

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 21st day of December, 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 Mrs. Gordy, after which, the Pledge of Allegiance to the Flag was recited.

Adoption of the Agenda

Mr. Crockett made a motion to adopt the Agenda. Ms. Major seconded the motion. The motion to adopt the Agenda was unanimously approved.

Public Comment

There were no public comments.

Minutes

Mr. Hart made a motion to approve the minutes of the November 21, 2016 meeting. Ms. Major seconded the motion. The motion was unanimously approved.

Consent Agenda

Mr. Crockett made a motion to approve the following items under Consent Agenda. Ms. Major seconded the motion. The motion was unanimously approved.

5.2 - Approved the Fiscal Year 2018 Budget Call Memorandum and Draft Budget Calendar.

5.2 – Approved the renewal of the contract with Pragmatic Solutions, Inc. for the provision of risk management consulting services in accordance with the terms and conditions of RFP 263 for Years 4, 5, and 6.

5.3 – Approved, as recommended by staff, to direct the County Attorney, Airport Manager, and Planning Director to work with Mr. Custis to develop a mutually agreeable easement request over County owned property at the County Airport to facilitate economic development. The Board authorized the Chairman to execute the easement upon the recommendation of the County Attorney.

5.4 – Approved contract for Virtual Information Security Officer Services using GSA Federal Supply Schedule Contract(s) GS-35F-437BA as the Procurement Vehicle with a one-time onboarding fee of \$11,083.13 and a monthly cost for the Virtual ISO services of \$4,785.90 or \$57,430.80 per year.

Contract Award – IFB 694 Health Department Renovation & Addition

Mr. Steward Hall, Public Works Director, briefed members regarding the summary of the bid opening that was held for the Health Department renovations and an addition. He stated that four (4) bids were received, with the low bid being \$2,031,251 from R. H. Contracting. He informed members of the funding shortfall of \$240,000 which was needed to cover construction, engineering, and a small construction contingency and discussed two options that staff had recommended to fill the funding shortfall. A brief discussion transpired and Mr. Hall responded to an inquiry regarding the completion date of the project.

Mr. Crockett made a motion to award contract IFB 694 – Health Department Renovation & Addition to the low bidder, R. H. Contracting, in the amount of \$2,031,251 for renovations and an addition and to fill the funding gap by using \$240,000 of unappropriated funds made available when the Board approved the \$1.5M one-time reduction in the School Division FY17 local funds.

Mrs. Gordy seconded the motion. The motion was unanimously approved.

County Employee Compensation

Finance Director Michael Mason offered a brief update and background information regarding the impact of the State’s FY17-18 budget amendment and its effect upon the funding for County and State –supported local employees compensation increase.

He advised members that upon the Governor’s release of his proposed amendments to FY17-18 budget, and based on staff’s review of VACo’s published analysis of the State’s budget to date, there are no further reductions in Aid to Localities in FY17-18 and Public Education.

He told members that without further State funding reductions and the County’s projected revenue picture, the County was financially positioned to move forward with the employee compensation increase of 2% effective January 1, 2017, if the Board desired.

There was a brief discussion regarding related matters.

Mr. Hart made a motion to approve staff’s recommendation for the County Employee Compensation increase of 2% effective January 1, 2017, as recommended by staff.

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

Appointments

Accomack County Planning Commission

Mr. Chesser made a motion to reappoint Mr. C. Robert Hickman to the Accomack County Planning Commission for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Hart made a motion to reappoint Mr. Leander Roberts, Jr., to the Accomack County Planning Commission for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Tarr seconded the motion. The motion was unanimously approved.

Mr. Phillips made a motion to reappoint Mr. Brantley T. Onley to the Accomack County Planning Commission for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Muhly made a motion to reappoint Mr. Stephen D. Corazza to the Accomack County Planning Commission for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Crockett seconded the motion. The motion was unanimously approved.

Eastern Shore Community Services Board

Mr. Crockett made a motion to reappoint Ms. Dee N. Fitch to the Eastern Shore Community Services Board for a 3-year term. The term will commence on January 1,

2017 and expire on December 31, 2019. Mrs. Gordy seconded the motion. The motion was unanimously approved.

