

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 15th day of June, 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
Laura Belle Gordy, Vice-Chair
C. Reneta Major

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 and opened with a prayer by the Rev. Broad, after which the Pledge of Allegiance to the Flag was recited.

Adoption of the Agenda

The Chair requested the following changes to the Agenda:

ADD

UNDER CONSENT AGENDA

Consider a Resolution acknowledging the Eastern Shore Juneteenth Festival

ADD

UNDER APPOINTMENTS

Consider adding the following appointments:

- 1) Eastern Shore Broadband Authority – Michael Zodun
The Broadband Authority is appointed by both Boards and Mr. Zodum is willing to continue to serve. There is a vacancy for which we are seeking an applicant.
- 2) Eastern Shore Area Agency on Aging/Community Action Agency – appoint E. Philip McCaleb remain on the Board to fill the vacancy left by Mrs. Marie Humbles, who has resigned due to illness

ADD

UNDER OLD BUSINESS

10-f - Consider discussion related to the old Chincoteague Elementary School Gymnasium

Miss Major made a motion to approve the Agenda, as amended. Mrs. Mears seconded the motion. The motion passed unanimously.

Public Comment

The following persons offered comments concerning:

Bob Gresham spoke against the lobbyist

Wesley Edwards spoke in favor of the lobbyist and Economic Development
Director

Minutes

Mrs. Mears made a motion to approve the minutes of the January 5, 12, 19, 2011; February 14, 16, 23, 28, 2011; March 8, 16, 23, 2011; April 6, and 14, 2011, with corrections. Mr. Wolff seconded the motion. The motion was unanimously approved.

Resolutions of Commendation – 2011 High School Valedictorians

Mr. Gray read and presented the Resolution of Commendation to Fernanda Algarin.

A RESOLUTION TO RECOGNIZE THE 2011 VALEDICTORIAN AT ARCADIA HIGH SCHOOL

WHEREAS, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

WHEREAS, Fernanda Algarin has been named the Valedictorian for the Arcadia High School Class of 2011, has attended Arcadia High School for grades nine through twelve, has received over \$300,000 in scholarship awards spread over four years and has received many honors such as Honor Roll, Principal's Honor Roll, Virginian Pilot Scholastic Achievement Award, Randolph College Book Award; and

WHEREAS, she has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

WHEREAS, she has participated in numerous school activities such Junior and Senior Class President, President Beta, Captain-Scholastic Bowl, DECA, PASS, FBLA; and

WHEREAS, she has been involved in the community with the Parksley Migrant Heat Start Program; and

WHEREAS, she maintained Honor Roll status during her four years at Arcadia High School and has earned a Grade Point Average of 4.2941 and will be attending Randolph-Macon College in the fall:

NOW, LET IT THEREFORE BE RESOLVED that the Accomack County Board of Supervisors recognizes Fernanda Algarin for academic achievement and congratulates her on her selection as Valedictorian of the Arcadia High School Class of 2011; and:

BE IT FURTHER RESOLVED, that we wish her continued success in achieving her career goals.

Mrs. Thornton read and presented the following Resolution of Commendation to Danielle Pitts.

**A RESOLUTION TO RECOGNIZE THE 2011 VALEDICTORIAN AT
CHINCOTEAGUE HIGH SCHOOL**

WHEREAS, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

WHEREAS, Danielle Pitts has been selected as the Valedictorian for the Chincoteague High School Class of 2011; and

WHEREAS, she has participated in extra-curricular activities such as school's Beta Club, cheerleader, and basketball; and

WHEREAS, she received the Chincoteague High School Academic Excellence Award, numerous correspondence of recognition from Delegate Lynwood W. Lewis, Jr. for achieving outstanding academic success from 2005-2010, the Virginian-Pilot Scholastic Achievement Certificate in 2010, and was named a 2010 Swarthmore College Thomas B. McCabe Book Award winner for outstanding leadership in school and the community; and

WHEREAS, she has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

WHEREAS, she is active in the community with the Girl Scouts, volunteering her time in the community and church activities and other functions; and

WHEREAS, she graduated with a 3.8235 GPA and will be attending the University of Virginia to major in education:

NOW, THEREFORE IT BE RESOLVED that the Accomack County Board of Supervisors wishes to recognize Danielle Pitts for her many years of academic achievement and congratulates her on her selection as Valedictorian of the Chincoteague High School Class of 2011; and

BE IT FURTHER RESOLVED, that we wish her continued success in achieving her career goals.

Miss Major read and presented the following Resolution of Commendation to
Kristen Fread.

