

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 16th day of July, A.D., 2014 at 5:00 p.m..

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 West, Administrative Assistant

Call to Order

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

Adoption of the Agenda

Ms. Major made a motion to adopt the Agenda and with the addition of a request to VDOT for a Watch for Children sign. Mrs. Lewis seconded the motion. The motion was unanimously approved.

Mr. Crockett made a motion to approve the Agenda, as amended. Mr. Hart seconded the motion. The motion was unanimously approved.

Public Comments

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

Public comments were offered by:

Mary Gladding – Withams, in opposition to the proposed poultry complex construction to be located on Jolly's Neck Road and handed out a letter for the Board of Supervisors, Planning Commission, and all Governing Bodies involved.

Mark Glacken – Withams, in opposition the proposed poultry complex construction.

Mrs. Thornton asked that the Board of Supervisors receive a copy of the report once it had been completed by the Planning Department.

Hayden Rochester – Onancock, offered comments concerning the Centralized Accomack Wastewater Treatment Facility.

Barbara Coady – Machipongo, offered comments in support of the new library and requested reconsideration of the referendum.

Minutes

Mr. Hart made a motion to approve the Minutes of June 18, 2014 meeting. Mr. Wolff seconded the motion. The motion was unanimously approved.

Resolution of Commendation

Mr. Wolff read and presented the following Resolution of Commendation to Mr. C. Lee Davis for serving on the Wetlands Board.

RESOLUTION OF COMMENDATION

WHEREAS, Mr. C. Lee Davis has been a dedicated member of the Accomack County Wetlands Board from November 1985 to June 2014; and

WHEREAS, Mr. Davis has served as a member diligently and unselfishly on the Accomack County Wetlands Board while representing the citizens of Accomack County; and

WHEREAS, Mr. Davis has served with distinction and honor and used sound judgment which has contributed to the success of wetlands development of Accomack County; and

WHEREAS, Mr. Davis' tenure with the Accomack County Wetlands Board has resulted in many notable accomplishments and achievements which have benefited the citizens of Accomack County; and

WHEREAS, he has been a conscientious and devoted member of the Wetlands Board for twenty-nine years and displayed the highest example of civic service:

NOW, THEREFORE, BE IT RESOLVED that the Accomack County Board of Supervisors commends C. Lee Davis for his outstanding contributions and valuable public service to the County of Accomack and to the citizens of Accomack County.

Consent Agenda

Mr. Hart made a motion to approve the following items under the Consent Agenda. Ms. Major seconded the motion. The motion was unanimously approved.

- 5.2 The recommendation made by the Accomack County Fire and Rescue Commission to dedicate the Burn Building located at the Eastern Shore Fire Training Center in memory of K. W. Ainsworth,
- 5.3 Authorized the County Administrator to execute all necessary documents for an application for a Coastal Zone Management Grant in the amount of \$25,000 for improvements to the Quinby Harbor (Phase III), and
- 5.4 To release the full FY15 allocation (\$145,123) for the Chincoteague Convenience Center Expansion.

Development of Sewer Pricing for Central Accomack Sewer Treatment Capacity

Mr. Stewart Hall, Director of Public Works, gave a brief progress update and summary to the Board regarding sewer capacity for the central Accomack area. He said the Town and the County had come together in working with the consulting firm of

Davis, Bowen and Fidel. He explained associated costs, construction options, required permitting time, etc. and responded to questions.

Resolution on Library Referendum

Mr. Hart made a motion to rescind the previous action taken at the May 28, 2014 meeting to hold a referendum on the question of whether or not Accomack County should be authorized to borrow money for the construction of a new library. Mr. Wolff seconded the motion. A discussion ensued.

The vote on the motion: Ayes: Mr. Hart, Mr. Wolff, Ms. Major. Nays: Mr. Crockett, Mrs. Gordy, Mrs. Lewis, Mr. Chesser, Mrs. Thornton. Abstentions: Mr. Gray.