Eastern Shore Resource Conservation and Development Council

Ms. Major made a motion to reappoint Mr. Barney Selph to the Eastern Shore Resource Conservation and Development Council for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Tarr seconded the motion. The motion was unanimously approved.

Mr. Muhly made a motion to reappoint Sandra Hart Mears to the Eastern Shore Resource Conservation and Development Council for a 4-year term. The term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Phillips seconded the motion. The motion was unanimously approved.

Greenbackville Boat Harbor Committee

Mr. Wolff made a motion to reappoint Mr. Allen Dwayne Marshall to the Greenbackville Boat Harbor Committee for a 4-year term. This term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Wolff made a motion to reappoint Mr. Ronald W. Evans to the Greenbackville Boat Harbor Committee for a 4-year term. This term will commence on January 1, 2017 and expire on December 31, 2020. Mr. Hart seconded the motion. The motion was unanimously approved.

Harborton Public Facilities Committee

Mr. Hart made a motion reappoint Mr. John Hersey to the Harborton Public Facilities Committee for a 4-year term. This term will commence on January 1, 2017 and

expire on December 31, 2020. Ms. Major seconded the motion. The motion was unanimously approved.

Mr. Hart made a motion reappoint Mr. Doug Cowling to the Harborton Public Facilities Committee for a 4-year term. This term will commence on January 1, 2017 and expire on December 31, 2020. Ms. Major seconded the motion. The motion was unanimously approved.

Mr. Hart made a motion to reappoint Mr. Obediah Sample to the Harborton Public Facilities Committee for a 4-year term. This term will commence on January 1, 2017 and expire on December 31, 2020. Ms. Major seconded the motion. The motion was unanimously approved.

Accomack County Fire and Rescue Commission Membership List

Mr. Crockett made a motion to ratify the updated list of the Accomack County Fire and Rescue Commission Membership. Mr. Phillips seconded the motion. The motion was unanimously approved.

Greenbackville Boat Harbor Committee

Mr. Wolff made a motion to appoint Mr. Tom Wall to the Greenbackville Boat Harbor Committee to replace Mr. Perry Romig, who is deceased. The term will commence immediately and expire on December 31, 2019. Mr. Hart seconded the motion. The motion was unanimously approved.

Landfill Equipment Lease Approval

Finance Director Michael Mason briefed the Board regarding the landfill equipment lease and informed the Board that the Resolution would authorize the County staff to execute and deliver all documents necessary for the County to finance \$1,372,523

in landfill equipment as outlined in the FY17 Adopted County budget. He told members that the term of the lease purchase was 5 years with an annual interest rate of 1.658%.

He also stated that the financing of the equipment would eliminate the need for additional cash outlays in the short-term instead of spreading them over the equipment's useful life.

By a roll call vote, Mr. Crockett made a motion to adopt the following Resolution Approving Financing Terms, as provided by staff. Mr. Tarr seconded the motion.

The Vote: Aye: Hart, Major, Gordy, Crockett, Chesser, Phillips, Muhly, Tarr and Wolff.

Nay: None Absent: None

Resolution Approving Financing Terms

WHEREAS: The Accomack County Board of Supervisors, Virginia ("County") has previously determined to undertake the lease purchase of new landfill equipment (the "Project"), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The County hereby determines to finance the Project through US Bancorp Government Leasing and Finance ("USBGLF"), in accordance with the proposal dated November 14, 2016. The amount financed shall not exceed \$1,372,523.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 1.658%, and the financing term shall not exceed five (5) years from closing.
2. All financing contracts and all related documents for the closing of the financing (the "Financing Documents") shall be consistent with the foregoing terms. All officers and employees of the County are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.
3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by County officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director's release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document's final form.
4. The County shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations. The County hereby designates its obligations to make principal and interest payments under the Financing Documents as "qualified tax-

exempt obligations" for the purpose of Internal Revenue Code Section 265(b)(3).

5. The County intends that the adoption of this resolution will be a declaration of the County's official intent to reimburse expenditures for the project that is to be financed from the proceeds of the USBGLF financing described above. The County intends that funds that have been advanced, or that may be advanced, from the County's general fund, or any other County fund related to the project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of County officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this _____ day of _____, 2016.