**A RESOLUTION TO RECOGNIZE THE 2011 VALEDICTORIAN AT NANDUA
HIGH SCHOOL**

WHEREAS, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

WHEREAS, Kristen Fread has been named the Valedictorian for the Nandua High School Class of 2011, is ranked 1st in a class of 161 students, has received \$56,250 in scholarship awards and was named a Virginia-Pilot Scholastic Nominee, has been named as an "Early Scholar"; and is eligible for 24 college credits from Advanced Placement and Dual Enrollment classes; and

WHEREAS, she has exemplified high academic performance, positive social interaction and exemplary character that sets an example for her peers to emulate; and

WHEREAS, she has participated in numerous school activities such Forensics Team, Scholastic Bowl Team, Tri-Hi-Y and BETA, Tennis Team, and Relay for Life Team; and

WHEREAS, she will be attending Virginia Tech in the fall:

NOW, LET IT THEREFORE BE RESOLVED that the Accomack County Board of Supervisors recognizes Kristen Fread for academic achievement and congratulates her on her selection as Valedictorian of the Nandua High School Class of 2011; and:

BE IT FURTHER RESOLVED, that we wish her continued success in achieving his career goals.

Consent Agenda

Mr. Wolff made a motion to approve the following items under the Consent Agenda. Ms. Major seconded the motion. The motion passed unanimously.

- a. Working Capital Policy,
- b. Contract renewal of RFP 207 for Aviation Fuel and Related Services,
- c. To appropriate the remainder of the E. D. 5 District fund for renovations to the boat ramp and dock at Kegotank Landing,
- d. To amend the Regional Contract for the Cooperative Jailing of Offenders of Northampton County, Virginia and Accomack County, Virginia as follows:

1. That Section 9-E be amended to read as follows:

Section 9. E. Jail Board, creation and responsibilities of

E. The Board shall meet not less than quarterly and may by vote of the Board convene meetings as necessary. For official actions, a quorum of the Board members present and voting shall be required and shall consist of 4 or more members.

2. All other terms, conditions and provisions of the original agreement remain in force and effect and are hereby made a part of this agreement.

- e. To ratify the following Resolution of Commendation for Elana Hope Parks, Tangier Combined School Valedictorian

A RESOLUTION TO RECOGNIZE THE 2011 VALEDICTORIAN AT TANGIER COMBINED SCHOOL

WHEREAS, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the county's high school students; and

WHEREAS, Elana Hope Parks, has been selected as the Valedictorian for the Tangier Combined School Class of 2011; and

WHEREAS, Miss Parks has participated in Advanced Placement Courses earning 3 college credits, HI-Y Club member grades 8-12 and was class President; and

WHEREAS, Miss Parks was a participant in the Model General Assembly in grades 10-12; and

WHEREAS, Miss Parks has been active as a community volunteer by volunteering her services at Island Cleanups, Vacation Bible School and Sunday School, the Soup Kitchen, etc.; and

WHEREAS, Miss Parks will be attending Old Dominion University to pursue a Nursing Degree:

NOW, THEREFORE IT BE RESOLVED that the Accomack County Board of Supervisors wishes to recognize Elana Hope Parks for her many years of academic

achievement and congratulates her on her selection as Valedictorian of the Tangier Combined School Class of 2011.

- f. Consider Resolution of Acknowledgment for the Juneteenth, 2011 Festival

RESOLUTION

WHEREAS, Accomack County's economic and social well-being requires the best efforts and cooperation of county residents of all races, creeds and backgrounds; and

WHEREAS, for twelve years, the Juneteenth Festival has been an arena to educate and promote cultural enlightenment and diversity to the residents of the Eastern Shore of Virginia; and

WHEREAS, Juneteenth, also known as "Freedom Day" or "Emancipation Day" is the oldest known festival to celebrate the end of slavery and celebrates African-American freedom, encourages strong family structure, and emphasizes the importance of the church in the African- American community; and

WHEREAS, today many African Americans across the United States celebrate Juneteenth through the traditions of picnicking and barbecuing but also through prayer services, African arts and craft sales, concerts and parades; and

WHEREAS, this year's festival will be held on Saturday, June 18, 2011 at the Eastern Shore Community College and will be combined with a health fair to encourage and educate Eastern Shore residents on healthy living practices.

NOW, THEREFORE, the Accomack County Board of Supervisors does hereby endorse the EASTERN SHORE JUNETEENTH FESTIVAL to be held June 18, 2011.

