

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 20th day of February, A.D., 2013, at 5:00 p.m.

Members Present: Donald L. Hart, Jr., Chair
Wanda J. Thornton
Ron S. Wolff
Grayson Chesser
John Charles "Jack" Gray, Vice Chair
Kay W. Lewis
Robert D. Crockett
Laura Belle Gordy
C. Reneta Major

Others Present: Steven B. Miner, County Administrator
Shelia Goodman, 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 Reverend Broad, after which the Pledge of Allegiance to the Flag was recited.

Adoption of the Agenda

Chairman Hart asked that item 11.7 (Discussion on the Arson Fires and Possible Reward) be removed from the Agenda and move 9.1 (Appointments) until after the Closed Meeting.

Mr. Wolff made a motion to adopt the Agenda. Mrs. Gordy seconded the motion. The motion was unanimously approved.

Public Comments

The County Attorney read the rules governing conduct during the public comment period.

Phillip Obenuer from Harborton and Russell Knil, and George Peterson from Quinby commented on the issue of the laws concerning hunting deer with dogs, dogs trespassing on their land, and dogs running at large. Mr. Peterson presented a petition with over 100 signatures to Mr. Miner. Chairman Hart told the three (3) gentlemen the Board would discuss the issue and Mr. Miner would be contacting them after the Board discusses it.

Mr. Mark Baumgartner gave an update on the Town Center Wallops Island Spaceport. He told the Board they redesigned the project to fit within the foot print that the Board approved for the village development area of approximately a 100 acre site which would include multi-family residential housing. He continued and stated the

project was designed to complement and support the Research Park. Mr. Baumgartner stated he had submitted a revised plan in November to the Planning Department and the Planning Department and outside consultants reviewed the plan and had clarification requests before the application could be completed. He informed the Board he had resubmitted the application back to the Planning Department and hoped to proceed through the Planning Commission and then the Commission would bring it back to the Board. Mr. Baumgartner told the Board they need an approval before they could start.

Mr. Robert Kerns from Locustville talked about the new proposed Library and expressed his thoughts on the Eastern Shore Public Library and urged the Board to consider the need to expand the Library to a modern facility and consider the Library's request during budget time. He presented a letter to Mr. Miner explaining in detail.

The following people from Bloxom spoke in support of keeping 24-hour staffing at Bloxom Volunteer Fire Company:

Barbara Terwell	Susan Annis	Stanley Annis	Snooky Bagwell
Thomas Bagwell	Jody Bagwell	Richard Taylor	Peter Beaubour
Mayor Kimberly Cathell			

Richard Taylor stated the County had been doing diminishing funds and some stations had gotten approved for it but when Bloxom asked for it last year they got denied and he did not understand why Bloxom could not get the same benefits as everyone else. He asked how it was fair to take the 24-hour shift from Bloxom and put that person in Oak Hall when they already have 24-hour shift and doubling their coverage and leaving Bloxom with no coverage at night. Chairman Hart asked Mr. Miner to get back in touch with Mr. Taylor with the answers to the two (2) questions.

New Business Items

Chairman Hart told the Board he had two (2) new business items to be discussed under New Business. He asked Mr. Miner to add, from this point forward, to add under New Business - Other New Business Items as they need to be discussed.

Minutes of January 16, 2013

Mr. Wolff made a motion to approve the Minutes of the January 16, 2013 Regular Monthly Meeting. Mr. Gray seconded the motion. The motion was unanimously approved.

Resolution of Recognition & Appreciation for C. Ray Pruitt

Mr. Hart presented the following Resolution and Appreciation to C. Ray Pruitt.

A RESOLUTION OF RECOGNITION & APPRECIATION

WHEREAS, Charles R. Pruitt, affectionately known by all as C. Ray, served as Acting Interim Director of the Department of Public Safety for an extended time; and

WHEREAS, C. Ray led the Department through the implementation of a new schedule, hiring of new employees, and the retirement of another; and

WHEREAS, C. Ray during his tenure provided excellent guidance during Hurricane Sandy and two tornado touchdowns; and

WHEREAS, C. Ray lent unlimited support to a volunteer fire company during a tragic Line of Duty Death; and

WHEREAS, C. Ray provided leadership to the employees of the Department of Public Safety; now

LET IT THEREFORE BE RESOLVED that the Accomack County Board of Supervisors wishes to recognize C. Ray Pruitt for his dedication to the Department of Public Safety and the citizens of Accomack County, and commends his service and dedication to the citizens of Accomack County.