Mr. Crockett made a motion to approve the following Resolution. Mrs. Thornton seconded the motion. Ayes: Mrs. Thornton, Mr. Chesser, Mr. Wolff, Mrs. Lewis, Mr. Crockett, Mrs. Gordy, Ms. Major. Nays: Mr. Hart. Abstention: Mr. Gray

RESOLUTION OF THE BOARD OF SUPERVISORS OF ACCOMACK COUNTY, VIRGINIA, REQUESTING A REFERENDUM ON THE QUESTION OF WHETHER OR NOT ACCOMACK COUNTY SHOULD BE AUTHORIZED TO BORROW MONEY FOR THE CONSTRUCTION OF A NEW LIBRARY

The Board of Supervisors of Accomack County, Virginia, in regular meeting on the 16th day of July, 2014, adopted the following:

RESOLUTION

WHEREAS, Section 42.1-37 of the Code of Virginia authorizes two or more counties, by agreement, to join in establishing and maintaining a regional free library system; and

WHEREAS, Accomack County has, since 1958, joined with Northampton County to establish and maintain the Eastern Shore Public Library to provide free access to library services to all citizens of Accomack and Northampton Counties; and

WHEREAS, by Agreement with Northampton County effective December 1, 2008, Accomack County agreed to accept responsibility for seventy-five percent (75%) of the expenses of the Eastern Shore Public Library; and

WHEREAS, the Board of Trustees of the Eastern Shore Public Library has requested \$3.5 Million Dollars in funding from the Accomack County Board of Supervisors for capital needs of the Eastern Shore Public Library including, but not limited to, construction, reconstruction, equipping, etc. of library facilities; and

WHEREAS, the Accomack County Board of Supervisors is authorized by Article VII, Section 10 of the Constitution of Virginia and enabled by the Virginia Public Finance Act of 1991, Virginia Code Sections 15.2-2600 et seq. to borrow money, issue general obligation bonds and contract debt to fund the Eastern Shore Public Library Board of Trustees' request; and

WHEREAS, Article VII, Section 10 of the Constitution of Virginia requires, as a prerequisite of contracting such debt, that provision be made for submission to the qualified voters of the county for approval or rejection by a majority vote of the qualified voters voting in an election on the question of contracting such debt; and

WHEREAS, the sense of the Accomack County Board of Supervisors is that the referendum question to be put to the qualified voters of Accomack County should be

substantially as follows: “Shall Accomack County incur debt in the amount of \$3,500,000.00 by issuing general obligation bonds to pay a portion of the cost of a new library?”; and

WHEREAS, in consideration of the foregoing, the Board of Supervisors of Accomack County has requested that this Resolution be prepared for filing, upon its adoption by said Board and certification by the Clerk to said Board, with the Circuit Court of Accomack in order that a referendum on the issuance of the bonds be held at the 2014 General Election to be held on November 4, 2014.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Accomack County, that the question be put to the qualified voters of Accomack County at the 2014 General Election to be held on November 4, 2014, as follows: “Shall Accomack County incur debt in the amount of \$3,500,000.00 by issuing general obligation bonds to pay a portion of the cost of a new library?” and that to such end a copy of this Resolution, certified by the Clerk to the Board of Supervisors, shall be promptly filed with the Circuit Court of Accomack County.

Eastern Shore Rural Health - Real Estate Tax Exemption Request

Eastern Shore Rural Health System, Inc. CEO Nancy Stern reiterated her request for real estate tax exemption for ESRHS’s medical centers and corporate offices on the Shore as she had at the June 18, 2014 meeting to be able to assist uninsured and under insured patients. She said an option was increasing the allowance for the dental services program which would allow it to grow.

A lengthy discussion took place concerning the request.

Mrs. Thornton made a motion that starting the next Fiscal Year Budget that the Board appropriates the amount of money to Eastern Shore Rural Health to expand their dental program, or if the State would cut the program; that the Board would appropriate the same amount of money they could use for one of their other programs. Mrs. Lewis seconded the motion. The motion was unanimously approved.