Alcade & Fay, Ltd – Contract for Services

Mrs. Thornton made a motion to extend the contract with Alcade & Fay, Ltd. for lobbying services for six months. Mr. Wolff seconded the motion. Ayes: Mrs. Thornton, Mr. Wolff, Ms. Major. Nays: Mr. Chesser, Mr. Gray, Mrs. Mears, Mr. Crockett, Mrs. Gordy, Mr. Hart.

A lengthy discussion ensued.

Mrs. Thornton asked that the matter of expending \$822,000 to address the Park issue be place on the July agenda.

Line of Duty Act (LODA)

Mike Mason, Finance Director, briefed the Board on the Line of Duty Act (LODA) stating the responsibility would now fall on the County.

Mr. Crockett made a motion, to contract with VRS to provide LODA coverage for FY12 and to opt out of VRS prior to the beginning of FY13 unless VRS reduces rates. It is noted that the opt-out must be in the form of an approved resolution by the Board prior to June 30, 2012. Mr. Wolff seconded the motion. The motion passed unanimously.

Docks and Ramps Projects

Mr. Wolff made a motion to adhere to staff's recommendation of priorities' for docks and ramps projects based on receipt of the grant monies. Mr. Crockett seconded the motion. The motion passed unanimously.

Publishing of Board's Agenda

Mrs. Mears made a motion to alternate between the Eastern Shore Post and the Eastern Shore News on a monthly basis; Eastern Shore Post at \$225 and the Eastern Shore News at \$533.60 for the advertising of the Board's Agenda. Mr. Crockett seconded the motion. Ayes: Mr. Wolff, Mr. Chesser, Mr. Gray, Mrs. Mears, Mr. Crockett, Miss Major. Nays: Mrs. Thornton, Mrs. Gordy, Mr. Hart.

Accomack County School Board

Mrs. Thornton made a motion to appoint John "Jack" Gray as liaison to the Accomack County School Board to continue during his elected term of office. Mr. Crockett seconded the motion. The motion passed unanimously.

Accomack-Northampton Housing and Redevelopment Corporation Board of Directors

Mrs. Gordy made a motion to reappoint Betsy Jenkins to the Accomack-Northampton Housing and Redevelopment Corporation Board of Directors for a three year term beginning on July 1, 2011 and ending on June 30, 2014. Mr. Crockett seconded the motion. The motion passed unanimously.

Accomack-Northampton Regional Housing Authority

Mrs. Thornton made a motion to reappoint Steven B. Miner to the Regional Housing Authority for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Ms. Major seconded the motion. The motion passed unanimously.

Mrs. Thornton made a motion to reappoint Betsy Jenkins to the Regional Housing Authority for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Miss Major seconded the motion. The motion passed unanimously.

Accomack-Northampton Planning District Commission

Mr. Gray made a motion to reappoint Gwendolyn Turner to the Accomack Northampton Planning District Commission for a one year term beginning on July 1,

2011 and ending on June 30, 2012. Mrs. Mears seconded the motion. The motion passed unanimously.

Mr. Gray made a motion to reappoint Thomas E. Rienerth to the Accomack Northampton Planning District Commission for a one year term beginning on July 1, 2011 and ending on June 30, 2012. Mrs. Mears seconded the motion. The motion passed unanimously.

Eastern Shore Area Agency on Aging/Community Action Agency

Miss Major made a motion to appoint E. Phillip McCaleb to the Eastern Shore Area Agency on Aging/Community Action Agency to fill the unexpired term of Mrs. Marie C. Humbles, beginning immediately and ending on February 28, 2012. Mrs. Mears seconded the motion. The motion passed unanimously.

Eastern Shore Community College Board

Mr. Hart made a motion to reappoint Peggy Corbin to the Eastern Shore Community College Board for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Mrs. Mears seconded the motion. The motion passed unanimously.

Eastern Shore of Virginia Broadband Authority

Mr. Crockett made a motion to reappoint Mr. Pete Lalor to the Eastern Shore of Virginia Broadband Authority for a three year term beginning on July 1, 2011 and ending on June 30, 2014. Mrs. Mears seconded the motion. The motion passed unanimously.

Mr. Crockett made a motion to reappoint Mr. Michael Zodun to the Eastern Shore of Virginia Broadband Authority for a three year term beginning on July 1, 2011 and ending on June 30, 2014. Mrs. Mears seconded the motion. The motion passed unanimously.

Eastern Shore Public Library Board

Mrs. Thornton made a motion to appoint Mrs. Linda Ryan to the Eastern Shore Public Library Board for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Mrs. Mears seconded the motion. The motion passed unanimously.