By: _____
Clerk

By: _____
Board Chairman/County Administrator

County Administrator's Report

There was no County Administrator's Report.

County Attorney's Report

County Attorney Cela Burge briefed members on the following items and informed them of a closed session item on the agenda:

- With the fast approaching Legislative Season, she told members she would be using the same mechanism in providing the Legislative information to them as she had in the prior year by forwarding requests from other localities/counties and VACo that may be of interest.

- Gave a brief update regarding the status of Fooks Lane and informed members of her meeting with Terry Bliss. She told members that a deed had been prepared but was not yet ready to be rendered to the County because of decisions that had to be made by the property owners.

Attorney Burge offered expressions of gratitude acknowledging her one year of employment with the County to date.

Board of Supervisor's Comment Period

Supervisor Grayson Chesser

Mr. Chesser offered complimentary expressions to the three (3) new Board members on their first year of experience as Board members.

Supervisor Donald L. Hart, Jr.

Mr. Hart wished everyone a Merry Christmas.

Supervisor Harrison W. Phillips, III

Mr. Phillips offered expressions of gratitude for everyone's generosity in making his first year as a Board member a great learning experience.

Supervisor C. Reneta Major

Ms. Major wished everyone a Merry Christmas, Happy Kwanza, etc.

Supervisor Laura Belle Gordy

Mrs. Gordy wished everyone a Merry Christmas and offered expressions of gratitude to all members.

Supervisor Paul E. Muhly

Mr. Muhly offered expressions of gratitude to Board members during his first year as a Board member and wished everyone Happy holidays.

Supervisor Robert D. Crockett

As a point of clarification concerning the motion in reference to the Health Department construction, Mr. Crockett stated that the portion coming out of the reduction in the School FY' 17 Budget was for the \$240,000.

He offered expressions of gratitude for the three (3) new Board members during their first year and also the other members. He expressed his thanks for the out-going Chairman as well.

Supervisor William "Billy" Tarr

Mr. Tarr offered expressions of gratitude to the Board for their patience with the newer members.

Supervisor Ron S. Wolff

As Chair, Mr. Wolff offered expressions of gratitude to the Board and Vice Chair for their assistance and support.

Payables

Upon certification by the County Administrator, Mr. Crockett 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) (1), and (A) (7), of the Code of Virginia of 1950, as amended, for the following purposes. Mr. Phillips seconded the motion. The motion was unanimously approved.

1. For the purpose of discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, specifically personnel issues relating to the resignation of the County Administrator and pending vacancy of the position.
2. For the purpose of consultation with legal counsel pertaining to pending litigation relating to the CCG Note, LLC (15CL-373) and CCG Land, LLC (15CL-374) cases.

Open Session

The Chair declared the meeting open to the public.

Mr. Hart made a motion, seconded by Ms. Major 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	Absent: None
	Ms. Major	Mrs. Gordy	Mr. Hart	

County Administrator's Resignation

Mr. Crockett made a motion to accept the resignation of Steven B. Miner, County Administrator and confirm the transitional services agreement with Dr. Steven B. Miner as previously discussed. Mrs. Gordy seconded the motion. The motion was unanimously approved.

Acting County Administrator

Mr. Crockett made a motion to appoint Michael Mason as the Acting County Administrator effective February 1, 2017 with an annual salary of \$121,000 in accordance with the Resolution provided by staff. Mr. Phillips seconded the motion. The motion was unanimously approved.

New County Administrator Search Process

Mr. Crockett made a motion to authorize and direct the Human Resources Director to begin the search process for a new County Administrator in accordance with the Resolution provided by staff. Mrs. Gordy seconded the motion. The motion was unanimously approved.

Captains Cove Greenbackville Note, LLC & Captains Cove Greenbackville Land, LLC

Mr. Wolff made a motion to accept the discussions and offers that have been made by the County Attorney in regard to CCG Note, LLC and CCG Land, LLC., and to authorize the County Attorney to move forward with the settlement. Mr. Muhly seconded the motion. The motion was unanimously approved.

Adjournment

Mr. Tarr made a motion to adjourn the meeting to the Board's Organizational meeting on Wednesday, January 4, 2017. The meeting adjourned at 6:15 p.m. Mr. Phillips seconded the motion. The motion was unanimously approved.