

At the Regular Meeting of the Accomack County Board of Supervisors, held on the 15th day of December 2021, in the cafetorium at Metompkin Elementary School, located at 24501 Parksley Rd., Parksley, VA 23421 at 5:00 p.m.

1. Opening of Meeting

MEMBERS PRESENT AND ABSENT

Board of Supervisors Present:

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

Board of Supervisors Absent:

None

Others Present:

Mr. Michael T. Mason, County Administrator
Ms. Jan Proctor, County Attorney
Mrs. Jessica Taylor Hargis, Executive Assistant

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

1.1. Invocation

The invocation was given by Mr. Hart.

1.2. Pledge of Allegiance

1.3 Adoption of Agenda

On a motion made by Mr. Hart and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to adopt the agenda with amended agenda item 10.2 VATI Grant award announcement.

2. Public Comment

2.1 Public Comment Rules

No one signed up or wished to speak.

3. Consideration of Minutes

3.1 November 17, 2021 Regular Meeting

3.2 December 1, 2021 Work Session: COIA/FOIA Training

On a motion made by Mr. Hart and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to approve the November 17, 2021 and December 1, 2021 meeting minutes as presented.

4. Recognitions

4.1 Resolution of Commemoration to Honor the Life of Mr. William "Bill" Allen

On a motion made by Mr. Crockett and seconded by Mr. Hart, the Accomack County Board of Supervisors voted to adopt the following resolution:



**RESOLUTION TO COMMEMORATE
William Lee "Bill" Allen, Sr.**

WHEREAS, the Accomack County Board of Supervisors is saddened by the loss of Mr. William Lee Allen, Sr. on October 27, 2021; and

WHEREAS, in 1977, Accomack County Parks & Recreation appointed him as the Summer Program Director; and

WHEREAS, he later became the Acting Director and then, Director of Accomack County Parks and Recreation for over thirty-five years until his retirement in 2010; and

WHEREAS, during his lifetime, Mr. Allen also faithfully served the community of Accomack County where he pledged to be a part of the 'We' in the community and building bridges between himself, his community, and all of the children; and

WHEREAS, he wished for the citizens to educate one another, about one another, and about our community; and

WHEREAS, Mr. Allen was instrumental in the development of Mary Nottingham Smith Cultural Enrichment Center in Accomac, Virginia, a center to benefit the community; and

WHEREAS, many children benefitted from the love, encouragement, and involvement of Mr. Allen and his famous statement to "Hit them long, hit them straight, and count them all."; and

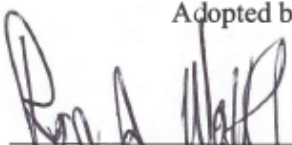
WHEREAS, he was best known for his pledge to use whatever he learned to open one new idea to one child, each week of his life; and

WHEREAS, the Accomack County Board of Supervisors recognizes the distinguished, dedicated, and outstanding service of William Lee Allen, Sr. to the local community, young and old; and


BE IT RESOLVED, that the Accomack County Board of Supervisors does unanimously adopt this resolution to honor the Memory of William Lee Allen, Sr.; and

BE IT FURTHER RESOLVED, that a copy of this resolution be spread upon the minutes of the Board of Supervisors and a copy presented to

Adopted by the Board of Supervisors of Accomack County, Virginia,
this 15th day of December 2021.



Ron S. Wolff, Chairman
Election District 2



Robert D. Crockett, Supervisor
Election District 6

Mr. Crockett read the resolution into the record and presented the resolution to the Allen family. Mr. Billy Allen thanked the Board, on behalf of the Allen family, and quoted Ms. Maya Angelou in saying, “I learned people will forget what you said. People will forget what you did. But people will never forget how you made them feel.” Allen said he hoped that is how people will remember his father.

5. Consent Agenda

5.1 Approval of Consent Agenda

On a motion made by Mr. Hart and seconded by Mr. Crockett, the Accomack County Board of Supervisors voted to approve the Consent Agenda, as presented:

5.2 Letter of Appreciation to Planning Commissioner David Lumgair, Jr.

ELECTION DISTRICT 1
WILLIAM J. "BILLY" TARR
VICE-CHAIR
CHINCOTEAGUE, VA 23336

ELECTION DISTRICT 2
RON S. WOLFF
CHAIR
ATLANTIC, VA 23303

ELECTION DISTRICT 3
VANESSA KAY JOHNSON
SANFORD, VA 23426

ELECTION DISTRICT 4
PAUL E. J. MUHLY
PARKSLEY, VA 23421

COUNTY OF ACCOMACK BOARD OF SUPERVISORS



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ELECTION DISTRICT 5
HARRISON W. PHILLIPS, III
MODEST TOWN, VA 23412

ELECTION DISTRICT 6
ROBERT D. CROCKETT
ONANCOCK, VA 23417

ELECTION DISTRICT 7
-H. "JACKIE" PHILLIPS
ONLEY, VA 23418

ELECTION DISTRICT 8
DONALD L. HART, JR.
KELLER, VA 23401

ELECTION DISTRICT 9
C. RENETA MAJOR
PAINTER, VA 23306

December 17, 2021

Mr. David Lumgair Jr.
P.O. Box 7
Craddockville, VA 23341

Dear Mr. Lumgair:

On behalf of the Accomack County Board of Supervisors, I would like to thank you for the eleven years you have faithfully given this County by serving on the Accomack County Planning Commission in particular the eight years you served as Chairman. The knowledge, skills and leadership that you literally brought to the table have been invaluable and your steady voice and leadership has served as a beacon allowing the County to successfully navigate a variety of complex issues impacting the quality of life of every citizen who calls Accomack County home.

