

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 21st day of December, A.D., 2011, at 5:00 p.m.

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

Remove under Consent Agenda

- 9-c – Scheduling a Public Hearing to receive public comments concerning proposed amendment to Chapter 82, Article III, Real Property Taxes, Division 2, Senior Citizen and Disabled Exemption Section 82-102, Additional Provisions to allow a provision for proration of exemptions due to income changes, death, or other facts, as stated in the Virginia Code §58.1-3215, 1950. as amended, and
- 9-f A Resolution of Support for the Town of Chincoteague's opposition to the Federal purchase of land within the Town of Chincoteague.

Mrs. Gordy made a motion to adopt the Agenda, as amended. Mr. Wolff seconded the motion. The motion passed unanimously.

Resolution of Recognition

Following complimentary comments and acknowledgement of Mr. Paul Berge for his assistance in providing information, the Chair read and presented the following Resolution of Recognition to Vernon and Cathy Bell.

RESOLUTION OF RECOGNITION

WHEREAS, on December 11, 1982, Vernon and Cathy Bell initiated the Seaside Half-Marathon; and

WHEREAS, Vernon and Cathy Bell have served tirelessly to provide an avenue for an annual recreational event that adults and youth trained for, and participated in; and

WHEREAS, this event was important to the physical and mental health of the community and also enhanced the economic development of the County by annually bringing in visitors, runners and their families, benefiting the tourism industry; and

WHEREAS, Vernon and Cathy Bell donated race proceeds to the Eastern Shore Association for Retarded Citizen (ESARC) and in a 30-year period, gave \$24,000 to the ESARC; and

WHEREAS, Vernon and Cathy Bell have decided to end the race that brought a huge number of volunteers, sponsors and businesses, promoting community volunteerism and helping local business marketing and sales; and

WHEREAS, the combined whole-hearted efforts and participation of Vernon and Cathy Bell in this event over the past 30 years has earned the respect of a host of area residents representing all ages and walks of life:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors appreciates the many years of dedicated services and extends to Vernon and Cathy Bell its best wishes for many years of happiness in the future; and

BE IT FURTHER RESOLVED that a copy of this Resolution be spread upon the Minutes and be put upon a plaque to be presented to Vernon and Cathy Bell.

Mr. & Mrs. Bell expressed their appreciation.

Public Comment

The following speakers gave comments:

Hon. Dan Balicki, Mayor of Wachapreague, offered comments regarding the shoaling of the Wachapreague waterway and noted that assistance was greatly needed

Mark Baumgartner, Attorney, offered comments related to the proposed Atlantic Town Center project

Minutes

Mr. Wolff made a motion to approve the Minutes of the November 16, 2011 meeting with corrections. Mrs. Mears seconded the motion. The motion passed unanimously.

Government Finance Accounting Association (GFOA)

County Administrator Steven B. Miner announced that the County Central Accounting Department had once again received an award from the Government Finance Officers Association (GFOA). Amy Ford accepted the GFOA's Distinguished Budget Presentation Award for the FY12 Accomack County Budget documents on behalf of the Central Accounting Department.

Resolution of Recognition – Vernon and Cathy Bell

Mrs. Thornton made a motion to formally approve the Resolution of Recognition as presented to Vernon and Cathy Bell. Mrs. Mears seconded the motion. The motion passed unanimously.

Consent Agenda

Mrs. Thornton requested that Item 9-a, amendment to the Resolution Creating the Eastern Shore of Virginia Tourism Commission be removed from the Consent Agenda for discussion. The Board concurred.

Mr. Wolff made a motion to approve the following items under the Consent Agenda as amended. Mrs. Mears seconded the motion. The motion passed unanimously.

