

At the regular meeting of the Accomack County Board of Supervisors, held on the 20<sup>th</sup> day of June 2024, in the cafetorium of Metompkin Elementary School, 24501 Parksley Road in Parksley, Virginia at 5:00 p.m.

*Board of Supervisors minutes are a general account of the June 20, 2024 meeting. For full details of discussions, meeting audio can be located on the County of Accomack's website at <https://www.co.accomack.va.us/how-do-i/listen-to-meeting-audio>.*

## **1. Opening of Meeting**

### **MEMBERS PRESENT AND ABSENT**

#### **Board of Supervisors Present:**

Robert D. Crockett, Chair  
H. Jackie Phillips, Vice-Chair  
Calvin L. Washington, Sr.  
Vanessa Kay Johnson  
Jeffrey A. Parks, Sr.  
Roger L. DeGeorges  
William J. "Billy" Tarr  
C. Reneta Major  
Donald L. Hart, Jr.

#### **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, Chairman Crockett called the meeting to order at 5:00 p.m.

### **1.1 Invocation**

Chairman Crockett gave the invocation.

### **1.2 Pledge of Allegiance**

### **1.3 Adoption of Agenda**

**A motion to approve the agenda as it was presented was made by Supervisor Hart and seconded by Supervisor Tarr. The motion was approved unanimously.**

### **1.4 Consider Allowing Remote Participation of Board Member(s) (if warranted)**

Remote participation was not warranted.

## **2. Public Comment**

### **2.1 Ms. Proctor read the Public Comment rules. The following person(s) signed up to speak:**

- ❖ Bill Taggart – 20086 Saxis Road Saxis VFC EMS Captain, discussed concern over the proposed Drug Box Exchange Program.

### 3. Consideration of Minutes

**A motion for the Accomack County Board of Supervisors to approve the May 15, 2024, Board of Supervisors Regular Meeting Minutes was made by Supervisor Hart and seconded by Supervisor Major. The motion was approved unanimously.**

### 4. Recognitions

**A motion for the Board to adopt four (4) resolutions recognizing the County's class of 2024 valedictorians was made by Supervisor Hart and seconded by Supervisor Major. The motion was approved unanimously.**

**4.1 After-the-Fact Approval of Resolution to Arcadia High School Valedictorian, Kyli Hewett. The following resolution was presented by Supervisor Johnson presented at the Arcadia High School graduation ceremony:**



**Resolution to Recognize Kyli Alene Hewett  
Valedictorian of Arcadia High School  
Class of 2024**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the County's high school students; and

**WHEREAS**, Miss Kyli Hewett has been named the Valedictorian for the Arcadia High School Class of 2024 as she has earned an exemplary grade point average of 4.35; and

**WHEREAS**, Miss Hewett has exemplified positive social interaction and exemplary character that sets an example for her peers to emulate; and

**WHEREAS**, while maintaining her high school education, Miss Hewett also participated in the Hi-Y Club, peer tutoring, and completed 60 Dual Enrollment courses; and


**WHEREAS**, participating in numerous extracurricular activities, softball and volleyball; and

**WHEREAS**, Miss Hewett is deserving of recognition for her role in the community, having completed 90 hours of community service with Pittsville United Methodist Church; and now

**LET IT THEREFORE BE RESOLVED** that the Accomack County Board of Supervisors recognizes Miss Kyli Hewett for her academic achievement and congratulates her on her selection as Valedictorian of Arcadia High School Class of 2024; and now

**BE IT FURTHER RESOLVED** that the Accomack County Board of Supervisors hereby commends and honors the 2024 Arcadia High School Valedictorian, Kyli Hewett, on her impressive academic achievement and wishes her continued success with her education at Averett University and achieving her future career endeavors.

Signed this 10<sup>th</sup> day of June 2024, by the Accomack County Board of Supervisors.

  
Vanessa Kay Johnson  
Election District 3

**4.2 After-the-Fact Approval of Resolution to Tangier Combined School Valedictorian, Alona Harrison Charnock. Due to inclement weather, Chairman Crockett was unable to attend the Tangier graduation ceremony but will present the following resolution to Ms. Charnock soon.**



**Resolution to Recognize Alona Harrison Charnock  
Valedictorian of Tangier Combined School  
Class of 2024**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the County's high school students; and

**WHEREAS**, Miss Alona Harrison Charnock has been named the Valedictorian for the Tangier Combined School Class of 2024, holding a grade point average of 3.28; and

**WHEREAS**, she has exemplified positive social interaction and exemplary character that sets an example for her peers to emulate; and

**WHEREAS**, while maintaining her education, Miss Charnock also participated and excelled in her internship through Accomack County Public Schools, working with elementary students; and

**WHEREAS**, Miss Charnock is deserving of recognition for her active role in the community, participating in vacation bible school, and Relay for Life, while working and helping her family; and

**LET IT THEREFORE BE RESOLVED** that the Accomack County Board of Supervisors recognizes Miss Alona Harrison Charnock for her academic achievement and congratulates her on her selection as Valedictorian of the Tangier Combined School Class of 2024; and now

**BE IT FURTHER RESOLVED** that the Accomack County Board of Supervisors hereby commends and honors the 2024 Tangier Combined School Valedictorian, Alona Charnock, on her impressive academic achievement and wishes her continued success with her education in the Accomack County Fire and EMS Academy and achieving her future career endeavors.