Done this 20th day of February, 2013.

Consent Agenda

Mrs. Gordy asked to remove item 5.7 Sole Source Generator – Administration Building from the Consent Agenda.

Mrs. Gordy told the Board she had received calls from constituents

Ms. Major made a motion to approve the Consent Agenda. Mr. Wolff seconded the motion. The motion was unanimously approved.

5.2 Revitalization Area Resolution in the Town of Onancock

RESOLUTION

WHEREAS, The Town of Onancock has requested that the Board of Supervisors designate an area of the Town of Onancock hereinafter described as a “revitalization area” within the meaning of the Virginia Housing Development Authority Act, and

WHEREAS, pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Board of Supervisors of the County of Accomack Virginia, desire to designate 49 Market Street, Onancock, Virginia, as the area (the Area) described on Exhibit A attached hereto as a revitalization area:

NOW, THEREFORE, BE IT HEREBY DETERMINED AS FOLLOWS:

- (1) the industrial commercial or other economic development of the Area will benefit the County of Accomack but the Area lacks the housing needed to induce manufacturing, industrial, commercial, governmental, educational, entertainment, community development, healthcare or nonprofit enterprises or undertakings to locate or remain in the Area: and
- (2) private enterprise and investment are not reasonably expected, without assistance, to produce the construction or rehabilitation of decent, safe and sanitary housing and supporting facilities that will meet the needs of low and moderate income persons and families in the Area and will induce other persons

and families to live within the Area and thereby create a desirable economic mix of residents in the Area;

NOW, THEREFORE, BE IT HEREBY RESOLVED that pursuant to Section 36-55.30:2.A of the Code of Virginia of 1950, as amended, the Area is hereby designated as a revitalization area.

5.3 Contract Renewal—RFP 247 Engineering Services for Public Works Projects

Approved renewal of contracts with J. W. Salm Engineering for small projects and Davis Bowen & Friedel for large projects in accordance with the renewal terms and other terms and conditions of RFP 247. The renewal term is March 1, 2013 to February 28, 2014.

5.4 Contract Renewal – IFB 632 Scrap Metal Purchases & Removal

Approved contract renewal with Schultz & Sons Salvage, Inc. for the purchase and removal of scrap metal for one year - March 20, 2013 to March 19, 2014.

5.5 Contract Renewal – RFP 220 Inmate Phone System

Approved renewal of contract with Legacy Inmate Communications for the Inmate Phone System for the renewal term of April 13, 2013 to April 12, 2014 in accordance with the terms and conditions of RFP 220.

5.6 Contract Renewal – RFP 225 Inmate Food Service

Approved renewal of RFP 225 to CBM Food Service, Inc. for the provision of inmate food services for term of April 29, 2013 to April 28, 2014 in accordance with the Amendment to Food Service Contract that provides the meal cost at a rate of \$1.57 per meal.

5.8 Resolution for proposed amendments to the Accomack-Northampton Enterprise Zone as requested by Northampton County

Approved the Resolution and authorized the County Administrator to carry out the Joint Application Amendment Agreement concurring with Northampton County's Amendment Application.

RESOLUTION

WHEREAS, the Counties of Accomack and Northampton constitute the Accomack-Northampton Enterprise Zone; and

WHEREAS, the County of Northampton deems it necessary to amend its boundaries of the Accomack-Northampton Enterprise Zone, and

WHEREAS, it is required that all participating jurisdictions approve any amendment to the boundary of the Enterprise Zone.

NOW, THEREFORE, BE IT RESOLVED, that the County of Accomack hereby approves the amendment to the Accomack-Northampton Enterprise Zone as petitioned by the County of Northampton.