- a. The following amendment to the Resolution Creating the Eastern Shore of Virginia Tourism Commission,
- b. The following Resolution to restate existing Deferred Compensation Plan,

County of Accomack, Virginia

A Resolution Adopting a Restated Accomack County Deferred Compensation Plan

WHEREAS, the Accomack Board of Supervisors has previously approved and adopted the Accomack County Deferred Compensation Plan (“Plan”) to provide employees of the organization with retirement benefits; AND,

WHEREAS, the Accomack County Board of Supervisors desires to restate the Plan so that it conforms with the Internal Revenue Code section 457(b) and reflects changes in the Pension Protection Act of 2006 (PPA), the Heroes Earnings Assistance Act of 2008 and the Worker, Retiree, and Employer Recover Act of 2008; AND,

WHEREAS, such revised Plan shall supersede the previously adopted Plan,

NOW, THEREFORE BE IT RESOLVED that the Employer hereby adopts the restated Accomack County Deferred Compensation Plan.

- c. Schedule a Public Hearing to receive public comments concerning the Riverside Memorial Hospital rezoning,
- d. Fire and Rescue Accountability Policy and Agreement
- e. The sale of surplus spider equipment,
- f. A request from the Town of Painter for “Watch for Children” signs, and
- g. The adoption of the following Resolution approving the 2011 Hazard Mitigation Plan.

**RESOLUTION
2011 HAZARD MITIGATION PLAN
COUNTY OF ACCOMACK, VIRGINIA**

WHEREAS, the Disaster Mitigation Act of 2000, as amended, requires that local governments develop and adopt natural hazard mitigation plans in order to receive certain federal assistance; and

WHEREAS, an Eastern Shore Hazard Mitigation Planning Committee comprised of members of the business community and non-profit organizations, and local officials was convened in order to study the County’s risks from and vulnerabilities to natural hazard, and to make recommendations on mitigating the effects of such hazard on the County; and

WHEREAS, the Accomack-Northampton Planning District Commission updated a regional Hazard Mitigation Plan including Accomack County; and

WHEREAS, the efforts of Accomack County, the Eastern Shore of Virginia Hazard Mitigation Planning Committee members, and the Accomack-Northampton Planning District Commission have resulted in an update of a regional Hazard Mitigation Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Accomack, Virginia, that the sections pertaining to Accomack County in the Eastern Shore Hazard Mitigation Plan dated December 2011, are hereby approved and adopted for the County of Accomack, Virginia.

Proposed Amendment to Resolution Creating the Eastern Shore of Virginia Tourism Commission

A brief discussion took place with County Administrator Steven B. Miner explaining that an additional membership seat would be available to the County providing a 51 or more percent of funding.

Mrs. Thornton made a motion to approve the following amendment to the Joint Resolution of Accomack and Northampton Counties, Dated June 20, 1984, which created the Eastern Shore Tourism Commission. Mrs. Gordy seconded the motion. The motion passed unanimously.

**RESOLUTION TO AMEND THE JOINT RESOLUTION
OF
ACCOMACK AND NORTHAMPTON COUNTIES
DATED JUNE 20, 1984, WHICH CREATED
THE EASTERN SHORE TOURISM COMMISSION**

- 1) The Board of Commissioners shall consist of six (6) members, with Accomack County appointing three members and Northampton County appointing three members. Members shall either be involved in the tourism industry on the Eastern Shore of Virginia or possess extensive experience in a related industry that would contribute to the mission and intent of the Eastern Shore Tourism Commission.
- 2) In the event that unrestricted annual funding from either county exceeds that of the other county by 51% or greater **that is paid to the Tourism Commission only**, the county providing the larger amount of unrestricted funding shall appoint an additional member for a one-year term, bringing the Commission to a membership of seven (7), effective July 1 of that fiscal year. The Eastern Shore Tourism Commission Director shall inform both counties of the need for such an appointment upon adoption and certification of the annual fiscal contribution from each county to the Eastern Shore Tourism Commission.

Report of Public Officials

Dr. W. Bruce Benson, Division Superintendent, Accomack County Public Schools gave an update concerning a recently released report from the Virginia Department of Education related to on-time graduation rates for 2011 and called the

Board's attention to a report for Accomack County high school graduate statistics which were below the state average.

Space Needs Report

Public Works Director Stewart Hall gave a presentation on immediate concerns of the Department of Parks and Recreation Office concerning the water intrusion through antique leaded glass windows, masonry, and window frames and more space needs for the department. He provided information concerning leased space for Public Safety/Public Works, Planning, Commonwealth Attorney and Parks and Recreation annual lease expenses in the amount of \$76,236 and recommended that space needs be given consideration during budget deliberations for FY2013.

