

At a regular [electronic] monthly meeting of the Accomack County Board of Supervisors, held on the 20th day of May 2020, via Zoom conference call and in the Accomack County Board of Supervisors Chambers, Room 104, in Accomac, Virginia at 5:00 p.m.

1. Opening of Meeting

MEMBERS PRESENT AND ABSENT

Board of Supervisors Present:

C. Reneta Major, Chair (Physically Present)
Ron S. Wolff, Vice-Chair
Robert D. Crockett
Vanessa Kay Johnson
H. Jackie Phillips (J. Phillips)
Harrison W. Phillips, III (H. Phillips)
Paul E. J. Muhly
William J. "Billy" Tarr
Donald L. Hart, Jr.

Board of Supervisors Absent:

None

Others Present:

Mr. Michael T. Mason, County Administrator
Mr. Steve Micas, Legal Counsel
Mrs. Jessica Taylor Hargis, Executive Assistant
Mr. Ben Fox, Chief Information Officer
Mrs. Margaret Lindsey, Director of Finance
Mr. Stewart Hall, Deputy County Administrator (by phone)
Mr. Rich Morrison, Deputy County Administrator (by phone)
Mr. C. Ray Pruitt, Director of Public Safety (by phone)
Mr. Chris Isdell, VDOT Accomac Residency (by phone)

There being a quorum, Ms. Major called the meeting to order at 5:00 p.m.

1.1. Invocation

The Invocation was given by Ms. Major.

1.2. Pledge of Allegiance

1.3. Adoption of Agenda

On a motion made by Mr. Wolff and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to adopt the agenda, as amended to add 17.2 AMENDED: Closed Session Pursuant to Va. Code Sec. 2.2-3711.A.7 - Consultation with Legal Counsel Regarding Hack's Neck. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

**Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,
Crockett, H. Phillips, Muhly**

Nay: None

Absent/Abstaining: None

2. Public Comment

2.1 Public Comment Rules (Comments must be received prior to 3 p.m. on the meeting day)

No comments were received.

3. Consideration of Minutes

On a motion made by Mr. Wolff and seconded by Mr. Hart, the Accomack County Board of Supervisors voted to approve the minutes of:

3.1 April 15, 2020

3.2 May 6, 2020 Work Session

3.3 May 13, 2020 Special Meeting

On a roll call vote, of the full nine-member Board, the motion carried 9-0:

**Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,
Crockett, H. Phillips, Muhly**

Nay: None

Absent/Abstaining: None

4. Recognitions

There were no recognitions.

5. Consent Agenda

5.1 Approval of Consent Agenda

On a motion made by Mr. H. Phillips and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to approve all items on the Consent Agenda as it was presented:

5.2 Consider scheduling a Public Hearing for the June regular meeting on adjusting the sewer rate for the Central Accomack Service Area from \$22.57 per thousand gallons to \$23.70 per thousand gallons.

5.3 Consider scheduling a Public Hearing for the June regular meeting on appropriation of the CARES Act funding for Accomack County in the amount of \$ 2,819,446

On a roll call vote, of the full nine-member Board, the motion carried 9-0:

**Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,
Crockett, H. Phillips, Muhly**

Nay: None

Absent/Abstaining: None

6. Items Removed from Consent Agenda

No items were removed from the Consent Agenda.

7. Report of Public Officials

There were no reports.

8. Committee Reports

There were no reports.

9. Old Business

9.1 Receive an update on Major Capital Projects nearing completion

Mr. Stewart Hall, Deputy County Administrator of Public Works & Facilities reviewed the presentation included in the Board Agenda on the following Major Capital Projects:

- Circuit Courthouse Repairs – Supervisors commended staff for their work and oversight on the project, as also noted by a letter from Circuit Court Judge W.R. Lewis send to the Board.
- Folly Creek Boat Ramps & Dock Replacement - Supervisors requested that Mr. Hall ensure progress continues moving on the Folly Creek project as it is a main attraction for local watermen and visiting fishermen.
- Office of Voter Registration and Elections
- Northern Wastewater Spur
- Emergency Operations Center (EOC) – Mr. C. Ray Pruitt, Director of Public Safety reported that work had been completed on the existing building and new structure.

