

VIRGINIA: At A Regular Monthly Meeting of the Board of Supervisors for the County of Accomack held in the Board of Supervisors Chambers in Accomac, Virginia on the 19th Day of February, A.D., 2014.

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

Others Present: Steven B. Miner, County Administrator
Mark B. Taylor, County Attorney
Michael Mason, Finance Director
Shelia Goodman, Administrative Assistant

Call to Order

The meeting was called to order and opened with a prayer by the Chair, after which the Pledge of Allegiance to the Flag was recited.

Adoption of the Agenda

Mr. Hart made a motion to adopt the Agenda with corrections. Ms. Major seconded the motion. Mr. Miner added to the Agenda to purchase a pickup truck Bid #670 under the Consent Agenda, add under the County Administrator's report to accept the taxiway easement from NASA at Wallops Research, and to move 11.1 Dr. Benson's FY15 School Board Budget request to 7.2 under Public Officials. The motion was unanimously approved.

Public Comments

The County Attorney read the rules governing conduct during the Public Comment period.

Comments in support of funding for Eastern Shore Community College and the proposed new Eastern Shore Public Library were offered by Mrs. Barbara Coady, Machipongo, VA.

Minutes

Mr. Hart made a motion to approve the Minutes of January 8 and January 15, 2014 meetings. Mrs. Thornton seconded the motion. The motion was unanimously approved.

Consent Agenda

Mr. Wolff made a motion to approve the following items under the Consent Agenda and hear from Stewart Hall concerning the vehicle purchase. Mr. Hart seconded the motion. The motion was unanimously approved.

- 5.2 A fire engine donation by Parksley Volunteer Fire Company to the Eastern Shore Fire Training Center,
- 5.3 To schedule a public hearing on Wednesday, March 19, 2014 at 7:30 p.m. in the Board of Supervisors' Chambers, Room 104, 23296 Courthouse Avenue, Accomac, Virginia, to afford interested persons the opportunity to be heard or to present written comments concerning the following item an Ordinance to amend Accomack County Code, Chapter 34, Elections, Article, III, Precincts; Polling Places, Sec. 34-67, Polling Places - to provide that the Central Absentee Ballot Precinct Place shall be moved from the Accomack County Board Room to the Jury Room, Accomack County Circuit Court, 23316 Courthouse Avenue, Accomac, Virginia, and
- 5.4 The award of Bid #670 Pickup Truck with Service Body to low the bidder, Hall Automotive in the amount of \$39,723.

Eastern Shore Community College

Dr. Linda Thomas-Glover, President, Eastern Shore Community College, gave a presentation concerning the decrease in enrollment, activities at the College, Financial Aid, college credits, GED testing online, the proposed timeline for construction and responded to questions.

FY15 School Board Budget Request Presentation

Dr. Bruce Benson, Division Superintendent, Accomack County Public Schools, presented the school's 2014-2015 budget to the Board in the amount of \$45,880,695 and responded to questions.

A lengthy discussion ensued concerning the fleet of 111 school buses possibly being contracted to an outside source. Dr. Benson responded that the School Board had talked about this and possibly in the future it could be done but was not considered in this year's budget.

Somerset Utilities Presentation

Somerset Utilities representative gave a brief presentation highlighting where they were in the permit process which requires approval from 13 different state and federal agencies. He told the Board construction was expected to start in the second quarter of 2015 with natural gas flowing to Accomack County by the third quarter of 2015; that as a requirement from FERK, he would be coming back to the Board requesting letters of support because it was a need for the project on the Eastern Shore and a letters of support

identifying any gas customers. He said he would be giving another update in June and responded to questions.

Hunter/Landowner Advisory Committee

Mr. Chesser gave an update and apprised the Board of the recent meeting of the Hunter/Landowner Advisory Committee. He told the Board Sgt. Steve Garvis, Conservation Police Officer with the Department of Game and Inland Fisheries, presented information regarding the number of complaints that had been received and noted that the Sheriff's Department had received two (2) complaints. Mr. Chesser stated there were three (3) options the Game Commission was concerned with.

- Allow dog hunting all season
- Close hunting deer with dogs entirely
- Close deer hunting with dogs the first 12 days of the general firearms season

He told the Board the Committee was considering holding another meeting in approximately two months.

