

VIRGINIA: At an Adjourned Meeting of the Board of Supervisors for the County of Accomack held in the Board Chambers in Accomac on the 6<sup>th</sup> day of April, A.D., 2011.

Members Present: Donald L. Hart, Jr., Chair  
Wanda J. Thornton  
Ron S. Wolff  
Grayson Chesser  
John Charles "Jack" Gray  
Sandra Hart Mears  
Robert D. Crockett  
C. Reneta Major

Member Absent: Laura Belle Gordy, Vice Chair

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 opened with a prayer by Ms. Major, after which the Pledge of Allegiance to the Flag was recited.

### **Consideration of Minutes**

Mrs. Mears made a motion to adopt the minutes of the October 20 and November 17, 2010 meetings. Mr. Wolff seconded the motion. The motion passed unanimously with Mrs. Gordy absent.

### **Riverside Shore Memorial Hospital – Resolution**

Mr. Crockett made a motion to adopt the following Resolution. Mr. Wolff seconded the motion. The motion passed unanimously with Mrs. Gordy absent.

### **RESOLUTION**

#### **ACCOMACK COUNTY SUPPORT FOR RIVERSIDE SHORE MEMORIAL HOSPITAL'S CERTIFICATE OF PUBLIC NEED**

**WHEREAS**, Riverside Shore Memorial Hospital has filed with the Virginia Board of Health for a Certificate of Public Need (COPN) to authorize the relocation of the Hospital from Nassawadox to a location in Accomack County, and

**WHEREAS**, Riverside Shore Memorial Hospital's COPN presents a clear and convincing case that the proposed relocation will strongly enhance access to care for a significantly greater patient population, will significantly enhance the quality of diagnostic services available on Virginia's Eastern Shore, and will enhance the sustainability of Riverside Shore Memorial Hospital, and

**WHEREAS**, Riverside Shore Memorial Hospital's COPN will provide access to care in Virginia for the significant patient populations in northern areas of Accomack County, including populations that have historically sought care in Maryland due to its proximity, and

**WHEREAS**, Riverside Shore Memorial Hospital's proposed relocation incorporates renovation of facilities in Nassawadox to enable retention of diagnostic, laboratory, urgent care and rehabilitation services with a strong physician presence there to ensure continuing access to care to the south, and

**WHEREAS**, the Accomack County Board of Supervisors wishes to declare its full support for Riverside Shore Memorial Hospital's Certificate of Public Need and to make its specific request by letter to State Health Commissioner Karen Remley, MD, MBA, FAAP, that the Riverside Shore Memorial Hospital's Certificate of Public Need be expeditiously processed and promptly approved.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Supervisors of Accomack County that the Board of Supervisors does hereby declare its full support for Riverside Shore Memorial Hospital's Certificate of Public Need and does hereby direct the County Administrator to make its specific request by letter to State Health Commissioner Karen Remley, MD, MBA, FAAP, that the Riverside Shore Memorial Hospital's Certificate of Public Need be expeditiously processed and promptly approved.

#### **Publishing of Board's Agenda**

Upon the request of Mrs. Mears and after discussion, it was the consensus of board members to direct staff to contact the local newspapers and determine the cost of advertising the Board's agenda in both of the local newspapers. It was also the consensus of members that the matter be placed on the April 20, 2011 agenda for discussion.

#### **Fiscal Year 2012 Budget & Tax Rates for Calendar Year 2011**

Mr. Crockett made a motion to adopt the following Resolution. Mrs. Mears seconded the motion. The motion passed unanimously with Mrs. Gordy absent.

### **A RESOLUTION TO ADOPT THE FISCAL YEAR 2012 BUDGET AND THE TAX RATES FOR CALENDAR YEAR 2011**

**WHEREAS**, it is the responsibility of the Accomack County Board of Supervisors to approve and control the County's Fiscal Plan for fiscal year 2012; and

**WHEREAS**, it is the responsibility for the Accomack County Board of Supervisors to set the tax rates for calendar year 2011; and

**WHEREAS**, the Accomack Board of Supervisors has received, reviewed and adjusted the County Administrator's Proposed Budget for fiscal year 2012; and

**WHEREAS**, a brief synopsis of the recommended budget and notice of public hearing was advertised in the March 12<sup>th</sup> 2011 edition of the Eastern Shore News in accordance with Section 15.2-2506 of the Code of Virginia, 1950 as amended; and

**WHEREAS**, the Accomack County Board of Supervisors has received comments on the advertised budget and advertised tax rates from citizens of Accomack County at a Public Hearing held March 23, 2011; and

**WHEREAS**, it is the intent of the Board of Supervisors that departments and agencies shall adhere to the budgeted funds in accordance with department budgets presented by the County Administrator and adjusted by the Accomack County Board of Supervisors; and

**WHEREAS**, this budget resolution exceeds the advertised budget by \$103,398 to reflect amendments adopted by the Accomack County Board of Supervisors at a meeting held April 6, 2011 details of which are as follows:

1. Increase the General Fund Risk Management budget by \$54,356 to address Line of Duty Act (LODA) expenses shifted to the County by actions of the Virginia General Assembly.