10. Appointments

10.1 Attendance Reports - attached to the agenda.

10.2 May Appointments

- Eastern Shore RCDC – continued
- Building & Fire Code Board of Appeals – **On a motion made by Mr. Tarr and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to appoint Mr. Anthony Bailey to fill the position of Mr. John “Jack” Tarr. Mr. Bailey’s term will commence immediately and expire on May 20, 2024. On a roll call vote, of the full nine-member Board, the motion carried 9-0:**

**Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,
Crockett, H. Phillips, Muhly**

Nay: None

Absent/Abstaining: None

11. New Business

11.1 Receive Third Quarter County Financial Report

Ms. Lindsey, Director of Finance reviewed the Third Quarter County Financial Report, and the presentation provided in the Board’s Agenda. Discussion ensued regarding delinquent taxes and deferred tax payments.

11.2 Receive the 2020 Accomack County Secondary Six-Year Plan (SSYP) 2021-2026 from VDOT and Consider Scheduling a Public Hearing on June 17, 2020

Mr. Chris Isdell, VDOT Accomack Residency Administrator, gave a presentation reviewing the SSYP program and Accomack’s project list. He reminded the Board of changes to the program

over the past years and the status of current projects included in Accomack's SSYP. Discussion ensued regarding the status of various project within the County.

On a motion made by Mr. Hart and seconded by Mr. Wolff, the Accomack County Board of Supervisors voted to schedule a public hearing for its June 17, 2020 meeting for the 2020 Accomack County Secondary Six-Year Plan (SSYP 2021-2026) from VDOT. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,

Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

11.3 Consider approval of Mediko Contract for jail medical services

On a motion made by Mr. H. Phillips and seconded by Mr. Crockett, the Accomack County Board of Supervisors voted to approve the fiscal year 2021 contract with Mediko Inc of Richmond, VA for providing health services for the Accomack County Sheriff's Office Jail and authorize the County Administrator to make alterations to the contract as needed. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,

Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

11.4 Request of Accomack County School Board Funds Carryover

Mrs. Lindsey presented the School Board's request that the 1.25% cap on the School Board Budget Contingency amount be temporarily suspended due to the unprecedented situation caused by COVID-19 shutdown. The cap is specified in the County policy approved by the Board of Supervisors in January of 2019. Mr. Wolff expressed support of the request and desire for the School Board consider to forego raises for staff as the County did.

On a motion made by Mr. Crockett and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to waive the fiscal policy allowing for fund balance contingency in the school fund of not more than 1.25% of school operating expenditures. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,

Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

11.5 Update on COVID - 19 Funding Sources

Mrs. Lindsey and Mr. Mason gave a presentation detailing the CARES Act and FEMA Funding. Mr. Mason explained that staff is still in preliminary stages, but expects to stand a web application for small businesses to apply for grant funding, the money would be allocated to incorporated towns by population. He stressed that the money could not be used to make up for lost revenue, was for COVID-19 related expenses, and that allocations for towns will be on a reimbursement basis since the County is responsible for compliance for the full allocation of funds provided. Discussion ensued.

12. County Administrator's Report

Mr. Mason discussed the following with the Board:

- VDH COVID-19 testing data is now available by region, Accomack and Northampton are combined.
- Quinby Harbor Funding;
- VDEM removed the acquisition of 23470 Holly Cove Road, Onancock, and substitute with the elevation of 20055 Saxis Road, Saxis, VA from Accomack's FEMA-DR-4291-VA-009 Grant Agreement.
- Personal Property Tax bills were mailed with the due date of August 3, 2020, as approved by the Board of Supervisors. The Treasurer has implemented a new option that allows payment by e-check for a fee of \$1.50.
- Discussion of Accomack County's entry into Phase II.