Agricultural Assessment Plan

Mrs. Thornton stated there were specifics that needed to be done relative to an agricultural assessment. She said to avoid the possibility of trespass issues; it was the County's responsibility to notify landowners of any agricultural assessments that were being conducted.

Following discussion, it was the consensus of the Board that the landowner would be notified prior to any action.

Recess

By consensus, the chair recessed the meeting at 7:05p.m.

Call to order

The Chair called the meeting back to order.

Public Hearing

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning the 2013 Comprehensive Plan Review and Updates and consider adoption of same.

No public comments were offered and the Chair closed the Public Hearing.

Mrs. Thornton stated on Page 3 there was an incorrect statement. The following changed was made:

Groundwater Protection

Groundwater is the only drinking water source for Accomack County. In 1976 the Virginia State Water Control Board designated the Eastern Shore as a Ground Water Management Area due to findings of groundwater level declines, well interference and localized groundwater contamination. Groundwater is supplied by the Columbia and the Yorktown-Eastover aquifers. ~~*The Columbia is a shallow unconfined aquifer with water quality generally not suitable for drinking, but suitable for irrigation and some manufacturing uses.*~~ The deeper, confined, Yorktown-Eastover aquifer is the county's drinking water source. This aquifer is recharged by rainwater infiltration. The 1992 Ground Water Supply Protection and Management Plan for the Eastern Shore of Virginia identified the area that recharges the deep aquifer as strip of land that runs along the central portion of the peninsula. The Plan calls for protection of this groundwater recharge spine from contamination threats and decrease in recharge rate due to creation of impervious surfaces. In 1997, the U.S. Environmental Protection Agency (EPA) designated the fresh ground water that supplies all drinking water on the Eastern Shore of Virginia as the Columbia and Yorktown-Eastover Multiaquifer System Sole Source Aquifer. The 1999 Technical Analysis and Justification for Ground Water Ordinances on the Eastern Shore of Virginia documents the need to manage new development to protect our limited supply of ground water.

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Other Parts of Accomack County

NASA owns and operates a wastewater treatment system at the NASA main-base. The system serves federal facilities in the main-base area and at Wallops Island. By agreement with Accomack County, the Wallops Research Park will be served by the NASA system.

At this time, there does not appear to be a need for municipally owned and operated wastewater systems beyond those already identified in this section. In the event that future municipal wastewater treatment needs arise, it appears that small collection and treatment systems (under 100,000 gallons per day/treatment) ~~will~~ **may** be adequate.

Private Wastewater Treatment Systems

Private Wastewater Treatment Systems requiring DEQ's approval should be sized and designed to service the users/development in a clearly-defined service area. ~~The size and design of the wastewater system should correspond with the size of the existing or proposed development for which service is intended and must be constructed within the boundaries of the development.~~ ***The appropriate state agency shall approve the size and design operation of any wastewater system.***

A discussion ensued.

Private systems owned and operated by developers should be carefully scrutinized for quality of proposed construction, maintenance, and continuing financial viability.

The purpose of this is to assure quality infrastructure and to avoid sudden failures and shocks which may affect large numbers of citizens in the future should private ventures prove financially unstable and construction inadequate.

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Planned Unit Developments in Village Development Areas should achieve the following:

- Promote mixed use developments.
- Generally be consistent with, and developed in accord, with the Village Development purpose, targets, and development types outlined above.
- That the development is of appropriate size and scale for the Eastern Shore of Virginia.
- That phasing of the development is linked to market conditions ***by an analyst selected by the County and paid for by the applicant.***
- That the PUD complements nearby development.
- Be designed and constructed to create a sense of place where building placement, sidewalks, trees, landscaping, parks, and other amenities are connected in a manner

to encourage human interaction.

Mr. Hart recommended to close the Public Hearing.

The Chair closed the Public Hearing.

Mrs. Thornton made a motion to change the wording that phasing of the development is linked to market conditions by an analysis selected by the County and paid for by the applicant. Mr. Crockett seconded the motion. A decision ensued. The motion was unanimously approved.

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10. Public input – relevant factual information provided by the public that is received before or as part of a public hearing *that would have an adverse impact on the health, safety, and welfare of the residents.*

Mr. Wolff made a motion to accept the Comprehensive Plan with the changes that have been recommended. Mr. Chesser seconded the motion. The motion was unanimously approved.

Budget Work Session

The next budget work session will be held on Wednesday, February 26th at 5:00 p.m.