2. Increase the General Fund operating budget contingency by \$49,042 representing the remaining operating budget surplus not committed; and

RESOLVED, by the Accomack Board of Supervisors this 6<sup>th</sup> day of April, 2011, that the following tax rates for Calendar Year 2011 be, and are hereby, approved as set forth below; and

BE IT FURTHER RESOLVED that the following budgets be, and are hereby, approved and appropriated effective July 1, 2011 as set forth below; and

BE IT FURTHER RESOLVED, that the local tax supported expenditures of the County School Board's overall budget of \$44,457,658 shall not exceed \$15,994,506 of local funds; and

BE IT FURTHER RESOLVED that the appropriations designated for capital projects and active grants shall not lapse at the end of the fiscal year but shall remain appropriations until the completion of the project or grant or until the Accomack Board of Supervisors changes or eliminates the appropriation; and

BE IT FURTHER RESOLVED that the additional appropriations are hereby authorized for the *Law Library Fund, Court Security Fee Fund, Drug Seizures Fund, Hazardous Materials Response Fund, Atlantic District Fire & Rescue Fund, Metomkin District Fire & Rescue Fund, Lee District Fire & Rescue Fund, Pungoteague District Fire & Rescue Fund and Captains Cove/Greenbackville Mosquito Control Fund* equal to the total fund balance at June 30, 2011 for each individual fund.

**CALENDAR YEAR 2011 TAX RATES**

**General Tax Rates (apply to all areas of the County):**

Real Estate, Mobile Homes and Renewable Energy Equipment-For general County purposes.....	\$0.30 per \$100 of assessed valuation
Real Estate, Mobile Homes and Renewable Energy Equipment-For the retirement of school debt.....	\$0.08 per \$100 of assessed valuation
Personal Property and Machinery & Tools -For general County purposes.....	\$3.48 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For the retirement of school debt.....	\$0.10 per \$100 of assessed valuation

**District Tax Rates (apply to select district/areas of the County only)**

Real Estate, Mobile Homes & Renewable Energy Equipment -For fire/rescue services outside of the Town of Chincoteague.....	\$0.05 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For fire/rescue services outside of Chincoteague.....	\$0.09 per \$100 of assessed valuation
Real Estate, Mobile Homes & Renewable Energy Equipment -For fire/rescue companies in Atlantic District.....	\$0.03 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For fire/rescue companies in Atlantic District.....	\$0.08 per \$100 of assessed valuation
Real Estate, Mobile Homes & Renewable Energy Equipment -For fire/rescue companies in Metomkin District.....	\$0.02 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For fire/rescue companies in Metomkin District.....	\$0.05 per \$100 of assessed valuation
Real Estate, Mobile Homes & Renewable Energy Equipment -For fire/rescue companies in Lee District.....	\$0.02 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For fire/rescue companies in Lee District.....	\$0.05 per \$100 of assessed valuation
Real Estate, Mobile Homes & Renewable Energy Equipment -For fire/rescue companies in Pungoteague District.....	\$0.03 per \$100 of assessed valuation
Personal Property and Machinery & Tools-For fire/rescue companies in Pungoteague District.....	\$0.05 per \$100 of assessed valuation
Real Estate-For mosquito control services in Greenbackville and	