Virginia Stormwater Management Program (VSMP) Appeals Board

Chairman Gray stated the request for Virginia Stormwater Management Program (VSMP) Appeals Board and the Eastern Shore Broadband Authority would be discussed in Closed Meeting.

Eastern Shore Community Policy and Management Team for At-Risk Youth & Families

Ms. Major made a motion to accept Mrs. Nancy Stern’s resignation on the Eastern Shore Community Policy and Management Team for At-Risk & Youth Families effective immediately. Mr. Hart seconded the motion. The motion was unanimously approve.

The Board asked Mr. Miner to find out if someone from the Court Services or Social Services would be willing to serve on the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families.

Mr. Hart made a motion to accept Ms. Reneta Major's resignation on the Eastern Shore Community Policy and Management Team for At-Risk Youth & Families effective immediately. Mr. Wolff seconded the motion. The motion was unanimously approved.

Wetlands Board

Mr. Wolff made a motion to appoint Mr. Tim Getek to the Wetlands Board for a five- year term commencing on July 1, 2014 and expiring on June 30, 2019. Mrs. Thornton seconded the motion. The motion was unanimously approve.

Recess

It was the consensus of the Board to take a 5 minute recess. The meeting recessed at 6:25p.m.

Back to Order

The Chair called the meeting back to order at 6:30.

New Business

Early Retirement Option Program for the School Board and School Salaries

Mr. Hart opted not to participate in the discussion because of situations and noted he had signed a disclaimer with County Attorney Mark Taylor. Mr. Crockett opted not to participate in the discussion because his daughter would be working for the school system this year, and noted he stated he had signed a disclaimer with Mr. Taylor as well.

Chief Operating Officer Beth Charnock appeared before the Board and gave general background information related to the Early Retirement Option Program (ERO) for School system employees that cost taxpayers \$370,000 last year. She told the Board that the School Board had adopted an Early Retirement Policy in the 1999 and explained how the policy affected early retirees.

She responded to questions from the Board and said the School Board had formed a new committee to bring changes in the plan, and when completed they would let the County staff review them for review by the Board of Supervisors.

County Finance Director Michael Mason told the Board it was important to note that accounting standards require the ERO program to be treated as a pension plan for financial reporting purposes. He said once a program meets the definition of a pension plan, the County would be required to recognize any net pension liability associated with

it and which could affect the County's credit rating and its ability to borrow money. He said the School Board did not set aside any funds to pay for future costs associated with their ERO Program nor did they have any plan in place to mitigate future associated costs and the two would negatively impact Accomack's score and ultimately its rating. He said that reduced scores lead to lower bond ratings and higher cost of debt.

Recess

It was the consensus of the Board to recess. The meeting recessed at 7:09p.m.

Call to Order

The Chair called the meeting back to order at 7:40p.m.

Public Hearings

Ordinance Amendment to Change Chapter 34, Elections, Article III, Precincts Section 34-67, Polling Places, to change Accomack District 6, Precinct No.601, from the Tasley Fire House to Elks's Lodge located at 22454 Front Street, Accomac, Virginia

County Attorney Mark Taylor read the rules governing conduct during Public Hearing.

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning a proposed amendment to Chapter 34, Elections, Article III Precincts, Section 34-67 Polling Places of the Code of the County of Accomack, VA to change Accomack County District 6, Precinct No.601 from the Tasley Fire House to Elk's Lodge located at 22454 Front Street, Accomac, Virginia.

No public comments were offered.

The Chair closed the Public Hearing.

Mr. Crockett made a motion to adopt the following Ordinance amendment. Mr. Hart seconded the motion. The motion was unanimously approved.