Economic Development Authority of Accomack County

Ms. Major made a motion to reappoint Iravon Ashby-Hope to the Economic Development Authority of Accomack County for a four year term commencing immediately and expiring on February 18, 2018. Mr. Hart seconded the motion. The motion was unanimously approved.

Planning Commission

Mrs. Lewis made a motion to appoint James Behrmann to the Planning Commission to fill the unexpired term of George P. Parker who had resigned beginning immediately and ending on December 31, 2016. Mrs. Thornton seconded the motion. Ayes: Mrs. Thornton, Mr. Wolff, Mr. Gray, Mrs. Lewis, Mr. Crockett, Mrs. Gordy, Mr. Hart, Ms. Major. Nays: Mr. Chesser.

Mrs. Gordy informed the Board she was resigning from the Eastern Shore Area Agency on Aging and the Economic Development Committee. She requested this to be put on the March 19, 2014 Agenda.

Camping Platform at NASA Dock Request Presentation from Susan Simon

Mrs. Susan Simon, Economic Development Coordinator, Accomack-Northampton Planning District Commission, gave a presentation requesting approval for

the concept to construct Camping Platform at NASA Dock along Virginia's Seaside Water Trail, explained economic and site development objectives, and responded to questions.

Mrs. Simon said she was asking the Board of Supervisors to approve the concept for creating the camping accommodation sites in Accomack County. She informed the Board because the camping platform would be located on the County's property; the county would be responsible for risk and liability at the site and said a key aspect of the plan was removal of derelict structures that are located on the property so it would be safer. She noted there were grants available via NOAA for marine debris removal.

Mr. Hart made a motion to approve the concept and noting that the matter would have to come back before the Board before anything is finalized. Mr. Crockett seconded the motion. The motion was unanimously approved.

Accomack Village Planning Grant

Mr. Gray asked to postpone discussion on Accomack Village until the March 19th meeting so he could talk to the people in the surrounding area and the parishioners of Zion Baptist Church.

Following a discussion, the Chair polled the Board for a consensus to postpone the matter until the March 19th meeting. Yes: Mrs. Thornton, Mr. Wolff, Mr. Chesser, Mr. Gray, Mr. Crockett, Ms. Major, Mr. Hart. No: Mrs. Lewis, Mrs. Gordy.

2nd Quarter Summary Financial Report

Finance Director Mike Mason reviewed with the Board the 2nd Quarter Summary Financial Report, explained same and responded to questions.

County Administrator's Report

Proposal to Amend the Eastern Shore of Virginia Regional Broadband Authority Founding Document

County Administrator Steven B. Miner said the Eastern Shore of Virginia Regional Broadband Authority was formed by Accomack and Northampton Counties several years ago by Joint Resolution of both County Boards of Supervisors; that in the founding documents, the County Administrators of both counties were named by title as members of the Authority's Board. Mr. Miner stated with the Board's permission, he would like to send a letter to Northampton County government suggesting that both counties amend the founding documents to allow the Administrator to name an alternate to attend meetings in his or her stead; that he had mentioned this to the Authority and

they were expecting it. He informed the Board before sending a letter, he would like the Board's authorization.

Mr. Crockett made a motion to authorizing Mr. Miner to send a letter to Northampton County for concurrence with the amendment. Mr. Hart seconded the motion. The motion was unanimously approved.

Capital Improvement Plan (CIP) Work Session

Mr. Miner told the Board they had previously requested the School System's Capital Improvement Plan items prior to finalizing its decisions on the overall County CIP. He informed the Board that the document was ready for discussion for a future meeting. He said the Board previously discussed another work session at which they could bring in the schools, the library, the County Staff, and architect to discuss all known capital needs and to hopefully develop a final prioritization plan. Mr. Miner gave the Board a copy of the CIP ranking policy that Finance Director Mike Mason Finance Director had prepared.

It was the consensus of the Board to wait until the budget was finished to schedule a work session.

Wallops Research Park Project - Taxiway

Mr. Miner told the Board as part of the Wallops Research Park Project the Taxiway had to extend to the NASA Taxiway and Runway Complex and there was a portion the land that has not been transferred to the County. He informed the Board NASA had sent a document offering the portion of land by easement and it was waiting to be signed, he needed the permission of the Board to sign it.

Mr. Crockett made a motion to authorize Mr. Miner to execute the document. Mrs. Thornton seconded the motion. The motion was unanimously approved.