**Signed this 6th day of June 2024, by the Accomack County Board of Supervisors.**

A handwritten signature in black ink, appearing to read "Rob Crockett", is written over a horizontal line.

Robert D. Crockett, Chairman  
Election District 6

**4.3 Presentation of Resolution to Nandua High School Valedictorian William Harvie. Mr. Harvie was not present but staff will ensure the following resolution is sent to him:**



**Resolution to Recognize William Harvie  
Valedictorian of Nandua High School  
Class of 2024**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the County's high school students; and

**WHEREAS**, Mr. William Harvie, having worked diligently to achieve a grade point average of 4.42, has been named the Valedictorian for the Nandua High School Class of 2024; and

**WHEREAS**, Mr. Harvie has exemplified positive social interaction and exemplary character that sets an example for his peers as a student, athlete, and citizen of Accomack County; and

**WHEREAS**, while maintaining his education, Mr. Harvie participated in the BETA Club and Model General Assembly, also serving as Class President; and

**WHEREAS**, Mr. Harvie was active in Camp Greenbrier Boys Camp and Leadership Academy, and Paul Nolz Indoor Soccer Camp; and

**WHEREAS**, Mr. Harvie is deserving of recognition for his role in the community as a volunteer at Camp Occohannock and the Accomack County Sheriff's Office Toy Drive; and now

**LET IT THEREFORE BE RESOLVED** that the Accomack County Board of Supervisors recognizes Mr. William Harvie for his academic achievement and congratulates him on his selection as Valedictorian of Nandua High School Class of 2024; and now

**BE IT FURTHER RESOLVED** that the Accomack County Board of Supervisors hereby commends and honors the 2024 Nandua High School Valedictorian, William Harvie, on his impressive academic achievement and wishes him continued success with his education at the University of Virginia.

**Signed this 20th day of June 2024, by the Accomack County Board of Supervisors.**

\_\_\_\_\_  
**Cassandra Reneta Major**  
Election District 9

\_\_\_\_\_  
**Donald L. Hart, Jr.**  
Election District 8

**4.4 Presentation of Resolution to Chincoteague High School Valedictorian Marley Arianna Katseto. Supervisor Tarr presented the following resolution to Ms. Marley Katsetos:**



**Resolution to Recognize Marley Arianna Katsetos  
Valedictorian of Chincoteague High School  
Class of 2024**

**WHEREAS**, the Accomack County Board of Supervisors wishes to recognize academic excellence and achievement by the County's high school students; and

**WHEREAS**, Miss Katsetos, having worked diligently to achieve a grade point average of 4.27, has been named the Valedictorian for the Chincoteague High School Class of 2024; and

**WHEREAS**, Miss Katsetos has exemplified positive social interaction and exemplary character that sets an example for her peers as a student, athlete, and citizen of Accomack County; and

**WHEREAS**, while maintaining her education, Miss Katsetos participated in the BETA Club, serving as its president, the Key Club and the Future Business Leaders of America; and

**WHEREAS**, Miss Katsetos interned with the Chincoteague Elementary School, assisted with events organized by the Senior Beta Club and participated in a variety of school sports including, softball, volleyball and basketball; and

**WHEREAS**, Miss Katsetos is deserving of recognition for her role in the community as a volunteer with the American Legion and Operation Christmas Child, serving at community dinners, helping at school fundraising events for After Prom, and participating in food drives; and now

**LET IT THEREFORE BE RESOLVED** that the Accomack County Board of Supervisors recognizes Miss Marley Arianna Katsetos for her academic achievement and congratulates her on her selection as Valedictorian of Chincoteague High School Class of 2024; and now

**BE IT FURTHER RESOLVED** that the Accomack County Board of Supervisors hereby commends and honors the 2024 Chincoteague High School Valedictorian, Marley Arianna Katsetos, on her impressive academic achievement and wishes her continued success with her education at the University of Virginia.

**Signed this 20th day of June 2024, by the Accomack County Board of Supervisors.**

\_\_\_\_\_  
**William J Tarr  
Election District 1**

Chairman Crockett recognized and thanked Dr. Ronda Hall, Ms. Beth Onley, and Mrs. Janet Turner for allowing the Board to present resolutions to the students.

**5. Consent Agenda**

**5.1 Approval of Consent Agenda**

**A motion to approve the consent agenda as presented was made by Supervisor Phillips and seconded by Supervisor Major. The motion was approved unanimously.**

**5.2 Consider Approving Proposed Amendments to Rules of Procedure necessitated by changes in State Code**

**5.3 Consider Scheduling a Public Hearing for the July regular meeting on an Ordinance Amendment to Section. 62-33.1 - Peddlers and Solicitors**

- 5.4 Consider approving a letter of support for the proposed ESCC fast-forward welding class
- 5.5 Consider Award of IFB # 761 - Job Order Contract for Renovations Remodeling and Repair Services
- 5.6 Consider approving Commodity Distribution Plan/ Point of Distribution (POD) Plan Revisions
- 5.7 Consider retroactive approval of revised resolution regarding DHCD grant application for housing improvements benefitting the community of Horntown



**ACCOMACK COUNTY BOARD OF SUPERVISORS  
RESOLUTION  
HORNTOWN COMMUNITY DEVELOPMENT BLOCK GRANT**

Be it resolved that, pursuant to two public hearings, *Accomack County* wishes to apply for *\$1,218,244.00* of Virginia Community Development Block Grant funds for the *Horntown Community Improvement Grant*.