AN ORDINANCE TO AMEND CHAPTER 34, ELECTIONS, ARTICLE III, PRECINCTS, SEC. 34-67, POLLING PLACES OF THE ACCOMACK COUNTY CODE

WHEREAS, the Board of Supervisors of Accomack County, Virginia, has been notified by the Electoral Board that the Accomac District 6, Precinct No. 601 Polling Place in Tasley, Virginia, situated presently in the Tasley Fire House located at 24223 Tasley Road, Tasley, Virginia, is inadequate due to its small space and it needs to be relocated to the Elk's Lodge, located at 22454 Front Street, Accomac, Virginia.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED as an Ordinance of Accomack County, that the Accomack County Code is hereby amended to provide that the Accomac District 6, Precinct No. 601 Polling Place in Accomac, Virginia is removed from the Tasley Fire House situated at 24223 Tasley Road, Tasley, Virginia, to the Elk's Lodge located at 22454 Front Street, Accomac, Virginia. Therefore, Chapter 34, Elections, Article III, Precincts, Sec. 34-67 of the Accomack County Code is hereby amended as follows:

Chapter 34. Elections

Article III. Precincts

Sec. 34-67. Polling Places.

Section 34-67 as previously shown in the Accomack County Code is hereby deleted in its entirety.

The precincts for each election district and the polling place for each precinct shall be set forth below:

Election District	Precinct Number	Precinct Name	Polling Location
District 1	101	Chincoteague	Chincoteague Community Center
District 2	201 202	Atlantic Greenbackville	Atlantic Fire House Greenbackville Vol. Fire Dept.
District 3	301	Oak Hall	Arcadia High School
District 4	401 402 403	Bloxom Parksley Saxis	Fire House Banquet Hall Parksley Fire House Saxis Fire House
District 5	501 502	Mappsville Rue	Kegotank Elementary Metompink Elementary
District 6	601 602	Accomac Tangier	Accomac Elk's Lodge Tasley Fire House Tangier Combined School
District 7	701 702	Onancock Onley	Onancock Town Hall Onley Volunteer Fire and Rescue Company 25489 Maple Street
District 8	801 802 803	Bobtown Melfa Wachapreague	Pungoteague Elementary School Melfa Fire House Wachapreague Fire House
District 9	901	Painter	Painter Fire House
Central Absentee Ballot Precinct Place			Board of Supervisors Room, Accomack County Administration Building, 23296 Courthouse Avenue Accomac, Virginia

State Law Reference – Polling Places, §24.2-305, et seq.

This Ordinance is effective immediately.

Ordinance Amendment to Chapter 38, Article IV. Stormwater Management Section 38-100. Fees of the Code of the County of Accomack, VA

The Chair opened a Public Hearing to afford interested persons the opportunity to be heard or to present written comments concerning a proposed amendment to the Stormwater Management Ordinance, Section 1-15 Fees. This Amendment was adopted as an emergency ordinance amendment at the June 18, 2014 meeting.

No public comments were offered.

The Chair closed the Public Hearing.

Mr. Crockett made a motion to adopt the following ordinance. Ms. Major seconded the motion. The motion was unanimously approved.

**AN ORDINANCE TO AMEND THE ACCOMACK COUNTY
STORMWATER MANAGEMENT ORDINANCE**

WHEREAS, on June 18, 2014, the Board of Supervisors of Accomack County determined that an emergency existed relating to the Stormwater Management Ordinance enacted on May 21, 2014 to clarify the issue of fees to be charged; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Accomack County Board of Supervisors this 16th day of July, 2014, that the Accomack County Stormwater Management Ordinance is hereby amended with regard to fees to be charged effective July 1, 2014, on an emergency basis, as follows:

1-15. FEES.

The following total fees to be paid by applicant apply to (i) any operator seeking coverage under the a July 1, 2014 General Permit for Discharges of Stormwater from Construction Activities for or (ii) on or after July 1, 2014 to any operator seeking coverage under a General Permit for Discharges of Stormwater from Construction Activities, a state or federal agency that does not file annual standards and specifications or an individual permit issued by the board. On and after approval by the board of a VSMP authority for coverage under the General Permit for Discharges of Stormwater from Construction Activities, no more than 50% of the base total fee to be paid by applicant set out in this part shall be due at the time that a stormwater management plan or an initial stormwater management plan is submitted for review in accordance with 9VAC25-870-108.