JOINT APPLICATION AMENDMENT AGREEMENT

As the representative of the local governing body of Accomack County, I hereby certify that:

1. The aforementioned locality is in agreement with the other participating localities in filing this amendment;
2. Any local enterprise zone incentives proposed by the aforementioned locality in this amendment application represent a firm commitment;
3. It is understood that if at any time the aforementioned locality is unable or unwilling to fulfill a commitment to provide local enterprise zone incentives listed in this application, the zone shall be subject to termination; and
4. A public hearing was held on January 8, 2013 to solicit comments on the application.

5.9 Comprehensive Plan Update: Memorandum from the Planning Commission

Rich Morrison gave the Board a Memorandum from the Planning Commission concerning a Comprehensive Plan update to the Board and stated the Planning Commission and Planning Department staff were working on the 2012-2013 Accomack County Comprehensive Plan update and the intent of the Planning Commission was to focus on the Future Land Use Plan text and to revise the Future Land Use Plan, fulfilling state requirements for this five-year review and the Northern Accomack Market Study and the Sub-Area Plans for the Onley, Accomac, and that the Onancock areas would be incorporated into the Comprehensive Plan Update.

The Memorandum that was submitted to the Board stated other concerns that have arisen in regards to the Future Land Use Plan that would also be addressed in the update. A draft schedule outlining the timeline of the review was given to the Board as well.

5.10 Resolution regarding Virginia Saltwater Recreation Fishing Development Fund (VSRFDF) grant for Greenbackville Harbor

The Board authorized the County Administrator to sign the grant documents that is required by VMRC.

**VIRGINIA SALTWATER RECREATIONAL FISHING DEVELOPMENT FUND
AUTHORIZE**

RESOLUTION

WHEREAS, under the provisions of the VIRGINIA SALTWATER RECREATIONS FISHING DEVELOPMENT FUND, funding assistance is available to aid in financing the cost of development of saltwater fishing facilities; and

WHEREAS, the County of Accomack considers it in the best public interest to renovate portions of the Greenbackville Harbor:

NOW, THEREFORE, BE IT RESOLVED that:

1. The County is committed to operate the facility for its intended purpose for 30 years;
2. The County will be responsible for law enforcement and patrol of the facility;
3. The County understands that it is responsible for maintenance and/or capital improvements of the facility and that a fee may be approved by the Recreational Fishing Advisory Board to offset the cost;
4. The County understands that if a fee is to be charged, holders of Virginia Saltwater Recreational Fishing Licenses will receive a discount from facility fees;
5. The County will abide by all construction, reporting, usage restricts and maintenance requirements of the VMRC Facility Grant Provisions;
6. The County Administrator is authorized to sign the Virginia Saltwater Recreational Fishing Development Fund grant contract after counsel review.

This Resolution was adopted by the Accomack County Board of Supervisors during the meeting held on February 20, 2013, at the Board Chambers in Accomack, VA 23301.

5.11 Consider a grant application to the Virginia Port Authority (VPA) for renovations to Quinby Harbor and other County marine facilities

The Board authorized grant requests in the amount of \$200,000 for Quinby Harbor renovations and \$50,000 for improvements to other County marine facilities. The local match requirement is 25% and would come from funds managed by the Harbor Committee (Quinby) and the Buildings and Grounds budget (other facilities).

5.12 Preparation of a Resolution of Recognition for Robert W. Marshall for 25 years of service on the Economic Development Authority

5.13 Resolution of Recognition for 50 years of service for Firefighter Bill Mariner

Item Removed from Consent Agenda

Mrs. Gordy asked to remove item 5.7 Sole Source Generator – Administration Building from the Consent Agenda because she had received numerous calls from constituents in her district that felt it was unnecessary to spend \$157,000 for the cost of the generator.

Mr. Hall told the Board the generator would provide power in case of a major storm or major power outage and critical County applications were housed in the Administration Building that were needed by the government to function. FY13 Capital Funds totaling \$157,000 were budgeted and appropriated for this purchase.