During your tenure with the Planning Commission, you have diligently helped staff, applicants, and citizens. You have protected the future social, economic and physical development of Accomack County. You have balanced the need for community facilities and services with the our desires for a healthy, safe, orderly, and harmonious environment. Finally, you have ensured that all proposed planning projects would maintain the essential natural and cultural qualities that both natives and new arrivals cherish and to the vision for Accomack County's future.

The Board wishes to offer you its genuine gratitude and appreciation. Your presence on the Planning Commission will be sorely missed, yet we wish you and your family the best in your future endeavors.

Sincerely,


Ron S. Wolff, Chairman

- 5.3 Consider serving as the conduit for a Town of Onancock Utility Grant**
- 5.4 Receive conformance review from the Planning Commission per Virginia Code Section 15.2-2232 for Hampton Roads Sanitation District (HRSD) Eastern Shore Sanitary Sewer Transmission Force Main Project.**

5.5 Consider scheduling a public hearing for January 19, 2022, for proposed ordinance amendments related to travel trailers. Agricultural District Regulations Section 106-53(14), Residential District Regulations Section 106-78(11), and Section 106-1 Definitions.

5.6 Consider referring proposed Rezoning of Tax Map # 27-A-103A from Agricultural and General Business to Industrial to the Planning Commission for review.

6. Items Removed from Consent Agenda

No items were removed from the Consent Agenda.

7. Old Business

7.1 R view Application for Volunteer Fire Company ARPA Funding

Director of Public Safety, C. Ray Pruitt, reviewed the application and requirements. Also noted that those do not have loss of revenue to show, they will be rewarded funds from the County's General Fund.

On a motion made by Mr. Crockett and seconded by Mr. H. Phillips, the Accomack County Board of Supervisors voted to approve the Loss of Revenue Funding application for volunteer fire companies, as presented.

Ms. Major requested an update on the Childcare Fund. Mr. Mason reported that staff expected to present the application to the Board at its January meeting.

8. Appointments

8.1 December Appointments

▪ Accomack – Northampton Regional Housing Authority:

On a motion made by Mr. Crockett and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to appoint Ms. Patricia White to the Accomack – Northampton Regional Housing Authority to fill the unexpired term of Dr. Richard Jenkins, who submitted his resignation effective December 2021. Ms. White's term will commence immediately and expire on June 30, 2023.

▪ Eastern Shore Resource Conservation & Development Council

On a motion made by Ms. Major and seconded by Mr. Hart, the Accomack County Board of Supervisors voted to appoint Mr. Jay Ford to the Eastern Shore Resource Conservation & Development Council for a term to commence immediately and expire on December 14, 2025.

The Board deferred all other vacancies to its January meeting as no applications or interest to serve has been expressed.

8.2 Attendance Reports

Attendance reports were included in the Board's Agenda packet.

9. New Business

9.1 Receive letter from the Planning Commission regarding a request for one additional full-time staff member to address Coding Enforcement

Mr. Rich Morrison, Deputy County Administrator – Building, Planning, and Economic Development informed the Board that at the Planning Commission’s October 13, 2021, meeting, the Planning Commission heard from several concerned residents of the Fox Grove neighborhood about people living in travel trailers. The residents also reported that people in the area were living in sheds. Given the current state of non-compliance, the Planning Commission does not believe that the current staffing level is sufficient. The Planning Commission is requesting the Board of Supervisors consider adding another full-time Zoning Inspector position to the staffing compliment as part of the upcoming budget process.

Board consensus was to discuss further during the budget work sessions.

9.2 Consider Department of Social Services Request for additional local funds

Vicki Weakley, Director of Department of Social Services, presented the request for additional funds.

Mr. H. Phillips abstained as his wife is an employee of the DSS.

Accomack County – Conflict of Interests Disclosure

Official’s Name: Harrison Phillips

Title: Member, Accomack County Board of Supervisors

District: District 5 Supervisor

Transaction: Item 9.2 Increase in funding for Social Services

Non-County Party: _____

Address/Parcel: _____

Official’s Interest in the Named Transaction Wife employed by Social Services

I hereby declare, upon the above-stated facts, that:

I am disqualified or elect to disqualify myself from participating in the transaction. (Disqualification must be declared prior to the transaction.)

I am a member of a business, profession, occupation, or group, the members of which are affected by the transaction, and I am able to participate in the transaction fairly, objectively, and in the public interest.