The remaining total fee to be paid by applicant balance shall be due prior to the issuance of coverage under the General Permit for Discharges of Stormwater from Construction Activities. When a site or sites are purchased for development within a previously permitted common plan of development or sale, the applicant shall be subject to fees ("total fee to be paid by applicant" column) in accordance with the disturbed acreage of their site or sites according to the following table.

Fee type	Total fee to be paid by Applicant (includes both VSMP authority and Department portions where applicable)	Department portion of "total fee to be paid by Applicant" (based on 28% of total fee paid*)
Chesapeake Bay Preservation Act Land- Disturbing Activity (not subject to General Permit coverage; sites within designated areas of Chesapeake Bay Act localities with land-disturbance acreage equal to or greater than 2,500 square feet and less than 1 acre)	\$209	\$0
General /Stormwater Management -Small Construction Activity/Chesapeake Bay Preservation Act Land-Disturbing Activity (not subject to General Permit Coverage)/ Land Clearing (Single-family detached residential structures within or outside a common plan of development or sale with land disturbance acreage less than five acres)	\$209	\$0
General/Stormwater Management- Small Construction Activity/ Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than one acre except for single-family detached residential structures)	\$290	\$81
General/Stormwater Management - Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 acre and less than 5 Acres)	\$2,700	\$756
General/Stormwater Management - Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$3,400	\$952

General / Stormwater Management – Large Construction Activity/Land Clearing [Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres]	\$4,500	\$1,260
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$6,100	\$1,708
General / Stormwater Management – Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$9,600	\$2,688
Individual Permit for Discharges of Stormwater from Construction Activities (This will be administered by the department)	\$15,000	\$15,000

* If the project is completely administered by the Department such as may be the case for a state or federal project or projects covered by individual permits, the entire applicant fee shall be paid to the Department.

9VAC25-870-820. Fees for an individual permit or coverage under the General Permit for Discharges of Stormwater from Construction Activities.

The following fees apply, until June 30, 2014, to coverage under the General Permit for Discharges of Stormwater from Construction Activities issued by the department prior to a VSMP authority being approved by the board in the area where the applicable land-disturbing activity is located, or where the department has issued an individual permit or coverage under the General Permit for Discharges of Stormwater from Construction Activities for a state or federal agency.

General/Stormwater Management- Phase I Land Clearing ("Large" Construction Activity- Sites or common plans of development equal to or greater than five acres.	\$750
General/Stormwater Management- Phase II Land Clearing ("Small" Construction Activity- Sites or common plans of development equal to or greater than one acre and less than five acres)	\$450
General/Stormwater Management- Small Construction Activity/Land Clearing (Sites within designated areas of Chesapeake Bay Act localities with land disturbance acreage equal to or greater than 2,500 square feet and less than one acre) (Fee valid until July 1, 2014)	\$200
Individual Permit for Discharges of Stormwater from Construction Activities	\$15,000

~~The following total fees to be paid by applicant apply to (i) any operator seeking coverage under the a July 1, 2014 General Permit for Discharges of Stormwater from Construction Activities for or (ii) on or after July 1, 2014 to any operator seeking coverage under a General Permit for Discharges of Stormwater from Construction Activities, a state or federal agency that does not file annual standards and specifications or an individual permit issued by the board. On and after approval by the board of a VSMP authority for coverage under the General Permit for Discharges of Stormwater from Construction Activities, no more than 50% of the base total fee to be paid by applicant set out in this part shall be due at the time that a stormwater management plan or an initial stormwater management plan is submitted for review in accordance with 9VAC25-870-108. The remaining total fee to be paid by applicant balance shall be due prior to the issuance of coverage under the General Permit for Discharges of Stormwater from Construction Activities.~~

The following fees apply, on or after July 1, 2014 to coverage under the General Permit for Discharges of Stormwater from Construction Activities issues by the board for a state or federal agency that has annual standards and specifications approved by the board.