Mr. Hall continued and said staff recommends sole sourcing to Carter Machinery, Inc. because Carter Machinery, Inc. services the County's other generators and the company has provided excellent service.

The Board approved sole source purchase from Carter Machinery Company, Inc. for the purchase of a 300KW generator and associated equipment for the Administration Building located at 23296 Courthouse Avenue for the amount of \$88,625.50. Mr. Hall responded to questions from the Board.

Mrs. Thornton made a motion to approve the sole source purchase from Carter Machinery Company, Inc. for the purchase of a 300KW generator and associated equipment for the Administration Building. Ms. Major seconded the motion. The motion passed 8-1 with Mrs. Gordy voting no.

Presentation from Dr. Linda Thomas-Glover, President of the ESCC, Update on the ESCC

Dr. Linda Thomas-Glover President of the Eastern Shore Community College gave an update on the activities going on at the college, demographics, enrollment of new students at the ESCC, military enrollment status, workforce training, Pharmacy Technician Program, transfers of ESCC students and their success in transferring to the average college for 2012-2013, and bus shelter (Star Transit bus shelter). Dr. Linda Thomas-Glover thanked the Board for their financial support.

Presentation from Stewart Hall concerning Public Works Department

Mr. Hall gave a brief update on the activities in the Department of Public Works. He told the Board his Mission Statement was to efficiently provide quality public services countywide, while fostering positive relationships and developing sustainable infrastructure for continuing economic growth. Mr. Hall presented an organization chart of his department, staffing changes, changes in duties, current solid waste projects, current facilities and infrastructure projects, current storm drainage projects, current regulatory and leachate management projects, and a to do list and explained each item.

Mr. Hall recognized Mr. Greg Duncan as the new Deputy Director of Solid Waste and Mr. Jeb Wilson as the new Deputy Director of Facilities and Infrastructure to the Board. Mr. Hall responded to questions and comments from the Board.

Tax View/Pay Website Launch

Finance Director Mike Mason stated staff (Treasurer, Commission of Revenue and the IT Department) launched a new tax payment website where taxpayers could view and pay their property taxes. He continued and stated taxpayers could also request tax billing address changes and find answers to frequently asked tax related questions. He told the Board a promotional flyer would be available to the public at strategic locations and the flyer explains the capabilities of the website and includes the URL which is www.accomacktax.com.

Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA)

The County Administrator announced that the County Central Accounting Department had once again received an award from the Government Finance Officers Association (GFOA). Mike Mason accepted the GFOA's Distinguished Budget Presentation Award for the current budget on behalf of the Central Accounting Department. Mr. Miner thanked Mr. Mason on behalf of the County.

New Business

Request to Change Polling Place at Bloxom

Mrs. Lewis made a motion to use Bloxom Fire House as the voting facility. Mr. Gray seconded the motion. County Attorney Mark Taylor stated he wanted to make a point to the Board and the public understood the motion would not change the polling place. The process would involve bringing back an amendment to the County Ordinance to make that designation formal and they would only come back to the Board after the approval of the change by the Justice Department. The motion was unanimously approved.

Consider Accomack County Grant for Elevation of Four (4) Residential Structures

David Fluhart, Director of Building Planning and Zoning, told the Board there were four (4) houses as part of the grant request that his office was going to supervise and manage, but the Planning District Commission was going to manage hands on the ground.

Mr. Miner told the Board David Fluhart would manage, supervisor and have a check list and make sure everything that needed to be done and should be done would be monitored by him so the County would be much wiser about the process of handling the projects. Mr. Miner told the Board Mr. Fluhart would not be doing the day to day project management but an agreement with the Planning District Commission would be done on how things would be done.

Mr. Wolff made a motion to approve the elevation of the four (4) residential structures. Ms. Major seconded the motion. The motion was unanimously approved.