Whereas *\$112,104.00 from The Department of Environmental Quality and \$150,000 from Accomack County (pending approval)* will also be expended on this project, it is projected that *5 homes will be substantially reconstructed and 4 derelict homes will be demolished* and will result from the implementation of this project, of which *12* will be low-and moderate-income persons (where applicable).

Be it further resolved that *Michael Mason, County Administrator* is hereby authorized to sign and submit appropriate documents for the submittal of this Virginia Community Development Block Grant proposal.

\_\_\_\_\_  
Robert Crockett, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
H. Jackie Phillips, Vice-Chair

\_\_\_\_\_  
Date

## 5.8 Consider Resolution Approving Opioid-Related Claims Against Kroger

**RESOLUTION APPROVING ACCOMACK COUNTY'S PARTICIPATION IN THE PROPOSED SETTLEMENT OF OPIOID-RELATED CLAIMS AGAINST KROGER AND ITS RELATED CORPORATE ENTITIES, AND DIRECTING THE COUNTY ATTORNEY AND/OR THE COUNTY'S OUTSIDE COUNSEL TO EXECUTE THE DOCUMENTS NECESSARY TO EFFECTUATE THE COUNTY'S PARTICIPATION**

WHEREAS, the opioid epidemic that has cost thousands of human lives across the country also impacts Accomack County by adversely impacting the delivery of emergency medical, law enforcement, criminal justice, mental health and substance abuse services, and other services by Accomack County's various departments and agencies; and

WHEREAS, Accomack County has been required and will continue to be required to allocate substantial taxpayer dollars, resources, staff energy and time to address the damage the opioid epidemic has caused and continues to cause the citizens of Accomack County; and

WHEREAS, a settlement proposal has been negotiated that will cause Kroger to pay over a billion dollars nationwide to resolve opioid-related claims against it; and

WHEREAS, Accomack County has previously approved the Virginia Opioid Abatement Fund and Settlement Allocation Memorandum of Understanding (the "Virginia MOU"), and affirms that this pending settlement with Kroger shall be considered a "Settlement" that is subject to the Virginia MOU, and that shall be administered and allocated in the same manner as the opioid settlements entered into previously with the Distributors, Janssen, Teva, Allergan, Walmart, CVS, and Walgreens; and

WHEREAS, the County's outside opioid litigation counsel has recommended that Accomack County participate in the Kroger settlement in order to recover its share of the funds that the settlement would provide; and

WHEREAS, the County Attorney has reviewed the available information about the proposed settlement and concurs with the recommendation of outside counsel.

NOW THEREFORE BE IT RESOLVED by the Accomack County Board of Supervisors that the County's participation in the proposed settlement of opioid-related claims against Kroger and its related corporate entities, is hereby approved. The Board directs the County Attorney and/or the County's outside counsel to execute the documents necessary to effectuate the County's participation in the settlements, including the required release of claims against Kroger.

APPROVED by the Accomack County Board of Supervisors on this 20<sup>th</sup> day of June, 2024.  
amendment changes the zoning on the rezoned property.

This ordinance shall become effective upon adoption.

VOTE:       AYES:  
              NAYS:  
              ABSENT:

Accomack County Board of Supervisors

By: \_\_\_\_\_  
Robert D. Crockett, Chair

Dated: \_\_\_\_\_

I hereby certify that the foregoing is a true and correct copy of the Ordinance approved June 20, 2024, at a meeting of the Accomack County Board of Supervisors, Accomack County, Virginia.

A COPY TESTE:

\_\_\_\_\_  
Michael T. Mason, County Administrator/  
Secretary to the Board

**5.9 Consider directing the County Administrator to contact VDOT regarding road safety concerns along Drummondtown Road (25184 Drummondtown Road blind spot)**

**6. Items Removed from the Consent Agenda**

No items were removed from the Consent Agenda.

**7. Report of Public Officials**

No reports from public officials.

**8. Committee Reports**

No committee reports.

**9. Old Business**

**9.1 Consider approving final amendments to the existing MOU between the County and ESVBA that remove planned fiber construction segments in areas that have been determined to be already served by another wireline broadband provider and replace them with alternate project areas as proposed.**

Mr. Mason informed the Board that two of the roads/sections specified in the original memorandum of understanding between the ESVBA and the County for broadband construction, Nandua Shores Drive and Nelsonia Road, were determined to be already served or partially served by Spectrum. He noted the MOU states if prior to segment construction, it is determined that a segment is currently completely served by another wireline carrier providing broadband service, the ESVBA will not build the segment and will work to identify other unserved areas as replacement projects. Mr. Mason recommended the Board approve an addendum to the MOU that removes these two locations from the scope of the agreement and replaces them with two substitute locations, Camp Lane and Island Neck Road. Mr. Mason stated these two replacements were chosen based on demand, cost per passing, and available funds. He also noted they are located at the extreme southern end of the County far away from the brunt of the major broadband expansion activities funded by the Virginia Telecommunications Initiative grant and currently ongoing.

**A motion was made by Supervisor Parks and seconded by Vice-Chairman Phillips to approve the final amendments to the existing MOU between the County and ESVBA that removes planned fiber construction segments in areas that have been determined to be already served by another wireline broadband provider and replace them with alternate project areas as proposed. The motion was approved unanimously.**

**10. Appointments**

**10.1 Appointments**

**❖ Accomack-Northampton Planning District Commission**

No action was taken to appoint a Board of Supervisors to the A-NPDC. Deferred until the Board of Supervisors' next meeting.