Captains Cove.....\$0.02 per \$100 of assessed valuation

**FISCAL YEAR 2012 BUDGET & APPROPRIATIONS**

<b>ALL COUNTY FUNDS</b>	
<b>Revenues &amp; Other Sources:</b>	
General property taxes	\$ 26,295,375
Other local taxes	6,697,257
Permits, privilege fees, and licenses	332,273
Fines and forfeitures	75,000
Revenue from use of money & property	379,559
Charges for services	3,382,482
Miscellaneous revenue	106,974
Recovered costs	97,181
Local government aid	-
Commonwealth aid	9,400,880
Federal aid	2,168,421
<b>Total Revenues</b>	<b>48,935,402</b>
From General Fund Undesignated Fund Balance	2,520,777
From Consolidated EMS Fund Balance	108,937
From Special Revenue Funds Fund Balance Balances	1,300
From School Debt Service Fund Fund Balances	165,072
<b>Total Other Sources</b>	<b>2,796,086</b>
<b>Total Revenues and Other Sources</b>	<b>\$ 51,731,488</b>
<b>Expenditures &amp; Other Uses:</b>	
General Fund	\$ 32,607,031
Virginia Public Assistance Fund	4,046,539
Comprehensive Youth Services Fund	2,244,083
Law Library Fund	7,000
Consolidated EMS Fund	1,915,419
Atlantic District Fire & Rescue Fund	416,575
Metomkin District Fire & Rescue Fund	131,352
Lee District Fire & Rescue Fund	212,542
Pungoteague District Fire & Rescue Fund	272,270
Greenbackville/Captains Cove Mosquito Control Fund	61,963
Court Security Fee Fund	67,000
Drug Seizures Fund	2,000
Fire Programs Fund	-
Hazardous Materials Response Fund	13,000
Emergency 911 Fund	490,384
Rehabilitation Projects Fund	-
County Capital Projects Fund	2,077,603
School Debt Service Fund	4,148,588
Parks & Recreation Enterprise Fund	79,800
Landfill Enterprise Fund	1,902,524
Water & Sewer Enterprise Fund	231,002
<b>Total Expenditures</b>	<b>50,926,675</b>
Transfer to Landfill Closure/Post Closure Reserve	430,269
Transfer to Rainy Day Reserve	374,544
<b>Total Other Uses</b>	<b>804,813</b>
<b>Total Expenditures and Other Uses</b>	<b>\$ 51,731,488</b>

<b>Accomack County School Board</b>	
<b>Revenues &amp; Other Sources:</b>	
Charges for services	\$ 750,000
Other Sources	312,776
Local government aid	15,994,506
Commonwealth aid	25,357,646
Federal aid	2,042,730
<b>Total Revenues</b>	<b>\$ 44,457,658</b>
<b>Expenditures and Other Uses:</b>	
School Operating Fund	\$ 41,904,658
School Food Services Fund	2,553,000
<b>Total Appropriations</b>	<b>\$ 44,457,658</b>

<b>Accomack County Airport Commission</b>	
<b>Revenues &amp; Other Sources:</b>	
Use of Revenue & Property	\$ 55,512
Charges for Services	355,370
Miscellaneous Revenue	1,100
Local Government Aid	139,991
Commonwealth Aid	3,080
Total Revenues	<u>555,053</u>
<b>Expenditures:</b>	
Operating Fund	\$ 527,193
Debt Service	27,860
Total Expenditures	<u>\$ 555,053</u>
<b>Accomack County Economic Development Authority</b>	
<b>Revenues &amp; Other Sources</b>	
From Undesignated Fund Balance	<u>\$ 7,760</u>
<b>Appropriations:</b>	
Operating Fund	<u>\$ 7,760</u>

## **Redistricting Work Session**

### **Report from the Town of Chincoteague**

The Chair recognized John H. Tarr, Mayor, Town of Chincoteague, who gave a briefing relative to the Town's erroneous Census numbers, the process used to correct those numbers, referred to the Resolution adopted by the Town and responded to questions.

A general discussion took place.

The Chair expressed, on behalf of the Board, his appreciation to Mayor Tarr and the citizens of Chincoteague for the work done in helping obtain correct Census numbers.

A discussion ensued with GIS Coordinator Tom Brockenbrough and County Attorney Mark Taylor offering comments regarding the inclusion of the correct numbers being submitted for the census from the Towns of Chincoteague and Tangier.

Mrs. Thornton made a motion to use the revised Census numbers generated from the Town of Chincoteague with the submission to the Department of Justice. Mr. Crockett seconded the motion.

Discussion continued.

The motion, as stated, passed unanimously with Mrs. Gordy absent.

Discussion continued.

### **Work session**

Mr. Brockenbrough reviewed with the Board information pertaining to redistricting issues and responded to questions.

There was discussion regarding Tangier being removed from District 2 to District 6.

It was the consensus of members with Mrs. Gordy absent to move Tangier from District 2 to District 6 for redistricting working purposes.

Mr. Wolff requested that Mr. Brockenbrough provide each Supervisor a copy of Their respective district map with adjusted district lines.

A discussion ensued regarding voting precincts.

### **Recess**

By consensus, the Chairman declared the meeting in recess for five (5) minutes.

### **Call to Order**

The Chairman 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. Mears seconded the motion. The motion passed unanimously with Mrs. Gordy absent.

1. Pursuant to Subsection (A)(7) for consultation with legal counsel and briefing 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. Mears, 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	Ms. Major	Absent:	Mrs. Gordy
	Mr. Wolff	Mr. Crockett	Mr. Hart		
	Mr. Gray	Mr. Chesser			

Nays: None

### **Adjournment**

Mr. Wolff made a motion to adjourn until Thursday, April 14<sup>th</sup> at 4:00 p.m. Mrs. Mears seconded the motion. The motion passed unanimously with Mrs. Gordy absent. The meeting adjourned at 7:45 p.m.

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Chair