**RESOLUTION TO ACCEPT FEMA HAZARD MITIGATION
GRANT FUNDS FOR ELEVATION OF FOUR
RESIDENTIAL STRUCTURES**

WHEREAS, the Virginia Department of Emergency Management is administering the Federal Emergency Management Hazard Mitigation Grant Program; and

WHEREAS, the objective of the Hazard Mitigation Program is to assist local governments by providing funds to address flood hazard mitigation needs; and

WHEREAS, the County of Accomack has been offered an award of a Hazard Mitigation Grant in the amount of Five Hundred Thirty-Four Thousand Two Hundred and Forty Dollars (\$534,240.00).

NOW, THEREFORE, BE IT RESOLVED, that the County of Accomack accepts the award from the Virginia Department of Emergency Management and will implement the Project as described in the Application for funds, subject to appropriate internal controls; and

BE IT FURTHER RESOLVED, that the Project will be called the Accomack County Elevation Project (Project Number VA 1905-001-005), and will benefit 4 households elevating houses to the required flood code height requirements and providing flood code compliant foundations; and

BE IT FURTHER RESOLVED, that Accomack County intends to carry out the project activities as described in the Grant Agreement issued by the Virginia Department of Emergency Management; and

BE IT FINALLY RESOLVED, that the County Administrator of Accomack County be authorized to negotiate and execute all necessary forms and documents required to initiate and implement the Project.

This Resolution shall take effect immediately upon its adoption.

Recess

The Chair recessed the meeting until 7:30p.m

Call to Order

Mr. Hart called the meeting back to order at 7:35 p.m.

Request Closing of Crossover on Route 13 in front of New Atlantic Community Health Center

Rich Morrison gave a brief overview of the crossover in front of the new Atlantic Community Health Center and explained the requirements of VDOT and responded to questions concerning the approved plan. He told the Board VDOT would require the developer to remove the existing crossover. Mr. Morrison stated VDOT requires the removal of the existing crossover, removal of the turn lanes, and restoration so it would look like the rest of Route 13.

Nancy Stern, CEO of the Eastern Shore Rural Health System, Inc. told the Board the request was being made to insure safe access to and exit to the new site. Mrs. Stern said that Eastern Shore Rural Health was aware if VDOT did not pay for the closure of the crossover they would try and raise the money to have it done.

Mr. Chesser made a motion to approve the Resolution. Mr. Wolff seconded the motion. The motion was unanimously approved.

RESOLUTION OF THE BOARD OF SUPERVISORS OF ACCOMACK COUNTY, VIRGINIA FOR CLOSURE OF CROSSOVER AT THE NEW ATLANTIC COMMUNITY HEALTH CENTER IN NEW CHURCH

The Board of Supervisors of Accomack County, Virginia, in regular meeting on the 20th day of February, 2013 adopted the following:

RESOLUTION

WHEREAS, the Route 13/Wallops Island Access Management Study recommends removal of this crossover, it being the first crossover noted north of Greenhill Road (Rt. 704); and

WHEREAS, after considering all evidence available, upon request from the Eastern Shore Rural Health System, Inc., this Board is satisfied that no public necessity exists for the continuance of the Route 13 crossover in front of the new Atlantic Community Health Center in New Church, and hereby requests that said crossover be closed to insure safe access to and exit for all to the new, state-of-art medical and dental facility in northern Accomack County; and

WHEREAS, the Accomack County Board of Supervisors has deemed that the Route 13 crossover in front of the new facility is no longer necessary;

NOW, THEREFORE, BE IT RESOLVED, this Board requests the closure of the above-described crossover, pursuant to Section 33.1-151, Code of Virginia; and further authorizes County Administrator Steven B. Miner to seek funding from Virginia Department of Transportation; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Resident Engineer of the Virginia Department of Transportation.

Bid Award-Marine Projects IFB 654 and 655

Stewart Hall told the Board the improvements to the marine projects were bid as a result of damage caused by Hurricane Sandy and the total bid cost for all four (4) projects

was \$150,144.00. He continued and stated the Federal Emergency Management Agency (FEMA) and the Virginia Department of Emergency Management (VDEM) would pay 94% or \$141,136.21 of the total cost for all four (4) projects and the balance of \$9,008.69 was requested from the County contingency funding but rounded to \$10,000 which would be the County's match.

