Department. The Commissioner of Revenue agrees to accept and follow all information technology related policies and procedures as issued by the County's Information Technology Department except as otherwise required by law.

8. Application of policy. This Agreement shall take effect upon the full execution of this Agreement by the Commissioner of Revenue and the County and shall remain in force for the duration of the Commissioner of Revenue's term in office (including terms for which Commissioner of Revenue is reelected), unless terminated by either party upon thirty (30) days prior written notice. This Agreement may be amended only upon the written agreement of both the Commissioner of Revenue and the County.

COMMISSIONER OF REVENUE OF ACCOMACK COUNTY

By: _____ Date: _____

Leslie Savage, Commissioner of Revenue

COUNTY OF ACCOMACK, VIRGINIA

By: _____ Date: _____

Ron Wolff, Chairman of the Accomack County Board of Supervisors

Mandated FY 17 State Revenue Re-forecast

Finance Director Michael Mason briefed the Board regarding the notification received from the State Compensation Board regarding the State's FY16 Revenue shortfall, stating that matching funds from the State will not be available. He reminded members that the County's

FY17 Budget authorizes a 3% salary increase for County and State supported local employees contingent on state matching funds and without the matching funds, the amount of funds that had been set aside would only cover a 2% increase.

He stated that staff would continue to monitor the situation until the State had reported its final revenue forecast and would report same to the Board with recommendations. A discussion ensued.

Mr. Hart briefed the Board about the VACo meeting he had attended and informed them of VACo's efforts to work with representatives from the Governor's Office and staff of the General Assembly Money Committees in requesting the State to keep the funding for the salary increases and leave the counties harmless, if possible. A discussion continued.

Mr. Hart made a motion for staff to send a letter to Delegate Bloxom and Senator Lewis requesting that they maintain the funding level, if possible, and hold the counties harmless. Ms. Major seconded the motion. The motion was unanimously approved.

Board directed staff to contact School Superintendent Chris Holland and advise him of the action that the Board of Supervisors had taken.

County Administrator's Report

Mr. Miner distributed copies of the flyer prepared by Human Resources in conjunction with the Parks and Recreation Department and extended an invitation to the Board to participate in an "Accomack County Employee Night" at the Shore Birds stadium followed by fireworks on Saturday, August 20th, at no cost to the taxpayers. He stated there was a group rate entry cost of \$5.00. He thanked the Chair and noted that the idea had originated from him. There was discussion regarding same.

Mr. Miner responded to an inquiry from Mr. Chesser about a report relating to the storm

water costs and stated the report was being worked on and would be forthcoming.

Mr. Chesser inquired if there was a business/marketing plan for the Wallops Research Park since it was nearing completion. Mr. Miner stated that he would refer the matter to Mrs. Julie Wheatley, Wallops Research Park Director.

County Attorney's Report

County Attorney Cela Burge stated that she had the following two (2) items:

1. Public Hearing to be held this evening at 7:30 on Ordinance Amendment to the Accomack County Code relating to Disclosure Forms.
2. Reported that on Monday, July 18th, she had received the opinion of Judge Leslie Lilley regarding the Atlantic Town Center case and the items were dismissed which was a win for Accomack County. She stated an order had not been entered in the case yet, but was being prepared by Attorney Andrew McRoberts as directed by Judge Lilley. She said upon the order being entered there was a period of 21 days for an appeal.

Recess

The Chair, by consensus, declared the meeting in recess.

Call to order

The Chair called the meeting back to order.

Public Hearing(s)

The County Administrator read the rules governing conduct during Public Hearings.

Following a briefing by County Attorney Cela Burge, the Chair opened the public hearing to afford interested persons the opportunity to be heard or to present written comments concerning the Ordinance Amendment to the Accomack County Code to amend Chapter 2, Administration, Article 1, In General Section, Section 2-3, Board Members to File Disclosure Forms, to conform to the new Virginia legislation effective January 1, 2016 (Va. Code Sec. 2.2-3115).

No public comments were offered and the Chair closed the public hearing.