- ❖ **Accomack-Northampton Planning District Commission**  
A motion to reappoint Donna Smith to the A-NPDC Board was made by Supervisor Major and seconded by Supervisor Tarr. The motion was approved unanimously.
- ❖ **Accomack-Northampton Planning District Commission**  
A motion to reappoint Gwendolyn Turner to the A-NPDC Board was made by Supervisor Washington and seconded by Supervisor Hart. The motion was approved unanimously.
- ❖ **Accomack -Northampton Transportation District Commission**  
A motion to appoint Vice-Chairman Jackie Phillips to the ANTDC was made by Supervisor Hart and seconded by Supervisor Major. The motion was approved unanimously.
- ❖ **Parks and Recreation Advisory Board**  
A motion to reappoint Janice Welch to the P&RCA Board was made by Supervisor Washington and seconded by Vice-Chairman Phillips. The motion was approved unanimously.
- ❖ **Building Fire Code Board of Appeals**  
A motion to appoint Anthony Bailey to the BFC Board of Appeals was made by Supervisor Tarr and seconded by Supervisor Hart. The motion was approved unanimously.
- ❖ **Eastern Shore Community College Commission Advisory Board**  
Motion to reappoint Lisa Johnson to the ESCCCA Board was made by Supervisor Johnson and seconded by Supervisor Major. The motion was approved unanimously.
- ❖ **Eastern Shore Public Library Board of Trustees**  
No action to fill seat vacated by L. Giddens. Deferred to next Board of Supervisors meeting.
- ❖ **Planning Commission**  
A motion to appoint Berron Rogers Jr. to the Planning Commission was made by Supervisor Major and seconded by Supervisor Hart. The motion was approved unanimously.
- ❖ **Social Services Board**  
A motion to reappoint David Whalen to the ACSS Board was made by Supervisor Tarr and seconded by Vice-Chairman Phillips. The motion was approved unanimously.

❖ **Social Services Board**

**A motion to appoint Minnie White to the Social Services Board was made by Supervisor Washington and seconded by Supervisor Major. The motion was approved unanimously.**

❖ **Quinby Boat Harbor Committee**

**A motion to reappoint Bill Thornes to the Quimby Harbor Committee was made by Supervisor Hart and seconded by Supervisor Major. The motion was approved unanimously.**

❖ **Wetlands Board**

**The motion to reappoint Timothy Getek to the Wetland Board was made by Supervisor DeGeorge and seconded by Vice-Chairman Phillips. The motion was approved unanimously.**

❖ **Harborton Boat Harbor Committee**

**A motion to appoint Nick Shaeffer (Obediah Sample passed away) to the Harborton Boat Harbor Committee was made by Supervisor Hart and seconded by Supervisor Major. The motion was approved unanimously.**

❖ **Eastern Shore Public Library Board of Trustees**

**The motion to appoint Maureen Teague to the Eastern Shore Public Library Board of Trustees was made by Supervisor Washington and seconded by Supervisor Tarr. The motion was approved unanimously.**

## **10.2 Attendance Reports**

Attendance reports were included in the Board's Agenda packet

## **11. Public Hearing (6:30 PM)**

### **11.1 Public Hearing Rules**

Ms. Proctor read the public hearing rules into the record.

Deputy County Administrator, Lee Pambid presented the staff report to the Board for both the rezoning and conditional use permit requested by Coastal Square & Residences, LLC. He noted that the rezoning and conditional use permit requests were two distinct requests requiring separate actions. The first part of his report was for the rezoning application REZ-000569-2023 comprised of tax parcels 93-A-87, 93-A-89, 93-A-90, and a portion of parcel 85-A-51 containing 95.89 acres, requested to be rezoned from Agricultural and Business to Village Development District with proffers which were included in the staff report. The second part of his presentation was for the conditional use permit application CUSE-000568-2023 which included 7 waiver requests.

He noted that the County ordinance allowed the Board of Supervisors to waive certain requirements in the conditional use permit process and that there were 17 conditions recommended by staff in addition to the proffers.

Mr. Pambid recognized Chris Carbaugh, the applicant, of Atlantic Group and Associates Inc. representing Coastal Square and Residences LLC, who was in attendance to answer additional questions the Board may have after the presentation. Tax map parcels associated with the application included tax map# 93-A-87; 93-A-89; 93-A-90; and a portion of 85-A-51 all located in District 7. The total tax map parcel acreage was 100.39 acres but only 95.89 acres would be rezoned. He stated this is a proffered rezoning and a conditional use permit with waivers for a mixed-use development including 465 residential units. The third part of the request includes 7 waivers. Four were originally requested, two were added by the applicant and the last waiver was added by the Planning Commission at their April meeting. Mr. Pambid also reported that the adjacent zoning was agriculture and general business and adjacent uses including a shopping center, self-storage, electric utility, single family residences, auto repair and child day care along with vacant property. General stats of the development include:

- 13 buildings with 24 units, 20% were proffered for workforce with the definition of workforce contained in the proffer statement,
- 22 Loft units above commercial,
- 55 Townhouse units, and
- 76 Duplexes.

Mr. Pambid informed the Board that RVs and boat storage were not permitted in the Village Development District and therefore the 4 acres that comprise it were removed from the 100.39 acres for purposes of rezoning leaving 95.89 acres.

The Board packets included a copy of the staff's waiver request matrix.