Mrs. Mears made a motion to reappoint Mr. Arthur K. Fisher to the Eastern Shore Public Library beginning on July 1, 2011, and ending on June 30, 2015. Mr. Gray seconded the motion. The motion passed unanimously.

Economic Development Authority

Mrs. Gordy made a motion to appoint Mrs. Wanda J. Thornton as liaison to the Economic Development Authority to continue during her elected term of office. Miss Major seconded the motion. The motion passed unanimously.

Mrs. Gordy made a motion to appoint Mr. Ron S. Wolff as liaison to the Economic Development Authority to continue during his elected term of office. Miss Major seconded the motion. The motion passed unanimously.

Parks and Recreation Advisory Commission

Mrs. Thornton made a motion to appoint Joe Leigh to the Parks and Recreation Advisory Commission for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Mrs. Mears seconded the motion. The motion passed unanimously.

Quinby Boat Harbor Committee

Mr. Hart made a motion to reappoint Pete Duer to the Quinby Boat Harbor Committee for a four year term beginning July 1, 2011 and ending on June 30, 2015. Mrs. Thornton seconded the motion. The motion passed unanimously.

Solid Waste Committee

Mr. Crockett made a motion to reappoint Frank Moore to the Solid Waste Committee for a four year term beginning on July 1, 2011 and ending on June 30, 2015. Mrs. Thornton seconded the motion. The motion passed unanimously.

Mr. Crockett made a motion to appoint Mr. Ron S. Wolff to the Solid Waste Committee to serve during his elected term of office. Mrs. Mears seconded the motion. The motion passed unanimously.

Mr. Crockett made a motion to appoint Donald L. Hart, Jr. to the Solid Waste Committee to serve during his elected term of office. Mrs. Mears seconded the motion. The motion passed unanimously.

Mrs. Thornton made a motion to appoint Robert D. Crockett to the Solid Waste Committee to serve during his elected term of office. Mrs. Mears seconded. The motion passed unanimously.

Treasurer's Office

Mrs. Thornton made a motion to appoint Mr. Robert Crockett as liaison to the Treasurer's Office to continue during his elected term of office. Mr. Wolff seconded the motion. The motion passed unanimously.

Commissioner of the Revenue

Mrs. Thornton made a motion to appoint Miss Major as liaison to the Commissioner of the Revenue's Office to continue during her elected term of office. Mr. Ron Wolff seconded the motion. The motion passed unanimously.

Sheriff's Office

Mrs. Thornton made a motion to appoint Mr. Chesser as liaison to the Sheriff's Office to continue during his elected term of office. Mrs. Mears seconded the motion. The motion passed unanimously.

Clerk of Circuit Court

Mr. Crockett made a motion to appoint Mr. Donald L. Hart, Jr. as liaison to the Clerk of Circuit Court to continue during his elected term of office. Mrs. Gordy seconded the motion. The motion passed unanimously.

Commonwealth's Attorney

Mrs. Thornton made a motion to appoint Mrs. Laura Belle Gordy as liaison to the Commonwealth's Attorney's Office to continue during her elected term of office. Mr. Crockett seconded the motion. The motion passed unanimously.

Electoral Board

It was the consensus of the Board of Supervisors to request Mr. Miner to write a letter to the Attorney General to determine the course of action to take should the County find itself without an Electoral Board and present findings at the next regular meeting.

Chincoteague Gym

Following a brief discussion, Mrs. Thornton made a motion to give the Town of Chincoteague the building and the land with no encumbrances on it. Mrs. Gordy seconded the motion. The motion passed unanimously.

Delinquent Tax Collection

Mr. Crockett made a motion to retain the services of a totally independent auditor to perform an operational audit of the county's tax collection system to include the

offices of the Treasurer's, Commissioner of the Revenue, Central Accounting and identify any problems that may exist and come back with recommendations that could solve the problems and budget not to exceed \$7500. Mr. Wolff seconded the motion. The motion passed unanimously.

Mr. Crockett made a motion if the auditor needed to visit another county department under the control of the County Administrator to complete the audit, it would be allowed. Mr. Wolff seconded the motion. The motion passed unanimously.

Recess

By consensus of the Board, Mr. Hart recessed the meeting until 7:30 p.m.

Call to Order

The Chair called the meeting back to order.

Joint Public Hearing – Atlantic Community Health Center

Planning Commission

Members present:

Tammy James, Vice Chair

C. Robert Hickman

Toni Trepanier

Toni Picardi

David Lumgair

Members Absent:

E. Phillip Hickman, Chair

Leander Roberts

George Parker

Alan Silverman

Mrs. Parks opened the Public Hearing for the Planning Commission.