Mr. Hart made a motion to approve the Ordinance Amendment to the Accomack County Code to amend Chapter 2, Administration, Article 1, In General Section, Section 2-3, Board Members to File Disclosure Forms, to conform to the new Virginia legislation effective January 1, 2016 (Va. Code Sec. 2.2-3115).

Ms. Major seconded the motion. The motion was unanimously approved with a roll call vote being taken. Ayes: Hart, Major, Gordy, Crockett, Chesser, Phillips, Muhly, Tarr, and Wolff. Nays: None. Abstentions: None

AN ORDINANCE TO AMEND CHAPTER 2, ADMINISTRATION, ARTICLE I, IN GENERAL, SEC. 2-3, BOARD MEMBERS TO FILE DISCLOSURE FORMS, OF THE ACCOMACK COUNTY CODE

WHEREAS, the Board of Supervisors of Accomack County, Virginia, hereby recognizes changed in Virginia, Virginia Code § 2.2-3115, effective January, 2016, which changes the disclosure law for local government officers and employees, including local boards, commissions and councils; and

WHEREAS, the Board of Supervisors of Accomack County, Virginia, wishes to update its Code to conform to the new Virginia law.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED as an Ordinance of Accomack County, that Accomack County Code, Chapter 2, Administration, Article I, In General, Sec. 2-3, of the Accomack County Code is hereby amended as follows:

Chapter 2
ADMINISTRATION
Article I.
In General

Sec. 2-3. Board members to file disclosure forms.

(a) Nonsalaried citizen members, as a condition to assuming office ~~of the following lists of~~ on any boards, commissions and authorities, shall file a disclosure form in the office of the clerk of the board of supervisors of their personal interests and such other information as is specified on the forms set forth in Code of Virginia, § ~~2.2-3118. 2-1-639.15:1, and thereafter such members shall file the form annually on or before January 15:~~

- ~~(1) Accomack County Airport Commission.~~
- ~~(2) Accomack County School Board.~~
- ~~(3) Accomack County Social Services Board.~~
- ~~(4) Industrial Development Authority of Accomack County.~~
- ~~(5) Accomack/Northampton Planning District Commission.~~

(b) The requirements of this section shall not apply to members of the Quinby Boat Harbor Committee, Greenbackville Boat Harbor Committee, Hammocks Boat Harbor Committee and Harborton Public Facilities Committee ~~Greenbackville/Captain's Cove Mosquito Control Commission~~ .

This Ordinance is effective immediately.

Board of Supervisors Comment Period

Ms. Major requested that during the benefit enrollment period that was approaching for County employees, she would like for the Human Resources Director explore the H.S.A. (Health Savings Account) which was a type of flex spendable account and tax deductible. She stated she felt it could be beneficial for the employees because it would help lower premiums although it may have a higher deductible and would give employees another option.

Mr. Muhly brought to the Board's attention reports from Fire Medics/EMS response to calls on Country Court, which is a private road outside of Parksley. He stated that the road was in a deplorable condition, was dangerous and a risk to the equipment. He advised members that upon his inquiry, he had received information from the Public Safety Director which contained a list of fifteen (15) roads that were in similar condition. He said he felt it was becoming a public safety issue and an issue that the Board should think about.

After requesting a consensus from Board members, Mr. Crockett made a motion to use up to \$2000 from Election District 6 funds to allow Parks and Recreation Director Wayne Burton to proceed with the completion of the Tangier School ball field. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Tarr told members about a call that he had received regarding a dedication for the recognition of a family member that would be turning 100 years old. Mr. Tarr made a motion that a resolution be prepared to recognize the 100th birthday dedication for Louise Savage Quillen. Mr. Hart seconded the motion.

There was discussion regarding a standard policy being in place for the recognition of citizens that have reached a milestone of 100 years.

With the Board's permission, Mr. Miner said that he would work on a draft policy. A discussion continued.

The vote on Mr. Tarr's motion passed unanimously.

Mr. Phillips stated that formal invitations would be sent to the Board and informed members of the dedication and groundbreaking ceremony for the War Memorial in Parksley on Saturday, August 13th at 2 p.m.