General Stormwater Management- Phase I Land Clearing ("Large" Construction Activity- Sites or common plans of development equal to or greater than five acres.	\$750
General Stormwater Management- Phase II Land Clearing ("Small" Construction Activity- Sites or common plans of development equal to or greater than one acre and less than five acres)	\$450

9VAC25-870-825. Fees for the modification or transfer of registration statements for the General Permit for Discharges of Stormwater from Construction Activities.

The following fees apply to modification or transfer of individual permits or of registration statements for the General Permit for Discharges of Stormwater from Construction Activities issued by the board. If the state permit modifications result in changes to stormwater management plans that require additional review by the VSMP authority, such reviews shall be acreage of the site. In addition to the state permit modification fee, modifications resulting in an increase in total disturbed acreage shall pay the difference in the initial state permit fee paid and the state permit fee that would have applied for the total disturbed acreage in 9VAC25-870-820. No modification or transfer fee shall be required until such board approved programs exist. These fees shall only be effective when assessed by a VSMP authority, including the department when acting in that capacity that has been approved by the board. No modification fee shall be required for the General Permit for Discharges of Stormwater from Construction Activities for a state or federal agency that is administering a project in accordance with approved annual standards and specifications but apply to all other state or federal agency projects.

Type of Permit	Fee Amount
General / Stormwater Management – Small Construction Activity/Land Clearing (Areas within common plans of development or sale with land disturbance acreage less than 1 acre)	\$20
General/ Stormwater Management–Small Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 1 and less than 5 acres)	\$200
General/ Stormwater Management –Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 5 acres and less than 10 acres)	\$250
General/ Stormwater Management–Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 10 acres and less than 50 acres)	\$300
General/ Stormwater Management–Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 50 acres and less than 100 acres)	\$450
General/ Stormwater Management–Large Construction Activity/Land Clearing (Sites or areas within common plans of development or sale with land disturbance acreage equal to or greater than 100 acres)	\$700
Individual Permit for Discharges of Stormwater from Construction Activities	\$5,000

This Ordinance is effective immediately.

A Trust for Accumulating and Investing Assets for Fund Post-Employment benefits

Michael Mason, Finance Director told the Board in order to join the VACo/VML Pooled OPEB Trust, The Board must adopt the attached resolution which establishes a trust pursuant to Code of Virginia Section 15.2-1547, authorizes the County to become a “participating employer” in the “Virginia Pooled OPEB Trust Fund”, appoints a Local Finance Board (required) and directs the Local Finance Board to execute and deliver the Trust Joinder Agreement.

Mr. Crockett made a motion for the Board of Supervisors to take the necessary actions to join the VACo/VML and adopt the Virginia Pooled OPED Trust Fund Agreement and the following resolution. Mr. Hart seconded the motion. The motion was unanimously approved.

**A RESOLUTION TO ADOPT TRUST FOR OTHER POST-EMPLOYMENT
BENEFITS (OPEB)**

July 16, 2014

Object: To establish a trust, trusts, or equivalent arrangements for the purpose of accumulating and investing assets to fund post-employment benefits other than pensions in accordance with section 15.2-1544 of the Virginia Code.

WHEREAS, Section 15.2-1500 of the Virginia Code provides, in part, that every locality shall provide for all the governmental functions of the locality, including, without limitation, the organization of all departments, offices, boards, commissions and agencies of government, and the organizational structure thereof, which are necessary and the employment of the officers and other employees needed to carry out the functions of government; and

WHEREAS, in connection with the employment of the officers and other employees needed to carry out the functions of government, the County of Accomack, Virginia has established certain plans to provide post-employment benefits other than pensions (herein "Other Post-Employment Benefits"), as defined in Section 15.2-1545 of the Virginia Code, to individuals who have terminated their service to the County of Accomack, Virginia; and