Mr. Hart opened the Public Hearing for the Board and read the rules governing conduct during Public Hearings.

Comments of support were offered by:

Nancy Stern, Executive Director, E. S. Rural Health System

Denise Bland, Member, ESRH Board

Kim Bowden

Jean Thornton

Betty Tustin, Transportation

Ed Darby

Karen Windsor

Mrs. Parks closed the Public Hearing for the Planning Commission.

Mr. Lumgair made a motion to recommend the approval of the Conditional Use Permit with the attached Conditions of Approval. Mrs. Trepanier seconded the motion. The motion passed unanimously.

The Chair closed the Public Hearing for the Board.

Mr. Crockett made a motion that the Conditional Use Permit for the Atlantic Community Health Center be treated the same as the Onley Community Health Center except for the area where there is a new ordinance that controls another area. Mrs. Thornton seconded the motion. The motion passed unanimously.

Secondary Road Six-Year Plan

The Chair opened a Public Hearing concerning the proposed Secondary Road Six-Year Plan.

Steve Rowan, District Program Manager, VDOT, reviewed the Plan and responded to questions.

No public comments were offered regarding the Plan.

Mr. Wolff made a motion to approve the following Resolution. Mrs. Mears seconded the motion. The motion passed unanimously.

R E S O L U T I O N

WHEREAS, the Virginia Department of Transportation and the Accomack County Board of Supervisors have jointly established the Secondary Road Six-Year-Plan for fiscal years 2011-2012 to 2016-2017 and priority list for the fiscal year 2011-2012; and

WHEREAS, the Virginia Department of Transportation and the Accomack County Board of Supervisors have jointly held a Public Hearing on the Secondary Road Six-Year Plan for fiscal years 2011-2012 to 2016-2017 and Improvement Priorities for fiscal year 2011-2012:

NOW, THEREFORE, BE IT RESOLVED that the Accomack County Board of Supervisors hereby approves the Secondary Road Six-Year-Plan for fiscal years 2011-2012 to 2016-2017 and Improvement Priorities for Fiscal Year 2011-2012.

Recess

The Chair recessed the meeting for five minutes.

Call to Order

The Chair called the meeting back to order.

County Attorney's Report

Mr. Taylor reported on the following matters:

- A. Justice Department
- b. McDonald's renovations
- c. Crystal Beach
- d. Locust Mount
- e. Overgrowth Ordinance
- f. Chincoteague Gym

Budget Items

Mrs. Mears made a motion to approve the following budget and appropriation items. Miss Major seconded the motion. The motion was unanimously approved.

FISCAL YEAR 2011

From Contingencies (As of 06/01/11: \$371,821)

It is requested that any remaining contingency at the end of the fiscal year be committed to the County's Rainy Day/Stabilization Fund. This action will accelerate the County's Goal of achieving a fund balance of 8% of revenue by one fiscal year

Other

The Central Accounting and IT departments request that their remaining appropriation at the end of fiscal year 2011 be allowed to carry-forward into FY12 in order to purchase two Storage Area Network (SAN) servers and devices/software to improve board agenda dissemination. We are rapidly approaching our data storage capacity. Replacement of the existing servers will allow for data growth for the foreseeable future. Estimated cost of the servers is \$42,000. Estimated cost of new devices for board members and agenda software/training is estimated at \$30,000.

Grants

Increase Revenues

From the Commonwealth \$ 33,814

Increase Expenditures

Volunteer Fire and Rescue \$ 33,814
 Four-for-Life grant award

Decrease Revenues

From the Commonwealth & Federal Government \$ 22,544

Increase Expenditures

School Board \$ 22,544
 Social Services state budget allocation adjustment

The following budget amendments require a public hearing in accordance with Section 15.2-2507 of the Code of Virginia

Increase Revenues

From the Commonwealth and Federal Government \$8,711,018

Increase Expenditures

School Board \$8,711,018
 Public school related grants awarded for FY11

Payables

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

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

1. Pursuant to Subsection (A) (1) for discussion or consideration, of employment, assignment, appointment, promotion, performance, demotion, salaries, discipline, or resignation of specific public officers, appointees, or employees of any public body.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Crockett made a motion, seconded by Mr. 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 Opening 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:	Mr. Chesser	Mr. Gray	Mrs. Thornton
	Mr. Wolff	Mrs. Mears	Mr. Crockett
	Ms. Major	Mr. Hart	Mrs. Gordy

Nays: None

Adjournment

Mr. Wolff made a motion to adjourn. Mrs. Gordy seconded the motion. The motion passed unanimously. The meeting adjourned at 10:00 p.m.

Chair