Appointments

Accomack County Airport Commission

Mr. Crockett made a motion to reappoint Nancy Duncan to the Accomack County Airport Commission for a three-year term beginning January 1, 2012, and ending on December 31, 2014. Mrs. Thornton seconded the motion. The motion passed unanimously.

Accomack County Fire and Rescue Commission

Mrs. Thornton made a motion to ratify the members of the Accomack County Fire and Rescue Commission. Ms. Major seconded the motion. The motion passed unanimously.

Eastern Shore Community Services Board

Mrs. Thornton made a motion to reappoint Sallye Dukes to the Eastern Shore Community Services Board for a three-year term beginning January 1, 2012 and ending December 31, 2014. Mrs. Mears seconded the motion. The motion passed unanimously.

Eastern Shore Resource Conservation and Development

Mrs. Mears made a motion to appoint Grayson Chesser as an Ex-Officio member to the Eastern Shore Resource Conservation and Development Council to replace Sandra Hart Mears January 1, 2012 and ending on December 31, 2014. Mrs. Thornton seconded the motion. The motion passed unanimously.

Greenbackville Boat Harbor Committee

Mr. Wolff made a motion to reappoint Kelly D. Price, Robert W. Wright, and Perry Romig to the Greenbackville Boat Harbor Committee for four-year terms beginning January 1, 2012 and ending on December 31, 2015. Mrs. Thornton seconded the motion. The motion passed unanimously.

Harborton Public Facilities Committee

Mr. Hart made a motion to reappoint Christina Ross to the Harborton Public Facilities Committee for a four-year term beginning January 1, 2102 and ending on December 31, 2015. Mrs. Mears seconded the motion. The motion passed unanimously.

Parks and Recreation Advisory Committee

Mr. Crockett made a motion to appoint Jeb Wilson to the Parks and Recreation Advisory Commission to fill the unexpired term of Stephen D. Mallette, who resigned, the term to begin immediately and end on June 30, 2012. Mrs. Thornton seconded the motion. The motion passed unanimously.

Accomack County Planning Commission

Mr. Gray made a motion to appoint Brantley T. Onley to the Accomack County Planning Commission to fill the unexpired term of Tammy James, who resigned, the term to begin immediately and end on December 31, 2012. Mrs. Mears seconded the motion. The motion passed unanimously.

4-day Work Week

Mrs. Mears made a motion to have staff look into the possibility of instituting a four-day work week and bring back information on same when available. Mr. Gray seconded the motion. The motion passed unanimously.

Board of Supervisors Comments

Following comments regarding the VMRC's mailer survey, Mrs. Thornton made a motion to suspend the rules. Mrs. Mears seconded the motion. The motion passed unanimously.

Virginia Marine Resources Commission

Mrs. Thornton made a motion to send a letter to the Virginia Marine Resources Commission to have a representative come before the Board to provide more information on the mailer survey. Mr. Wolff seconded the motion. The motion passed unanimously.

Mr. Wolff made a motion to send a letter to the Department of Game and Inland Fisheries concerning the number of duck blinds not being properly maintained in local waters.

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

Appreciation to Supervisor Sandra Hart Mears

Board members individually expressed appreciation to Mrs. Mears for her contributions while serving on the Board.

Mrs. Mears expressed her appreciation to fellow board members and staff.

Payables

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

Closed Meeting

Mr. Wolff made a motion to go into Closed Meeting pursuant §2.2-3711 of the Code of Virginia of 1950, as amended, pursuant to subsection (A) (10) for discussion or consideration of honorary degrees or special awards. Mrs. Mears seconded the motion. The motion passed unanimously.

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 2.2-3711 (A) 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. Mrs. Mears seconded the motion. The motion was unanimously.

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

Nays: None

Adjournment

Mr. Wolff made a motion to adjourn. Mrs. Mears seconded the motion. The motion passed unanimously. The meeting adjourned at 6:10 p.m.