Resolution to Amend the Fiscal Year 2017 Budget and Appropriate Related Funds

Mr. Hart made a motion to adopt the following Resolution to Amend the Fiscal Year 2017 Budget and Appropriate Related Funds. Mr. Crockett seconded the motion. The motion was unanimously approved.

RESOLUTION TO AMEND THE FISCAL YEAR 2017 ACCOMACK COUNTY BUDGET

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and maintain the budget for Accomack County; and

WHEREAS, on May 18, 2016, the Board of Supervisors finalized the Accomack County Fiscal Year 2017 Budget; and

WHEREAS, during the course of the fiscal year certain unanticipated events occur that compel amendments to the budget be made; and

WHEREAS, staff has reviewed the following requested budget amendments and recommends that they be approved; now, therefore,

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2017 County budget be amended by the amounts listed below and the amounts appropriated for the purposes indicated.

Requesting Department	Fund/Function	Purpose	Funding Source	Total
Public Safety	Fire Programs Fund/Fire Training Center	To recognize the award of grant funds from the Virginia Department of Fire Programs to construct a vehicle fire training prop.	State Funds	\$30,500
Sheriff's Office	General Fund/Law Enforcement	To recognize and accept a grant award of \$12,000 from the USDA for the purchase of a police vehicle. This grant requires an owner match of \$22,290 which is to be funded from the Sheriff's existing General Fund Law Enforcement appropriation of \$2,097,194.	Federal Funds	\$12,000
Public Works	General Fund/Litter Control	To recognize the award of a "Keep Virginia Beautiful" grant.	State Funds	\$ 1,000
Administration	General Fund/Community Corrections	To recognize the award of a grant from DCJS for community correction services	State Funds	\$ 90,869
Total				\$134,369

Resolution to Amend the Fiscal Year 2016 Budget and Appropriate Related Funds

Mr. Crockett made a motion to adopt the following Resolution to Amend the Fiscal Year 2016 Budget and Appropriate Related Funds. Mr. Phillips seconded the motion. The motion was unanimously approved.

RESOLUTION TO AMEND THE FISCAL YEAR 2016 ACCOMACK COUNTY BUDGET

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and maintain the budget for Accomack County; and

WHEREAS, on March 31, 2015, the Board of Supervisors adopted the Accomack County Fiscal Year 2016 Budget; and

WHEREAS, during the course of the fiscal year certain unanticipated events occur that compel amendments to the budget be made; and

WHEREAS, staff has reviewed the following budget amendments and recommends that they be approved; now, therefore,

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2016 County budget be amended by the amounts listed below and the amounts appropriated for the purposes indicated.

Requesting Department	Fund/Function	Purpose	Funding Source	Total
Public Safety	Grants Fund/Public Safety	To recognize the award of grant funds for the Four for Life Program.	State Funds	\$ 36,633
Parks & Recreation	General Fund/Summer Food Program	To recognize the projected grant reimbursement from the USDA to cover the cost associated with the Parks & Rec. FY16/FY17	Federal and State Funds	\$140,341
Total				\$176,974

Payables

Upon certification by the County Administrator, Ms. Major made a motion to approve the payables. Mr. Phillips seconded the motion. The motion was unanimously approved.

Closed Meeting

Mr. Tarr made a motion that the Board go into closed meeting pursuant to Section 2.2-3711. (A) (3) of the Code of Virginia of 1950, as amended, for the following purpose. Mr. Phillips seconded the motion. The motion was unanimously approved.

1. For the purpose of 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 opening meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Hart made a motion, seconded by Mr. Phillips 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.

Ayes: Mr. Tarr Mr. Wolff Mr. Chesser Nays: None
 Mr. Muhly Mr. Phillips Mr. Crockett
 Mr. Hart Ms. Major Mrs. Gordy

Adjournment

Ms. Major made a motion to adjourn the meeting at 8:15 p.m. Mr. Phillips seconded the motion. The motion was unanimously approved.

Ron. S. Wolff, Chair

Date