WHEREAS, Article 8, Chapter 15, Subtitle II of Title 15.2 of the Virginia Code (§§ 15.2-1544 *et seq.*) provides that the governing body of a County may establish a trust for the purpose of accumulating and investing assets to fund Other Post-Employment Benefits; and

WHEREAS, Section 15.2-1300 of the Virginia Code provides that any power, privilege or authority exercised or capable of exercise by any political subdivision of the Commonwealth of Virginia may be exercised and enjoyed jointly with any other political subdivision of the Commonwealth having a similar power, privilege or authority pursuant to agreements with one another for joint action pursuant to the provisions of that section; and

WHEREAS, any two or more political subdivisions may enter into agreements with one another for joint action pursuant to the provisions of Section 15.2-1300 of the Virginia Code provided that the participating political subdivisions shall approve such agreement before the agreement may enter into force; and

WHEREAS, the County of Fairfax, Virginia and the County of Henrico, Virginia have determined to jointly establish and participate in the Virginia Pooled OPEB Trust Fund (the "Trust Fund") for each such county; and

WHEREAS, it appearing to the Board of Supervisors of the County of Accomack, Virginia that it is otherwise in the best interests of the County to become a participating employer in the Trust Fund:

**NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE
COUNTY OF ACCOMACK, VIRGINIA HEREBY ORDAINS:**

§ 1 That the County does hereby establish a trust pursuant to Section 15.2-1544 of the Virginia Code for the purpose of accumulating and investing assets to fund Other Post-Employment Benefits, in the form set forth in the Virginia Pooled OPEB Trust Fund Agreement (the "Agreement"), a copy of which is attached here as Exhibit A.

§ 2 That the County does hereby agree to become a "Participating Employer" in the "Virginia Pooled OPEB Trust Fund" (hereinafter, the "Trust Fund"), as further defined in the Agreement.

§ 3 That the County does hereby appoint the following individuals to the local finance board pursuant to Section 15.2-1547 of the Virginia Code to serve as the trustee of the County with respect to the Trust Fund, and as the "Local Finance Board" as defined in the Agreement:

Michael T. Mason, CPA, Accomack County Finance Director
Dana Bundick, Accomack County Treasurer
Beth Charnock, CPA

The finance board shall be composed of at least three members who shall include the chief financial officer of the locality, the treasurer of the locality, and at least one other additional person who shall be a citizen of the Commonwealth with proven integrity, business ability, and demonstrated experience in cash management and in investments. If the locality does not have a chief financial officer or a treasurer, then that position may be filled by the chief administrative officer of the locality or by a citizen who meets the qualifications set forth above. The citizen member is appointed for a term of two years expiring on July 16, 2016.

§ 4 That the County does hereby direct the Local Finance Board to execute and deliver the Trust Joinder Agreement for Participating Employers under Virginia Pooled OPEB Trust Fund (“Trust Joinder Agreement”), a copy of which is attached hereto as Exhibit B.

§ 5 That the County does hereby designate the following benefits provided to individuals who have terminated their service to the County as Other Post-Employment Benefits:

Post 65 Retiree Health Insurance (*Reference: Personnel Policy #409 Section B*)
County Supplemental Health Insurance Credit (*Reference: Personnel Policy #409 Section D*)

§ 6 This Resolution shall be in force and effect immediately upon its adoption or passage.

Exhibits: Virginia Pooled OPEB Trust Fund Agreement (“Exhibit A”)
Trust Joinder Agreement for Participating Employers under Virginia Pooled OPEB Trust Fund (“Exhibit B”)

Children at Play Signs

Mrs. Gordy told the board she had a request from a constituent in her district that would like a “Children at Play” sign on Stone House Road and asked the County Attorney to explain the process. Mr. Taylor explained the criteria for placing these types of signs on a road.

Mrs. Gordy made a motion to refer the request to Public Works Director Stewart Hall to review the qualifications and standards and bring the findings back to the Board with the determination whether it qualifies, what the cost would be, for final determination of funding the cost. Mr. Crockett seconded the motion. The motion was unanimously approved.