Mr. Pambid mentioned the developer will phase the project with the first four phases of the development shown in the plans to be first. He also covered with the Board some of the Planning Commission's initial concerns and how they have been addressed. He also reviewed the proffers and waivers and pointed out all are listed in the Board's packet including a waiver request matrix. He also noted that there are 17 conditions recommended.

Mr. Pambid reported that staff findings for the rezoning proposal were substantially in accordance with multiple references from the County's Comprehensive Plan for high-density development and this includes the County's growth management strategy. It is also supported by the Eastern Shore Housing Study that was conducted in 2022 by the A-NPDC.

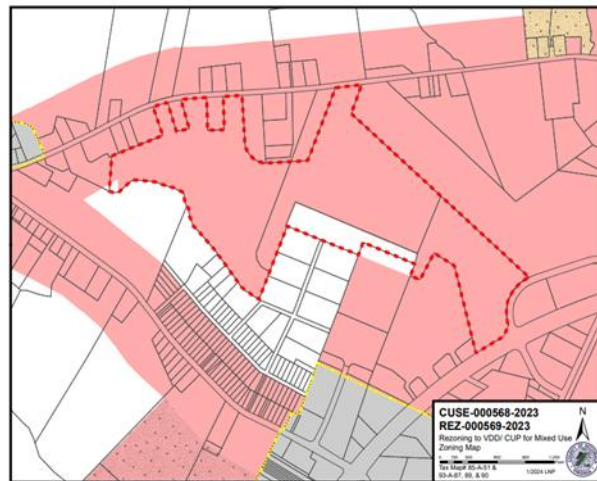
Mr. Pambid stated it's the right project, at the right place, at the right time. He then reviewed with the Board staff findings in regards to the rezoning followed by staff findings for the conditional use permit which included:

- The rezoning case was repeated by reference and applicable to the conditional use permit,
- The development complied with the provisions of section 106-234 for issuing a conditional use permit,
- The development complied with the provisions of section 106-548 that outlines mixed-use development conditional use permit and regulations requirements, and
- The seven requested waivers were justified.

He also added the Planning Commission recommended the rezoning and the conditional use permit with the proffers, conditions and waivers.

Supervisor Parks asked Mr. Pambid if the provision would impact the existing self-storage facility, located on Fairgrounds Road. Mr. Pambid replied that it would not hurt the facility, because it was not a part of the application.

The applicant, Chris Carbaugh, addressed the Board.



### **11.2 Public Hearing on Coastal Square & Residences, LLC Request for Rezoning: REZ-000569-2023**

No one signed up to speak.

Chairman Crockett commented he has always had concerns with the lack of housing and felt that the planning commission and staff did a wonderful job with their recommendations. He further stated that many projects have been proposed and if this is not the right place for development, he is unsure if there is any appropriate place.

Vice-Chairman Phillips also commented in support of development and that it was a great opportunity. Vice-Chairman Phillips stated it was the right place at the right time.

**Vice-Chairman Phillips made a motion to approve the rezoning application REZ-000569-2023, (Coastal Square and Residences) of tax parcels 93-A-87, 93-A-89, 93-A-90, and a portion of parcel 85-A-51 containing 95.89 acres, from Agricultural District and Business District to Village Development District with the proffer statement dated March 10, 2024 which becomes part of the Accomack County Zoning Ordinance. The motion was seconded by Supervisor Parks. The motion was approved unanimously.**

### **11.3 Public Hearing on Coastal Square and Residences, LLC Request for a Conditional Use Permit CUSE-000568-2023**

No one signed up to speak.

**Vice-Chairman Phillips made a motion to approve CUSE-000568-2023 Conditional Use Permit for a Mixed-Use Development pursuant to Accomack County Code Section 106-534(12) of the Accomack County Code (Village Development District Regulations) with the 17 conditions recommended by the Staff in its document dated April 5, 2024 and the annotations on the staff plan. The motion was seconded by Supervisor Parks. The motion was approved unanimously.**

**Vice-Chairman Phillips made a motion to approve the seven waivers with all conditions recommended by staff as follows:**

- 1. 40 Acre Maximum Project Size**
- 2. Second Point of Access with a Temporary Emergency Access**
- 3. 200' Setback from Agricultural Property**
- 4. Commercial Parking Requirements**
- 5. Minimum Lot Sizes for Duplexes and Townhouse Units**
- 6. Minimum Yard Widths and Setbacks for Apartments, Duplexes and Townhouse Units**
- 7. 4-acre maximum density**

**The motion was approved unanimously.**

#### **11.4 Public Hearing on Ordinance Amendment, Taxation Sections 82-99, 82-100, and 82-101, Real Estate Tax Exemptions**

Mr. Mason addressed the Board concerning the purpose of the hearing, which was for the Board to consider an ordinance amendment to increase the amount qualifying taxpayers may earn to be eligible for the county's real estate tax exemption under the County's Senior and Disabled Tax Assistant Program from \$28,000 to \$36,704. He stated this action would affect tax year 2025 and beyond. The cost of the action would be \$25,000 in the first year and \$50,000 annually thereafter.