A party to the transaction is a client of my firm, I do not personally represent or Provide service to this client, and I am able to participate in the transaction fairly, objectively, and in the public interest.

Signed: 

Date: 12/15/21

Print Name & Title: HARRISON Phillips District 5 Supervisor

This completed declaration shall be filed with the County Administrator, who shall retain and make it available for public inspection for a period of five years from the date of receipt. Declaration of disqualification must be made prior to the transaction. Declaration of ability to participate in the transaction should be made prior to the transaction. However, if reasonable time is not available to complete a declaration of ability to participate prior to participation in the transaction, the officer or employee shall prepare and file the required declaration by the end of the next business day. Oral disclosure of the existence of the interest should be made, and recorded in the minutes, during each Board meeting at which the transaction is discussed.

On a motion made by Mr. Crockett and seconded by Ms. Major, the Accomack County Board of Supervisors voted to approve the request from the Department of Social Services
Aye: Johnson, Muhly, Crockett, Wolff, J. Phillips, Tarr, Major, Hart

Nay: None

Abstain: H. Phillips

Absent: None

9.3 Receive FY 21 Annual Financial Report Issuance Update

Staff expects to have the report released in January.

10. County Administrator's Report

10.1 ES Regional Housing Coalition - Accomack Delegation to meeting with State Officials on February 2, 2022.

10.2 Amended Agenda Item: xxxx VATI Grant Award

Mr. Mason announced that the ESVBA was awarded \$12.3 mil from the DHCD VATI Grant Program. (more info on BoardDocs)

Mr. Mason thanked the Board, on behalf of the ESVBA, for its unwavering support.

11. County Attorney's Report

No report.

12. Board of Supervisors Comment Period

The Board wished all citizens and staff happy holidays and thanked staff immensely for their hard work.

13. Budget and Appropriation Items

13.1 Consider Approving Resolution to Amend the FY22 Budget

On a motion made by Mr. Hart and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to approve the following resolution to amend the FY2022 budget, as presented:

RESOLUTION TO AMEND THE FISCAL YEAR 2022 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 29, 2021, the Board of Supervisors finalized the Accomack County Fiscal Year 2022 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 it be approved; now, therefore,

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2022 County budget be amended by the amounts listed below and the amounts appropriated for the purpose indicated.

Fiscal Year	Requesting Department	Fund/Function	Purpose	Funding Source	Total
FY22	Public Works	General Fund/Public Works	To recognize award of FY22 Litter Prevention and Recycling Grant from DEQ.	State	\$ 26,832
FY22	Public Works	General Fund/Public Works	To transfer funds from the Landfill Fund to the County Garage to replace garage lift.	From Landfill	\$ 49,995
FY22	Public Works	Landfill Fund/Public Works	To transfer funds from the Landfill Fund to the County Garage to replace garage lift.	To County Garage	\$ (49,995)
FY22	Social Services	Welfare Fund	To recognize various State and Federal budget adjustments. Approval of these adjustments is needed to bring the local Social Services' department budget in line with the State's approved budget.	State = \$159,501; Federal = \$409,843	\$ 569,344
FY22	Social Services	Welfare Fund	To recognize local match increase request.	Contingency	\$ 45,244
Total					\$ 641,420


 Ronald S. Wolff
 Chairman, Board of Supervisors

ATTEST:


 Michael T. Mason, CPA
 County Administrator

Adopted by the Board of Supervisors of Accomack County, Virginia, this 15th day of December 2021.

14. Payables

14.1 Consider December Payables

Mason certified the December Payables.

On a motion made by Mr. J. Phillips and seconded by Ms. Major, the Accomack County Board of Supervisors voted to approve the December payables.

15. Closed Meeting

15.1 Closed Meeting pursuant to Virginia Code Section 2.2-3711.A.7 - relating to actual or probable litigation

Mr. Tarr motioned to enter into Closed Meeting pursuant to Virginia Code Section 2.2-3711.A.7 - relating to actual or probable litigation

15.2 Certification of Closed Meeting

On a motion made by Mr. H. Phillips and seconded by Mr. J. Phillips, the Accomack County Board of Supervisors voted to certify that to the best of each Board Members' knowledge (1) only public business lawfully exempted from open meeting requirements was discussed and (2) only matters identified in the convening motion were discussed, by roll call vote:

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

Nays: None

Abstain: None

Absent: None

On a motion made by Mr. Crockett and seconded by Ms. Johnson, the Accomack County Board of Supervisors voted to (i) approve the State Water Control Board Consent Order for Non-Metallic Mineral Mine VPDES Permit Number VAG84, as presented to the County on November 18, 2021, and (ii) authorize the County Administrator to execute and take such other action as may be needed to satisfy the terms of such Consent Order.

16. Adjournment

16.1 Adjournment

On a motion made by Mr. J. Phillips and seconded by Ms. Major, the Accomack County Board of Supervisors voted to adjourn at 5:42 p.m.