County Attorney’s Report

Mr. Taylor gave a follow-up on the DEQ meeting that was held last the week prior and the concept of an amendment to exempt the island towns from the requirements of the Stormwater Ordinance.

Board of Supervisors Comments

Mrs. Gordy said she thought the Board should give serious consideration to County administrative staff office space.

Ms. Major said Election District 9 held their meeting and thanked staff that attended the meeting. She told the board Stewart Hall was present and gave comments concerning the County Road Policy; that Mark Taylor, Senator Lynwood Lewis and Delegate Robert S. Bloxom, Jr. were also in attendance and that Chris Isdell, VDOT's Accomac Residency Administrator commented about rural additions.

Mrs. Thornton told the board the Beach Access Committee had met with the Town Council and the final date to comment on the Comprehensive Conservation Plan (CCP) would be on August 15, 2014.

Mrs. Thornton made a motion that the Board give Mr. Miner and herself permission to come up with a response by August 15th from the Board on the CCP Plan and return it back to the Board for review. Mr. Hart seconded the motion. The motion was unanimously approved.

Mr. Wolff said the rocket launch held on the July 13th had been picked up by the Space Station on July 16th at 6:30a.m.

Mrs. Lewis told the Board there was a new Farmer's Market in the Town of Parksley at the pavilion and invited the Board to go by and check the organic, non-organic variety of vegetables and the large selection of fresh produce at very reasonable prices.

Budget and Appropriation Items

Mr. Hart made a motion to adopt the following Resolution. Mr. Wolff seconded the motion. The motion was approved.

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2014 County budget be amended by the amounts listed below and the same amounts appropriated for the purposes indicated.

Fund	Department	Purpose	Funding Source	Amount
General Fund	Clerk of Circuit Court	To recognize award of a records preservation grant from the Library of VA.	State Revenue	\$ 21,906
General Fund	Sheriff	To recognize receipt of revenue associated with staffing special events.	Recovered Costs	\$ 19,786
General Fund	Solid Waste	To recognize receipt of revenue for vehicle services performed by the Public Works Garage for other departments and agencies.	Recovered Costs	\$ 58,766
Social Services Fund	Social Services	To recognize State budget adjustments.	State and Federal Revenue	\$ 3,775
Total				\$104,233

RESOLUTION

BE IT RESOLVED by the Board of Supervisors of Accomack County, Virginia, that the Fiscal Year 2015 County budget be amended by the amounts listed below and the same amounts appropriated for the purposes indicated.

Fund	Department	Purpose	Funding Source	Amount
General Fund	Risk Management	Insurance premiums together with risk management consulting fees will exceed the FY15 budget amount based on renewal information.	Contingencies	\$ 21,467
General Fund	Commonwealth's Attorney	The adopted state biennium budget contained mandated targeted salary increases for full-time and part-time Assistant Commonwealth Attorneys.	State Revenue (Compensation Board Funding)	\$ 9,564
Total				\$ 31,031

Payables

Upon certification by the County Administrator, Mrs. Thornton made a motion to approve the payables. Mrs. Lewis seconded the motion. The motion was unanimously approved.

Closed Meeting

Mr. Wolff made a motion to go into Closed Meeting for the following purposes.

Mrs. Thornton seconded the motion. The motion was unanimously approved.

1. Pursuant to subsection 2.2-3711 (A) (1) for discussion, consideration, or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining, or resignation of specific public officers, appointees, or employees of any public body, and
2. Pursuant to Subsection 2.2-3711(A) (3) for discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real 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. Wolff 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. Mrs. Lewis seconded the motion. The motion was unanimously approved.

Roll Call

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

Nays: None

Adjournment

Mr. Wolff made a motion to adjourn the meeting. Mrs. Thornton seconded the motion. The motion was unanimously approved. The meeting adjourned at 10:30p.m.

John Charles “Jack” Gray, Chair

Date