**A motion was made by Vice-Chairman Phillips and seconded by Supervisor Johnson to approve the ordinance amendment adjusting the maximum allowable income that a qualified taxpayer may earn to be eligible for real estate tax exemption, under the County's senior and disabled tax assistance program from \$28,000 to \$36,704, annually. The motion was approved unanimously.**

#### **11.5 Public Hearing documents were included in the Board's Agenda packet**

### **12. New Business**

#### **12.1 Receive the County's FY23 Annual Comprehensive Financial Report from the County's external auditors, Brown Edwards**

Mr. Mason introduced Danielle Nikolaisen, CPA, Director with Brown Edwards, who remotely presented the County's FY23 Annual Comprehensive Financial Report (ACFR) to the Board along with a separate report containing comments and suggestion for improvement for the County to consider. Mr. Mason added that traditionally, elected officials focus on the County's General Fund balance amount. In total, there is \$61M in General Fund balance as of 6/30/23. Most of this amount is committed (Rainy Day = \$13.2M), assigned to various capital projects/subsequent year expenditure (\$17.1M), or represents Unspent School Board local funding which has traditionally been reappropriated to ACPS (\$24.6M). This leaves approximately \$6M as an unassigned fund balance on 6/30/23. The Consolidated EMS fund had a fund balance of \$4.9M on 6/30/23, a decrease of 10% from the prior year. The Consolidated EMS fund balance projections shared with the Board during its FY25 budget deliberations show this amount being spent almost entirely by the end of FY25.

Chairman Crockett commented that he heard what he needed to hear. He said it was a clean audit and that was the most important part for the Board. He also asked Mr. Mason to thank the auditors for a good job.

#### **12.2 Consider approving a new fiscal policy requiring external organizations included in the scope of the County's Annual Comprehensive Financial Report to submit their financial information to the County within five months of the end of their fiscal year (first reading)**

Mr. Mason stated that the Code of Virginia dictates that the County file its Annual Comprehensive Financial Report by December 15<sup>th</sup> annually. He added that failure to meet this deadline has negative implications and it is therefore imperative that all organizations that are included in this report provide the County with complete and accurate financial information by November 30<sup>th</sup>. He further commented that the FY25 County Appropriations Resolution directed him to develop a policy that imposes reductions in local funding appropriations on any organization whose financial statements are included with the scope of the ACFR, and who does not provide accurate and complete financial information on time. He informed the Board that the policy he developed and has provided them does not need to be acted upon immediately since it's the first reading. Action will be requested of the Board at the July Board of Supervisors meeting.

### **12.3 Receive briefing on federal regulatory changes that will impact the handling of Schedule II-V controlled substances and existing regional drug programs utilized by EMS agencies**

County Department of Public Safety Battalion Chief, John Charles Greer updated the Board on the new regulation changes within the Medication Exchange Program that will affect the current County EMS Medication Box Exchange Program. He stated Regional EMS Councils have historically played a vital role in facilitating agreements to exchange medication kits at hospital pharmacies at no cost to licensed EMS agencies. The new regulations will no longer allow hospitals to provide stocked drug box kits. All EMS Stations will be required to supply and track all medications. Under the new FDA Drug Supply Exchange Security Act, compliance with the new regulations must be achieved on or before November 27, 2024. In response to the requirements, the Department of Public Safety will be required to assign a full-time paramedic, along with a supervising licensed physician or pharmacist to oversee the program. Mr. Greer also informed the Board of the regional approach presented by the Board of Pharmacy. He stated a hub and spoke model is allowed and the County has the following three options:

**Option 1: Manage only Accomack County DPS**

**Option 2: Manage Accomack County DPS and agencies DPS staffs.**

**Option 3: Manage Accomack County DPS and all volunteer agencies (excluding Chincoteague)**

He provided pros and cons for each option.

Chairman Crockett asked if Chincoteague would be managing their own. Mr. Green informed Chairman Crockett that Chincoteague would manage their medical exchange box.

Mr. Greer also added that in 2023 there was a total of 1,973 administered medications with an estimated cost of \$17,534.00 and 181 administered medications through the volunteer agencies without county staff.

Before opening the floor to the Board, Chairman Crockett asked, if the regulation was a requirement, if the County was being forced to comply and if the County could extend

an offer to volunteer agencies to join in without forcing them. Mr. Greer replied yes, to all questions asked by Chairman Crockett. Mr. Greer added that any agency could apply to get a control substance registration through the Virginia Board of Pharmacy and obtain the DEA certificate from the government.

Once the floor was open to the Board for comment, Chairman Crockett suggested that the DPS staff develop a program/policy, including option #3, and then work with each Volunteer Fire Company so that all agencies could be in the same program if they are willing.

Supervisor Parks agreed with Chairman Crockett that given all the risks in the EMS, there should be a standardized approach and not forced, this should be one team, one fight in developing policies and programs. Mr. Greer confirmed that EMS is currently using the same 33 medications. The medication usage list included burn rates for Accomack County, EMS. No volunteer fire departments burn rates were listed.

Supervisor DeGeorges inquired if the other volunteer fire companies provided input. Chairman Crockett explained that it will be part of the process in developing a policy.

Chairman Crockett asked the Board to give consensus for staff to develop a policy based on option #3. The Board gave consensus for the DPS staff to develop a policy.

**12.4 Consider the distribution of a portion of the remaining unspent ESPL construction project funding in accordance with the ESPL Lease Agreement Section 7(e)**

Mr. Mason informed the Board the balance of unexpended funds remaining in the Eastern Shore Public Library and Heritage Center project fund is \$282,176 as of 6/11/2024. He noted this construction project is finished for all intents and purposes but there are still issues related to the facility's HVAC. The lease between the County and the Board of Trustees of the Eastern Shore Public Library executed on June 21, 2023, contains a provision allowing for pro rata distribution of remaining project funds upon the first anniversary of the lease. Staff's recommendation is not to distribute any remaining construction funds at this time and instead retain all project funds until the HVAC issue is remedied then consider refunding excess amounts back to the organizations who contributed towards the building's construction based on the provisions set forth in the lease agreement. The Board gave consensus to proceed with the recommendation.