County Attorney's Report

Baylor Ground Survey

County Attorney Mark Taylor offered comments concerning the corrections to the Baylor Survey. He stated the House of Delegates and Senate passed the corrective bill that Linwood Lewis introduced for the County to create a path for those private lease holders to get corrections made to the Baylor Survey so their private leases would continue.

Tattoo Business

Mr. Taylor spoke briefly about tattoos and said there was a licensed tattoo parlor located in New Church; that he had spoken to the operator of the business who was very concerned about infections, transmission of infectious disease. He said that the owner said the County could, by ordinance, regulate tattoo parlors and body piercing to ensure they meet basic health and safety guidelines and comply with the Centers of Disease Control and Prevention guidelines, etc. He said he informed the gentlemen that tattooing and body piercing are regulated by the Department Health and the Board for Barbers and Cosmetology that inspect laws and regulations.

Mr. Taylor asked the Board to make an information request to the Health Department and the Board for Barbers and Cosmetology to find out how many inspections have they done on the Eastern Shore.

It was the consensus of the Board to have Mr. Taylor write a letter to which he responded he would.

Board of Supervisors Comments

Mrs. Gordy told the Board she met with the Executive Director of Tourism and the Director was very excited concerning tourism.

Ms. Major stated she was glad to see VDOT had agreed to relocate the signs at the intersection of Wayside and Cosby Street in Painter from the west to the north.

Mr. Crockett thanked Rich Morrison and Dave Lumgair for the work they had done on the Comprehensive Plan.

Mr. Wolff recognized a constituent in his district that had just returned from Afghanistan that had been there for 10 months. He said the young man was a member of Maryland Military Police Detachment and that he made it back safely.

Mrs. Lewis gave an update on the Parks and Recreation new park and said she and four (4) other members of Parks and Recreation Advisory Commission had been meeting with members of the A-NPDC looking into grants and were planning to meet every Friday as long as they needed to see how the grants were coming and see how the funding was.

Budget and Appropriation Items

Mr. Hart made a motion to approve the following Resolution. Ms. Major seconded the motion. The motion was unanimously approved.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the FY2014 County budget be amended by the amounts listed below and the same amounts appropriated for the purposes indicated.

Fund	Department	Purpose	Funding Source	Amt.
General Fund	Planning (Erosion and Sediment Control)	To recognize award of the Stormwater Development and Implementation Grant from the Virginia Department of Environmental Quality	State Revenue	\$67,345
General Fund	EMS	To recognize a Contribution from	Contribution	\$12,500
General Fund	Treasurer	Riverside Hospital To recognize DMV stop collection fees recovered from taxpayers and paid to the DMV	Recovered Costs	\$34,432
General Fund	Sheriff	To recognize the	Insurance	\$25,353
General Fund	Parks & Recreation	Receipt of auto and building insurance proceeds To provide budget relief due to unanticipated vehicle fuel costs	Recoveries Contingencies	 \$3,000
Total				\$142,630

Adopted by the Board of Supervisors of Accomack County, Virginia this 19th day of February 2014.

Payables

Mr. Miner certified the payables. Mr. Hart made a motion to approve the payables. Ms. Major seconded the motion. The motion was unanimously approved.

Closed Meeting

Mrs. Lewis made a motion to go into closed meeting pursuant to Virginia Code Section 2.2-3711A for the following purpose: Ms. Major seconded the motion. The motion was unanimously approved.

1. Pursuant to Virginia Code Section 2.2-3711, subsection (A) (3), for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Open Session

The Chair declared the meeting open to the public.

Certification of Closed Meeting

Mr. Hart made the motion to reconvene in Opening Meeting and to certify by roll call vote, pursuant to Section 2.2-3712 (D) of the Code of Virginia, 1950 as amended,

that to the best of each member's knowledge the only matters heard, discussed, or considered during the Closed Meeting were (1) public business matters lawfully exempted matters as were identified in the motion by which the Closed Meeting was convened. Mr. Wolff seconded the motion. The motion was unanimously approved.

Roll Call

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

Adjournment

Mr. Wolff made a motion to adjourn to Wednesday, February 26, 2014 at 5:00p.m. Mr. Crockett seconded the motion. The motion was unanimously approved. The meeting adjourned at 9:17 p.m.

John Charles "Jack" Gray, Chair

Date