Ms. Lewis made a motion to approve the use of contingency funds totaling \$10,000 to cover the local commitment for this work and also contract of IFB 654 for improvements to Behrmann Pier and Gladding Landing to BIC, Inc. in the total amount of \$34,815 and approve contract award of IFB 655 for improvements to Northside and Southside Chesconnessex to Dilley Contracting in the total amount of \$115,278.90. Mr. Wolff seconded the motion. The motion was unanimously approved.

Proposed Budget Presentation

County Administrator Steve Miner proposed a \$51.3 million fiscal 2013-2014 County operating budget and capital plan. He told the Board it was balanced without a tax increase, a two percent (2%) salary increase for all positions, \$249,000 in additional school funding, and two new positions proposed to address road litter and \$771,000 more to the rainy day fund. Mr. Miner went over the priorities he deemed to be most important. He handed out a comparison of 18 other counties showing what each county spent in certain departments and how Accomack ranked accordingly. Mr. Miner responded to questions from the Board.

Finance Director Mike Mason told the Board staff provided tips on how to navigate through the document in addition to giving a presentation pointing out key assumptions, trends and new initiatives.

Mr. Mason gave key issues impacting the FY2014 Budget. The six issues impacting the FY14 Budget were employee salaries, employee health insurance, slow revenue growth, delinquent tax collections, school funding, and bringing the rainy day stabilization fund up to the percentage of operating revenues as recommended by the GOA.

Mike Mason said the school system gets about 52 percent of all tax revenues and the total local share of school expenses was \$16.2 million. He continued and said \$182,000 would be for a 2 percent salary increase for county employees, \$771,000 for the Rainy Day Fund, a portion of money for construction of the Wachapreague Convenience

Center, two litter clean-up positions, a litter vacuum truck, \$7,500 for the Economic Development Authority to market the Industrial Park and \$63,343 for Star Transit. Mike Mason spoke on how important the DMV stops were for revenue collection. Mr. Mason responded to questions from the Board concerning the DMV Revenue Stop.

Budget Meeting Dates

It was the consensus of the Board to hold a work session on February 28, 2013 at 4:00 p.m. until 6:00 p.m. in the Board of Supervisors' Chambers with Department Heads or Agencies requesting additional funding. The Accomack County School Board will make their presentation at the same time.

Other New Business Added

Hunting Deer with Dogs

It was the consensus of the Board to have the County Attorney prepare all the particulars on Hunting Deer with Dogs and bring the information back to the Board and then the Board would schedule a Public Hearing.

Bloxom Rescue Staff (Backfill Position)

Mr. Jeff Terwilliger, Director of Public Safety clarified why the (Backfill) position at Bloxom Volunteer Fire Company was reassigned to Oak Hall Rescue Company. He told the Board no assigned employee had been taken from any company. Mr. Terwilliger stated the Department of Public Safety staffs nine (9) fire stations with various staffing configurations consisting of 24-hour and daytime personnel. He said in addition, DPS has three (3) floating positions known as (backfill) and they were utilized to cover vacancies due to employee leave. Mr. Terwilliger told the Board DPS Standard Operating Guideline 229 provides a staffing matrix; which after review of response data and fire station locations, he utilizes scarce resources appropriately. He told the Board he reassigned (Backfill) to be assigned to Priority 1 Stations which were Parksley, Oak Hall, Onancock and Melfa and it was standard operating guideline. He informed the Board Oak Hall was selected due to its Priority 1 status and its geographical advantage of service in the outlying remote areas of Saxis, Greenbackville, and Bloxom. Mr. Terwilliger stated he had several safety concerns with regard to the previous staffing configuration.

Mr. Terwilliger told the Board Bloxom was a Priority 2 station and station priorities were based upon location, call volume and population. He stated after sixty

(60) days the data would be reviewed. Mr. Terwilliger responded to questions from the Board.

Mr. Crockett stated the Board should either change the policy, or vote in the money in the budget to provide service to Bloxom, or do nothing.

County Attorney's Report

County Attorney handed out two handouts. One was an updated summary of bills in the General Assembly and the other was an Updated Executive Summary on oyster replenishment in the Chesapeake Bay.