**12.5 Receive Briefing on County Administrator Discussions with Foodbank of Southeastern Virginia & Eastern Shore regarding potential DHCD Planning Grant Application & authorize MOU to be developed for consideration at the Board's July17, 2024 meeting**

Mr. Mason reported to the Board that the County had met twice with representatives from the Foodbank of Southeastern Virginia & Eastern Shore regarding the feasibility of the County and the Foodbank partnering on a DHCD Planning Grant Application, which if awarded would support their desire to increase their service level on the Shore. The DHCD



grant would cover land assessment and architectural design costs for an additional facility that would be constructed adjacent to the existing foodbank facility located in Tasley. Mr. Mason added the DHCD planning grant did not require cash matching funds for its grants and the Foodbank was confident that the project could be completed with the grant funding provided. The maximum amount of the grant was \$100,000. He said DHCD imposes a limit on improvement grants that can be open for a locality which are traditionally used for reconstruction in targeted areas to improve housing here on the Shore. Mr. Mason also informed the Board that there was no limit to how many planning grants could be open at one time and pursuing a planning grant on behalf of the Foodbank would not delay the County's ability to complete the Board's previously approved DHCD Housing Improvements Priority List with Horntown being the next area targeted. Mr. Mason also added that the Foodbank was apprised that the County has historically used DHCD improvement grants for housing initiatives and understood that there may not be an opportunity to pursue a DHCD grant for construction purposes once the planning grant has concluded.

Mr. Mason introduced Leah Williams-Rumbley, Chief Programs and Innovation Officer, Foodbank of South Hampton Roads and the Eastern Shore of Virginia to the Board, whom he invited to present to the Board the Foodbank statistical information and answer any questions after her report, Mr. Mason asked the Board to authorize the development of an MOU between the County and the Foodbank outlining the expectations, roles, and responsibilities on this proposed planning grant collaboration to be considered by the Board of Supervisors at its July 17, 2024 meeting.

Ms. Williams-Rumbley provided the Board with information on food insecurity on the Shore and their efforts to continue providing access to nutritious foods to citizens of Accomack County through their Mobile Pantry, the SNAP Assistant Program, the Backpack Program, and the nine distribution centers serving the community. She highlighted the importance of the Foodbank's need to increase its capacity by building a new facility adjacent to the existing one to provide additional services and new programs to the community.

Supervisor Major addressed the Board in support of the Foodbank as it is much needed, as she has witnessed the need firsthand in her employment and is grateful to the Foodbank in wanting to further serve Accomack County.

**Motion for the Accomack County Board of Supervisors to authorize the development of an MOU between the County and the Foodbank outlining expectations, roles, and responsibilities on the DHCD Planning grant collaboration to be considered by the Board of Supervisors at its July 17, 2024 meeting. was made by Vice-Supervisor Phillips and seconded by Supervisor Johnson. The motion was approved unanimously.**

### **13. County Administrator's Report**

- 13.1 Update on rehab of the former Accomac Public Library/Consider authorizing carryover of FY24 vacancy savings from the office of Community and Economic Development to assist with outfitting this future new home for the County's building, planning, zoning, environmental and economic development functions**

Mr. Mason updated the Board on the rehab of the former Accomack Public Library and to consider authorizing carryover of FY24 vacancy savings from the office of Community and Economic Development into the FY25 budget to assist with outfitting this future new home for the County's building, planning, zoning, environmental and economic development functions. The Board set aside 1.2 million dollars for this project and those funds were to cover the hard cost. The rollover funds would cover the soft cost for this project. The Board received packets with additional information, concerning the item.

### **13.2 Discuss preliminary plan for the County to coordinate a roundtable discussion on the lack of childcare at the northern end of the County (date to be determined)**

Mr. Mason informed the Board that he had begun formulating a plan for the County to lead a roundtable discussion with child care providers and employers, primarily based in the northeast portion of Accomack County, about what can be done to address the lack of child care facilities in the upper portion of the County. He stated he has had multiple independent discussions with organizations located in close proximity to Wattsville, such as Virginia Space and Navy SCSC, who are all seeking ways to address this issue for their organizations. The idea with the roundtable is to bring some of our larger employers together to share their needs with local providers. He said he is convinced that having multiple organizations with common needs in one room will substantiate that there is a business case for new services to be offered in this area. He would also use this venue to unveil a new round of County funded Childcare Expansion Grants intended to incentivize further child care slot creation. This County grant program has not launched yet but he anticipates its design and eligibility to be similar to that of the previous County program made possible by federal pandemic related funding.

Supervisor Major told Mr. Mason the roundtable discussion is a wonderful idea but it should not be focused on one provider as she has heard previously and hoped it was not true that the County is focused on just one current childcare provider.

Supervisor DeGeorges addressed Mr. Mason concerning whether he knew of Ann Williams with Children's Harbor and the survey that was conducted. Mr. Mason replied that he knew Ms. Williams, had spoken with her, and was aware of the survey she had organized. Mr. Mason further stated the idea of the roundtable is to bring all local providers together, not just one particular one.