13. County Attorney's Report

Mr. Micas had no items to discuss.

14. Board of Supervisors Comment Period

- ❖ **Hart** – No comment.
- ❖ **Crockett** – commended Mrs. Lindsey on her reports on Finance and the CARES Funding.
- ❖ **Tarr** – No comment.
- ❖ **J. Phillips** – No comment.
- ❖ **Major** – Referring to the Board's earlier discussion regarding the status of DMV stops, Ms. Major stated that Mr. Lilliston, Treasurer reported that he had put a hold on DMV stops to be sensitive during the current pandemic situation, but still on his radar.
- ❖ **Wolff** – No comment.
- ❖ **Muhly** – Requested that County and Health Department spread the word that face masks do not and should not be worn while in a vehicle alone or while walking outside.
- ❖ **Johnson** – No comment.
- ❖ **H. Phillips** – Wished Supervisor Muhly a belated birthday.

15. Budget and Appropriation Items

15.1 Consider Approving Resolution to Amend the FY20 Budget

On a motion made by Mr. Hart and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to approve the following resolution to amend the Fiscal Year 2020 Budget:

May 20, 2020 BOS Meeting

RESOLUTION TO AMEND THE FISCAL YEAR 2020 ACCOMACK COUNTY GOVERNMENT BUDGET

WHEREAS, it is the responsibility of the Accomack County Board of Supervisors to approve and maintain the budget for Accomack County; and

WHEREAS, on March 20, 2019, the Board of Supervisors finalized the Accomack County Fiscal Year 2020 Budget; and

WHEREAS, during the course of the fiscal year certain unanticipated events occur that compel amendments to the budget be made; and

WHEREAS, staff has reviewed the following requested budget amendments and recommends that they be approved; now, therefore,

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2020 County budget be amended by the amounts listed below and the amounts appropriated for the purposes indicated.

Fiscal Year	Requesting Department	Fund/Function	Purpose	Funding Source	Total
FY20	Public Works	Capital Projects Fund/Public Works	Accounting reclassification to move funds from dump truck replacement project to the Circuit Courthouse construction project.	To Circuit Court project	\$ 21,000
FY20	Public Works	Capital Projects Fund/Public Works	Accounting reclassification to move funds from dump truck replacement project to the Circuit Courthouse construction project.	From Dump Truck project	\$ (21,000)
Total					\$ -

On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips, Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

16. Payables

16.1 Consider May Payables

Mr. Mason certified the May payables.

On a motion made by Mr. H. Phillips and seconded by Mr. Muhly , the Accomack County Board of Supervisors voted to certify Mr. Mason to pay the May payables. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips, Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

17. Closed Meeting

17.1 Closed Meeting

On a motion made by Mr. Tarr and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to enter into Closed Session pursuant to Virginia Code § 2.2-3711.A.7. - Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in an open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel as it pertains to Hack's Neck. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,

Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

17.2 AMENDED: Closed Session Pursuant to Va. Code Sec. 2.2-3711.A.7 - Consultation with Legal Counsel Regarding Hack's Neck

17.3 Certification of Closed Meeting

On a motion made by Mr. H. Phillips and seconded by Mr. Wolff, the Accomack County Board of Supervisors voted by roll call vote with all members in favor, to reenter into Open Session stating that the only matter discussed during Closed Session was pursuant to Virginia Code Section 2.2-3711.A.7 - Consultation with legal counsel regarding Hack's Neck. On a roll call vote, of the full nine-member Board, the motion carried 9-0:

Aye: Hart, Tarr, Wolff, Johnson, Major, J. Phillips,

Crockett, H. Phillips, Muhly

Nay: None

Absent/Abstaining: None

18. Adjournment

18.1 Adjournment

On a motion made by Mr. Wolff and seconded by Mr. Muhly, the Accomack County Board of Supervisors voted to adjourn at 6: 52 p.m.