It was the consensus of the Board to allow Mark Taylor to pursue the identified area for replenishment to do work.

Board of Supervisors Comments

Mr. Chesser told the Board he felt the oysters could take care of themselves. He said he watches the boats go out and they are plentiful.

Mr. Crockett stated he had been appointed to the Hospital Board and he had thanked Mrs. Gordy publically and privately for her support.

Mrs. Gordy told the Board she had attended the January Tourism Commission Meeting and found it very interesting. She said she felt the new Director of the Tourism Commission was very organized and knowledgeable of tourism.

Mrs. Lewis stated the representative from SBA came to the Board meeting last month and talked about the loan that the people could get. Mrs. Lewis stated she was disappointed when talking to people in Sanford that people could not afford the payments on a loan. They were told of other alternatives and when they called and spoke to the person they were told there were no other alternatives.

Ms. Major addressed the Commuter Toll with helping with travel for educational purposes to the Tidewater area and stated the public needed to be aware of things such as this.

Mrs. Thornton said she attended the Bay Bridge Tunnel Meeting and spoke as a former commissioner and was happy for the support that was there to give the Shore some relief and hoped it would be a positive thing for the whole Eastern Shore. She talked about the Pine Bark Beetles and had found a company that has a new product on the market that has been very well tried and was called Arbor Jet. She told the Board she had scheduled a public meeting on March 19 on Chincoteague and someone from the

company is going to come to do a demonstration. Mrs. Thornton spoke on the issue of the Burn Law at 4:00 p.m. and said she had been discussing the issue with the County Attorney. Mrs. Thornton said the Army Corp of Engineers had contacted her and wanted her to help organize a Navigational Partnership Meeting and the meeting has been scheduled for next month at the Chincoteague Center.

Mr. Wolff gave an update on the launch that was supposed to have gone off last Thursday but it did not happen. It is now scheduled for Friday morning between 4 and 9.

Budget Items and Appropriation Items

Accomack County School Boards Appropriation of Unspent State Carryforward Funds

Mr. Crockett made a motion to schedule a Public Hearing on March 20, 2013 at 7:30 p.m in the Board of Supervisors Chambers to afford interested persons the opportunity to be heard or to present written comments concerning an amendment to the budget in accordance with Section 15.2-2507 of the Code of Virginia to amend the School Boards Reappropriation Request of unspent State Carryforward Funds in the amount of \$6,763,905.52. Ms. Major seconded the motion. The motion was unanimously approved.

Payables

Mr. Miner certified the payables.

Mrs. Thornton made a motion to authorize the payment of invoices. Ms. Major seconded the motion. The motion was unanimously approved.

Resolution for Onley Volunteer Fire and Rescue Company, Incorporated

RESOLUTION OF THE BOARD OF SUPERVISORS OF ACCOMACK COUNTY, VIRGINIA, TO ALLOW THE COUNTY ADMINISTRATOR AND FINANCE DIRECTOR TO PAY PROPERLY DOCUMENTED PAYABLES OUT OF THEIR NORMAL FIRE AND RESCUE DISTRIBUTION AS AUTHORIZED FOR PAYMENT BY THE PRESIDENT AND TREASURER OF THE ONLEY VOLUNTEER FIRE AND RESCUE COMPANY, INCORPORATED

WHEREAS, Onley Volunteer Fire and Rescue Company, Incorporated (Company) is recognized as an integral part of the official public safety program of Accomack County; and

WHEREAS, the Company continues to provide vital public safety services as anticipated and required; and

WHEREAS, Accomack County distributes funds from time to time to all volunteer departments pursuant to certain agreements, and one such distribution is due in February to all volunteer companies, including the Company; and

WHEREAS, the Company has indicated to Accomack County that certain irregularities have recently occurred with its finances, and that its management and board have taken steps to report the matter and have assured the County that they have taken appropriate corrective steps; and

WHEREAS, due to the sensitive nature of the proceedings, amounts, details and depth of any such irregularities have not been made known to the public or to Accomack County; and

WHEREAS, the Accomack County Board of Supervisors wishes to continue to provide needed assistance by the direct payment on behalf of the Company of properly documented payables authorized for payment by both the President and Treasurer of the Company, pursuant to the aforementioned agreement while at the same time ensuring that the public trust is maintained through full accountability and sharing of details of any such irregularities before resuming direct assistance distributions to the Company.