Supervisor Parks addressed Mr. Mason on whether the roundtable discussion would be similar to an industry day for providers or more than a roundtable. Mr. Mason replied that he planned to invite everyone interested and to provide organizations with a sample survey to provide to their employees to help gather information on the demand level and the services desired.

### **13.3 Wallops Research Park Leadership Council Appointment**

Mr. Mason stated staff is ready to schedule a Wallops Research Park Leadership Council meeting but was waiting on the Council's state representative to be designated. The County has submitted a request to both the Governor's Office and the Secretary of

Commerce and Trade Office asking for a designee. Staff has also spoken with its state legislators requesting assistance with obtaining this appointment.

### **13.4 Effective July 1, 2024, management of the County's Ditch Maintenance Program will be transferred from Environmental Programs to Public Works**

Mr. Mason informed the Board that Effective July 1, 2024, the County's Ditch Maintenance Program will be transferred from Environmental Programs to Public Works where it first started. He said staffing the program remains a challenge so the new plan is to use contractors to conduct the work on the ground and have a coordinator manage the program under the umbrella of Public Works.

### **13.5 Other**

There were no other items to report.

### **14. County Attorney's Report**

Ms. Proctor did not have a report.

### **15. Board of Supervisors Comment Period**

- ❖ **Supervisor Hart-** informed the Board he will be at the NACo Conference in Florida during July and will participate remotely.
- ❖ **Supervisor Washington-** Thanked Mr. Mason for his invitation to attend the VACo Supervisor's forum. The conference was a great experience to attend and connect with other supervisors throughout the Commonwealth.
- ❖ **Supervisor Tarr-** Addressed the Board concerning the comments in Eastern Shore Post about the Chincoteague Inlet study that was approved by Congress eight years ago. The study was a \$3 million study that needed 50% of its money from nonfederal funds. It took the state eight years to approve the funds for the study. He said he assumed the Army Corps of Engineers had moved forward with it but that was not the case. Mr. Tarr asked the Board to give the County Administrator permission to endorse the Chincoteague Council's letter to the Army Corps of Engineers requesting the status of the inlet study. **A motion to allow the County Administrator to endorse the letter was made by Supervisor Tarr and seconded by Supervisor Hart. The motion was approved unanimously.**
- ❖ **Supervisor Parks-**Thanked Director Pruitt, Battalion Chief Greer, and volunteer fire and rescue personnel in attendance. He stated he looks forward to working with everyone in the group.
- ❖ **Chairman Crockett** – Announced the meeting would be the last for Ms. Jessica Hargis and thanked her for her work.

### **16. Budget and Appropriation Items**

#### **16.1 Consider Approving Resolution to Amend the FY24 and FY25 Budgets**

**A motion was made by Supervisor Hart and seconded by Supervisor Major, to approve the resolution to amend the Fiscal Year 2024 and 2025 Budgets. The motion was approved unanimously.**

**RESOLUTION TO AMEND THE FISCAL YEAR 2025 AND 2024  
ACCOMACK COUNTY GOVERNMENT BUDGETS**

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

**WHEREAS**, on April 1, 2024, the Board of Supervisors finalized the Accomack County Fiscal Year 2025 Budget; and

**WHEREAS**, on March 23, 2023, the Board of Supervisors finalized the Accomack County Fiscal Year 2024 Budget; and

**WHEREAS**, during the course of the fiscal year certain unanticipated events occur that compel amendments to the budgets 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 2025 and 2024 County budgets 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
FY24	Social Services	Welfare Fund	To recognize various State, Federal and Local 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=\$103,852; Federal=(\$49,427); Local=\$1,436	\$ 55,861
FY24	County Administrator	General Fund/Public Safety	To recognize additional funds received for opioid litigation.	Miscellaneous	\$ 16,255
FY24	County Administrator	General Fund/Public Safety	To recognize additional funds received for opioid litigation.	State	\$ 18,614
FY25	Deputy Administrator, Building, Planning & Economic Development	General Fund/Building, Planning & Economic Development	To carry over FY24 vacancy savings for use in FY25 for needs for department relocation to old Library in Accomac.	FY24 Vacancy Savings	TBD
<b>Total</b>					<b>\$ 90,730</b>

  
 Robert D. Crockett  
 Chairman, Board of Supervisors

June 20, 2024 BOS Meeting

ATTEST:

  
 Michael T. Mason, CPA  
 County Administrator

Adopted by the Board of Supervisors of Accomack County, Virginia, this 20<sup>th</sup> day of June 2024.

**16.2 Consider additional FY25 funding request from the ES 911 Commission for the purpose of increasing 9-1-1 staff compensation from the previously approved 1% to 3% (same as County employees)**

**A motion to consider additional FY25 funding request from the ES 911 Commission to increase 9-1-1 staff compensation from the previously approved 1% to 3% was made by Supervisor Hart and seconded by Supervisor Tarr. The motion was approved unanimously.**

**17. Payables**

**17.1 Consider Payables**

Mr. Mason certified the June payables. **A motion was made by Vice-Chairman Phillips to authorize payment of June payables and seconded by Supervisor Tarr. The motion was approved unanimously.**

**18. Closed Meeting**

18.1 There was no closed meeting.

**19. Adjournment**

19.1 Adjournment:

**A motion was made by Supervisor Tarr to adjourn the meeting at 7:06 p.m. and seconded by Supervisor Parks. The motion was approved unanimously.**

**20. Informational Items**

20.1 Eastern Shore Public Library: Interim System Director's Report was included in the Board's agenda packet