NOW, THEREFORE, and until such time as the Accomack County Board of Supervisors determines that an appropriate level of detail has been made available in the public domain by the appropriate parties, so that citizens might be fully aware of belief of appropriate investigators about these irregularities, including the persons responsible, the amounts involved, and other such details as might ensure the return of full public trust to the Company and the process, it is hereby

RESOLVED that all funds payable by agreement from Accomack County to the Onley Volunteer Fire and Rescue Company, Incorporated be, and they are hereby, sequestered and approved for payment by the County only under the following terms and conditions:

1. Payments shall not in any event be made directly to the Company.
2. Payments shall be made on duly authorized bills payable and amounts paid shall be accounted against the County monies allocable to the Company by prior agreement. The aggregate of said payments shall not exceed the County funds allocable to the Company.
3. Payments may only be made on such items and services which are normally eligible for payment by County funds pursuant to the terms and conditions of the County's agreement for payments made to similarly situated companies.
4. Bills payable shall be in a form as required by and found acceptable by the County Finance Director, but similar to normal bills payable for other county purposes, and shall be certified for authenticity and requested for payment, in writing, by the President and the Treasurer of the Company.

These terms and conditions shall remain in effect until such time as the detailed disclosures described above have been made and correction actions implemented to the satisfaction of the Accomack County Board of Supervisors.

Mrs. Gordy made a motion to approve the Resolution. Mr. Crockett seconded the motion. The motion was unanimously approved.

Closed Meeting

Mrs. Thornton made a motion to go into Closed Session. Ms. Major seconded the motion. The motion was unanimously approved.

County Attorney Mark Taylor advised they needed a Motion to into a closed meeting pursuant to Virginia Code §2.2-3711.A. of the Code of Virginia of 1950, as amended, and more particularly under subsection A.1. for discussion and consideration of

candidates for certain appointments of the governing body and for discussion and consideration of the establishment of the County Finance Board. Also under subparagraph A.3 for discussion and consideration of the acquisition of real property for a public purpose or the disposition of publicly held real property where discussion in opening meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Mr. Wolff made a motion to go into Closed Meeting pursuant §2.2-3711.A.1 and 3 of the Code of Virginia of 1950, as amended. Mrs. Lewis seconded the motion. The motion was unanimously approved.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Wolff made the motion to reconvene in Open Meeting and to certify by roll call vote, pursuant to Section 2.2-3711 (A) (1) and (3) 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. Ms. Lewis seconded the motion. The motion was unanimously approved.

Roll Call

Ayes: Mr. Chesser	Mrs. Thornton	Mr. Crockett
Mr. Wolff	Ms. Kay W. Lewis	Mrs. Gordy
Mr. Hart	Mr. Gray	Ms. Major

Nays: None

Appointments

Accomack-Northampton Transportation District Commission

Mrs. Thornton made a motion to appoint Ms. C. Reneta Major to Accomack-Northampton Transportation District Commission commencing immediately. Mr. Crockett seconded the motion. The motion was unanimously approved.

Eastern Shore of Virginia Tourism Commission

Mrs. Thornton made a motion to appoint Mrs. Laura Belle Gordy to the Eastern Shore of Virginia Tourism Commission commencing immediately to replace Mr. Dennis

Crockett who has resigned. Ms. Major seconded the motion. The motion was unanimously approved.

Economic Development Authority

Appointment to Economic Development Authority was postponed. No objection.

Adjournment

Mr. Wolff made a motion to adjourn until February 28, 2013 at 4:00 p.m. in the Board Chambers for a Budget Work Session. Mrs. Lewis seconded the motion. The motion was unanimously approved. The meeting adjourned at 10:30 p.m.

Donald L. Hart, Jr., Chair

Date